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DEPARTMENT OF THE INTERIOR,  
ENVIRONMENT, AND RELATED  
AGENCIES APPROPRIATIONS  
ACT, 2007—Continued

□ 1700

Mr. MORAN of Virginia. Mr. Chairman, this amendment is legal, it is simple, and it is fair. All we are asking is to preserve existing contracts but that those firms that fail to renegotiate fairly would then not be granted new oil or gas leases.

Not to accept this amendment is to take sides, is to choose to stand by an industry that has posted the highest profits of any industry in modern history by charging consumers about \$50 every time they fill up their gas tank. Those profits are coming from our constituents. And not to support this amendment is to decide we are going to side against our constituents. We are going to give up as much as \$80 billion, \$80 billion over the next 25 years. That is money that should be our constituents' because it is their Federally owned land that the oil companies are drilling on.

We have a responsibility to represent the American people before we represent a very wealthy and profitable industry. And to decide that we are going to figure out a way to let them continue with these contracts that never should have been signed this way in the first place, that gives up \$80 billion of American taxpayers money, is wrong. It is wrong.

It is wrong that our consumers are paying so much when these oil companies are making tens of billions of dollars more than they have ever made. Here is an opportunity, legal, fair and simple, to represent the interests of our constituents, the American taxpayer.

To turn down this amendment is to choose one of the major political contributors in this corrupt political system instead the interest of our constituents.

Pass this amendment.

Mr. TAYLOR or North Carolina. I yield 3 minutes to the gentleman from California (Mr. DOOLITTLE).

Mr. DOOLITTLE. Mr. Chairman, I don't know why the Clinton/Gore administration negotiated these leases. They do some rather extraordinary things that there would be no built-in provision when the price of oil reached a certain amount that you wouldn't start to pay royalties.

I have read that substantial amounts of money were raised by the Clinton administration and the Gore candidacy from the major oil companies. Maybe that had something to do with it. I don't know.

All I know is it is wrong and to me it seems inherently unfair, and to violate due process and equal protection of the law, to take people who have current leases that are legal and say to them, we are not going to allow you to bid on some leases over here unless you change the leases you presently have. That is coercion. That is almost extortion. And it is not the right of the government to behave in such a fashion.

And I have heard asserted here that private companies can do that, and I would question that. But the government is bound by the provisions of the United States Constitution not to impair contracts, not to deny equal process of the law, and to guarantee due process.

Therefore, I would urge defeat of this amendment.

Mr. HINCHEY. Mr. Chairman, I just want to mention that we have an administration now in the White House that is replete with oil contacts; and the transition team that set up the energy policy of this administration was made up entirely, except for one person, of people from the oil companies. That is what needs to be dealt with.

I yield 2 minutes to the gentleman from Massachusetts (Mr. MARKEY).

Mr. MARKEY. Mr. Chairman, I rise in support of the Hinchey-Markey

amendment. This amendment does absolutely nothing to any existing contract. The oil companies signed a deal at \$25 a barrel, royalty relief complete. It goes to \$50 a barrel, they still don't have to pay royalties; \$75 a barrel, they still don't have to pay royalties; \$100 a barrel, still no royalties. And we are not going to take that contract away.

All we are saying is that if you are going to play Uncle Sam as Uncle Sucker, then we are not going to allow you to have any new contracts, because the American consumer is being shaken upside down and having money shaken out of their pockets. Subsidizing the oil industry at \$70 a barrel to drill for oil is like subsidizing fish to swim. You don't have to do it.

President Bush said on April 19, I will tell you with \$55 a barrel oil we don't need incentives to oil and gas companies to explore. Bush said in a speech to newspaper editors. There are plenty of incentives.

But here is the GOP, not the Grand Old Party, but Gas and Oil Party. That is what they have turned into.

And by the way, last night they cut public health programs by \$16 billion. They cut veterans programs by \$8 billion. And where could the money have come from? Well, another \$10 billion from royalties. If Kerr McGee wins their case, another \$60 billion.

If you kicked the Republican budget in the heart, you would break your toe. Keep the money, they say, in the hands of the oil companies. Let them rake off all this money from the taxpayer. Cut the programs in public health, in education, and for veterans, even as their own president is saying they don't need these royalties.

So, ladies and gentlemen, we say keep those contracts, but you are not getting any new contracts with our government if you are going to keep these windfall profits. That is why you should vote for the Hinchey-Markey amendment to send a message to the oil companies in our country.

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.



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Mr. TAYLOR of North Carolina. I yield 2 minutes to the gentleman from New Mexico (Mr. PEARCE).

Mr. PEARCE. Mr. Chairman, we have heard a lot of talk here. I have heard about a corrupt political system.

I would point out that I went to Russia, the Soviet Union, in about 1991. They are awash in petroleum. They are awash in enough petroleum to change the price of the world price of petroleum significantly. But they have a corrupt political system, and they can't even produce.

To claim that the American oil companies are somehow gaming the system simply just doesn't wash. Oil is traded as a commodity. No company is large enough to affect the price of oil. It is set worldwide. The price of oil is set.

When I look at a demand curve from China, I see that the price of oil is exactly mirroring China's increased demand through the last few years. India is sitting out there requiring a lot of oil too.

For us to begin to talk about punishing people who are bringing a product to the market when people desperately need it, and another system, the Soviet system, cannot even get into the market at \$70, in which anyone should be able to get oil to the market at that price, seems ludicrous; and it seems like we are not even talking in the United States of America.

This is a free market economy. The price is set because of supply and demand. We have arbitrarily limited the supply through our failure to drill in ANWR. We are limiting the supply by not issuing BLM leases throughout the Nation. This BLM today is issuing one-third fewer leases than 5 to 10 years ago. Those are the reasons that we have a price that is going up rather than down. It is a matter of supply and demand.

Mr. HINCHEY. Mr. Chairman, I yield 1½ minutes to the gentlewoman from Connecticut.

Ms. DELAURO. Mr. Chairman, it is about families. It is about families across this country who are wrestling with record-high gas prices. This Congress not only has the obligation to do something; but with this amendment, we have an opportunity to do something.

National average price of gasoline per gallon, double what it was when President Bush took office. Oil executives making off with half billion dollar retirement packages.

We can all agree that we have better things to do with as much as \$80 billion of taxpayer money than giving it to the oil companies for nothing in return.

\$80 billion is how much the GAO says we could simply be giving away to the oil companies over the next 25 years if we do not change the royalty relief law.

Royalty relief is not without its purpose. Prices are low; royalty relief can create a powerful incentive to remove more oil from the ground.

Let's look at the prices. This is nothing more now with royalty relief than a giveaway to those who least need it. One Shell official, New York Times said the other day, under the current environment we don't need royalty relief. They sure don't. ExxonMobil, \$36 billion last year. Record, historic. Shell, \$22.9 billion.

It is about the people in our communities, the people that we represent that are taking their savings and they are putting it in their fuel tanks.

These folks are taking their money. They are dealing with their stock options. They are paying down their debt, and they are taking high salaries. It is time we took away this opportunity to do that.

And I will tell you that my colleagues on the other side that want to talk about contracts, the Federal Government is given the right to terminate contracts without cause. It is in contract law; it is called the termination of convenience of the government. So we can do this. Let's do it with this bill.

Mr. TAYLOR of North Carolina. Mr. Chairman, I yield 2 minutes to the gentleman from Oklahoma (Mr. BOREN).

Mr. BOREN. Mr. Chairman, the sponsors of this amendment suggest that it will fix an error made by the Interior Department in failing to include price thresholds for royalty relief in leases issued in 1998 and 1999.

The fact is, most companies pay their royalty obligations as they are required. A very small number have disputed their obligations, and that matter is under litigation.

Congress should let the legal system do its work and not meddle.

The oil and gas industry spends billions of dollars in this country every year, providing good-paying jobs for Americans and providing energy to fuel this massive economy.

The Gulf of Mexico is one of the most attractive investment opportunities in the world right now, and it is in our best interest to keep it that way.

If we adopt this amendment, we will send a signal that the United States does not abide by its contracts and obligations.

In this time of high prices and unrest in oil markets, the last thing we should do is limit our access to our domestic resources.

If companies holding 1998 and 1999 leases are, in effect, precluded from participating in the 2007 sale, it will impair the domestic oil and gas supply chain. At a time of record-high energy costs and an uncertain global market, we need to encourage our domestic companies to invest here at home, not shut them out of the process.

Mr. Chairman, I urge my colleagues to oppose this amendment that is full of unintended consequences and is wrong for America.

Mr. HINCHEY. Mr. Chairman, I yield 1½ minutes to the gentleman from Arizona (Mr. GRIJALVA).

Mr. GRIJALVA. Mr. Chairman, I rise in support of the Hinchey amendment.

This amendment is a fair and fiscally responsible way to fix a huge problem in our country.

Because of mistakes made in lease agreements in the 1990s and other subsidies contained in last year's Energy Policy Act, we currently are allowing energy companies, who already are reaping huge profits, to take oil and gas from our public lands and waters without paying any return to the taxpayer.

The situation as it currently stands will result in the loss of many billions of dollars in revenue.

So while our constituents suffer from skyrocketing gas and home heating prices, oil companies are able to take publicly owned resources for free.

Both oil company executives and the President said that there is no need for incentives because oil prices are so high, to encourage companies to drill for new sources.

Yet, this Republican leadership has thus far failed to take any action to address the situation.

Energy companies should willingly come forward to renegotiate the leases in question. They should refuse more subsidies. To continue to benefit so much from mistakes made in the 1990s and to take subsidies when they are not needed is corporate irresponsibility at its worst.

My constituents are angry about taxpayer handouts to an industry awash in cash. This amendment is a fair way to deal with an issue that is currently defying common sense and fiscal responsibility.

Vote "yes" for the Hinchey amendment, and in that way, protect our consumers and in that way respect the hardworking American taxpayers.

Mr. HINCHEY. Mr. Chairman, I yield for the purpose of making a unanimous consent request to the gentleman from Washington (Mr. DICKS).

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

Mr. DICKS. Mr. Chairman, I rise in support of the Hinchey amendment.

As I understand the situation, because of the price of crude oil, energy companies have made profits over the last three years totaling more than \$125 billion. Exxon alone had profits in one quarter last year of \$9.9 billion and are estimated to have had a profit of \$36 billion in a single year.

A portion of those profits—about \$7 billion according to the New York Times—came because of an administrative error made by the Mine and Minerals Service. At issue is a set of oil and gas leases entered into during the 1990's when oil was selling for \$10 a barrel. As an incentive for oil companies to drill, the U.S. government said it would waive its right to royalty payments if oil prices remained low. These royalty forgiveness leases also, however, typically had a clause that said if oil exceeds \$35 per barrel, the deal is off and you have to pay the royalty.

The error occurred in about 1000 leases when, evidently by accident, the \$35 cancellation clause was not included. This small clerical error has created an enormous windfall

estimated at, as I said, \$7 billion over the next five years. GAO estimates that this problem could result in the loss \$60 billion over the next 25 years in lost royalties.

This amendment merely calls on these companies to renegotiate in good faith to include the proviso included in all other leases. It does not actually void any lease. On the other hand it does say that if a company does not want to be a good citizen, the government may not want to do business with you in the future.

I don't know all the legalities of contract law in this case or the issues of constitutionality. But I think the amendment does nothing more than try to recover \$7 billion of excess profits which this country needs and—the oil companies don't. I urge adoption.

□ 1715

Mr. TAYLOR of North Carolina. Mr. Chairman, I yield 2 minutes to the gentleman from Kansas (Mr. TIAHRT).

Mr. TIAHRT. Mr. Chairman, I thank the gentleman from North Carolina for yielding.

I rise in opposition to Mr. HINCHEY's amendment because it does not follow sound logic or the rule of law. Basically what we are saying in this amendment is that if you are out there with a lease today that has a provision that was put in place by the Clinton administration in the Outer Continental deepwater area, then you cannot have any future leases. So if you have made a deal, you have signed a contract, and you are out there producing product that is helping us keep our gas prices from going completely through the roof instead of just high like they are now, then you cannot do that any more unless you break your existing contract.

I think this is commonly referred to as blackmail. If you do not do this, then we are going to make you suffer. And under this amendment, an oil company who in good faith entered into a contract with the Clinton administration to produce a product when nobody else was willing to do it, and you entered into that contract in good faith, we are going to punish you for that unless you completely absolve yourself of that contract and start paying more money to the Federal Government.

Personally, in the private sector nobody gets a free ride on royalties, and I do not think anybody should produce a product without paying royalties if it is natural gas or if it is crude oil. Any place in Kansas where we have been drilling for oil and gas for over 100 years, we pay royalties. But that is really not the point here. The point is the Clinton administration made these agreements and are we going to allow, as the Federal Government, them to abide by that contract or are we just going to blackmail them into doing something totally different?

I think we should vote down this amendment, that we should honor the contracts that we have made, whether it was with the Clinton administration or the Bush administration, and not blackmail people who are just trying to produce a product, something that we greatly need.

So oppose the Hinchey amendment and let us move on.

Mr. HINCHEY. Mr. Chairman, I yield 1 minute to the gentleman from New York (Mrs. MALONEY).

Mrs. MALONEY. Mr. Chairman, I rise in support of the Hinchey amendment. The Hinchey amendment is about fairness, common sense, and doing what is right.

It merely states that the oil companies should renegotiate their leases to pay a fair price, a market price, on oil and gas that is owned by the American people or they do not get any other leases.

Our constituents, Americans, are suffering under high gas prices. The oil companies have record profits. The only fair thing to do is to renegotiate these windfall leases that are sweetheart deals. The New York Times estimates that at a minimum, renegotiating these leases will bring \$7 billion over the next 5 years.

Last night many of my colleagues on the other side of the aisle voted to cut student loans, seniors, veterans, many areas. Support this amendment so that money will be in the budget so that we can fund things instead of giving more profits to the oil companies. It is absolutely wrong. Support this amendment.

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

Mr. Chairman, I like a good demagoging just like anybody else, but this is not terribly relevant to everything we have said here to this bill or what has actually happened.

Mr. MILLER a little while ago made an analogy to a loan that could be changed from time to time. The problem is if you have got a 4 percent rate for 10 years fixed and the bank comes along and says, it has been 5 years and I want to take that up to 8 percent, you are going to say forget you, I have got a contract that keeps me at 4 percent for 10 years, not 5. And then the courts are going to uphold what you are saying. Also if you say, well, I have got a way here where I can blackmail you and you will come across, the court is going to come down on you like a ton of bricks.

Now, we could do that that the gentleman suggests, but the problem is we are going to spend lots of money, the courts are going to uphold the law because the Constitution and the law are still in place in this country.

Now, a lot of people might not want it to be. I cannot remember and do not know why the Clinton-Gore administration overlooked this and did not put a rate after the rates rose a certain number and royalties were beginning to flow, but they did not. Now, that was caught and after that any drilling in that area is going to pay a royalty.

We have got a small period of time. We cannot do anything about it. If I sell my car for \$200 and then later find out it is worth \$600 and I have signed a contract, we have a law that says I have got to sell that car for \$200. And

if I try to get around that, I will pay twice because I will pay all my legal fees, I will pay any sort of penalties, any blackmail money, and I will still lose my car for \$200.

So that is pretty much where we are now, and I would say we need to vote against this. We do not want to waste any more money from the mistake that was made in 1998 and 1999.

Mr. RAHALL. Mr. Chairman, I rise in strong support of the Hinchey royalty relief amendment and am proud to be included as a cosponsor.

When the original deep water royalty relief legislation was on the House floor in 1995, I opposed it and said that it was "an early Christmas" for big oil.

Eleven years later, the holiday has never ended and royalty relief keeps on giving ever-bigger gifts.

We were assured by the champions of royalty relief that the 1995 act was a miraculous piece of legislation that would end up making money for the taxpayers by giving away publicly owned oil as an incentive for drilling.

But the concept of paying big oil companies to do what they would do anyway did not make any sense then and it makes even less sense now. Simply put, the taxpayer should not continue to massively subsidize an industry reaping the benefits of record prices and swimming in profits.

According to a recent estimate by the GAO, deep water royalty relief under the 1995 act will cost the taxpayers between \$20 billion and \$80 billion over the next 25 years, depending upon the outcome of an industry lawsuit.

Thankfully, today we have an opportunity to adopt the Hinchey amendment and put a halt to this fiscal rip-off.

This carefully crafted amendment provides an incentive for the major oil and gas companies which were granted royalty-free leases under the Clinton administration—companies such as ExxonMobil, Shell, and others—to renegotiate those leases to include a price cap on royalty relief. The companies may choose not to do so, but would then not be eligible for new OCS leases.

Mr. Chairman, there is a lot of false bravado and empty rhetoric in this Chamber when it comes to reducing the budget deficit. But this amendment is the real deal. Let's stand up for the taxpayers and adopt it.

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

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York (Mr. HINCHEY).

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

Mr. HINCHEY. 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 New York will be postponed.

AMENDMENT NO. 6 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. 6 offered by Mr. RAHALL:

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

**SEC. \_\_\_\_ . LIMITATION ON USE OF FUNDS FOR SALE OR SLAUGHTER OF FREE-ROAMING HORSES AND BURROS.**

None of the funds made available by this Act may be used for the sale or slaughter of wild free-roaming horses and burros (as defined in Public Law 92-195).

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

The Chair recognizes the gentleman from West Virginia.

Mr. RAHALL. Mr. Chairman, this amendment has been passed unanimously by this House in previous years, including last year.

Mr. Chairman, last year the House voted 249 to 159 to adopt my amendment to end the sale and slaughter of wild horses and burros. I ask the House today to reaffirm the stand it took to protect these icons of America's western heritage.

Earlier this year the Nevada State Quarter was issued by the U.S. Mint. Now, Nevada is known as the "Silver State."

However, if you look on the back of the quarter, you will not see a picture of a silver mine. No, what the good people of Nevada chose as the representation of their state was a wild horse.

Nevadans are rightly proud of the heritage of their wild horses. It is unfortunately a heritage at risk because of a legislative rider inserted into an Appropriations bill in the dead of night in late 2004 that puts thousands of wild horses and burros in danger of ending up on dining tables overseas.

We need to stop the slaughter of wild horses and burros not only because it is morally wrong but also because the program itself is a failure.

As a result of this failure, 41 wild horses have been slaughtered and thousands more face an uncertain fate.

While the Bureau of Land Management may have good intentions to prevent sales for slaughter, the legislative rider that created this problem in the first place severely handicaps any such effort.

Make no mistake about it, more wild horses and burros will end up slaughtered. After all, if the purpose of the legislative rider was to only sell off these animals to good homes, why was the long-standing prohibition on slaughter removed from the law.

According to the BLM's own statistics, the agency has approximately the same number of wild horse and burros in the sale program today as when the program started. For each one the agency has sold, another one has been added to take its place.

BLM has resorted to sending out letters to public land ranchers pleading with them to buy a horse. It has teamed up with a private entity to offer limited financial incentives to purchasers. These are not the actions of a sound program but the desperate attempts to implement and unwise and unsound policy.

Mr. Chairman, the wild horse and burro program is a failure both morally and administratively. We can and must do a better job of protecting these magnificent creatures. It is time to sheath the sword that hangs over these animals.

I urge the adoption of my amendment.

Mr. Chairman, I yield for the purpose of making a unanimous consent request to the gentleman from Virginia (Mr. MORAN).

(Mr. MORAN of Virginia asked and was given permission to revise and extend his remarks.)

Mr. MORAN of Virginia. Mr. Chairman, I am pleased to support this amendment to help save a national treasure—the wild horse.

The wild horse is known throughout the world as a symbol of the American West and we should be doing everything we can to protect it.

In the 1800s, more than 2 million wild horses roamed the American West. Today, that number is down to 35,000.

Due to a provision slipped into the 2004 omnibus appropriations bill, the sale of any wild horse that has been rounded up and is more than 10 years old is now allowed. This language was placed into law without any hearings or public debate.

This rider removed protections under the Wild Free Roaming Horse and Burro Act, which was passed in 1971 after the public demanded that something be done after the shooting of hundreds of thousands of horses and burros for pet food and meat in European restaurants.

Already, at least 41 horses have lost their lives due to this irresponsible language, and the lives of 8,400 horses now being held by the Bureau of Land Management are in jeopardy.

This is an inhumane slaughter against these majestic animals, and there is no need for it to continue.

There are other options we can explore.

The Bureau of Land Management could reopen over 100 herd management areas or use animal contraception methods to keep the size of the herds manageable.

There is simply no reason for these horses to be slaughtered for use as meat in other countries.

The American public want the wild horses protected. In my district alone, countless constituents have asked me to stop this senseless slaughter.

The horse is more than just an animal to our country. It is a beloved literary figure, a character in a movie or television show, a symbol of adventure, a friend of the cowboy, and an important part of our history.

Poet and author Pam Brown says, "A horse is the projection of people's dreams about themselves—strong, powerful, and beautiful—and it has the capability of giving us an escape from our mundane existence."

I cannot say it any better, and encourage all of my colleagues to support this amendment and help save the wild horse.

**PROTECT AMERICA'S WILD HORSES**

After 34 years, protections for wild horses from sale to slaughter were removed through an omnibus rider. No bill, no hearings, no debate. Late in 2004 (and late into the night), Senator Conrad Burns (R-MT) attached this highly controversial rider to the omnibus appropriations bill. The amendment, passed with no hearings or public review, reversed longstanding federal policy of protecting wild horses from being sold at auctions and subsequently shipped to slaughter plants. Representatives Nick J. Rahall (D-WV), Ed Whitfield (R-KY), John Sweeney (R-NY), and

John Spratt (D-SC) will offer the Rahall-Whitfield-Sweeney-Spratt Wild Horse Amendment to the FY 2007 Interior Appropriations bill. Just last year, the House overwhelmingly approved an identical amendment, as well as another similar appropriations amendment to prohibit horse slaughter, but the Department of Agriculture has thwarted Congress's will and used private funding to enable the grisly slaughter of horses to continue. "A public outcry has again begun across the United States over the change in law that now allows the commercial sale and slaughter of these animals," said Rahall. "We need to act before it is too late for thousands of these animals."

It is already too late for 41 mustangs. On April 15, 2005, six horses were purchased by Oklahoman Dustin Herbert. Only three days later, these horses were sent directly to a foreign-owned slaughter plant in Illinois. Mr. Herbert told the Bureau of Land Management (BLM) that he intended to use the horses for a church youth program. Another 35 were killed at the same slaughter plant one week later after being traded unwittingly by the Rosebud Sioux Tribe soon after they were sold by BLM. By pure chance, another 52 were snatched from the slaughterplant line in a last minute effort to preserve their lives by fast-thinking officials. We have graphic evidence in hand now that sale authority is not a workable solution.

Horse slaughter is fundamentally inhumane. The cruelty of horse slaughter is not limited to the slaughter itself. Economic rather than humane considerations dictate transport conditions, as horses are shipped in crowded trucks, frequently over long distances, and are typically given no food, water or rest. The truck ceilings are so low that horses are not able to hold their heads in a normal, balanced position. Heavily pregnant horses, horses with broken limbs, and horses missing one or both eyes may be legally shipped for many days to slaughter. Inappropriate floor surfaces cause slips and falls, and sometimes even trampling. Some horses arrive at the slaughter house seriously injured or dead. Horses are required to be rendered unconscious prior to slaughter, usually with a captive bolt pistol, which shoots a metal rod into the horse's brain. Some horses are improperly stunned and still conscious when they are shackled and hoisted by a rear leg to have their throats cut. In addition, conditions in the slaughterhouse are stressful and frightening for horses. Death at the slaughterhouse is not a humane end for horses. All three of the remaining horse slaughterhouses in the United States are foreign-owned. Congress acknowledged this in the strong, bipartisan votes cast on the FY2006 interior and agriculture appropriations bills in both the House and Senate (House Interior 249-159; House Agriculture 269-158; Senate Agriculture 69-28), yet the United States Department of Agriculture undermined the will of Congress by constructing a private payment system specifically to enable the continuation of this brutal practice.

The number of horses in the US is dwindling. In the 1800s, over two million wild horses roamed the American West. When Congress passed the Wild Free-Roaming Horse and Burro Act (WFRHBA), there were 60,000. Today, the combined number of wild horses and burros is approximately 35,000. That represents a nearly 50% reduction of wild horses out on the range since Congress passed federal legislation to protect them. The entire wild horse and burro populations of six western states have been completely eradicated.

Wild horses and burros have been federally protected for decades. In 1971, Congress

passed the WFRHBA in response to enormous public outcry over the shootings of hundreds of thousands of horses and burros and the slaughter of horses for pet food and human consumption in European restaurants. The Burns rider removed crucial protection under the WFRHBA by requiring that the BLM sell wild horses over the age of ten or those offered for adoption more than three times. The lives of 8,400 horses now being held by BLM—and more in the future—are in jeopardy due to this controversial rider and the law must be changed.

BLM's current removal policy is costing taxpayers over \$39 million a year. According to the U.S. Geological Service, \$7.7 million could be saved annually through the use of contraceptive measures alone. Since 1988, several wild horse populations have been controlled under pilot programs using a contraceptive vaccine (PZP) developed with the help of The Humane Society of the United States. Additionally, there are other, less expensive alternatives available. A 1990 GAO Report states that, "[r]educing authorized grazing levels would likely be cheaper than wild horse removals to achieve the same reduction in forage consumption."

Cattle outnumber wild horses and burros at least 100 to 1 on public lands. BLM's private livestock grazing program encompasses 214 million acres of public lands and costs over \$130 million to manage annually. Over 4 million head of private cattle enjoy subsidized grazing on public lands. A congressionally-mandated study by the National Academy of Sciences found that, in one year, livestock consumed 70% of grazing resources on public lands, while wild horses and burros consumed less than 5%. The WFRHBA mandates that wild horses and burros be provided 47 million acres of public lands on 303 herd areas. Since 1971, the BLM has reduced the number of herd areas to 201, taking approximately 13 million acres of land from these federally protected animals.

Horses are not causing rangeland degradation. The 1990 GAO study determined that (1) the primary cause of rangeland degradation is poorly managed domestic livestock grazing, (2) wild horse removals have not demonstrably improved range conditions, (3) wild horse behavior patterns make them less damaging than cattle to vulnerable range areas, and (4) wild horse removals are occurring in some locations not being damaged by widespread overgrazing (GAO/RCED-90-110, Rangeland Management—Improvements Needed in Federal Wild Horse Program).

Americans want wild horse protection. Support for the Rahall-Whitfield-Sweeney-Spratt Amendment to protect our cherished wild horses crosses all social, cultural, and political boundaries. When it was revealed that wild horses had been sent to slaughter since the enactment of the Burns' rider (with widespread media coverage in *People Magazine*, CNN, MSNBC, and dozens of papers across the country), Americans made sure their voices were heard, resulting in BLM temporarily suspending their sales program. Without the passage of protective legislation, sales will resume.

The answer is simple. There is no need to sell off and slaughter America's Western heritage. With the millions of acres of public land in the US, we can surely make room for 35,000 horses. Americans do not wish to have their tax dollars spent on the sale and slaughter of this last living icon of our American heritage.

Mr. TAYLOR of North Carolina. Mr. Chairman, we accept this amendment.

Mr. SWEENEY. Mr. Chairman, I rise today in support of the Rahall-Whitfield-Sweeney-Spratt Amendment, which bans the sale and slaughter of wild free-roaming horses. I am

pleased to state this exact same amendment passed the House last year with overwhelming support with a vote of 249-159.

As my colleagues have stated, a measure was snuck into the FY05 Omnibus Appropriations bill to allow wild horses to be slaughtered for human consumption overseas. The provision to allow the sale and slaughter of wild horses was underhanded and wrong.

When Congress unanimously passed the Wild Free-Roaming Horse and Burro Act of 1971, it established a policy to protect wild horses from capture, harassment, and death. BLM responsibly carried out this mission for 33 years, before the statute was secretly changed 2 years ago. Americans have clearly made their voices heard that these wild horses must be protected.

This amendment is a responsible solution to this problem. The passage of this amendment would prevent BLM from selling horses—and close the loophole on slaughter.

Since BLM began the sale of wild horses, a number of horses have been purchased and slaughtered. This has generated a massive public outcry. In response to this, BLM temporarily suspended its sale program, with the intent to resume the sale shortly. Mr. Speaker, this is not enough—it is urgent we pass this amendment and end this practice now.

The slaughter of wild horses is indicative of the larger overall problem of horse slaughter. Last year, 90,000 American horses were slaughtered in this country and served as meals in restaurants in Europe and Asia. That is why I'm fighting for the passage of my legislation, the American Horse Slaughter Prevention Act, H.R. 503, which bans the slaughter of ANY horse for human consumption.

In addition to this same amendment last year, I also offered an amendment to the FY06 Agriculture Appropriation's Bill to temporarily suspend this horrific act. Although our amendment had enormous public support and overwhelmingly passed both chambers, the USDA defied the will of Congress by granting a petition allowing a fee-for-service option submitted by three foreign-owned horse slaughter plants to circumvent the ban.

I am pleased to hear that I may finally get my stand-alone legislation, H.R. 503, addressed in committee so we aren't forced to do these stop-gap measures each year. I appreciate our Leadership and Chairman BARTON reviewing the need for this legislation. I look forward to working with you as we address this cruel topic.

Horse Slaughter is not humane euthanasia—it is a malicious, painful end for these animals. Americans don't eat horses, nor do we raise them for human consumption. This amendment will right a wrong and is a positive step forward in our ultimate goal of ending the slaughter of horses in the United States for human consumption overseas.

Mr. LARSON of Connecticut. Mr. Chairman, I regret that I could not be present today because of a family medical emergency and I would like to submit this statement for the RECORD in support of the amendment offered by Representative RAHALL to protect wild, free-roaming horses and burros from commercial slaughter.

Since 1971 when Congress passed the Wild Free-Roaming Horses and Burros Act, the federal government has ensured the protection of wild mustangs and burros roaming on public lands. Unfortunately, in 2004, a controversial

rider rolling back these protections was slipped into the massive omnibus appropriations bill for fiscal year 2005. Congress must act to right this wrong. We owe it to the next generation to preserve a piece of American heritage—to protect our wild and free horses. As cosponsor of H.R. 297—the bill upon which this amendment is based, I urge my colleagues to support the Rahall amendment and reinstate the humane and appropriate protection of wild, free-roaming horses and burros.

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

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

The amendment was agreed to.

AMENDMENT OFFERED BY MR. GORDON

Mr. GORDON. 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. GORDON:

At the end of the bill, before the short title, insert the following:

TITLE VI—ADDITIONAL GENERAL PROVISIONS

SEC. 601. None of the funds made available by this Act shall be used in contravention of the Federal buildings performance and reporting requirements of Executive Order 13123, part 3 of title V of the National Energy Conservation Policy Act (42 U.S.C. 8251 et seq.), or subtitle A of title I of the Energy Policy Act of 2005 (including the amendments made thereby).

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

The Chair recognizes the gentleman from Tennessee.

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

Mr. Chairman, the Federal Government wastes \$250 million a year by not enforcing its conservation statutory requirements in its Federal buildings. I do not think we can ask the American public to do adequate conservation if we are not going to do it ourselves.

My amendment simply requires the Interior Department to follow the law.

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

Mr. TAYLOR of North Carolina. Mr. Chairman, the amendment requires Federal agencies to comply with the requirements of an Executive Order that deals with instituting energy efficiency improvements in Federal buildings and reporting on progress in that regard.

We have no objection to the amendment.

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

The CHAIRMAN. The question is on the amendment offered by the gentleman from Tennessee (Mr. GORDON).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. CHABOT

Mr. CHABOT. 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. CHABOT:

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

SEC. \_\_\_\_ None of the funds made available in this Act may be used to plan, design, study, or construct, for the purpose of harvesting timber by private entities or individuals, a forest development road in the Tongass National Forest.

The CHAIRMAN. Pursuant to the order of the House of today, the gentleman from Ohio (Mr. CHABOT) and the gentleman from North Carolina (Mr. TAYLOR) each will control 10 minutes.

The Chair recognizes the gentleman from Ohio.

Mr. CHABOT. I yield myself such time as I may consume.

Mr. Chairman, since 1982 the Forest Service has lost \$850 million subsidizing private timber in the Tongass National Forest. That is a \$40 million annual loss. If anyone wonders why our national debt is as large as it is, and it is currently \$8.3 trillion, by the way, one needs to look no farther than taxpayer boondoggles like this one. They really add up.

The Tongass National Forest was established in 1907 by President Theodore Roosevelt. It is America's largest forest, about the size of West Virginia. Located along Alaska's southeastern coast, it is often referred to as "America's Rainforest" and is home to abundant wildlife: bald eagles, grizzly bears, wolves, and salmon; as well as old growth trees such as the giant Sitka spruce, western hemlock, and yellow cedar.

There are thousands of miles of roads in the Tongass right now. The Forest Service acknowledges that existing roads are "sufficient to satisfy local demand for roaded recreation, subsistence, community connectivity needs and demands in most districts." Yet year after year the Forest Service spends millions of tax dollars building roads for private timber companies that by the agency's own admission are not really necessary. To make matters worse, the Forest Service has a nationwide road maintenance backlog of about \$10 billion, tens of millions of which are in the Tongass. Incredibly, the Forest Service is not maintaining existing roads; yet they want to build more, even though they admit there are enough already.

The timber program is not a profitable business in the Tongass the way the Forest Service is currently running it. Nobody argues this. The Forest Service concedes that 90 to 95 percent of all existing timber sale contracts in the Tongass are unprofitable. Nearly half of Tongass timber contracts go unsold. Of those that are sold, the majority have only a single bidder, resulting in a bargain basement, discounted sale.

Mr. Chairman, this is a simple, straightforward amendment. It would simply prohibit the Forest Service

from building logging roads for timber companies subsidized by the American taxpayer in the Tongass. It does not prevent the Forest Service from building roads to connect communities, to provide recreation, or to otherwise manage the forest. It does not stop timber companies from building their own roads. I know that there are some who want you to believe differently, but this amendment has nothing to do with the roadless rule. It has everything to do with good government.

Opponents of this amendment will argue that the massive losses in the Tongass are due to litigation, that taxpayer dollars are ending up in the pockets of trial lawyers. Mr. Chairman, I am not often accused of being a darling of the trial lawyers.

As some may know, the Freedom of Information Act request was filed with the Forest Service in 2002. Although the request was to be for the years ranging from 1991 to 2001, the Forest Service could only provide numbers from 1998 to 2001. During that time the Forest Service spent \$121 million on its timber program. Litigation costs amounted to \$1.6 million. That means only 2 percent of the total cost were spent on appeals and litigation. Just 2 percent.

Opponents of this amendment will say that the National Environmental Policy Act requirements also increase costs, and they are right. The NEPA process needs reform, and I supported legislation to do this, as many of us have. But whether we like it or not, NEPA is on the books. To gouge taxpayers year after year and justify it by pointing to burdensome environmental requirements is just wrong.

Some say this amendment is an attempt to take away jobs in Alaska. It is not. In fact, as timber subsidies have increased, timber-related jobs have decreased. Taxpayer subsidies per Tongass timber job have risen from \$12,000 in 1996 to over \$150,000 per job now. Think of that. Every job, \$150,000 in taxpayer subsidy for that one job.

Finally, according to a 2003 National Forest Service publication, there is enough timber available off the current road system of the Tongass to meet demand for several years.

Mr. Chairman, let us restore some fiscal sanity to the Tongass timber program. I urge my colleagues to stand up for the American taxpayers and support this amendment.

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

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

Mr. POMBO. Mr. Chairman, I thank the chairman for yielding.

The Chabot amendment is not about fiscal responsibility. The costs within this program, the cost of appeals and litigation, attempts by the agency to bulletproof all of its documents from those lawsuits amounts to 75 percent of the cost of running the program within the agency. In fact, if you took out

those costs that are incurred because of lawsuits, the litigation, the appeals, and attempts by the agency to bulletproof their environmental documents, the Tongass forest sales would actually produce a 13 percent profit margin.

In an effort to gain support from fiscal conservatives, some group called the Taxpayers for Common Sense has tried to couch this as a fiscal argument, and again 75 percent of the costs are brought in by many of the same groups that are supporting this amendment. These outside groups, because they have not been able to achieve their goals legislatively of completely devastating the forest program and eliminating any kind of timber sales, have now tried to do it in this manner, in bringing it before the appropriations bill and trying to limit the ability.

□ 1730

Again, if you look at the actual cost in this entire program, 75 percent of the costs associated with these timber sales are because of the NEPA reviews, the appeals and the litigation. Only 25 percent is the actual cost of preparing the sale.

Yes, I guess if you run up enough lawsuits, if you appeal all of those lawsuits, if you continue to badger the Forest Service, you can run up the cost to make this program unprofitable. But this is a long debate we have had in this House; and trying to couch this as a fiscal debate, I believe, is just a smokescreen over what the true intention of most of these outside groups is, and that is just to try to eliminate the timber program completely.

So I urge a "no" vote on the Chabot-Andrews amendment.

Mr. CHABOT. Mr. Chairman, I yield such time as he might consume to the gentleman from New Jersey (Mr. ANDREWS).

Mr. ANDREWS. Mr. Chairman, I thank my friend for yielding. It is my pleasure and honor to offer this amendment with him, and urge our colleagues to vote "yes."

Mr. Chairman, the question in this amendment is whether or not the public should pay to build more roads in the Tongass National Forest. I think the answer is no. I think the answer is no for three reasons:

First, building more roads would further put at risk what is truly a treasure, a jewel in the National Forest system. Environmentally, I think it simply makes no sense to build more of these roads.

Second, it is a terrible investment for the taxpayers. Since 1982, the taxpayers have expended \$850 million more than we have taken in in revenues from this investment. In fiscal year 2005 alone, the taxpayer cost was nearly \$49 million, and the taxpayer revenue was about \$500,000. I don't know any of my constituents who would make an investment of \$49 million in a business that is only going to return \$500,000 on the investment.

Finally, building more roads in the Tongass National Forest is an unnecessary idea when it comes to the jobs



that are involved. I think that we always should be involved and concerned about the jobs of any of our fellow citizens, no matter where they are, in what region. But the fact of the matter is, the roads that already exist in the Tongass National Forest open up an area of that forest that would permit the harvesting of those trees for years and years and years to come. A substantial amount of the trees that could be harvested in that section of the forest already open to roads have not yet been harvested.

So I would urge our colleagues in both political parties to vote "yes" in order to preserve an important national environmental treasure, in order to continue with the jobs that are presently going on there, and, most importantly, to protect the wallets of our taxpayers. For every \$100 that we spend to run the Federal Government, we only bring in \$75 worth of revenue. We need to start to reduce what we spend. This is a great place to do that. I would urge my colleagues to vote "yes."

Mr. TAYLOR of North Carolina. Mr. Chairman, I yield 5 minutes to the gentleman from Alaska (Mr. YOUNG).

(Mr. YOUNG of Alaska asked and was given permission to revise and extend his remarks.)

Mr. YOUNG of Alaska. Mr. Chairman, it is no surprise, of course, that I am adamantly opposed to this sneaky amendment offered by two people that don't know what they are talking about, have never known what they are talking about, deal not with what they are talking about, and will never know what they are talking about.

The Alaskan rainforest, as you gentlemen recognize, is as big as Vermont, Massachusetts, Connecticut and Rhode Island combined, including New Jersey.

I am sure you will be happy to know that we have 19 designated sites of wilderness in that area, a national monument that takes up 35 percent of the forest. Seventy-eight percent of the Tongass is slated for roadless areas already. All I am saying is what this is attempting to do is put the last remaining small group of Alaskans out of work.

Ironically, the two gentlemen that are offering this amendment are crying about outsourcing: My God, we are losing jobs. They are going overseas. But here we are in Congress taking away the jobs of my Alaskan constituents. That is the thing that probably disturbs me the most about this, is we had a forest of 21 million acres, 21 million acres. And we were told in this body in 1980 that we will only lock up all of it but 2 million acres and you will have those acres to actually retain a timber industry and have your people work. And now we are down to 1,000 acres, and you want to take that away.

And you say we don't need the roads. That is not what the Forest Service says. They say we need these roads if we are going to harvest the timber. They will put up the sales. Who is going to bid it, if they can't get the timber?

That is true. Anybody that debates that, you better understand it, because what is happening here is you are trying to put the last remaining, the last remaining few Alaskans that are trying to make a very meager living, 300 people, 300 jobs, take it away from them for the environmentalists. It has nothing to do with taxes.

By the way, I hope you understand, my good friends that are offering this amendment, I was precluded from offering an amendment to the amendment today because of the unanimous consent; but if this amendment is adopted, I will offer the same amendment to the forests in Ohio, which loses money every year, a large sum; to New Jersey, if you have national forests; and to the areas in New Hampshire. Every area, every person that votes for this amendment, there will be an amendment next year on this bill to do the exact same thing. Because if we are going to be true to ourselves, if you are talking about fiscal responsibility, then you will step up to the plate and take your forests and make sure they are under the same category.

Unless you are saying, All right, it is just Alaska. He is way away. It is just his district. On a personal note, none of you in this body has ever seen me address anybody's one district, because I believe in the representative form of government. Representative form of government. If it is your district and it is what you want and in your district, I will support that. If you don't want it, I will support that.

But to have two Members of this House, and, yes, it is bipartisan, and I shall not forget that, to come and attack a single Member and his total district, to take away the jobs of his people, I say is wrong. And each one of you think about this in this room: this should be representative form of government, and what you are doing is dead wrong, and I shall not forget it.

Mr. CHABOT. Mr. Chairman, I yield myself such time as I might consume.

Mr. Chairman, just a couple of points I would make. First of all, it certainly is not an attack on any Member of this body nor an attack on any State. I would just note that those jobs that are being paid for and the \$48 million paid out last year alone, those tax dollars come from New Jersey and they come from Ohio and they come from Pennsylvania.

Mr. YOUNG of Alaska. Mr. Chairman, will the gentleman yield?

Mr. CHABOT. I will be happy to yield to the gentleman from Alaska.

Mr. YOUNG of Alaska. That \$48 million went to the Forest Service. It didn't go to my 300 civilians. It went to the Forest Service. That is what people must understand. You are creating jobs for the Federal Government.

Mr. CHABOT. Mr. Chairman, reclaiming my time, since 1982, there has been almost \$1 billion, \$850 million in all, spent for this. And relative to jobs, back in 1996 there were 1,500 jobs. It is down to below 300 right now. So every

one of those jobs is basically being subsidized by the American taxpayer to the tune of \$150,000 per job. So what we are trying to do here is be responsible to the taxpayers of my State, Ohio, and New Jersey and Pennsylvania and Texas and New York and Vermont and all the other States who right now are donor States who are sending these dollars up to Alaska to sustain those few jobs.

Now, I am all for timbering, I am all for allowing roads to be built; just not at taxpayer expense, not when the taxpayer is getting ripped off.

Mr. TAYLOR of North Carolina. Mr. Chairman, I yield such time as he may consume to the gentleman from Virginia (Mr. GOODLATTE).

Mr. GOODLATTE. Mr. Chairman, once again we are confronted with the question of how to manage one of our great national treasures, the Tongass National Forest in Alaska. It is my hope that we will choose more wisely this time.

The choice here is really quite simple. We can choose to follow the law and respect the results of the forest planning process, or we can trump the law and substitute our own political needs for those of an economically depressed region of the country.

The gentleman's amendment is the final piece of a long-standing strategy to do one thing and one thing only, to kill what remains of the forest products industry in Alaska. This is not a decision about protecting pristine forests. My friends, we have already done that. More than 96 percent of the Tongass National Forest has not and will not be managed for timber under the existing forest plan. This amendment simply says "get lost" to the last few sawmills in the region and the hundreds of jobs they provide.

The Tongass National Forest has a newly revised forest management plan, a carefully considered plan that took more than 13 years to complete. The plan provided for careful roadless area management following established planning processes, including extensive public participation. The gentleman's amendment ignores all of this for no other reason than to shut down the Alaska timber industry.

I urge my colleagues to vote "no" on this amendment.

Mr. CHABOT. Mr. Chairman, I yield such time as he may consume to the gentleman from New Jersey (Mr. ANDREWS).

Mr. ANDREWS. Mr. Chairman, I thank my coauthor, and salute him for his integrity for bringing this amendment under difficult circumstances.

President Kennedy said 40 years ago or so, governing is choosing, and every time we make a choice, somebody doesn't like it. But when you avoid choices, that is how you wind up with an \$8 trillion debt. That is how you wind up borrowing 25 percent of the money that you spend to run the government.

It is always easier to say yes when people want to spend the public's

money, but it is not always right; and here it isn't right. Since 1982, the taxpayers have put about \$1 billion into building roads into this forest. We have gotten back \$150 million. We should stop building these roads. That is what this amendment does. It does it artfully and correctly. I would urge a "yes" vote.

Mr. TAYLOR of North Carolina. Mr. Chairman, I yield 2 minutes to the gentleman from New Mexico (Mr. PEARCE).

Mr. PEARCE. Mr. Chairman, I find the arguments amazing. The Lincoln National Forest is in the Second District of New Mexico. One of the retired foresters grabbed me one day and said, You know, I used to run this 1 million acres by myself and one part-timer. Then he said, Myself and the part-timer did all the timber sales, all of the conservation projects, all of the business opportunity projects by ourselves. Now the Lincoln National Forest has 142 people.

If the gentlemen were really interested in the operation, in the use of the operation of the Forest Service and the use of Federal funds, they would go in and de-fund every timber sales department that has not sold a tree in decades, because we are still funding timber sales departments that don't fund it.

I find your arrogance tremendously offensive, that you come into another man's district and begin to take away his jobs. In the Second District of New Mexico, there used to be 22 mills that processed these forest products, and we are down to two. The Lincoln National Forest is in a position to offer them the product that would keep them in business. They grow 50 million board feet a year of new timber in Lincoln. They will not even commit 12 million.

There is a policy and culture in our Forest Service that says we will not cut trees, we will not keep our forests healthy. We will watch them burn down before we cut a tree. That is what I find offensive about the debate from our friends on the other side of the issue.

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

Mr. Chairman, I would just note there are very diverse groups on all sides of the political spectrum that strongly support this amendment, group likes Citizens Against Government Waste, National Taxpayers Union, Taxpayers For Common Sense, on the one hand; the National Wildlife Federation, the Sierra Club and many others; and I would strongly urge my colleagues to take a vote here which is in the best interests of the taxpayers of this country.

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

Mr. Chairman, we are talking about roads. The roads are used for many things, recreation, all those sorts of things. Over 90 percent of the Tongass is unroaded, won't be roaded and so forth.

It ought to be that forests in America, managed the best in the world, should be providing the resources for all over the world. For instance, if we don't have wood, we will have to rely on steel or plastic. Steel takes lots more energy, about eight times as much to make a steel 2 by 4 versus a wooden 2 by 4, and plastic, we know what that comes from.

Mr. Chairman, I urge defeat of this amendment.

Mr. KIND. Mr. Chairman, I rise today in support of the Chabot-Andrews amendment to the FY 2007 Interior Appropriations bill to block taxpayer spending on new commercial logging in Alaska's Tongass National Forest. Facing massive Federal deficits, every dollar counts, and we must take a stand against the Forest Service's fiscal mismanagement of the Tongass.

In addition, I would like to state my disappointment with the deep cut proposed in this bill for the State Wildlife Grants Program. This bill includes only \$50 million for this program, a cut of \$17.5 million below FY 2006 and nearly \$25 million below the President's request.

The State Wildlife Grants program is not just a "Grants Program" it is the Interior Department's core program for preventing wildlife from becoming endangered by working in partnership with State Wildlife Agencies. The deep cut included in this bill will have a dramatic impact on Wildlife conservation efforts in Wisconsin and across the country.

State Wildlife grants program has strong bipartisan support from every corner of the country. Earlier this year 170 representatives joined together on a letter of support for \$85 million in funding for this program. This program has also been championed by the Congressional Sportsmen's Caucus, the largest caucus in the House. Across the Capitol, 56 Senators joined together on a similar letter.

Further, this program is championed by the teaming with Wildlife Coalition, which includes hunters and anglers, environmentalists, wildlife agencies and others. In Wisconsin, this coalition includes almost 200 organizations, including the Wisconsin Wildlife Federation, Audubon Chapters, and local businesses. and there are similar coalitions in every state.

Again, I urge my colleagues to support the Chabot-Andrews amendment.

Mr. LARSON of Connecticut. Mr. Chairman, I regret that I could not be present today because of a family medical emergency and I would like to submit this statement for the RECORD in support of the amendment offered by Representative CHABOT to protect the Tongass National Forest.

The Tongass National Forest spanning 17 million acres in southeastern Alaska is the United States' largest national forest and home to the world's largest temperate rain forest. Over the past 24 years, the American taxpayers have provided \$850 million in subsidies to the timber industry to harvest areas within the Tongass. The American taxpayers deserve better. The bipartisan amendment offered by Representative CHABOT and Representative ANDREWS would simply prohibit the Forest Service from using any more tax dollars to build more roads for private timber in the Tongass. I urge my colleagues to support this environmentally smart and fiscally responsible amendment. Additionally, I am submitting for

the RECORD an editorial in the Hartford Courant that also expresses support for the amendment.

[From the Hartford Courant, May 16, 2006]

#### PROTECT TONGASS NATIONAL FOREST

Later this week, Congress will have a chance to right a wrongheaded public boondoggle that last year gave the timber industry \$48.5 million in Federal funds to defile the Tongass National Forest in Alaska.

Tongass was established as a national forest by Teddy Roosevelt in 1907 and occupies the extreme southeast corner of the Alaskan coast. The world's largest intact temperate rainforest, it's a place of unimaginable lushness and beauty strewn along the Inside Passage like a jade necklace. It is home to ancient Sitka spruce, bald eagles, bears and wolves. It's also a renowned destination for tourists who fish, hunt, hike or simply want to witness the rugged grandeur of one of the world's last wild places.

During the past two decades, the Federal Government has spent as much as \$1 billion to prop up the timber industry in the Tongass. Putting aside the environmental consequences of clearcutting and road-building in this natural treasure (consequences including the destruction of rare, old-growth trees and woodland habitat, erosion, streams choked with silt and the loss of fish habitat), this practice is also a singularly bad investment.

Last year for example, the forest service spent \$48.5 million to help timber interests build roads in the Tongass. In return, the government—or, rather, taxpayers—received \$500,000 in logging revenues. It's a situation reminiscent of the oil-industry giveaway uncovered early this year by The New York Times. The investigation found that, while prices for natural gas nearly doubled between 2001 and 2005, the royalties paid by companies to the Federal Government for right to drill on public lands and coastal waters actually declined.

Thursday, the House is scheduled to consider an amendment to the House Appropriations bill that would put an end to the Tongass boondoggle. The amendment is being offered by Representatives STEVE CHABOT, a Republican from Ohio, and Democrat ROB ANDREWS of New Jersey.

Congress should support this amendment. Wasting taxpayer money is bad. Wasteful corporate welfare with little or no public benefit is worse. Publicly subsidizing the destruction of the largest intact temperate rainforest is beyond the pale.

The CHAIRMAN. All time for debate has expired.

The question is on the amendment offered by the gentleman from Ohio (Mr. CHABOT).

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

Mr. CHABOT. 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 Ohio 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 by Mr. WEINER of New York.

Amendments by Mr. POE of Texas.



Amendment by Mr. PALLONE of New Jersey.

Amendment by Mr. BEAUPREZ of Colorado.

Amendment by Mr. HINCHEY of New York.

Amendment by Mr. CHABOT of Ohio.

The Chair will reduce to 5 minutes the time for any electronic vote after the first vote in this series.

AMENDMENT OFFERED BY MR. WEINER

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from New York (Mr. WEINER) 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 vote was taken by electronic device, and there were—ayes 266, noes 152, not voting 14, as follows:

[Roll No. 163]

AYES—266

Abercrombie	Davis (FL)	Jackson-Lee
Ackerman	Davis (IL)	(TX)
Allen	Davis (TN)	Jefferson
Andrews	Davis, Jo Ann	Jindal
Baca	Davis, Tom	Johnson (IL)
Baird	DeFazio	Johnson, E. B.
Baldwin	DeGette	Jones (NC)
Barrow	DeLahunt	Jones (OH)
Bass	DeLauro	Kanjorski
Bean	Dent	Kaptur
Becerra	Dicks	Kelly
Berkley	Dingell	Kennedy (MN)
Berman	Doggett	Kildee
Berry	Doyle	Kilpatrick (MI)
Bishop (GA)	Edwards	Kind
Bishop (NY)	Emanuel	King (IA)
Blackburn	Engel	King (NY)
Blumenauer	Eshoo	Kingston
Boehler	Etheridge	Kirk
Boehner	Farr	Kucinich
Bono	Fattah	Kuhl (NY)
Boren	Ferguson	LaHood
Boswell	Filner	Langevin
Boucher	Fitzpatrick (PA)	Lantos
Boyd	Foley	Larsen (WA)
Bradley (NH)	Ford	Latham
Brady (PA)	Fossella	Lee
Brown (OH)	Frank (MA)	Levin
Brown, Corrine	Garrett (NJ)	Lewis (GA)
Brown-Waite,	Gerlach	Lipinski
Ginny	Gingrey	LoBiondo
Burton (IN)	Gohmert	Loggren, Zoe
Butterfield	Gonzalez	Lowe
Campbell (CA)	Goodlatte	Lucas
Capps	Gordon	Lynch
Capuano	Green, Al	Mack
Cardin	Green, Gene	Maloney
Cardoza	Grijalva	Markey
Carnahan	Gutierrez	Marshall
Carson	Harman	Matheson
Case	Hart	Matsui
Castle	Hastings (FL)	McCarthy
Chabot	Hefley	McCollum (MN)
Chandler	Hensarling	McCotter
Clay	Herseth	McDermott
Cleaver	Higgins	McGovern
Clyburn	Hinche	McHugh
Conyers	Holden	McIntyre
Cooper	Holt	McKinney
Costa	Honda	McNulty
Costello	Hooley	Meehan
Cramer	Hostettler	Meek (FL)
Crowley	Hoyer	Meeks (NY)
Cuellar	Inglis (SC)	Melancon
Culberson	Inslee	Michaud
Cummings	Israel	Millender-
Davis (AL)	Issa	McDonald
Davis (CA)	Jackson (IL)	Miller (NC)

Miller, George	Reyes
Mollohan	Rogers (MI)
Moore (KS)	Rohrabacher
Moore (WI)	Ross
Moran (KS)	Rothman
Moran (VA)	Roybal-Allard
Murtha	Ruppersberger
Nadler	Rush
Napolitano	Ryan (OH)
Neal (MA)	Sabo
Ney	Salazar
Nussle	Sánchez, Linda
Oberstar	T.
Obey	Sanchez, Loretta
Olver	Sanders
Ortiz	Schakowsky
Owens	Schiff
Pallone	Schwartz (PA)
Pascarell	Scott (GA)
Pastor	Scott (VA)
Paul	Serrano
Payne	Shaw
Pelosi	Shays
Pence	Sherman
Peterson (MN)	Shimkus
Platts	Simmons
Pombo	Skelton
Pomeroy	Slaughter
Price (NC)	Smith (WA)
Putnam	Snyder
Rahall	Solis
Ramstad	Souder
Rangel	Spratt

NOES—152

Aderholt	Gallegly
Akin	Gibbons
Alexander	Gilchrest
Bachus	Gillmor
Baker	Goode
Barrett (SC)	Granger
Bartlett (MD)	Graves
Barton (TX)	Green (WI)
Beauprez	Hall
Biggert	Harris
Bilirakis	Hastings (WA)
Bishop (UT)	Hayes
Blunt	Herger
Bonilla	Hobson
Bonner	Hoekstra
Boozman	Hulshof
Boustany	Hulshof
Brady (TX)	Hunter
Brown (SC)	Hyde
Burgess	Istook
Buyer	Jenkins
Calvert	Johnson (CT)
Camp (MI)	Johnson, Sam
Cannon	Keller
Cantor	Kline
Capito	Knollenberg
Carter	LaTourette
Choccola	Lewis (CA)
Coble	Lewis (KY)
Cole (OK)	Linder
Conaway	Lungren, Daniel
Crenshaw	E.
Cubin	Manzullo
Davis (KY)	Marchant
Deal (GA)	McCaul (TX)
DeLay	McCrary
Diaz-Balart, L.	McHenry
Diaz-Balart, M.	McKeon
Doollittle	McMorris
Drake	Mica
Dreier	Miller (FL)
Duncan	Miller (MI)
Ehlers	Miller, Gary
Emerson	Murphy
English (PA)	Myrick
Everett	Neugebauer
Feeney	Northup
Forbes	Norwood
Fortenberry	Nunes
Fox	Osborne
Frelinghuysen	Otter
	Oxley

NOT VOTING—14

Evans	Hinojosa	Musgrave
Flake	Kennedy (RI)	Reynolds
Franks (AZ)	Kolbe	Shadegg
Gutknecht	Larson (CT)	Stupak
Hayworth	Leach	

□ 1809

Mr. GILLMOR and Mr. CAMP of Michigan changed their vote from “aye” to “no.”

Stark	Strickland
Sweeney	Tancredo
Tanner	Tauscher
Taylor (MS)	Thompson (CA)
Thompson (MS)	Thierney
Towns	Udall (CO)
Udall (NM)	Upton
Van Hollen	Velázquez
Visclosky	Walsh
Wasserman	Schultz
Shaw	Watson
Watt	Waxman
Weiner	Weldon (FL)
Weldon (PA)	Wexler
Woolsey	Wu
Wynn	

Messrs. MEEK of Florida, JONES of North Carolina, CULBERSON, ISSA, HENSARLING, ROHRBACHER, FOLEY, GINGREY, and LATHAM 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. HINOJOSA. Mr. Chairman, on rollcall No. 163, had I been present, I would have voted “aye.”

AMENDMENTS OFFERED BY MR. POE

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

The Clerk will redesignate the amendments.

The Clerk redesignated the amendments.

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 141, noes 279, not voting 13, as follows:

[Roll No. 164]

AYES—141

Aderholt	Goodlatte	Neugebauer
Alexander	Granger	Ney
Bachus	Graves	Northup
Baker	Green (WI)	Norwood
Barrett (SC)	Green, Gene	Nunes
Barton (TX)	Hart	Nussle
Beauprez	Hastert	Ortiz
Bishop (UT)	Hastings (WA)	Osborne
Blackburn	Hayes	Otter
Boehner	Hefley	Oxley
Bonilla	Hensarling	Paul
Boozman	Herger	Pearce
Boren	Hinojosa	Pence
Boustany	Hoekstra	Pickering
Brady (TX)	Hostettler	Pitts
Burgess	Hulshof	Porter
Burton (IN)	Hunter	Price (GA)
Buyer	Hyde	Regula
Camp (MI)	Istook	Rehberg
Cannon	Jefferson	Renzi
Capito	Jenkins	Rogers (AL)
Carter	Jindal	Rogers (KY)
Chabot	Johnson, Sam	Rogers (MI)
Choccola	King (IA)	Rohrabacher
Coble	King (NY)	Ross
Cole (OK)	Kline	Ryan (WI)
Conaway	Knollenberg	Ryan (KS)
Cubin	Kuhl (NY)	Salazar
Cuellar	Latham	Schmidt
Culberson	Lewis (KY)	Sensenbrenner
Davis (KY)	Linder	Sessions
Davis (TN)	Lucas	Shuster
Deal (GA)	Lungren, Daniel	Smith (TX)
DeLay	E.	Souder
Dent	Marchant	Sullivan
Doollittle	McCaul (TX)	Tancredo
Duncan	McCrary	Tanner
Edwards	McHenry	Terry
Emerson	McHugh	Thornberry
Everett	McKeon	Tiahrt
Fortenberry	McMorris	Walden (OR)
Fossella	Melancon	Wamp
E.	Mica	Westmoreland
Marchant	Miller, Gary	Wicker
McCaul (TX)	Mollohan	
McCrary	Moran (KS)	
McHenry	Murphy	
McHugh	Myrick	
McKeon		
McMorris		
Melancon		
Mica		
Miller, Gary		
Mollohan		
Moran (KS)		
Murphy		
Myrick		

NOES—279

Abercrombie	Allen	Baird
Ackerman	Andrews	Baldwin
Akin	Baca	Barrow

Bartlett (MD) Grijalva  
 Bass Gutierrez  
 Bean Hall  
 Becerra Harman  
 Berkeley Harris  
 Berman Hastings (FL)  
 Berry Herse  
 Biggert Higgins  
 Bilirakis Hinchey  
 Bishop (GA) Hobson  
 Bishop (NY) Holden  
 Blumenauer Holt  
 Blunt Honda  
 Boehlert Hooley  
 Bonner Hoyer  
 Bono Inglis (SC)  
 Boswell Inslee  
 Boucher Israel  
 Boyd Issa  
 Bradley (NH) Jackson (IL)  
 Brady (PA) Jackson-Lee  
 Brown (OH) (TX)  
 Brown (SC) Johnson (CT)  
 Brown, Corrine Johnson (IL)  
 Brown-Waite, Johnson, E. B.  
 Ginny Jones (NC)  
 Butterfield Jones (OH)  
 Calvert Kanjorski  
 Campbell (CA) Kaptur  
 Cantor Keller  
 Capps Kelly  
 Capuano Kennedy (MN)  
 Cardin Kildee  
 Cardoza Kilpatrick (MI)  
 Carnahan Kind  
 Carson Kingston  
 Case Kirk  
 Castle Kucinich  
 Chandler LaHood  
 Clay Langevin  
 Cleaver Lantos  
 Clyburn Larsen (WA)  
 Conyers LaTourette  
 Cooper Lee  
 Costa Levin  
 Costello Lewis (CA)  
 Cramer Lewis (GA)  
 Crenshaw Lipinski  
 Crowley LoBiondo  
 Cummings Lofgren, Zoe  
 Davis (AL) Lowey  
 Davis (CA) Lynch  
 Davis (FL) Mack  
 Davis (IL) Maloney  
 Davis, Jo Ann Manzullo  
 Davis, Tom Markey  
 DeFazio Marshall  
 DeGette Matheson  
 Delahunt Matsui  
 DeLauro McCarthy  
 Diaz-Balart, L. McCollum (MN)  
 Diaz-Balart, M. McCotter  
 Dicks McDermott  
 Dingell McGovern  
 Doggett McIntyre  
 Doyle McKinney  
 Drake McNulty  
 Dreier Meehan  
 Ehlers Meek (FL)  
 Emanuel Meeks (NY)  
 Engel Michaud  
 English (PA) Millender-  
 Eshoo McDonald  
 Etheridge Miller (FL)  
 Farr Miller (MI)  
 Fattah Miller (NC)  
 Feeney Miller, George  
 Ferguson Moore (KS)  
 Filner Moore (WI)  
 Fitzpatrick (PA) Moran (VA)  
 Foley Murtha  
 Forbes Nadler  
 Ford Napolitano  
 Frank (MA) Neal (MA)  
 Frelinghuysen Oberstar  
 Gallegly Obey  
 Garrett (NJ) Oliver  
 Gilchrest Owens  
 Gillmor Pallone  
 Gonzalez Pascrell  
 Gordon Pastor  
 Green, Al Payne

NOT VOTING—13

Evans Kennedy (RI)  
 Flake Kolbe  
 Franks (AZ) Larson (CT)  
 Gutknecht Leach  
 Hayworth Musgrave

Pelosi  
 Peterson (MN)  
 Peterson (PA)  
 Petri  
 Platts  
 Pombo  
 Pomeroy  
 Price (NC)  
 Pryce (OH)  
 Putnam  
 Radanovich  
 Rahall  
 Ramstad  
 Rangel  
 Reichert  
 Reyes  
 Ros-Lehtinen  
 Rothman  
 Roybal-Allard  
 Royce  
 Ruppertsberger  
 Rush  
 Ryan (OH)  
 Sabo  
 Sánchez, Linda  
 T.  
 Sanchez, Loretta  
 Sanders  
 Saxton  
 Schakowsky  
 Schiff  
 Schwartz (PA)  
 Schwarz (MI)  
 Scott (GA)  
 Scott (VA)  
 Serrano  
 Shaw  
 Shays  
 Sherman  
 Sherwood  
 Simmons  
 Simpson  
 Skelton  
 Slaughter  
 Smith (NJ)  
 Smith (WA)  
 Snyder  
 Sodrel  
 Solis  
 Spratt  
 Stark  
 Stearns  
 Strickland  
 Sweeney  
 Tauscher  
 Taylor (MS)  
 Taylor (NC)  
 Thomas  
 Thompson (CA)  
 Thompson (MS)  
 Tiberi  
 Tierney  
 Towns  
 Turner  
 Udall (CO)  
 Udall (NM)  
 Upton  
 Van Hollen  
 Velázquez  
 Vislosky  
 Walsh  
 Wasserman  
 Schultz  
 Waters  
 Watson  
 Watt  
 Waxman  
 Weiner  
 Weldon (FL)  
 Weller  
 Wexler  
 Whitfield  
 Wilson (NM)  
 Wilson (SC)  
 Wolf  
 Woolsey  
 Wu  
 Wynn  
 Young (AK)  
 Young (FL)

□ 1817

Ms. CORRINE BROWN of Florida changed her vote from “aye” to “no.”  
 Mr. EVERETT and Mr. ROGERS of Michigan changed their vote from “no” to “aye.”  
 So the amendments were rejected.  
 The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. PALLONE

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from New Jersey (Mr. PALLONE) on which further proceedings were postponed and on which the ayes 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 231, noes 187, not voting 14, as follows:

[Roll No. 165]  
 AYES—231

Abercrombie	Ehlers	Kuhl (NY)
Ackerman	Emanuel	Langevin
Allen	Engel	Lantos
Andrews	English (PA)	Larsen (WA)
Baca	Eshoo	Lee
Baird	Etheridge	Levin
Baldwin	Farr	Lewis (GA)
Bartlett (MD)	Fattah	Lipinski
Bass	Ferguson	LoBiondo
Bean	Filner	Lofgren, Zoe
Becerra	Fitzpatrick (PA)	Lowey
Berkeley	Foley	Lynch
Berman	Ford	Maloney
Bishop (GA)	Frank (MA)	Markey
Bishop (NY)	Frelinghuysen	Matheson
Blumenauer	Gerlach	Matsui
Boehlert	Gilchrest	McCarthy
Boswell	Gonzalez	McCollum (MN)
Boucher	Gordon	McDermott
Boyd	Green, Al	McGovern
Bradley (NH)	Green, Gene	McHugh
Brady (PA)	Grijalva	McIntyre
Brown (OH)	Gutierrez	McKinney
Brown, Corrine	Harman	McNulty
Butterfield	Hart	Meehan
Capito	Hastings (FL)	Meek (FL)
Capps	Hayes	Meeks (NY)
Capuano	Herse	Michaud
Cardin	Higgins	Millender- McDonald
Carnahan	Hinche	Miller (NC)
Carson	Hinojosa	Miller, George
Case	Holden	Mollohan
Castle	Holt	Moore (KS)
Chandler	Honda	Moore (WI)
Clay	Hooley	Moran (VA)
Cleaver	Hoyer	Murtha
Clyburn	Inglis (SC)	Nadler
Conyers	Inslee	Napolitano
Cooper	Israel	Neal (MA)
Costello	Jackson (IL)	Oberstar
Cramer	Jackson-Lee (TX)	Obey
Crenshaw	Jefferson	Oliver
Crowley	Johnson (CT)	Ortiz
Cummings	Johnson (IL)	Otter
Davis (AL)	Johnson, E. B.	Owens
Davis (CA)	Jones (NC)	Pallone
Davis (FL)	Jones (OH)	Pascrell
Davis (IL)	Jones (OH)	Pastor
Davis, Jo Ann	Kanjorski	Payne
DeFazio	Kaptur	Pelosi
DeGette	Kelly	Platts
Delahunt	Kildee	Pomeroy
DeLauro	Kilpatrick (MI)	Price (NC)
Dicks	Kind	Rahall
Dingell	Kirk	Ramstad
Doggett	Kucinich	
Doyle		

Rangel	Shaw	Udall (NM)
Regula	Shays	Upton
Reyes	Sherman	Van Hollen
Ros-Lehtinen	Simmons	Velázquez
Rothman	Skelton	Vislosky
Roybal-Allard	Slaughter	Walden (OR)
Ruppertsberger	Smith (NJ)	Walsh
Rush	Smith (WA)	Wasserman
Ryan (OH)	Snyder	Schultz
Sabo	Solis	Waters
Sánchez, Linda	Spratt	Watson
T.	Stark	Watt
Sanchez, Loretta	Strickland	Waxman
Sanders	Sullivan	Weiner
Saxton	Sweeney	Weldon (PA)
Schakowsky	Tauscher	Weller
Schiff	Taylor (MS)	Wexler
Schmidt	Taylor (NC)	Woolsey
Schwartz (PA)	Thompson (CA)	Wu
Schwarz (MI)	Thompson (MS)	Wynn
Scott (GA)	Tierney	Young (FL)
Scott (VA)	Towns	
Serrano	Udall (CO)	

NOES—187

Aderholt	Fortenberry	Myrick
Akin	Fossella	Neugebauer
Alexander	Gallegly	Ney
Bachus	Garrett (NJ)	Northup
Baker	Gibbons	Norwood
Barrett (SC)	Gillmor	Nunes
Barrow	Gingrey	Nussle
Barton (TX)	Gohmert	Osborne
Beauprez	Goode	Oxley
Berry	Goodlatte	Paul
Biggert	Granger	Pearce
Bilirakis	Graves	Pence
Bishop (UT)	Green (WI)	Peterson (MN)
Blackburn	Hall	Peterson (PA)
Blunt	Harris	Petri
Boehner	Hastings (WA)	Pickering
Bonilla	Hefley	Pitts
Bonner	Hensarling	Poe
Bono	Herger	Pombo
Boozman	Hobson	Porter
Boren	Hoekstra	Price (GA)
Boustany	Hostettler	Pryce (OH)
Brady (TX)	Hulshof	Putnam
Brown (SC)	Hunter	Radanovich
Brown-Waite,	Hyde	Rehberg
Ginny	Issa	Reichert
Burgess	Istook	Renzi
Burton (IN)	Jenkins	Rogers (AL)
Buyer	Jindal	Rogers (KY)
Calvert	Johnson, Sam	Rogers (MI)
Camp (MI)	Keller	Rohrabacher
Campbell (CA)	Kennedy (MN)	Ross
Cannon	King (IA)	Royce
Cantor	King (NY)	Ryan (WI)
Cardoza	Kingston	Ryun (KS)
Carter	Kline	Salazar
Chabot	Knollenberg	Sensenbrenner
Chocola	LaHood	Sessions
Coble	Latham	Sherwood
Conaway	LaTourette	Shimkus
Costa	Lewis (CA)	Shuster
Cramer	Lewis (KY)	Simpson
Crenshaw	Linder	Smith (TX)
Cubin	Lucas	Sodrel
Cuellar	Lungren, Daniel	Souder
Culberson	E.	Stearns
Davis (KY)	Mack	Tancredo
Davis (TN)	Manzullo	Tanner
Davis, Tom	Marchant	Terry
Deal (GA)	Marshall	Thomas
DeLay	McCaul (TX)	Thornberry
Dent	McCotter	Tiahrt
Diaz-Balart, L.	McCrery	Tiberi
Diaz-Balart, M.	McHenry	Turner
Doolittle	McKeon	Wamp
Drake	McMorris	Weldon (FL)
Dreier	Melancon	Westmoreland
Duncan	Mica	Whitfield
Edwards	Miller (FL)	Wicker
Emerson	Miller (MI)	Wilson (NM)
Everett	Miller, Gary	Wilson (SC)
Feeney	Moran (KS)	Wolf
Forbes	Murphy	Young (AK)

NOT VOTING—14

Evans	Hayworth	Musgrave
Flake	Kennedy (RI)	Reynolds
Foxx	Kolbe	Shadegg
Franks (AZ)	Larson (CT)	Stupak
Gutknecht	Leach	

□ 1825

So the amendment was agreed to.

The result of the vote was announced as above recorded.

AMENDMENT NO. 5 OFFERED BY MR. BEAUPREZ

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from Colorado (Mr. BEAUPREZ) 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 306, not voting 14, as follows:

[Roll No. 166]

AYES—112

- Akin, Goodde, Neugebauer
Bachus, Goodlatte, Ney
Baker, Graves, Norwood
Barrett (SC), Green (WI), Paul
Bartlett (MD), Gutknecht, Pearce
Beauprez, Hastings (WA), Pence
Blackburn, Hayes, Petri
Boehner, Hefley, Pickering
Brady (TX), Hensarling, Pitts
Brown-Waite, Herger, Poe
Ginny, Herseth, Pombo
Burgess, Hoekstra, Price (GA)
Burton (IN), Hostettler, Radanovich
Buyer, Hulshof, Renzi
Campbell (CA), Hunter, Rogers (AL)
Cannon, Hyde, Rogers (MI)
Cantor, Issa, Rohrabacher
Chabot, Istock, Royce
Chocola, Jindal, Ryan (WI)
Coble, Johnson, Sam, Ryun (KS)
Cole (OK), Jones (NC), Salazar
Cubin, Keller, Sensenbrenner
Culberson, Kennedy (MN), Sessions
Davis, Jo Ann, King (IA), Shuster
Deal (GA), King (NY), Skelton
DeFazio, Kingston, Souder
DeLay, Kline, Stearns
Diaz-Balart, M., Lewis (KY), Tancredo
Doolittle, Linder, Taylor (MS)
Dreier, Lungren, Daniel, Thornberry
Feeney, E., Tiahrt
Forbes, Manzullo, Weldon (FL)
Foxy, Marchant, Weller
Gallegly, McCaul (TX), Westmoreland
Garrett (NJ), McHenry, Wicker
Gibbons, Miller (MI), Wilson (NM)
Gingrey, Miller, Gary, Wilson (SC)
Gohmert, Myrick, Young (AK)

NOES—306

- Abercrombie, Boozman, Cleaver
Ackerman, Boren, Clyburn
Aderholt, Boswell, Conaway
Alexander, Boucher, Conyers
Allen, Boustany, Cooper
Andrews, Boyd, Costa
Baca, Bradley (NH), Costello
Baird, Brady (PA), Cramer
Baldwin, Brown (OH), Crenshaw
Barrow, Brown (SC), Crowley
Barton (TX), Brown, Corrine, Cuellar
Bass, Butterfield, Cummings
Bean, Calvert, Davis (AL)
Becerra, Camp (MI), Davis (CA)
Berkley, Capito, Davis (FL)
Berman, Capps, Davis (IL)
Berry, Capuano, Davis (KY)
Biggert, Cardin, Davis (TN)
Bilirakis, Cardoza, Davis, Tom
Bishop (GA), Carnahan, DeGette
Bishop (NY), Carson, Delahunt
Blumenauer, Carter, DeLauro
Boehler, Case, Dent
Bonilla, Castle, Diaz-Balart, L.
Bonner, Chandler, Dicks
Bono, Clay, Dingell

- Doggett, Lewis (CA)
Doyle, Lewis (GA)
Drake, Lipinski
Duncan, LoBiondo
Edwards, Lofgren, Zoe
Ehlers, Lowey
Emanuel, Lucas
Emerson, Lynch
Engel, Mack
English (PA), Maloney
Eshoo, Markey
Etheridge, Marshall
Everett, Matheson
Farr, Matsui
Fattah, McCarthy
Ferguson, McColium (MN)
Filner, McCotter
Fitzpatrick (PA), McCrery
Foley, McDermott
Ford, McGovern
Fortenberry, McHugh
Fossella, McIntyre
Frank (MA), McKeon
Frelinghuysen, McKinney
Gerlach, McMorris
Gilchrest, McNulty
Gillmor, Meehan
Gonzalez, Meek (FL)
Gordon, Meeks (NY)
Granger, Melancon
Green, Al, Mica
Green, Gene, Michaud
Grijalva, Millender-
Gutierrez, McDonald
Hall, Miller (FL)
Harman, Miller (NC)
Harris, Miller, George
Hart, Mollohan
Hastings (FL), Moore (KS)
Higgins, Moore (WI)
Hinchey, Moran (KS)
Hinojosa, Moran (VA)
Hobson, Murphy
Holden, Murtha
Holt, Nadler
Honda, Napolitano
Hooley, Neal (MA)
Hoyer, Northup
Inglis (SC), Nunes
Inslee, Nussle
Israel, Oberstar
Jackson (IL), Obey
Jackson-Lee, Olver
(TX), Ortiz
Jefferson, Osborne
Jenkins, Otter
Johnson (CT), Owens
Johnson (IL), Oxley
Johnson, E. B., Pallone
Jones (OH), Pascrell
Kanjorski, Pastor
Kaptur, Payne
Kelly, Pelosi
Kildee, Peterson (MN)
Kilpatrick (MI), Peterson (PA)
Kind, Platts
Kirk, Pomeroy
Knollenberg, Porter
Kucinich, Price (NC)
Kuhl (NY), Pryce (OH)
LaHood, Putnam
Langevin, Rahall
Lantos, Ramstad
Larsen (WA), Rangel
Latham, Regula
LaTourette, Rehberg
Lee, Reichert
Levin, Reyes

NOT VOTING—14

- Bishop (UT)
Blunt
Evans
Flake
Franks (AZ)
Hayworth
Kennedy (RI)
Kolbe
Larson (CT)
Leach
Musgrave
Reynolds
Shadegg
Stupak

□ 1833

Mr. MARCHANT changed his vote from "no" to "aye." So the amendment was rejected. The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. HINCHEY

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from New York (Mr. HINCHEY)

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 252, noes 165, not voting 15, as follows:

[Roll No. 167]

AYES—252

- Abercrombie, Etheridge, Meehan
Ackerman, Everett, Meek (FL)
Allen, Farr, Meeks (NY)
Andrews, Fattah, Michaud
Baca, Ferguson, Millender-
Baird, Filner, McDonald
Baldwin, Fitzpatrick (PA), Miller (NC)
Barrow, Foley, Miller, George
Bartlett (MD), Ford, Moore (KS)
Bass, Fortenberry, Moore (WI)
Bean, Frank (MA), Moran (KS)
Becerra, Gerlach, Moran (VA)
Berkley, Gilchrest, Murtha
Berman, Gordon, Nadler
Berry, Green (WI), Napolitano
Biggert, Green, Al, Neal (MA)
Bilirakis, Grijalva, Ney
Bishop (GA), Gutierrez, Oberstar
Bishop (NY), Harman, Obey
Blumenauer, Hastings (FL), Olver
Boehler, Herseth, Owens
Bonner, Higgins, Pallone
Boswell, Hinchey, Pascrell
Boyd, Holden, Pastor
Bradley (NH), Holt, Paul
Brady (PA), Honda, Payne
Brown (OH), Hooley, Pelosi
Brown (SC), Hoyer, Petri
Brown, Corrine, Inglis (SC), Platts
Brown-Waite, Inslee, Pombo
Ginny, Israel, Pomeroy
Butterfield, Jackson (IL), Price (NC)
Capito, Jackson-Lee, Pryce (OH)
Capps, (TX), Rahall
Capuano, Jefferson, Ramstad
Cardin, Jenkins, Rangel
Cardoza, Johnson (CT), Renzi
Carnahan, Johnson (IL), Rogers (AL)
Carson, Johnson, E. B., Rogers (KY)
Case, Jones (OH), Rohrabacher
Castle, Kanjorski, Ros-Lehtinen
Chandler, Kaptur, Ross
Clay, Kelly, Rothman
Cleaver, Kennedy (MN), Roybal-Allard
Clyburn, Kildee, Ruppertsberger
Conyers, Kilpatrick (MI), Rush
Cooper, Kind, Ryan (OH)
Costello, Kingston, Sabo
Cramer, Kucinich, Salazar
Crowley, LaHood, Sanchez, Linda
T.,
Cummings, Langevin, Sanchez, Loretta
Davis (AL), Lantos, Sanders
Davis (CA), Larsen (WA), Saxton
Davis (FL), LaTourette, Schakowsky
Davis (IL), Lee, Schiff
Davis (TN), Levin, Schwartz (PA)
Davis, Tom, Lewis (GA), Schwarz (MI)
DeFazio, Lewis (KY), Scott (GA)
DeGette, Lipinski, Scott (VA)
Delahunt, LoBiondo, Serrano
DeLauro, Lofgren, Zoe, Shays
Diaz-Balart, L., Lowey, Sherman
Diaz-Balart, M., Lynch, Sherwood
Dicks, Maloney, Simmons
Dingell, Markey, Skelton
Doggett, Marshall, Slaughter
Doyle, Matsui, Smith (NJ)
Duncan, McCarthy, Smith (WA)
Edwards, McColium (MN), Snyder
Ehlers, McDermott, Sodrel
Emanuel, McGovern, Solis
Emerson, McHugh, Spratt
Engel, McKinney, Stark
Eshoo, McNulty, Strickland

Sullivan Udall (NM) Weiner  
 Sweeney Van Hollen Weldon (PA)  
 Tancredo Velázquez Weller  
 Tanner Visclosky Wexler  
 Tauscher Walsh Whitfield  
 Taylor (MS) Wasserman Wolf  
 Thompson (CA) Schultz Woolsey  
 Thompson (MS) Waters Wu  
 Tierney Watson Wynn  
 Towns Watt Young (FL)  
 Udall (CO) Waxman

NOES—165

Aderholt Goode Neugebauer  
 Akin Goodlatte Northup  
 Alexander Granger Norwood  
 Bachus Graves Nunes  
 Baker Green, Gene Nussle  
 Barrett (SC) Gutknecht Ortiz  
 Barton (TX) Hall Osborne  
 Beauprez Harris Otter  
 Bishop (UT) Hart Oxley  
 Blackburn Hastings (WA) Pearce  
 Boehner Hayes Pence  
 Bonilla Hefley Peterson (MN)  
 Bono Hensarling Peterson (PA)  
 Boozman Herger Pickering  
 Boren Hinojosa Pitts  
 Boucher Hobson Poe  
 Boustany Hoekstra Porter  
 Brady (TX) Hostettler Price (GA)  
 Burgess Hulshof Putnam  
 Burton (IN) Hunter Radanovich  
 Buyer Hyde Regula  
 Calvert Issa Rehberg  
 Camp (MI) Istook Reichert  
 Campbell (CA) Jindal Reyes  
 Cantor Johnson, Sam Rogers (MI)  
 Carter Jones (NC) Royce  
 Chabot Keller Ryan (WI)  
 Chocola King (IA) Ryun (KS)  
 Coble King (NY) Schmidt  
 Cole (OK) Kline Sensenbrenner  
 Conaway Knollenberg Sessions  
 Crenshaw Latham Shaw  
 Cubin Lewis (CA) Shimkus  
 Cuellar Linder Shuster  
 Culberson Lucas Simpson  
 Davis (KY) Lungren, Daniel Smith (TX)  
 Davis, Jo Ann E. Souder  
 Deal (GA) Mack Stearns  
 DeLay Manzullo Taylor (NC)  
 Dent Marchant Terry  
 Doolittle Matheson Thomas  
 Drake McCaul (TX) Thornberry  
 Dreier McCotter Tiahrt  
 English (PA) McCrery Tiberi  
 Feeney McHenry Turner  
 Forbes McIntyre Upton  
 Fossella McKeon Walden (OR)  
 Foxx McMorris Wamp  
 Frelinghuysen Melancon Westonmoreland  
 Gallegly Mica Wicker  
 Garrett (NJ) Miller (FL) Wilson (NM)  
 Gibbons Miller (MI) Wilson (SC)  
 Gillmor Miller, Gary Mollohan  
 Gingrey Mollohan Murphy  
 Gohmert Murphy Myrick  
 Gonzalez Myrick Young (AK)

NOT VOTING—15

Blunt Hayworth Leach  
 Cannon Kennedy (RI) Musgrave  
 Evans Kirk Reynolds  
 Flake Kolbe Shadegg  
 Franks (AZ) Larson (CT) Stupak

□ 1840

Mr. SCHWARZ of Michigan and Mr. WELLER 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. KIRK. Mr. Chairman, on rollcall No. 167 I was unavoidably detained. Had I been present, I would have voted “aye.”

AMENDMENT OFFERED BY MR. CHABOT

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from Ohio (Mr. CHABOT) on which further proceedings were post-

poned 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 237, noes 181, not voting 14, as follows:

[Roll No. 168]

AYES—237

Ackerman Gonzalez Nadler  
 Akin Gordon Napolitano  
 Allen Green (WI) Neal (MA)  
 Andrews Green, Al Obey  
 Baird Green, Gene Oliver  
 Baldwin Grijalva Owens  
 Barrett (SC) Gutierrez Pallone  
 Barrow Harman Pascrell  
 Bartlett (MD) Hart Paul  
 Bass Hastings (FL) Payne  
 Bean Hensarling Pelosi  
 Becerra Herseth Petri  
 Berkley Higgins Pickering  
 Berman Hinchey Pitts  
 Biggert Holden Platts  
 Bishop (NY) Holt Poe  
 Boehlert Honda Pomeroy  
 Bonner Hooley Price (GA)  
 Boucher Hoyer Price (NC)  
 Bradley (NH) Hyde Pryce (OH)  
 Brady (PA) Inglis (SC) Rahall  
 Brown (OH) Inslee Ramstad  
 Butterfield Israel Rangel  
 Campbell (CA) Jackson-Lee Reichert  
 Capito (TX) Rohrabacher  
 Capps Johnson (CT) Rothman  
 Capuano Johnson (IL) Roybal-Allard  
 Cardin Johnson, E. B. Royce  
 Cardoza Jones (NC) Ruppberger  
 Carnahan Jones (OH) Ryan (OH)  
 Carson Kanjorski Ryan (WI)  
 Case Kaptur Sabo  
 Castle Kelly Salazar  
 Chabot Kildee Sánchez, Linda  
 Chandler Kind T.  
 Clay Kirk Sanchez, Loretta  
 Cleaver Kucinich Sanders  
 Clyburn Kuhl (NY) Saxton  
 Coble Conyers Schakowsky  
 Cooper Langevin Schiff  
 Costello Lee Schwartz (PA)  
 Cramer Levin Scott (GA)  
 Crowley Lewis (GA) Scott (VA)  
 Cummings Lipinski Sensenbrenner  
 Davis (CA) LoBiondo Serrano  
 Davis (FL) Lofgren, Zoe Shaw  
 Davis (IL) Lowey Shays  
 Davis (TN) Lynch Sherman  
 Davis, Jo Ann Maloney Simmons  
 Davis, Tom Markey Skelton  
 DeFazio Marshall Slaughter  
 DeGette Matheson Smith (NJ)  
 Delahunt Matsui Smith (TX)  
 DeLauro McCarthy Smith (WA)  
 Dent Snyder  
 Dingell McCaul (TX) Solis  
 Doggett McCollum (MN) Spratt  
 Doyle McDermott Stark  
 Emanuel McGovern Strickland  
 Engel McIntyre Sweeney  
 English (PA) McKinney Tanner  
 Eshoo McNulty Tauscher  
 Etheridge Meehan Taylor (MS)  
 Farr Meek (FL) Terry  
 Fattah Meeks (NY) Thompson (CA)  
 Ferguson Michaud Tiberi  
 Filner Millender Tierney  
 Fitzpatrick (PA) McDonald Towns  
 Fortenberry Miller (MI) Udall (CO)  
 Foxx Miller (NC) Udall (NM)  
 Frank (MA) Moore (KS) Upton  
 Frelinghuysen Moore (WI) Van Hollen  
 Garrett (NJ) Moran (VA) Velázquez  
 Gerlach Murphy Wasserman  
 Gillmor Murtha Schultz

Waters Weldon (PA) Wu  
 Watson Wexler Wynn  
 Watt Whitfield Young (FL)  
 Waxman Wolf  
 Weiner Woolsey

NOES—181

Abercrombie Fossella Moran (KS)  
 Aderholt Gallegly Myrick  
 Alexander Gibbons Neugebauer  
 Baca Gilchrest Ney  
 Bachus Gingrey Northup  
 Baker Gohmert Norwood  
 Barton (TX) Goode Nunes  
 Beauprez Goodlatte Nussle  
 Berry Granger Oberstar  
 Bilirakis Graves Ortiz  
 Bishop (GA) Gutknecht Osborne  
 Bishop (UT) Hall Otter  
 Blackburn Harris Oxley  
 Blumenauer Hastings (WA) Pastor  
 Boehner Hayes Pearce  
 Bonilla Hefley Pence  
 Bono Herger Peterson (MN)  
 Boozman Hinojosa Peterson (PA)  
 Boren Hobson Pombo  
 Boswell Hoekstra Porter  
 Boustany Hostettler Putnam  
 Boyd Hulshof Radanovich  
 Brady (TX) Hunter Regula  
 Brown (SC) Issa Rehberg  
 Brown, Corrine Istook Renzi  
 Brown-Waite, Jackson (IL) Reyes  
 Ginny Jefferson Rogers (AL)  
 Burgess Jenkins Rogers (KY)  
 Burton (IN) Jindal Rogers (MI)  
 Buyer Johnson, Sam Ros-Lehtinen  
 Calvert Keller Ross  
 Camp (MI) Kennedy (MN) Rush  
 Cannon King (IA) Ryun (KS)  
 Cantor King (NY) Schmidt  
 Carter Kingston Schwarz (MI)  
 Chocola Kline Sessions  
 Cole (OK) Knollenberg Sherwood  
 Conaway LaHood Shimkus  
 Crenshaw Costa Larsen (WA) Shuster  
 Cubin Latham Simpson  
 Cuellar LaTourette Sodrel  
 Culberson Lewis (CA) Souder  
 Davis (AL) Lewis (KY) Stearns  
 Davis (KY) Linder Sullivan  
 Deal (GA) Lucas Tancredo  
 DeLay Lungren, Daniel Taylor (NC)  
 E. Thomas  
 Diaz-Balart, M. Mack Thompson (MS)  
 Dicks Manzullo Thornberry  
 Doolittle Marchant Tiahrt  
 Drake McCotter Turner  
 Dreier McCrery Walden (OR)  
 Duncan McHenry Walsh  
 Edwards McHugh Wamp  
 Ehlers McKeon Weldon (FL)  
 Emerson McMorris Weller  
 Everett Melancon Westonmoreland  
 Feeney Mica Wicker  
 Foley Miller (FL) Wilson (NM)  
 Forbes Miller, Gary Wilson (SC)  
 Ford Mollohan Young (AK)

NOT VOTING—14

Blunt Hayworth Musgrave  
 Diaz-Balart, L. Kennedy (RI) Reynolds  
 Evans Kolbe Shadegg  
 Flake Larson (CT) Stupak  
 Franks (AZ) Leach

□ 1848

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

AMENDMENT OFFERED BY MR. TIAHRT

Mr. TIAHRT. 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. TIAHRT: At the end of the bill (before the short title) insert the following:

SEC. . None of the funds made available in this Act may be used to promulgate regulations without consideration of the effect of such regulations on the competitiveness of American businesses.

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

Mr. TAYLOR of North Carolina. Mr. Chairman, I reserve a point of order on the amendment.

The CHAIRMAN. A point of order is reserved.

The gentleman from Kansas is recognized for 5 minutes.

Mr. TIAHRT. Mr. Chairman, this is a sad day for the future of American jobs and for our future economy. Tonight we have decided to keep energy prices higher by blocking exploration offshore on the Outer Continental Shelf.

We have also blocked the EPA from reducing the paperwork burden on small businesses and on pop and mom shops, because we have blocked them from reducing the toxic relief information paperwork.

We have even tried to blackmail oil companies tonight that entered into contracts in good faith to produce oil and gas. Now, we have adopted an amendment to force them to breach those contracts or else they are unable to drill offshore in the future.

Mr. Chairman, my amendment is very simple. It says that none of the funds made available in this act may be used to promulgate regulations without consideration of the effect of such regulations on the competitiveness of American businesses. It is very simple: it is about American jobs.

“Without consideration” is a very simple term. It is like being polite to people in the future. Being polite often says that we are just going to be considerate of others. In terms of our future economy and in terms of our children’s opportunities, we should be considerate. We should be considerate of the barriers that have been created by this Congress and by Congresses before us over the past generation that are keeping us from creating and keeping American jobs.

We have excessive health care costs, much of which is driven by an archaic system called Medicare which was created in the 1960s and today is heavily laden with paperwork, and it drives up our health care cost.

Mr. Chairman, we have a tax policy that is punitive to success. We have regulation burdens, as I spoke about tonight, in relationship to the toxic release inventory deduction. We also have a trade policy that goes largely unenforced in some areas, allowing other countries to target businesses and run them out so that they can import their products.

We also have excessive litigation costs. The one thing that we do have in excess in this country is lawsuits. We should be exporting our lawsuits through our trade policies, holding other countries accountable when they violate our trade agreements. But litigation costs have driven up the expenses for small businesses and large businesses alike. When expenses go up,

we are less competitive and we lose jobs.

Our energy policy has failed to meet the demands of our economy. That is why we have \$3 gas. That is why our natural gas costs are the highest in the world because of policies created by this Congress.

And our education policy has failed to meet the needs of our high-tech society these days. Our math scores, our science scores, those students pursuing engineering degrees and science degrees are diminishing, and so are their test scores. And our unfocused research and development programs have also created barriers to keeping and creating jobs here in America.

So, Mr. Chairman, that is why I created this very simple amendment that just says that we won’t put a barrier in place when it comes to writing regulations because it costs us American jobs.

Now, I realize that my amendment is subject to a point of order because our rules say that a Member cannot add authorization language to an appropriations bill. And I assume that there is wisdom in the process, and we will abide by that.

So with reservations, I will withdraw this amendment. But I will not withdraw from the fight to remove the barriers that Congress has created that prevent us from keeping and creating jobs here in America.

Mr. Chairman, respectfully, I withdraw my amendment.

The CHAIRMAN. Without objection, the amendment is withdrawn.

There was no objection.

Mr. DICKS. Mr. Chairman, I move to strike the requisite number of words.

I yield to my friend and colleague from New York (Mr. WEINER).

Mr. WEINER. Mr. Chairman, I rise for the purpose of entering into a colloquy with the chairman of the Interior Appropriations Committee, the ranking member, and the chairman of the National Park Service Subcommittee regarding the National Park Service’s extension of the current contract to provide ferry service to the Statue of Liberty/Ellis Island National Monument, in spite of Congress’s explicit instruction that concessions contracts be put out to bid upon their expiration.

Mr. Chairman, the current concessionaire, Circle Line, has held the contract to provide ferry service from Manhattan to the Statue of Liberty for decades. They provide what is less than enjoyable service for park visitors. The old clunky boats and temporary screening facilities they use when docking at the edge of a city park hardly do Lady Liberty justice.

In 1998, Congress passed, thanks to the leadership of the House Resources Committee, a bill that overhauled the National Park Service Concession Program and instilled for the first time competition into the contract process. Specifically, the preferential right of renewal for an incumbent that grossed

more than a half a million dollars annually was eliminated. In section 403, subsection 2, the National Parks Omnibus Management Act of 1998 says: “Prior to awarding a new concession contract, including renewals or extension of existing contracts for concessions, the Secretary shall publicly solicit proposals for a concessions contract.”

It was clearly the intent of Congress to put an end to the Park Service’s age-old practice of indefinitely renewing existing contracts to the detriment of each park’s service, was it not, Mr. Chairman?

Mr. PEARCE. Will the gentleman from New York yield?

Mr. WEINER. Certainly I will.

Mr. PEARCE. The gentleman from New York is right. It was and continues to be the intent of Congress that the National Park Service open contracts to competition upon their termination.

Mr. WEINER. Reclaiming my time. However, when Circle Line’s contract expired in 2004, the Park Service utilized language in the 1998 act providing the Secretary with extension authority and awarded Circle Line a 3-year extension, did it not, Mr. Chairman?

Mr. PEARCE. If the gentleman from New York will yield?

Mr. WEINER. Certainly I will.

Mr. PEARCE. The Service did indeed extend the Circle Line contract from March 31, 2004, to March 2007 due to a number of factors stemming from the events of September 11, including the fact, as my colleague knows, that the statue was closed to the public from 9/11 through August 2004. During this time, Liberty Island underwent an extensive security and safety assessment that focused on a number of vulnerabilities such as the statue’s 3/32 of an inch thick skin, and local park officials spent much more time focusing on those issues than preparing for a new contract prospectus. Obviously, they dropped the ball.

Mr. WEINER. Reclaiming my time. Mr. Chairman, now as we approach the expiration of the extended 2004 contract, I have been informed, as have my colleagues on the authorizing and appropriations committees, that the National Park Service will not have a prospectus on the street to solicit bids and award a new contract by the expiration of the current Circle Line contract in March 2007 when the 3-year renewal is scheduled to expire, meaning that the Circle Line contract will have been extended again.

Mr. TAYLOR of North Carolina. If the gentleman will yield.

Mr. WEINER. I am happy to yield to the chairman.

Mr. TAYLOR of North Carolina. The gentleman from New York is right, the National Park Service has notified the Interior Appropriations Subcommittee that due to its inability to complete an open bid before the expiration of the current extension in April 2007, the Park Service will have to temporarily

extend Circle Line's contract once again to prevent the disruption of service to Liberty Island.

Mr. WEINER. Reclaiming my time, I thank the chairman. Mr. Chairman, would Chairman TAYLOR, Ranking Member DICKS and Chairman PEARCE agree with me that the National Park Service has failed to heed Congress's direction that expiring contracts are to be put to bid on schedule, and that extending the Circle Line contract beyond March of 2007 should be called into question?

Would they further agree to work with me to ensure that those who are responsible for ignoring Congress's intent are held accountable?

Mr. TAYLOR of North Carolina. If the gentleman will yield.

Mr. WEINER. I certainly will.

Mr. TAYLOR of North Carolina. I agree with the gentleman from New York that the Circle Line contract set to expire March 2007 should not be extended. I look forward to working with the gentleman from New York, the chairman of the authorizing committee and the ranking member of this subcommittee to ensure that the new contract is in place as soon as possible and those responsible for the current delay are held accountable.

Mr. WEINER. Reclaiming my time, I thank the chairman.

Mr. PEARCE. If the gentleman will yield.

Mr. WEINER. Certainly I will yield.

Mr. PEARCE. I agree also with the gentleman from New York that the Circle Line contract set to expire on March 2007 should not be extended. I look forward to working with the gentleman from New York and the chairman and ranking member of the appropriations subcommittee to ensure that a new contract is in place as soon as possible and those responsible for the current delay are held to account for their actions.

□ 1900

I also thank the gentleman for bringing this problem to my attention. With over 600 concession-related contracts in the National Park system, it is difficult for me and the subcommittee staff to always stay on top of these ongoing deadlines.

Mr. WEINER. Mr. Chairman, reclaiming my time, I thank the chairman.

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

Mr. WEINER. I yield to the gentleman from Washington.

Mr. DICKS. Mr. Chairman, I want to thank the gentleman from New York for his leadership on this issue. I look forward to working with him, with the chairman, and with the authorizing committee to ensure that a new contract is in place as soon as possible and those responsible for the current delay are held to account.

Mr. WEINER. Mr. Chairman, I want to thank Mr. DICKS, and I also want to extend my gratitude to Mike Stephens of your staff, Deb Weatherly of Mr.

TAYLOR's staff, and Rob Howarth of Mr. PEARCE's staff for their cooperation.

Mr. Chairman, I submit the following articles for the RECORD.

[From the New York Times, Aug. 4, 2004]

LIBERTY IS OPEN AGAIN TO THE MASSES, BUT JUST TO THE HEM OF HER ROBES  
(By Carolyn Curriel)

For anyone who has ever trekked up the spiral staircase of the Statue of Liberty and peered through the crown's narrow windows, the statue's reopening this week, for the first time since the 9/11 attacks, is bitter-sweet. Its surrounding grounds and facilities have been spruced up, and members of the National Park Service gamely claim that the statue, an international icon, is better than ever. But there's no way to ignore the loss of what was the main attraction: tourists can no longer knock themselves out by climbing those storied 354 steps.

It's perhaps an unavoidable result of the vigilance against terrorism, but a sad one nonetheless. The new tour stops short of the hem of Liberty's robes, at the top of her thick concrete pedestal, in a room that holds only 30 people at a time, or about 3,000 people a day who are quickly shuffled in and out. While a guide gives a short talk and shows a video, tourists are invited to look up at the ceiling, where a few glass panels give a glimpse of a few feet of the interior. Tourists can also step into the open air on a deck that lines the pedestal. That's as good as it gets. And that's only after each visitor is screened twice, by X-ray and metal detectors before boarding a ferry to the monument, and then on the premises by new scanners looking for explosives and narcotics.

Throughout the statue's base are monitors showing the routes to the nearest exits in case of an emergency, while across the bottom scrolls a constant message: "If you see something, say something." Oddly enough, this antiterrorism mantra, which appears in bilingual postings in city subways and buses, is only in English at this symbol of America's polyglot immigration.

Larry Parkinson, a deputy assistant secretary for law enforcement and security at the Interior Department, says greater access to the statue itself has not been ruled out. But it isn't in the works right now, and the motives for caution seem to stretch beyond security. There is concern about wear and tear on the statue. The people who used to climb the stairs were apparently not unlike those unconscionable climbers of Everest who left behind proof of their presence in the form of garbage—in this case, mostly chewing gum and food refuse.

But it's hard to avoid the impression that the officials who spent millions in private and public funds to restore and fortify the statue don't want anyone to mess it up. With the nonprofit charity that has been in charge of soliciting donations under fire for paying its executives too much money, this seems like a time when everyone should be trying to make things as accessible as possible.

Obviously, security will have to come first, but visitors to the Statue of Liberty, the symbol of American freedom, shouldn't be constrained forever.

[From the Daily News, May 7, 2006]

CARRYING A TORCH

Sen. Bob Menendez did his best at Interior Secretary nominee Dirk Kempthorne's confirmation hearing last week. The New Jersey Democrat eloquently explained why the Statue of Liberty must be reopened to the public, and he pressed Kempthorne to explain when that might happen. But the Idaho governor has his bureauspeak down pat. He can answer a question while saying nothing at all.

Menendez is to be thanked for raising the issue of how Lady Liberty is being held hostage by the National Park Service (under Interior Department auspices) and the Statue of Liberty-Ellis Island Foundation. Since Liberty Island was closed 9/11, only the pedestal has reopened, despite much-improved security measures for the island and the statue. The public is denied access to the crown and the spiral staircase leading there—a staircase trod by multitudes before the feds began cowering.

Citing those new security measures, Menendez told Kempthorne: "I hope that you will help us liberate Lady Liberty. We should not buckle in to the fear of terrorism. We should let Americans travel to the top of Lady Liberty." Exactly.

Then Menendez expressed hope that Secretary Kempthorne "would make a commitment" to do what is necessary to reopen the statue in its entirety. Responded Kempthorne: "I will take your counsel" and "look into" how access can be expanded "while understanding that we want to make sure that it is done safely." And yada yada yada.

Americans are sick of double-talk. Open the statue. All of it.

[From the Daily News, May 4, 2006]

LIBERATE LADY LIBERTY

The Statue of Liberty, held hostage by the Interior Department and the National Park Service, has a new champion in Senator Robert Menendez who, it is hoped, will be able to free her from the bureaucratic shackles that have imprisoned her since 9/11. Today, Menendez and the rest of the Energy and Natural Resources Committee will hold a confirmation hearing for Interior Secretary-nominee Idaho Gov. Dirk Kempthorne, at which time the New Jersey Democrat will demand answers and action to ensure Lady Liberty is open to the public, which she is not, despite lies by the feds and their nonprofit fund-raising partner, the Statue of Liberty-Ellis Island Foundation.

All that is open is the pedestal. Visitors can look up her skirts. They cannot, as had been the case before 9/11, climb the spiral stairway to her crown. She has become the Statue of Cowardice, thanks to the people who run Liberty Island and are terrified of terrorism.

Aren't we all? No. We are aware of it and wary of it, but we are not terrified. If we were, this whole city—full as it is of ripe, potential targets—would have shut down. If we were, the terrorists would have won. Thus far, they can claim victory over only the statue.

Though strict security measures have been implemented—reserved admission, repeat metal detection—the frightened feds are loath to let visitors climb the statue. The entire situation is shameful. May Menendez bring that to the attention of Kempthorne, and the entire nation, and may there be such an outcry as to break the chains that bind Miss Liberty and make her a laughingstock for Al Qaeda.

AMENDMENT OFFERED BY MR. GARRETT OF NEW JERSEY

Mr. GARRETT of New Jersey. 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. GARRETT of New Jersey:

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

TITLE VI—ADDITIONAL GENERAL PROVISIONS

SEC. 601. None of the funds made available in this Act may be used to send or otherwise



pay for the attendance of more than 50 employees from a Federal department or agency at any single conference occurring outside the United States.

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

The Chair recognizes the gentleman from New Jersey.

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

Mr. GARRETT of New Jersey. I yield to the gentleman from North Carolina.

Mr. TAYLOR of North Carolina. Mr. Chairman, we will accept the amendment.

Mr. GARRETT of New Jersey. I appreciate that, and I will be very brief, just to say that Members on both sides of the aisle may disagree on exactly how we got to this point, but I think most people will agree that our deficit in this country is too high.

If people watched TV last night and watched the debates on the floor with regard to our budget, there was much disagreement on our spending levels and the like. But one thing we all came to agreement on at the end of the evening is that we are spending too much and that when we spend too much it creates a deficit. So when we can at an appropriate time try to limit and rein in those spendings, I think that is an appropriate and common sense approach to do that. To do that we have this amendment.

This amendment is basically to say that when Federal agencies travel overseas on international conferences there should be some limit as to how many members and their staff goes. The amendment picks out a reasonable number and that is 50.

No one would disagree with the fact that we should attend international conferences and no one would disagree with the fact that we should allow staff to go to them. Our amendment simply says that only essential staff should attend those conferences, and we therefore set a limited number.

I appreciate the fact that the chairman has agreed to this amendment in past legislation, and I certainly appreciate the fact that the amendment once again is agreed to by the chairman at this point in time as well.

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

The CHAIRMAN. Does any Member claim time in opposition to the amendment?

If not, the question is on the amendment offered by the gentleman from New Jersey (Mr. GARRETT).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. GARY G. MILLER OF CALIFORNIA

Mr. GARY G. MILLER of California. 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. GARY G. MILLER of California:

At the end of the bill, before the short title, insert the following:

TITLE VI—ADDITIONAL GENERAL PROVISIONS

SEC. 601. No funds made available by this Act may be obligated or expended to conduct the San Gabriel Watershed and Mountains Special Resource Study (authorized by the San Gabriel River Watershed Study Act (Public Law 108-42)) in the cities of Diamond Bar, La Habra, Industry, Chino Hills, and the community of Rowland Heights in Los Angeles County, California (as defined by the following boundaries: the City of Industry on the north, Orange County on the south, the City of Diamond Bar and California State Route 57 on the east, and the City of La Habra Heights and Schabarum Regional Park on the west.).

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

The Chair recognizes the gentleman from California.

Mr. GARY G. MILLER of California. Mr. Chairman, I yield myself such time as I may consume.

In 2003, I was approached by the chairman of the Resources Committee, RICHARD POMBO, and he was asked to put language in a bill that would authorize the National Park Service, San Gabriel Valley Watershed and Mountain Special Resource Study to survey the San Gabriel River and its tributaries and the San Gabriel Mountains north of, and including, the City of Santa Fe Springs to determine if any resources are available for National Park Service designation. And when he approached me, it was because I am from the region, and we looked at the maps. His staff determined that this had no impact on my district. I agreed, when I reviewed the language, that it had no impact on my district.

However, since then the National Park Service has been conducting public hearings in my district. The cities that they have been conducted in have stated very clearly, the cities I mentioned in my amendment to be removed, that they do not want to be part of the study.

My city is clearly not in San Gabriel Mountains nor is it north of Santa Fe Springs. It is clearly far to the east of Santa Fe Springs. My cities have no affiliation with the National Park Service nor do they believe they should be part of the National Park Service.

My reason for not objecting to this when the language was presented to me was I was assured by Chairman POMBO that this would not impact my district. In fact, the chairman wholeheartedly supports my language in this amendment that is asking that no funds made available by this act may be obligated or expended to conduct the survey in the cities listed within my amendment.

We worked with the National Park Service. We have tried to get them to eliminate our cities. In fact, Chairman LEWIS today even called them and asked them once again to delete these cities from that study. They said they

believed they had congressional authorization, although the committee chairman believes that is not the case. And what we are saying is I have no problem with what any other Member of Congress wants to do within their district. In fact, when this was proposed to me I supported what they wanted to do because it is their district.

INTRODUCTION

This amendment is simple. It only affects the communities within my district who do not want to be the subject of a Federal National Park Service study.

My amendment would exclude cities within my congressional district (and one neighboring city) from a study being conducted by the National Park Service (NPS): "the San Gabriel River Watershed and Mountains Special Resource Study."

NATIONAL PARK SERVICE STUDY HAS GONE BEYOND CONGRESSIONAL INTENT

In 2003, Congress authorized the National Park Service San Gabriel Watershed and Mountains Special Resource Study to survey the "San Gabriel River and its tributaries and the San Gabriel Mountains, north of, and including the city of Santa Fe Springs" to determine if any resources are available for National Park Service designation.

Let me be clear—My district is not in the San Gabriel Mountains, nor does it contain a tributary, and it is not north of Santa Fe Springs.

It is east of the area that was authorized to be studied.

I did not oppose the original authorization of this study because, according to my interpretation of the language, my district would not be affected.

I strongly believe that the inclusion of cities in my district in the NPS study went beyond the scope of the congressional authorization.

MY CITIES DO NOT WANT THEIR LAND TO BE ADDED TO THE NATIONAL PARK SYSTEM

We have reached out to the NPS on numerous occasions asking them to remove these cities from the study—they have refused.

I rise today to ask that you support my efforts to ensure these cities are not forced to be included in a study they did not seek.

This amendment does not affect any other cities in the study than those in my district (plus the City of Industry) that have asked to be excluded.

If other members want their cities to continue to be included in the study, then this amendment will not affect them.

The bottom line is that I represent these cities and they have told me they do not want to be included in this study.

CONCLUSION

The cities in the 42nd Congressional District, which I represent, have worked hard to address the challenges associated with the rapid pace of growth in our region, including finding innovative solutions to manage future development, alleviate traffic congestion, and preserve open space.

These cities are in the best position to make decisions regarding land use within their boundaries and I am opposed to any federal action that falsely conveys the perception that this authority might be curtailed in the future.

The results of this study could ultimately be used to compromise the ability of local governments to decide what is best for their communities.

Land management responsibility and decision-making should be made at the local level where officials have a clear understanding of community needs.

Existing land use management by local municipalities is preferable to Federal involvement in this rapidly growing region.

I urge my colleagues to support my efforts to protect the communities that I represent.

A vote in favor of this amendment is a vote against spending Federal dollars where they are not welcomed.

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

Mr. GARY G. MILLER of California. I yield to the gentleman from North Carolina.

Mr. TAYLOR of North Carolina. Mr. Chairman, I understand there is opposition being included in the Special Resource Study currently being conducted by the National Park Service.

Would the gentleman agree to work with the ranking member and myself to see if we can resolve that?

Mr. GARY G. MILLER of California. Yes. I would ask that my amendment be adopted, but I would be happy to work with you.

Mr. TAYLOR of North Carolina. Mr. Chairman, I have no objection to the amendment.

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

Mr. GARY G. MILLER of California. I yield to the gentleman from Washington.

Mr. DICKS. Mr. Chairman, I agree that there is still some confusion over this, but for the sake of moving the process forward, we will cooperate with the gentleman. But we need to be able to work this out.

Mr. GARY G. MILLER of California. Absolutely. Reclaiming my time, Mr. Chairman, I would do nothing to impact anybody else's district. The cities delineated within the amendment are clearly under my purview, and they all have issued letters requesting to be removed; so I would be happy to work with the gentleman.

Ms. SOLIS. Mr. Chairman, I rise in opposition to the amendment sponsored by Congressman MILLER. This amendment is based on a fundamentally flawed understanding of the study process incorporated in the legislation which I authored and which was signed into law on July 1, 2003 and would result in a change in the study design.

The San Gabriel River Watershed Study Act was signed into law on July 1, 2003 after a lengthy effort to build consensus, an effort which included outreach to and coordination with all the members of the San Gabriel Valley delegation, including the Representatives of Diamond Bar, La Habra Industry, Chino Hills, and the unincorporated area of Los Angeles County in the community of Rowland Heights. As a result of this effort, the legislation passed the U.S. House of Representatives with broad support.

Congressman RADANOVICH noted in a letter to the editor on August 4, 2002, that "the legislative process works best when those with differing views get together to resolve those differences and arrive at solutions that are responsible, workable and widely acceptable.

That is what happened in this instance." I am proud of the iterative and compromising process by which this legislation was drafted and enacted. In fact, upon passage, Representative POMBO noted that this bill "enjoys the broad support of both the majority and the minority, and I urge my colleagues to support it."

During this process, the boundaries of the study were clearly defined. According to the legislative text, the Secretary of the Interior shall conduct a special resource study of the following areas: (1) the San Gabriel River and its tributaries north of and including the city of Sante Fe Springs, and (2) the San Gabriel Mountains within the territory of the San Gabriel and Lower Los Angeles Rivers and Mountains Conservancy—as defined in section 32603(c)(1)(C) of the State California Public Resource Code. This study was directed to be done in consultation with Federal, State and local governments, including the San Gabriel and Lower Los Angeles Rivers and Mountains Conservancy and other appropriate Federal, State and local governmental entities. These areas were chosen for their importance in the regional watershed.

During consideration of this legislation, the Department of the Interior recognized the need for this study. It noted that:

The watershed of the San Gabriel River contains important natural resources which are disappearing throughout Los Angeles County. Continuous greenbelt corridors provided by the river serve as habitat for breeding, feeding, resting or migration birds and mammals, which allows migration to take place through developed areas. The rugged terrain of the higher reaches of the watershed contains different vegetations including rock outcroppings and vegetation native to the Pacific Coast foothills. This area also has a rich cultural heritage which is evident by the large number of historically significant properties within the proposed study area. Among them is the Mission San Gabriel Archangel, founded in 1771 by the Spanish missionaries who were moving up the coast of California.

The Department of Interior also noted that this study would have to examine a number of alternatives for protecting resources in the area. Specifically the Department of the Interior stated:

Alternatives to federal management of resources are often considered in a special resource study for this type of area including national trail designations, national heritage area designations, and the provision of technical assistance to state and local governments for conservation of rivers, trails, natural areas, and cultural resources. A study of an area where land ownership and jurisdictional boundaries are as complex as they are in the San Gabriel River Watershed would likely emphasize public-private partnerships.

This study provides a multitude of opportunities for public comment. The National Park Service has made accommodations to boundaries where these changes do not alter the intent of the study. In its final report to Congress, the National Park Service will make recommendations and include with those recommendations the comments provided by the local stakeholders. Additional legislative acts of Congress would be required before any recommendation could be implemented. This action would require local and Federal support. By design, no action could be implemented as a result of this study without consent.

This study provides our communities with a very rare opportunity to develop a plan to

bring and protect natural resources in our area for future generations. Many of the possible recommendations could result in additional monies being brought to the community, improved health for our children, and high property values at no loss of local control.

I am proud that this process is a transparent one which provides all stakeholders an equal opportunity to participate in the process of developing recommendations for future consideration and commenting on particular land use needs. The National Park Service is committed to finding creative ways to help improve the community and I encourage everyone to think outside of what is perceived as the traditional Federal land management process.

I believe the concerns represented by those in support of this amendment are unfounded based on the legislative record and encourage all stakeholders to work together to come to an agreement which preserves the intent of the authorizing legislation. I oppose this amendment because I believe the legislative record provides ample support for the inclusion of these areas and provides ample protections for local landowners, stakeholders, and other interested parties.

The CHAIRMAN. Does any Member claim the time in opposition to the amendment?

If not, the question is on the amendment offered by the gentleman from California (Mr. GARY G. MILLER).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. OBERSTAR

Mr. OBERSTAR. 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. OBERSTAR:

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

TITLE VI—ADDITIONAL GENERAL PROVISIONS

SEC. 601. None of the funds in this Act may be used by the Administrator of the Environmental Protection Agency to implement or enforce the Joint Memorandum published in the Federal Register on January 15, 2003 (68 Fed. Reg. 1995).

The CHAIRMAN. Pursuant to the order of the House of today, the gentleman from Minnesota (Mr. OBERSTAR) and a Member opposed each will control 15 minutes.

Mr. TAYLOR of North Carolina. Mr. Chairman, I reserve a point of order on the amendment.

The CHAIRMAN. A point of order has been reserved.

The Chair recognizes the gentleman from Minnesota.

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

The amendment that the gentleman from Michigan (Mr. DINGELL), the gentleman from Iowa (Mr. LEACH), and I and others offer today will define where we stand on protecting water quality in America. Will we allow the Federal Water Pollution Act, the Clean Water Act, to be a national program, as it was intended by Congress when written and enacted in 1972, to protect the Nation's waters; or will we allow it

simply to become a limited program that abandons the national priority for clean water by leaving a rather substantial number of lakes, streams, and wetlands unprotected?

This bipartisan amendment we offer would prevent the Administrator of the Environmental Protection Agency from implementing or enforcing the wetlands policy guidance issued in a joint memorandum of EPA and the Corps of Engineers in 2003. That memorandum was drafted in response to the U.S. Supreme Court decision in the Solid Waste Agency of North Cook County against Army Corps of Engineers, commonly known as the SWANCC case. The EPA's guidance in pursuance of the court's decision goes well beyond what the court directed. The court held that the Clean Water Act jurisdiction did not extend to isolated intrastate waters where jurisdiction is asserted solely on the presence of migratory birds. But the joint memorandum, EPA expanded upon the case and made it more difficult to protect all intrastate waters regardless of impact on water quality or on commerce. Our amendment would prevent EPA from implementing that unsound policy.

With our amendment EPA and the Corps of Engineers will once again be able to follow their own regulations and procedures in determining what waters are subject to protection under the Clean Water Act. If the amendment is defeated, streams, ponds, wetlands will continue to endure unregulated wastewater and other damaged water discharges. The result will be loss of habitat for waterfowl, loss of habitat for wildlife, endangered wildlife, increased frequency and increased severity of flooding and increased risk of drinking water and polluted ground-water supplies.

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

Mr. TAYLOR of North Carolina. Mr. Chairman, I withdraw my reservation of point of order and claim the time in opposition to the amendment.

The Acting CHAIRMAN (Mr. GUTKNECHT). The gentleman from North Carolina will control 15 minutes.

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

Mr. OBERSTAR. Mr. Chairman, I yield 3 minutes to the gentlewoman from Texas (Ms. EDDIE BERNICE JOHNSON).

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Chairman, let me thank the leaders of this amendment, Mr. OBERSTAR, Mr. LEACH, Mr. DINGELL, to protect water quality.

This amendment reverses the harmful policy of EPA and the Corps of Engineers that empowers regulators to allow the pollution of waters and destruction of wetlands but eliminates the authority of local regulators to protect waters from such pollution and destruction.

Since January, 2003, EPA and the Corps have restricted the ability of

their own personnel to implement regulations that have been in use since 1986. These regulations are valid, understood in the regulated community, and are the method we use to protect some 20 percent of the Nation's waters. The Nation's ponds, streams, rivers, lakes, and wetlands can be no healthier than the headwaters and runoff that feed them.

Since EPA guidance was put in place in 2003, regulators have allowed the pollution and destruction of these critical waters, imperiling the health of the entire aquatic system.

This amendment is not about stopping the direct pollution of our great rivers such as the Mississippi or the Trinity River, which flows through my home city of Dallas. It is about protecting the waters that feed into these systems and that serve as the origins of these great rivers. When we fail to protect smaller bodies of water, we lose the flood control, water supply, water filtering, and habitat benefits that these waters provide.

Waters that may appear isolated on the surface tend to be interconnected with the ground and surface waters elsewhere. We cannot simply ignore the connections among and the values of all of the Nation's waters.

I support this bipartisan amendment and urge all of my colleagues to join me in voting "yes."

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

I would like to oppose this amendment strongly. On January 9, 2001, the Supreme Court ruled that there must be a significant and important connection between traditional navigable waterways and the wetlands or waters to be regulated by Federal agencies.

The EPA and the Corps of Engineers issued guidance to their field staff in 2003 clarifying that the Clean Water Act jurisdiction did not extend to isolated waters that are both intrastate and non-navigable. This guidance also clarifies that field staff should continue to assert jurisdiction over traditional navigable waters and adjacent wetlands and their tributaries systems and adjacent wetlands. Field staff was directed to make jurisdictional and permitting decisions on a case-by-case basis.

The plain text of the Clean Water Act emphasizes that Congress constructed the statute in a manner that intended, as the Supreme Court has articulated, to "recognize, preserve, and protect the States' primary authority and responsibility over local land and water resources." Misguided efforts to expand the geographical scope of the Clean Water Act will create and exacerbate local land and water resource decisions with burdensome and costly Federal controls.

I will give you an example. Right now the Clean Water Act is being used in farms, with livestock, cattle primarily, to try to clean the streams where cattle are grazing.

□ 1915

If we allow the situation we have here for navigable waters to be translated to ditches, small tributaries with an ounce of water, the soil conservation today, and we are providing grants for soil conservation to take those streams, provide drinking water for cattle, and then enable them to go back into a stream which is fenced off, if we rule according to what has been asked here, we will find that the soil conservation will be barred from doing any sort of work in cleaning water. We will actually get dirtier water. We could have up to six agencies get involved in trying to clean up water on a farm. Not only will the cost be prohibitive, but the bureaucracy, because many of those agencies do not agree in this thing.

Eliminating this guidance will create confusion and could lead to the classification of ditches, drains, curbs, roads, gutters and erosion features as "navigable water of the United States." Clearly, this goes beyond common sense, but it won't be the first time that the Federal Government has tried to force something like this.

Such an expansive regulatory reach would have the Federal Government interfering and frustrating local decisions regarding construction, operation, maintenance, management, transportation, flood control, and agricultural production.

For instance, soil water conservation, which would be working with the farmer, has an elected delegation inside the county, as well as the State delegations elected, and they are trying to do the right thing, and we are spending Federal money to help it. This could be stopped by the Corps of Engineers simply for bureaucratic action.

Eliminating this guidance would require Federal oversight of ditches, storm drains and sewers. These are local structures that are constructed and managed and maintained at the local level. We don't want the Corps of Engineers and all the bureaucracy that would be entailed to get down to a small storm drain or a small ounce of water on a farm. The cost would be prohibitive, and it would go against what the Clean Water Act is trying to do, and that is clean water for a special agriculture problem.

One critical consideration is the Supreme Court is expected to rule in two new Clean Water Act cases prior to the expiration of the current term in June. The decisions in these cases will provide important clarification of the geographic scope of the Clean Water Act jurisdiction. We should not act at this time on issues that are being actively deliberated by the Supreme Court.

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

Mr. OBERSTAR. Mr. Chairman, I yield 4 minutes to the distinguished gentleman Michigan (Mr. DINGELL), who, along with my predecessor, John Blotnick, was the original inventor of the clean water program.

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

Mr. DINGELL. Mr. Chairman, I thank my dear friend from Minnesota, who has done so much for the natural resources of this country and for the protection of its waters. I salute you, Jim.

When the original Clean Water Act and its amendments were passed, the waters of this country were so filthy that they were unsafe for recreational purposes, for swimming, for drinking and even for industry. Imagine that. And we were ditching, draining, drilling and drying our wetlands at a pace which was unbelievably bad for the country. We also were destroying in that process not only wildlife habitat, but one of the finest natural flood control systems that has ever been devised by the mind and hand of the almighty God.

Now, in the debates on the Clean Water Act, if you read the history, you will find that there the managers of the bill in a colloquy with me said that this law was to cover all navigable waters of the United States and all waters that affected the navigable waters of the United States, and that has been the settled interpretation of the law ever since. It has stopped the drainage and the drying up of our wetlands. It has done an enormous amount of good to clean up the waters, so that now they can be used for swimming and boating and recreation and industry and irrigation and other things which were not available before.

If you will but take a look, you will find the consequences of this understanding which this amendment would deny funding for. The guidance that we are talking about has wiped out the protections for bodies of water like the Sacramento River in New Mexico, a water supply for a number of communities. Despite being a drinking water source, the Folsom South Canal in California has been determined not to be water under the Clean Water Act. Imagine that, if you please. Forested wetlands in Delaware that connect to the Little River, feeding directly into Delaware Bay were declared isolated and not covered. An 86-acre lake in Wisconsin, popular with fishermen, is no longer covered by the Clean Water Act.

Now, I want to remind my colleagues that not long back, 218 Members of this body joined in sending a letter to the President of the United States asking him not to implement the plans that were in the offing in the administration. That letter was honored by the President withdrawing the regulatory change, but he left in place the guidance. The guidance is every bit as bad.

This corrects that situation. It makes it possible for matters to be corrected so that we can continue the protection of wetlands in the United States, we can continue to protect our drinking water, our recreational waters and the waters which are so impor-

tant and precious to fish, wildlife, and conservationists.

This is an amendment which will stop wrongdoing. This is an amendment which will protect the water resources of this country at a time when the need is clear. This is a proposal which sees to it that the wishes of 218 Members of this Congress, communicated to the President from Members from both sides of the aisle, Democrats and Republicans, are carried forward and that we do serve as wise conservators and protectors of the natural resources and, above all else, the precious water of the United States.

I urge the adoption of the amendment offered by my good friend Mr. OBERSTAR and by the distinguished gentleman from Iowa, Mr. LEACH.

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

Mr. BISHOP of Utah. Mr. Chairman, I want to introduce you to Gene, who is a third-generation sugar beet farmer. That is a root crop that can't grow in wetlands. Nonetheless, his sugar beet farm was ruled by the Federal Government as a wetland. The reason it was a wetland was because the creek was connected to his farm by way of an irrigation ditch with a pipe in it. The water to his wetland went through an irrigation pipe which he allowed to pool so the higher end of his farm could actually be irrigated the same way. In our district, 8 days of irrigation is one of the criteria for a wetland.

I don't believe that those who actually wrote the Clean Water Act intended an irrigation pipe to be considered one of the navigable waterways of the United States, but the act is written so loosely and the interpretation by bureaucrats on the administrative side has been so perverse that indeed those kinds of decisions have been made in reality.

The SWANCC decision by the courts simply said enough is enough. We need to bring some element of logic, write some rules that actually are the intention of this particular act. So Gene, when he took the irrigation pipe away and the water dried up, was still threatened with fines because he had interrupted the navigable waterways of the United States. And when he and his wife for medical needs tried to use the only asset that they had, which was their farm, and they tried to sell it for their needs and their family needs, the value of their farm was shot, because this is now farmlands. They were forced to sell their property for one-quarter of the value of the exact neighboring farm with the same kind of crops on the same road.

What we are doing with the Clean Water Act, as it is being interpreted, is hurting people. We are taking their property rights away without any kind of compensation from the Federal Government and forcing them to suffer. We are forcing them to try and prove to the person who made the original accusation that his accusation was inaccurate.

For example, when the water actually dried up on his property, the person who made this request, who made this declaration it was water land, simply said we are in a drought cycle; we have to wait until we have a wet cycle in Utah to see if the water will return automatically by itself.

This is unfair to people. And this amendment, well-intentioned as it is, just like the law, well-intentioned as it is, in its practice hurts people. It hurts real people in the United States, and that is not why we are here.

I urge you to reject this amendment. Let the SWANCC decision go forward, so logical rules on how we deal with real people can be put into place.

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

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

Mr. BOEHLERT. Mr. Chairman, I rise in strong support of this amendment. This amendment has a very clear purpose, to ensure that the Clean Water Act, one of the most vital and effective laws, to ensure that the Clean Water Act protects as many waters as possible.

The Environmental Protection Agency has issued guidance that, sadly, has the effect of limiting the application of the Clean Water Act. There is no good reason to do that. The guidance goes beyond any limitation that was necessary because of the Supreme Court ruling in what is known as the SWANCC case, and the guidance is not even helpful. The Government Accountability Office has documented that the guidance is actually causing confusion and inconsistent interpretation of the law. Some guidance.

The guidance is so misguided, that 2 years ago, 218 Members of this House, a bipartisan group, wrote to the EPA asking that the guidance not be implemented. Our call went unheeded, so we need to send a stronger message here and now.

We need to block the implementation of this guidance to protect our Nation's waters. This amendment will not prevent EPA from issuing new, more thoughtful guidance; but this amendment will prevent a rollback of the Clean Water Act.

I urge my colleagues to vote for this amendment.

Mr. TAYLOR of North Carolina. Mr. Chairman, I yield 2 minutes to the gentleman from Pennsylvania (Mr. PETERSON).

Mr. PETERSON of Pennsylvania. Mr. Chairman, I rise to support the chairman in opposition to this amendment. I have 8 years of local government experience, 30 years of small-town business experience, and 19 years of State government experience before I came here; and I can't tell you the time I have spent bringing reason to wetland designation in my district.

The problem we have had, and what I believe the creep here is, we are going

to bring EPA and put them in charge of wetlands in small-town USA neighborhoods that are not real wetlands; they are wet spots. They are spots where someone has put dirt in an appropriate place and water no longer drains, and we now have a few cattails and certain grass is growing, and it is determined a wetland.

I can't tell you the cases where companies who build a new building, when they did their soil movement afterwards, didn't get good drainage, had a wet spot, and when they went to expand their building, they couldn't because it was declared a wetland. It took a year or two for them to litigate it.

I have farmers who have had to stop farming fields because they were cleaning out the ditches and the corps came by and said you can't clean that ditch, a ditch your father put in with Federal support to drain so you could farm those fields.

□ 1930

I have one near Titusville, Pennsylvania where they stopped the construction of a new building. Do you know what the site was? It was wet. There was grasses and cattails growing there. There were three railroad tracks there where there used to be a factory. It was on top of a landfill. It was the old city dump.

Folks, it was not a wetland, but it was declared a wetland because it was wet on top. Drainage was no longer available. Water was standing there. Folks, our local soil conservation people are diligent in our rural areas in dealing with these issues. We do not need EPA officials and Corps officials boring down the backs and stopping what little growth and prosperity we have in rural America by regulating every wet spot and drainage ditch that has a cattail or certain grasses growing.

Mr. Chairman, we need to not expand their ability.

Mr. OBERSTAR. Mr. Chairman, may I inquire of the chairman of the subcommittee how many speakers he has remaining?

Mr. TAYLOR of North Carolina. Mr. Chairman, we have one more.

Mr. OBERSTAR. Mr. Chairman, I yield 2½ minutes to the gentleman from Maryland (Mr. GILCHREST).

Mr. GILCHREST. Mr. Chairman, I thank the gentleman from Minnesota for yielding me time.

Mr. Chairman, what I would like to do for my colleagues is to demonstrate the 1987 manual of the Army Corps of Engineers to determine what is a jurisdictional wetland that is associated with navigable waters, which gives the Army Corps of Engineers, through the Clean Water Act, as passed by both Houses of Congress and signed into law by the President. The Clean Water Act is to make sure that waters of the United States are clean, and the Corps of Engineers determines what are waters of the United States. So the experiment is as follows.

Gravity pulls water downhill. So the 1987 manual of the Army Corps of Engineers, to determine what are waters of the United States so that the Federal Government can protect those waters from pollution, determines that in three ways.

What is the soil type? What is the vegetation in that area? And what is the hydrology of that area? If it meets that criteria and it comes under their jurisdiction, it means that no matter where that water is, if it runs downhill and eventually gets miles away to a stream or a tributary that runs into navigable waters or the seas, that what you do in that isolated wetland, if the hydrology is such that it moves with gravity, will eventually pollute the navigable waters or seas of the United States.

And so the Federal Government has decided to use its resources in a reasonable, practicable way, based on the 1987 manual, to ensure that waters of the United States, of which we all depend, are not polluted. And in most instances, I represent an agricultural district with a lot of wetlands, on the Delmarva Peninsula. Those areas in my district, an agricultural community that depends on agriculture, that depends on silviculture, that depends on the fishing community to harvest their striped bass or eels or catfish or whatever, we have understood the compatibility of human activity with nature's design. And we want to ensure that that is still in law and that our waters of the United States can continue to be protected.

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

Mr. Chairman, the gentleman ought to go talk to his farmers more, because if this passes the farmer will soon find out, Mr. Chairman, that he no longer can drain even a few drops of water out of his ditch and try to collect it or put it in a way that he can responsibly manage his farm, even if that has been done for years and years.

The Soil and Water Conservation has tried working with the EPA in this Clean Water Act to put common sense into these measures, to try to see that reality happens, that you can farm in a responsible way. In fact, they are doing more to clean up the water, especially in farms, by putting in systems that are drained into a central watering spot that is covered by fabric and stone, and then the cow will not contaminate the water that goes in it, rather than going into the streams themselves.

Now, there is much government money going into this. But the Corps right now will stop that any time, any time that they get a chance. And I know that in my home. And that is why the Farm Bureau is against this group, the Home Builders, the American Forest and Paper, the National Association of Realtors, the National Rural Electric Cooperatives, and the Edison Electric Institute, the National

Grange, the National Association of Counties, the National Cattlemen, and the National Corn Growers, because it goes beyond common sense.

We have been successful. I worked with the EPA, and we have tried to fund the EPA for clean water. But what we find often is if we have a rule, some people think that if we double or triple that rule it will be better. Actually, after you start and get a certain distance with that rule, it becomes corrupting in the sense that it disrupts the whole purpose of the original rule.

And that is what we are about to have here. The individuals landowners and the taxpayers certainly know what they can do inside small watershed areas. And the Soil and Water Conservation would be directly against this type of program, because they cannot have six agencies trying to manage the farms of the American people.

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

Mr. OBERSTAR. Mr. Chairman, since the gentleman has either himself or perhaps one other speaker remaining, I yield myself the balance of our time.

Mr. Chairman, the previous speakers have missread the issue. The holding by the Supreme Court very clearly stated, this is the exact language, says that the Clean Water Act jurisdiction cannot be asserted based solely on the presence of migratory birds.

Previous speakers have alluded to other issues that have nothing to do with the question at hand. So the Corps of Engineers no longer can make decisions based on presence of migratory birds. Now, if we take the interpretation of what the Corps of Engineers and the EPA have done in previous cases and applied it to the district of the gentleman in the chair, presiding at this moment, we would not have been able to put in place very likely, the Rochester Flood Control Project and the Soil and Water Conservation projects investing over \$100 million dollars to protect the City of Rochester from flooding.

Mr. Chairman, that just does not make sense. Now, all of those who have said the Clean Water Act meant this and meant that, I was on the staff at the time of the Clean Water Act passage in the House. In fact, I was involved in drafting the language that is at stake here.

The issues that the gentleman, the chairman of the subcommittee raised, have to do with nonpoint-source discharges. We have many farms across this country, including some in my district, where cattle, dairy cows go right up to the water's edge and do what cows do in the water, and that pollutes the water for the guy downstream. You do not want that to happen. Well, habitat, increased severity of flooding are issues related to this matter that we are discussing here.

What we want to do is to restore to the Corps of Engineers its ability to protect these endangered waters, not to deal with some little puddle that

was there once in 50 years and not to have the Corps declare that this is wetlands simply because a migratory bird came over it at one time or another.

The Supreme Court said, no, you cannot do that to the Corps of Engineers. We are trying to restore responsibility and authority to the Clean Water Act so it can be implemented to protect the quality of our waters, the fishability of our waters, the swimability of our waters and to protect Americans' clean water future.

Mr. TAYLOR of North Carolina. Mr. Chairman, I would only point out that the gentleman's recommendation is entirely contrary to what is happening in a sense. The Soil and Water Conservation is trying to put small tributaries underground, put into a pond, a clean water pond, with fabric around it, and so forth, to cow's activities getting involved in the water.

Now that is what they are trying to do. The Corps is trying to oppose them in my own State, time after time. And we may have to get back and take money away that the Federal Government put forth for the Soil and Water Conservation, because the Corps bureaucratically says that one drop of water is in their control and the Corps has no authority.

Now, if you want to pollute streams, enact this bill and you will see on farms more and more activities that will be ignored. No farmer would get involved in this, and we will have to have a police state to go by every cow and every animal to see that there is any compliance.

Right now the farmer knows best and is the best steward of his lands. He is working with the Soil and Water Conservation, with elected members from that community, and they are doing a good job. Put more bureaucracy in it, we will bring it to a halt and create more pollution.

Mr. Chairman, Mr. Speaker, I rise today in support of the clean water amendment offered by my colleagues Mr. LEACH, Mr. OBERSTAR, and Mr. DINGELL.

This is an important amendment for public health and safe drinking water, for hunting, boating, and swimming, for protecting homes and businesses from floods, and for our economy, much of which depends on a clean environment, especially clean water.

That is why the 1972 Clean Water Act is one of the nation's most fundamental and popular environmental protection laws. Clean water is vital to almost every aspect of quality of life in our nation.

The policy adopted by the EPA and Army Corps of Engineers in 2003 undermines the Clean Water Act's promise of clean water for all Americans and is contrary to the letter and spirit of the law. It threatens to reverse decades of progress in cleaning up the nation's waters.

This policy is leaving many wetlands as well as headwater and seasonal streams without federal limits on water pollution. The policy tells the agencies' field staff they must get permission before applying Clean Water Act protections to certain so-called isolated waters, although that term is not used in the Clean

Water Act to exclude waters from the law, nor is the term even defined in the policy, leaving it unclear at best what is and is not protected. No permission is needed before the EPA or Corps staff can deny protections for waters, and leave them open to pollution from sewage and industrial wastes, or even destruction.

The total number of streams at risk across the country—and consequences for drinking water health and safety—are significant and potentially severe.

Maintaining safe drinking water requires protecting the sources of drinking water—both surface water and groundwater supplies—from pollution. The EPA recently concluded that the majority of public drinking water systems that rely on surface waters get their water from “source water protection” areas that contain headwater streams or seasonal and intermittent streams.

Again, these are the very types of streams both I and my colleagues offering this amendment believe are most at risk of losing federal Clean Water Act protections under the agencies' policy.

According to the EPA's letter:

In total, over 90 percent of surface water protection areas contain start reaches or intermittent/ephemeral streams. Public drinking water systems which use these intakes (as well as other sources) are estimated to provide drinking water to over 110 million people.

If this policy continues, some or all of these source waters could lose federal Clean Water Act restrictions against water pollution, and the people who rely on these waters will either pay the price: either with dirtier water or higher costs for safe drinking water.

I hope all of my colleagues will join me today in voting to reaffirm protections from all of the nation's waters, including streams and wetlands, as the Clean Water Act has always done. Vote for the Oberstar-Leach-Dingell clean water amendment.

Ms. SLAUGHTER. Mr. Chairman, I rise in strong support of the Oberstar/Leach/Dingell amendment to H.R. 5386, the Interior-Environment appropriations bill for fiscal year 2007. As co-chair of the Congressional Great Lakes Task Force, I believe it is imperative that we take immediate steps to prevent polluted discharges into streams, ponds, and wetlands in the Great Lakes basin. The Great Lakes have already lost more than half of their original wetlands, and invasive species, non-point source runoff and food web disruptions continue to threaten the health and sustainability of this delicate ecosystem.

The Oberstar/Leach/Dingell amendment would prohibit the Environmental Protection Agency (EPA) from moving forward with a plan that will make it overly difficult to protect intrastate waters. Should EPA's policy remain intact, our Great Lakes basin will face greater threats of pollution to our drinking water, increased frequency and severity of flooding, and the loss of habitat for waterfowl and endangered wildlife.

Mr. Chairman, the Oberstar/Leach/Dingell amendment has broad support among Great Lakes interests, and I strongly urge my colleagues to vote for it. I am pleased to submit for the RECORD a letter from the Heal Our Waters-Great Lakes Coalition in support of this important amendment.

HOUSE OF REPRESENTATIVES,  
Washington, DC.

DEAR REPRESENTATIVE: On behalf of the Healing Our Waters®-Great Lakes Coalition, we ask you to vote for the Oberstar-Leach-Dingell 'Clean Water Amendment' to the House's Fiscal Year 2007 Interior and the Environment Appropriations bill when it is considered on the floor this week. This amendment will help protect the remaining wetlands, streams, rivers, and lakes in the Great Lakes Basin.

The Healing Our Waters Coalition is a group of 85 national, regional and local organizations working to restore and protect the Great Lakes. The Coalition represents millions of Americans that live, work, and love this national treasure.

As you know, the Great Lakes basin is defined by its rich water resources, its vast sand dunes, biologically rich coastal marshes, lake plain prairies, blue-ribbon trout streams, rocky shorelines, sparkling inland lakes, and diverse wetlands. Yet the wetlands, marshes, and shorelines people in the region remember are being lost. The Great Lakes have lost more than half of their original wetlands, including 90 percent in Ohio and 50 percent in Michigan. Invasive species, non-point source runoff and food web disruptions threaten the health and sustainability of this delicate ecosystem.

In response to these threats, the Great Lakes Regional Collaboration, which was commissioned by President Bush, recommended in its December 2005 strategy to restore and protect the Great Lakes that Congress ensure that all wetlands are protected, including so-called “isolated” wetlands. Yet federal policy not only fails to implement this simple recommendation, it also puts many of the remaining Great Lakes wetlands at risk of degradation or destruction.

The Oberstar-Leach-Dingell “Clean Water Amendment” ends the implementation of an out-dated policy put in place by the Environmental Protection Agency (EPA) in 2003. EPA's policy was intended to interpret a narrow U.S. Supreme Court decision that limited protection for certain so-called “isolated” waters. Instead, it threatens—by EPA's own estimation—the 20 percent of wetlands left in the contiguous United States and withholds Clean Water Act safeguards from countless numbers of streams and large lakes. The Oberstar-Leach-Dingell amendment prohibits funds from being used to implement a misguided policy that is resulting in the loss of even more of the Great Lakes precious few wetlands.

Support for ending this policy is not new. 218 members of the U.S. House of Representatives wrote to the Administration calling for this policy to be rescinded. It is, unfortunately, still in effect.

It is time for the federal government to end its out-dated policy. Great Lakes waters depend upon it. Please vote yes on the Oberstar/Leach/Dingell Clean Water Amendment.

Sincerely,

TOM KIERNAN,  
*Co-Chair, Healing Our  
Waters Coalition.*

ANDY BUCHSBAUM  
*Co-Chair Healing Our  
Waters Coalition.*

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

The Acting CHAIRMAN. The question is on the amendment offered by the gentleman from Minnesota (Mr. OBERSTAR).

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



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

The Acting CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Minnesota will be postponed.

AMENDMENT OFFERED BY MR. CONAWAY

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

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. CONAWAY:

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

**TITLE VI—ADDITIONAL GENERAL PROVISIONS**

SEC. 601. None of the funds made available in this Act may be used to enforce the National Primary Drinking Water Regulations for arsenic and radionuclides promulgated under section 1412(b) of the Safe Drinking Water Act (42 U.S.C. 300g-1(b)(4)(E)) in the case of any public water system serving 10,000 people or less.

Mr. TAYLOR of North Carolina. Mr. Chairman, I reserve a point of order on the amendment.

The Acting CHAIRMAN. A point of order is reserved.

Pursuant to the previous order of the House of today, the gentleman from Texas (Mr. CONAWAY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Texas.

Mr. CONAWAY. Mr. Chairman, I am sure that you agree that sound science, not unproven theories be at the root of our Federal drinking water rules.

Families in rural communities should not be required to pay thousands of additional dollars each year to comply with regulations that are founded in theory rather than in fact.

Mr. TAYLOR of North Carolina. Mr. Chairman, I certainly agree with the gentleman that the Federal regulations should be based on sound science, that rural communities should not be unfairly asked to pay additional, unnecessary costs for their drinking water.

Mr. CONAWAY. Mr. Chairman, reclaiming my time, currently rural communities across America are being forced to comply with extremely costly regulations regarding arsenic and radionuclide standards that have been established by the EPA.

There is no data available to support the assertions made by the EPA that these regulations materially protect public health and safety. I am concerned that the current EPA rules are not supported by public health information, that the results from unvalidated mathematical models are used to support these rules, and that the rules are unnecessarily creating a category of radioactive waste for which there is currently no approved method of disposal.

Mr. Chairman, my comments are supported by the EPA's own statement and the notice of data availability document from April of 2000. "EPA recog-

nizes the inherent uncertainties that exist in estimating health impacts at the low levels of exposure, and the exposure rates expected to be present in the environment.

EPA also recognizes that at these levels, the actual health impact from ingested radionuclides will be difficult if not impossible to distinguish from natural disease incidences, even using very large epidemiological studies employing sophisticated statistical analysis.

Mr. Chairman, I believe the rural communities are not protected, but rather are harmed by water standards that allegedly promote health at the expense of economic well being. I have rural constituents who are currently paying 770 percent more for water service than that of urban populations due to the regulatory burdens placed on them by EPA.

Small water suppliers cannot comply with these standards. Current consumer rates will inevitably result in the loss of customers, and poor families will be forced to go back to using unregulated shallow ground water and dirt tanks for human and livestock consumption.

□ 1945

As more people exit these systems, the costs for the remaining customers will continue to rise.

Currently, the EPA exempts water systems with fewer than 25 users. I believe we should extend that exemption to water systems that service fewer than 10,000 users. This would provide hope for the viability of small rural systems and the areas and communities they serve. The current requirements reach far beyond what is reasonable and are bankrupting local governments.

Mr. TAYLOR of North Carolina. I commend the gentleman for his efforts on the part of his constituents and for all the rural water users who are facing similar problems. I commit to work with the gentleman to see what can be done to fix this problem. The committee will be glad to facilitate a meeting with the EPA to address this important issue and see what can be done as we move this bill through conference with the Senate.

Mr. CONAWAY. Mr. Chairman, I will ask unanimous consent now to withdraw my amendment.

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

There was no objection.

AMENDMENT OFFERED BY MR. PUTNAM

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

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. PUTNAM:

**TITLE \_\_\_\_\_—ADDITIONAL GENERAL PROVISIONS, DEPARTMENT OF THE INTERIOR**

SEC. \_\_\_\_\_. No funds provided in title I may be expended by the Department of the Interior—

(1) for the conduct of offshore natural gas preleasing, leasing, and related activities placed under restriction in the President's moratorium statement of June 12, 1998, in the areas of northern, central, and southern California; the North Atlantic; Washington and Oregon; and the eastern Gulf of Mexico south of 26 degrees north latitude and east of 86 degrees west longitude;

(2) to conduct offshore natural gas preleasing, leasing, and related activities in the eastern Gulf of Mexico planning area for any lands located outside Sale 181, as identified in the final Outer Continental Shelf 5-Year Oil and Gas Leasing Program, 1997-2002; or

(3) to conduct natural gas preleasing, leasing, and related activities in the Mid-Atlantic and South Atlantic planning areas.

The Acting CHAIRMAN. Pursuant to the order of the House today, the gentleman from Florida (Mr. PUTNAM) and a Member opposed each will control 30 minutes.

The Chair recognizes the gentleman from Florida.

Mr. PUTNAM. Mr. Chairman, I ask unanimous consent to yield 15 minutes of my time to the gentlewoman from California (Mrs. CAPPS) for her to control and yield.

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

There was no objection.

Mr. PUTNAM. Mr. Chairman, I yield myself 1½ minutes.

Mr. Chairman, I rise today to offer language to strip from this bill a grievous assault on Florida and on other States that are dramatically impacted by what will be a 3-mile drilling limit. It does not recognize the needs of our military; it jeopardizes world-class one-of-a-kind ecosystems and industries. It doesn't respect the rights of our States to manage our own resources. It is an ill-conceived plan tied to the back of the wrong legislative vehicle.

We come here this evening to debate a very important component of our national energy policy. This particular piece of our national energy policy needs to be comprehensive in nature; it needs to be dealt with in a forum other than the annual spending bill which controls everything from the National Park Service to wetlands mitigation and the national endowment for the arts and the humanities. It should be a stand-alone bill for this House to consider the merits and challenges of opening up the Outer Continental Shelf to exploration to assuage our national energy needs.

We are in the process of negotiating a comprehensive solution to this problem. The sponsor of the legislation that found its way into this spending bill has his own comprehensive solution at 20 miles, and yet this jeopardizes our coasts at 3 miles. It does not leave any room for error, it did not have any input from the affected States, and it is opposed almost across the board by the Governors of those States.

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

Mr. PETERSON of Pennsylvania. Mr. Chairman, I rise to claim the time in opposition.

The CHAIRMAN. The gentleman is recognized for 30 minutes.

Mr. PETERSON of Pennsylvania. I will take 2 minutes to respond to the opening comments, and then I will share time.

Why are we here tonight on an appropriations bill? Because for 25 years we have had authorizing language placed in the initial draft of an appropriations bill that has nothing to do with appropriating, but has a lot to do with the energy policy of this country.

This country is in an energy crisis, and the crisis in this country is natural gas. But natural gas is readily available in this country onshore and offshore. We are the only country in the world that has locked up its Outer Continental Shelf. That is from 3 miles to 200 miles. We are the only country in the world.

Now, my language that I placed in this bill, because it is all I could do in an appropriating bill; I can move authorizing language. I chose not to remove gas and oil because I think gas is the crisis that we can deal with. I removed the prohibition of natural gas only. I couldn't put my language in there from the bill I have that protects the shorelines for 20 miles. I couldn't do that. But we removed it for natural gas only. Still, we have a Presidential moratorium. Nothing can happen. We have a 5-year plan that anything that is leased, nothing can happen. We have to have authorizing language to allow gas leases only. Nothing can happen.

This is the beginning of a debate, folks, that you have all been avoiding. This debate has been avoided year after year as the gas crisis in this country has continued to skyrocket. We used to have gas for less than \$2 about 6 years ago. Last year, the average price was \$9.50 a thousand and peaked at 14 and 15 for 4 months. We have the petrochemical business moving away. We have lost half of the fertilizer business in the last 2 years. Polymers and plastics are moving away. Steel, aluminum, bricks, and glass cannot do business in this country with these gas prices.

It is important that we deal with this issue, and we start that debate tonight.

Mrs. CAPPS. Mr. Chairman, I yield myself 3 minutes.

Our amendment restores the long-standing bipartisan ban that currently protects sensitive coastal and marine areas from new drilling. We support the current ban not just because the coastlines are beautiful; they are. And not just because we believe our coastlines provide valuable environmental habitat, and they do. We support the ban because we know our coasts are the economic engines of our communities, and that is threatened by new drilling. The people in these communities whom we represent know the value of their coastline, and that is why they are so against new drilling.

Under this bill, we could literally see the push for new drilling as close as 3 miles to our coasts begin almost imme-

diately. The oil and gas companies, awash in profits from our constituents' pockets, would have you believe that all offshore resources are off limits today; that we are only talking about drilling for natural gas and not oil; and that today's high gas prices demand this new drilling. These arguments simply don't hold up to scrutiny.

First, the industry already has access to the vast majority of natural gas in the Outer Continental Shelf. Indeed, according to the Bush administration, about 80 percent of the known reserves are located in areas where drilling is already allowed.

Furthermore, the oil and gas industry already owns drilling rights to more than 4,000 untapped leases in the Gulf of Mexico alone.

Second, there really is no such thing as gas-only drilling. Drilling for natural gas means drilling for oil. Even the Bush administration and energy industry honchos have dismissed the so-called gas-only drilling as unworkable. This is the president of the American Petroleum Institute on gas-only drilling:

"We are somewhat concerned about some gas-only leasing proposals that have been embraced by people who don't know how the industry works."

And this is the head of MMS:

"Natural gas seldom comes totally by itself. Do you want to drill a well offshore that will cost anywhere between \$20 million and \$80 million? And then, if you find oil with it, what will you do? I do not know how successful it will be."

Finally, new drilling 3 miles off our coasts will not lower gas prices today or anytime in the near future. It would take an estimated 7 years for natural gas for new leases to come online. Serious energy efficiency measures and more use of renewables would reduce demand and bring down prices much faster.

Mr. Chairman, the grand energy plan President Bush unveiled 5 years ago is over 95 percent implemented according to his own energy department; yet, with this plan in place, energy prices and industry profits are at record highs, the predictable result of a strategy of increasing supplies and ignoring demand.

The Peterson amendment to drill within 3 miles off Florida, California, and other coastal States is just more of the same. With 3 percent of the world's resources, 25 percent of the world's demands, shouldn't it be obvious that we can't drill our way out of this problem? We need to be using energy smarter, develop renewable and alternative energy, and use the one resource which we do have in abundance, our creativity. I urge my colleagues to vote to protect our coasts.

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

Mr. PETERSON of Pennsylvania. I yield to the gentleman from Nebraska (Mr. OSBORNE) for 4 minutes.

Mr. OSBORNE. I thank the gentleman.

Mr. Chairman, I am sorry to oppose anything with my friend ADAM PUTNAM's name on it, but in this case I feel that I am required to do so because of my constituency.

As everyone knows, we are currently in very short supply of natural gas, and this of course has led to tremendously increased prices. In Nebraska, which is mostly rural, mostly agricultural, this has increased the cost of center pivot irrigation exponentially. We have even seen at one time 60, 70 percent of the irrigation wells were powered by natural gas. We have had to shift to diesel which is very expensive and electricity which is very expensive, and as a result farmers who at one time were making reasonable profits are now struggling just to have a profit line at all.

This has increased the cost of fertilizer, anhydrous ammonia, that is made from natural gas, and of course anhydrous ammonia is a principle ingredient in fertilizer. So we have seen as much as 400 and 500 percent in the last 5 years, again eating into the bottom line for most people in agriculture. Of course, everyone knows what this has done to home heating and cooling, 400, 500 percent increases, which has hit every American in every corner of the Nation. And so we have a crisis in this area that we need to address.

The United States has large reserves of natural gas. It has been pointed out that we have maybe 3 percent of the world's petroleum reserves, but we have huge amounts of natural gas reserves, and we are handicapping ourselves in a way that is pretty much unprecedented in this area.

At the present time, only 15 percent of available Outer Continental Shelf acres are not under a moratorium. Another way to put this is that roughly 85 percent of Outer Continental Shelf acres are off limits to exploration. And, of course, this is again handicapping what we are trying to accomplish here in reducing this shortage.

I am sure that these moratoria are due to fear of spills and pollution, and yet we have had numerous hurricanes in the last few years that haven't caused oil rigs to malfunction or lines to rupture. We have not seen any massive pollution even though we have had huge damage from these hurricanes.

Canada has natural gas wells in the Great Lakes with no pollution. In Lake Erie, they have 2,200 wells on the Canadian side alone. Now, if you have ever been on the Great Lakes, you realize that this is very much like the ocean; they can get as rough as the ocean. I have been up there fishing many times. And so if Canada has been able to do this with no great environmental threat, why can't we do this anywhere from 3 miles to 200 miles offshore in the ocean? I would think we can do this very efficiently. China will be drilling for gas off the coast of Cuba within a short period of time. Now, this is very close to Florida.

So we think these are things that we need to consider. And so at the present

time we are handicapping ourselves because of this not-in-my-backyard mentality. We all want to have something happen somewhere else, but not anywhere close to ourselves. Natural gas is clean burning; it is environmentally friendly. We need to open these supplies both offshore in the U.S. and in Alaska.

It was mentioned earlier that it would take about 7 years for natural gas to come online. But if you don't start at some point, it will be 7 years from next year, and then it will be 7 years from 2 years from now, and at some point we have to begin to address this problem.

Mr. PUTNAM. Mr. Chairman, I am pleased to yield 1 minute to the gentlewoman who represents the pristine Florida Keys, Ms. ROS-LEHTINEN.

Ms. ROS-LEHTINEN. Mr. Chairman, I thank our leader, Mr. PUTNAM, for the time. And along with my colleagues from the Florida delegation, I rise in strong support of the Putnam amendment and in passionate opposition to any amendment, any language which would allow offshore drilling a mere 3 miles from our Nation's coast.

□ 2000

The Peterson language would overturn the current moratorium on drilling, a moratorium which has been in place for over 25 years.

The bipartisan Florida delegation position remains firm, remains strong: oil and gas drilling in the Outer Continental Shelf is dangerous for the economy, is dangerous for the environment, runs contrary to national security interests, and is not an immediate nor a long-term answer to the Nation's growing energy needs.

Drilling 3 miles off a Florida coast, as Mr. PUTNAM pointed out.

I am so proud to represent the ecological treasures of the Florida Keys. It is a premier destination for ecotourism. Any offshore drilling near this area would place thousands of rare and vulnerable marine plant species in harm's way and could cripple the Keys' tourism economy.

Drilling structures along the gulf coast would be located in the middle of a hurricane zone. So I hope that we strongly oppose the Peterson language by adopting the Putnam language tonight, and I thank the chairman.

Mr. PETERSON of Pennsylvania. Mr. Chairman, I yield 2½ minutes to the gentleman from Louisiana (Mr. MELANCON).

Mr. MELANCON. Mr. Chairman, I am here to speak on an issue of paramount importance to my constituents in south Louisiana and I think the entire Nation. Outer Continental Shelf production and coastal impact assistance are very important.

Louisiana is uniquely positioned in the OCS debate. Our State is one of the few that allows production off its coast. We are also major consumers of this production, through chemicals, fertilizers and various other gas-intensive manufacturing.

Some quick facts for you. Among the 50 States, Louisiana ranks first in crude oil production; second in natural gas production; second in total energy production from all sources; second in petroleum refining capacity; second in primary petrochemical production; third in industrial energy consumption; third in natural gas consumption; fifth in petroleum consumption; eighth in total energy consumption. We are a State that is a working State with a working coast.

Our State is a vital part of the domestic energy production and consumption, which keeps our entire economy humming. As others refrain from similar production, natural gas supplies tighten and the prices rise, jeopardizing tens of thousands of well-paying jobs that are being shipped overseas, many of these from my own State and district.

The energy support Louisiana and other coastal States provide for our Nation is not without cost. We are happy to provide what others would rather not. However, this supply also impacts our coastal communities and wetlands conservation, and we bear the costs of onshore infrastructure required to support this production activity.

Every debate on OCS production should also include an equity discussion. Coastal producing States should receive a fair share of revenues off their coasts, just as inland States receive from onshore production.

I appreciate the leadership Mr. PETERSON has taken on this issue, and I respectfully oppose Mr. PUTNAM's intent to strike this language from the bill.

If you look off the coast in the next several years, if not sooner, between Cuba and Key West, you will see the Chinese and the Cubans starting their venture to drill right off the coast of Florida. They may not be visible but they will be there.

Gas and oil production offshore, the technology that is there today, is astounding. I would invite every one of you that have never been on an offshore rig or seen the technology for drilling, I invite you to come to Louisiana to take the trip offshore, to understand what energy production is all about. It is not what it is perceived to be, as it was some 50 years ago.

Mrs. CAPPs. Mr. Chairman, I yield myself 10 seconds to respond to a previous speaker.

According to an Army Corps of Engineers report on the drilling in the Great Lakes, "Routine drilling is known to be hazardous to human health. Discharges and accidental spills of toxic chemicals from drilling can also contaminate the water of Lake Erie contaminating a primary drinking water source for millions of people."

Drilling, either in the Great Lakes or offshore, is a dirty process.

Mr. Chairman, I am pleased to yield 3 minutes to the gentleman from Florida (Mr. DAVIS), my colleague.

Mr. DAVIS of Florida. Mr. Chairman, I thank Representative CAPPs for yielding.

One of the things that everyone agrees on tonight with respect to this amendment is that we need to have an adequate supply of energy to meet the needs of this country. Eighty percent of the known oil and gas reserves in the Outer Continental Shelf are already available to the energy companies that need them. There are more than 4,000 leases held by these energy companies that are currently not used at all.

It is important to point out what this amendment does. The amendment says it allows drilling for gas up to 3 miles off the east coast of Florida, 9 miles off the coast of Florida, my home the West Coast, as well as the Outer Continental Shelf of the United States. It has been pointed out, and it has not been objected to, this is not just about gas, it is also about oil because if a company makes an investment to earn a profit for gas and they get oil, they are going to go for oil.

The bitter irony here is off the coast of Florida there is very little oil. It is really a drop in the bucket. That is why the amendment does not talk about oil, but it is enough to make a difference to the State of Florida.

There has been a lot of conversation here tonight about other States, about this being about jobs. Let me tell you about my home State Florida. This is about jobs. Last year, we had 88 million tourists visit our State. Those of you who are here tonight represent families who are saving their money to enjoy their family vacation, what State will be the number one destination for beaches? Florida. This is not just a State treasure; it is a national treasure. Yes, this is about jobs and Florida's beaches are a critical part of our economy.

There has been some discussion tonight that there is no risk as far as spills. The truth of the matter is none of us really know exactly what the risk is. One of the few things we do know is last year when Tropical Storm Arlene hit off the coast of Louisiana, there was an oil spill. There was a rig that resulted in a spill that soiled the coast of Louisiana. We cannot have this happen in Florida. It is too devastating. It is too important to our economy.

This is about balance. It is about protecting jobs. It is about respecting the rights of States. Nobody has a monopoly on what the truth is as to where the line is drawn. There is plenty of drilling off the coast of Florida right now in the central and western gulf, but this is the wrong time and the wrong place to have this debate.

The folks we represent in Florida deserve an open and honest discussion in our State, on our beaches, with small business owners whose livelihood depends upon the risk of a spill to our coast, and there we will discuss the balance, the tradeoff in meeting the country's energy needs, but not tonight

in a one-hour debate in the evening on the floor of the House of Representatives.

Floridians deserve better. Americans deserve better. I urge adoption of the amendment.

Mr. PETERSON of Pennsylvania. Mr. Chairman, I yield myself such time as I may consume.

This is the beginning of the debate. This is not the end. The gentleman from Florida knows, no drilling can happen. There is still a presidential moratorium. There is still a 5-year plan. We have to have legislation to allow gas only. Florida is rich in gas. They are not rich in oil. I am not about oil. We need gas in this country. We cannot drill our way out of oil.

We can help ourselves in other places, but natural gas is a richness this country has. It is the clean fuel. It has the least pollutants when you use it. It is the mother's milk of everything we make in this country. From women's face creams to every chemical we buy at the hardware store, the grocery store, polymers, plastic, carpet, drapes, it all is full of natural gas.

There is about 3 million jobs in those industries I have just mentioned, and every one of them are already moving offshore. They do not want to. They have to. We cannot put the disadvantage of \$9.50 gas last year, \$14 and \$15, when South America is \$1.80, Russia is about a buck, China and Taiwan 3-something.

This is about the economy of America. Drill only gas? Canadians have drilled 2,200 wells successfully, gas only. I grew up around the oil patch. I have never been in the oil business. I have never made a dollar off the oil business. They drill down through and they choose what they are going to produce. They mark it as they drill through it, and they produce what is there.

Florida is rich in gas. Florida uses 235 times more natural gas than they produce. They could be self-sufficient. They could have huge royalties, and there has never been a gas well that has polluted a beach. I have asked for examples. I was told the Santa Barbara spill. That was an oil well.

A gas well is a steel pipe in the ground. It is cemented at the bottom, and it is cemented at the top. It is open where the gas vein is, and you let gas out. In Lake Erie it runs underground onto shore. Citizens do not even know it is there.

Natural gas is not something to be afraid of. It is something this country needs. I am not for 3 miles offshore. I have legislation that protects us, but I cannot put that on this bill or I would. I can only start this debate tonight.

This debate has been put off. For 3 years I have been talking about this issue. From this day forward, we are going to debate this issue until we do what is right for the future of America.

Mr. PUTNAM. Mr. Chairman, I am pleased to yield 1 minute to the gentleman from Florida (Mr. MILLER), who represents the cradle of naval aviation.

Mr. MILLER of Florida. Mr. Chairman, I thank the gentleman for yielding.

You have heard a lot tonight about the potential environmental impacts, but let me just draw to your attention the issue as it affects our national defense.

Looks pretty cluttered, but this is a test range for Eglin Air Force Base where they do weapons testing from the panhandle of Florida all the way to the Florida Keys. This red line right in here is a military mission line. Basically, the Air Force says, the Secretary of Defense has said, the Navy has said that anything that is east, anything that is east of that military mission line is incompatible with the mission at Eglin Air Force Base. There is live fire testing. We are not just practicing out there. This is not Top Gun flying airplanes around. These are new weapons systems, classified new weapons systems that are being tested over the Gulf of Mexico.

Yes, the beaches of Florida are a national treasure, but I can tell you from a national defense standpoint, this entire area of the extreme eastern Gulf of Mexico is a national treasure because there is no other weapons testing area like it in the country or in the world.

Opponents of the Putnam amendment say that the underlying language does nothing to hurt the readiness of our military. Well that is 100 percent wrong!

As you can see from this map, the Joint Gulf Test Range extends from the Panhandle of Florida to Key West.

The Air Force uses this area for Live Fire testing and evaluation of weapons systems. The Navy uses the Gulf Ranges to do predeployment certifications and to fire Tomahawk cruise missiles from submarines.

Let me read you a list of just a sampling of current and future missions that are conducted in the Eastern Gulf of Mexico.

F-35 Joint Strike Fighter Initial Training and live fire F/A-22 pilot upgrade training including AMRAAM live fire Tomahawk Cruise Missile launch from submerged vessels Testing of Small Diameter Bomb program against man-made targets in the Gulf F-16 weapons systems testing and evaluation, U.S. Navy predeployment certification, testing and development of hypersonic munitions, low-cost miniature cruise missiles, Air-Dominance munitions, unmanned combat air vehicles, Directed Energy weapons, and classified programs.

The Commander of the Air Armament Center, Major General Robert W. Chedister, said last August "Clearly, structures associated with oil/gas production are totally incompatible with, and would have a significant impact on, the mission activity in the Eastern Gulf of Mexico. Accordingly, it is absolutely 'visceral' that the vast water area encompassed by the Gulf be preserved in order for us to continue to serve the needs of national defense."

Secretary of Defense Donald Rumsfeld recently wrote "areas east of the 86°41' line in the Gulf of Mexico commonly known as the 'military mission line' are specially critical to DoD." He went on to say "In those areas east of the military mission line drilling structures and associated development would be incompatible with military activities, such as missile

flights, low-flying drone aircraft, weapons testing, and training."

Now let me show you where this mission line is.

The underlying language in this bill would open the door to drilling in the entire Joint Gulf Range and is completely incompatible with the military mission of our Air Force and Navy.

Mr. PETERSON of Pennsylvania. Mr. Chairman, I yield 2 minutes to the gentleman from Pennsylvania (Mr. MURPHY).

Mr. MURPHY. Mr. Chairman, this is about American jobs, the American family and the American economy. Here are the plain facts.

Natural gas costs less than a \$1.50 per Btu in Russia, Iran, Saudi Arabia, but here in the United States this one report had it at \$8.85, and it has been as high as \$13. This means homeowners pay about \$200 more to heat their homes. This means the United States steel, for every dollar the price of natural gas goes up, costs them \$80 million.

If you are a company and you ask yourself where are you going to build or where are you going to move to, we have already lost 90,000 jobs in the chemical industry. We have lost 3 million jobs in the manufacturing industry due to energy prices.

We talk about the law of supply and demand of the 1990s. Ninety percent of new electric energy plants use natural gas. World demands have gone up. It is expected about a 90 percent increase in natural gas demands in the next 10 years, but since 1982 this Nation had a self-imposed moratorium on offshore natural gas and oil drilling.

Here is the real law of supply and demand we need to look at now. Americans are demanding that lawmakers increase the supply. We cannot afford to continue to have these high gas prices and send jobs to Saudi Arabia, Qatar, Oman, Iran and Russia or let other countries do with natural gas prices like they did with Ukraine and double the prices on them. We cannot compete as a nation for jobs with this.

It is no wonder the building trades have come out with a very strongly worded letter and said, please, let us start lowering the prices for goods and services in America. People get up here time and time again and say China is eating us for lunch. What are we doing here? We are cutting our own legs off and destroying jobs in America.

We have abundant supplies of natural gas. We can protect the coastline. This will not be within 3 miles. It takes entirely different legislation to do that, but please, please, let us save jobs in America for a change and stop talking about it.

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

I respond to my colleague, Mr. PETERSON. I lived in Santa Barbara in 1969. I saw that devastation with my own eyes, beach closures, fish kills, air pollution.

Mr. Chairman, I yield 2 minutes to the gentleman from New Jersey (Mr. PALLONE).

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Mr. PALLONE. Mr. Chairman, let me follow up on what the gentlewoman said. I was in New Jersey in the late 1980s where I live, and we saw the beaches closed. We saw the entire tourism industry destroyed for not only that one summer in 1988 but two or three summers afterwards.

I listened to what the previous speaker here on the Republican side said, and he talked about jobs. He talked about the economy. He talked about housing. That is what is at stake here. In my home State of New Jersey, people think of New Jersey as an industrial State, tourism is as big an industry in New Jersey as the petrochemical industry. We depend on that tourism economy, and we cannot have our beaches dirtied by an oil spill that would result from natural gas drilling. And don't tell me that you are going to drill for natural gas and you are not going to affect oil. There is no question that you can.

The problem I see here is that the gentleman from Pennsylvania said, well, this is not a real debate because if this happens it won't matter because the President has an executive order. Well, I can't depend on the President. The President is an oil man. For all I know he could lift the executive order if this legislation goes through and you can drill for natural gas and we don't have the moratorium in effect any more.

I want you all to understand that we are not just talking here pie in the sky. We have seen our beaches closed. We have seen the impact. In New Jersey, tourism is 500,000 jobs, \$16.6 billion in wages, and \$5.5 billion in State tax revenue. You shut that down, the way it was closed in the late 1980s in New Jersey because of a different type of pollution, and you basically shut down a significant portion of our State. We are talking about real things here.

When you talk about the fact that you can drill for natural gas and you are not going to hit oil, every indication is the opposite. The American Petroleum Institute has said the opposite and the Minerals Management Service has said the opposite. And we are talking 3 miles from shore. You could actually see these rigs. We could actually have oil rigs right up to 3 miles from the shore if this legislation passes and we don't have this amendment.

Pass this amendment.

Mr. PETERSON of Pennsylvania. Mr. Chairman, let us not confuse medical waste off New Jersey. That was medical waste dumped in the ocean.

Mr. Chairman, I yield 2 minutes to the gentleman from Texas (Mr. EDWARDS).

Mr. EDWARDS. Mr. Chairman, I oppose this amendment because it will continue the status quo of high natural gas prices that are harming every day hardworking American families.

The choice is clear: we can either increase the supply of natural gas in this country, or we can continue to pay

some of the highest prices in the world for natural gas.

So what is wrong with the status quo? What is wrong with high natural gas prices? First, millions of middle- and low-income working families are suffering from costly increases in their home heating and cooling bills. Those high monthly bills are straining and even breaking family budgets all across America.

Second, family farmers and ranchers are already struggling with natural disasters, high diesel costs, and foreign government-subsidized competition. Now, high natural gas costs have driven nitrogen fertilizer costs from \$100 a ton to more than \$350 a ton. For many ag producers, higher fertilizer costs will be the straw that breaks the camel's back.

And by the way, if you like what OPEC has done for high oil prices, you will love what dependence on foreign food will do to the price of food products in American grocery stores.

The third reason I oppose this amendment is that I am sick and tired of seeing good-paying American jobs being shipped overseas. American factories run by high-priced natural gas here at home are being put at a huge disadvantage against foreign factories using lower-cost natural gas. For American factories and businesses to compete with foreign factories and businesses, it is kind of like trying to run a race with a 20-pound weight tied around your ankle. It just won't work. And the price for that is we are losing the race for international competition for good-paying jobs.

The final reason I oppose this amendment is that in my district the utility companies in Texas want to build five new coal-fired plants for electric power. Tell me how replacing natural gas-fired plants with coal-fired plants, increasing mercury, CO<sub>2</sub>, and other pollutants in the air, in our streams, and in our lakes is good for America.

Stand up for our farmers, our factories, and for hardworking American families. Vote "no" on this amendment.

Mr. PUTNAM. Mr. Chairman, I yield 1 minute to the gentlewoman who represents Florida's gulf coast (Ms. HARRIS).

(Ms. HARRIS asked and was given permission to revise and extend her remarks.)

Ms. HARRIS. Mr. Chairman, I rise in support of the bipartisan amendment by Mr. PUTNAM and Mrs. CAPPs. This is not just a Florida issue; it is a national issue. If the Putnam amendment is not adopted, the 25-year bipartisan Outer Continental Shelf moratorium will come to an abrupt end, thus allowing natural gas wells as close as 3 miles from every coastal State.

If the Putnam amendment is not adopted, coastal State economies that rely on a healthy tourism for their continued prosperity will be severely jeopardized, and coastal waters, fisheries, and marine ecosystems will be greatly jeopardized as well.

And, finally, there would be severe national security consequences when the military could no longer conduct military operations and training.

In closing, there is no doubt that high energy prices pose a serious challenge to our Nation's manufacturers, farmers, and consumers. However, the gas exploration provision in this bill will not provide Americans with short-term relief, nor will it lead toward an energy independent future.

I urge my colleagues to support the bipartisan Putnam-Capps amendment.

Mr. PETERSON of Pennsylvania. Mr. Chairman, I yield 2 minutes to the gentleman from Ohio (Mr. REGULA).

Mr. REGULA. Mr. Chairman, I thank the gentleman for yielding, and I just want to point out that the natural gas beyond the 3 miles belongs to all the people of America; 280 million of us own that, and we are entitled to use it. We are entitled to use it for jobs, and we are entitled to use it for fueling our industry. Many of you have seen the buses on the highways in our cities that are fueled by clean-burning natural gas.

I want to point out something else, and that is that in the Labor-HHS bill we put in a lot of money for LIHEAP. Why? Because the price of natural gas keeps going up and we, therefore, have to subsidize this with tax dollars, tax dollars that could be used for medical research, tax dollars that could be used for education and things that build the quality of life for Americans.

I do not think it is fair to 280 million Americans to deny them access to an asset that belongs to all of them, the resources that lie beyond the 3-mile limit. That limit is there for a reason.

I also want to point out one other thing. For those that have not seen it, the technology today is vastly improved. The drilling rigs are safe. The production platforms are usually under the water and you don't even know they are there. And they are not going to be an impediment to military operations, and they are not going to be an impediment to the viewscape of the tourists who go to Florida, California, or wherever the case might be.

I think for jobs for America, for health research, for education we need to use this natural resource that belongs to all of us.

Mrs. CAPPs. Mr. Chairman, I yield myself 15 seconds to respond to a couple of statements that have been made.

First, LIHEAP has been underfunded for years, high natural gas prices or not. Yesterday's price of natural gas was \$5.91 per million Btus. That was about 8 percent less than it was 1 year ago. There is a better way to respond to today's high prices than by drilling. We can start by making our homes, our buildings, and our cars more energy efficient.

Mr. Chairman, I am pleased to yield 2 minutes to my colleague from Florida (Ms. WASSERMAN SCHULTZ).

Ms. WASSERMAN SCHULTZ. I thank the gentlewoman, and I rise in

support of the Putnam-Capps bipartisan amendment which strikes the Peterson language that would allow for drilling just 3 miles off our shoreline.

Members, let us put this in perspective. Imagine yourself on the west steps of the United States Capitol admiring the view of our Nation's Capitol, taking in the scenery and enjoying the environment. Now imagine yourself gazing towards the Kennedy Center, and just beyond the Kennedy Center, right there in the middle of the Potomac River, you see a big old oil rig. It is not quite as appealing any more, is it?

Now, I know that we are not going to be drilling for gas or oil in the Potomac River, but I paint this scenario for a reason. That distance from the Capitol to just beyond the Kennedy Center is the same distance that Mr. PETERSON is proposing we place natural gas rigs off our Nation's beaches.

There are drastic and devastating environmental and economic repercussions that come with drilling into the ocean floor so close to our beaches, for my own State of Florida and for the rest of the Nation. For example, the uncontrollable discharges of mud, rock, and minerals that come with piercing a hole into our Earth would be devastating for our near-shore activities.

Now, for our colleagues that feel they need to vote for something, anything, to be able to say they are trying to address gas prices, I have a reminder: cars don't run on natural gas. People who are now paying upwards of \$50 to fill their gas tanks, this amendment, if we leave it in place, will do nothing to change that. Gas prices will still be astronomically high.

And to address the issue of oil rigs off our shoreline put there by Cuba and China, do we want to emulate the actions of nations like Cuba and China? Do we want the Florida straits dotted with oil rigs? I think not, and I think most Americans would also agree.

I urge my colleagues to protect the coast of the United States and vote "yes" for the bipartisan Putnam-Capps amendment.

Mr. PETERSON of Pennsylvania. Mr. Chairman, I have been having this debate with the Florida delegation and other delegations for some time, and I really appreciate and like all and respect them very much, but I find recently that poll data show me that Floridians are ahead. Over 60 percent of Floridians in all the recent polls I have seen support production of energy off their shores.

Mr. Chairman, I am pleased to yield 2 minutes to the gentleman from Florida (Mr. MICA).

Mr. MICA. Mr. Chairman, I rise in opposition to the amendment of my good friend and colleague from Florida here, and I am dismayed that, unfortunately, politics has not kept up with technology or good energy policy in this country.

Florida has faced an energy crisis before. Back in the 1970s, I was in the

Florida legislature and I voted during that crisis to drill in the Florida Everglades for oil. You won't believe this, but today we are producing oil safely and in an environmentally sound fashion from the Everglades.

This is a myth here about this 3 miles, and we should not drill as close as 3 miles. We should look at the conditions. But today we have the technology to drill safely and in an environmentally sound manner.

Florida's population is expected to grow 29 percent by 2020. The consumption of natural gas is expected to grow by 140 percent. Why? You all were here, many of you here, during the 1990s. The Clinton administration proposed that we convert our coal and oil plants in Florida to natural gas. Well, 28 of the 34 electrical generating plants designed in Florida are going to need natural gas. We built a billion dollar pipeline across the gulf, and we need to hook up to that.

Cuba and China are going to be drilling very close to our shores, and they will be getting oil and gas. The American people and Floridians will be getting the shaft. We can do this in an environmentally sound fashion. We don't have to play politics.

What is our alternative for stable sources? Nigeria? The Mideast? I say no.

Mr. PUTNAM. Mr. Chairman, I yield myself 10 seconds.

Mr. Chairman, the sponsor of this, and now one of his supporters, have both said 3 miles is not their ultimate goal. That is what is in the language. If that is not your ultimate goal, let's withdraw this amendment and have a real debate on a separate basis about a comprehensive solution to this problem.

Mr. Chairman, I am pleased to yield 1 minute to the gentleman from Jacksonville, Florida (Mr. CRENSHAW).

Mr. CRENSHAW. Mr. Chairman, this is really just a question of whether you solve a problem the right way or you solve it the wrong way.

Now, we ought to adopt this amendment, we ought to leave the moratorium in place while the Resources Committee, which has been working on this, having hearings, having testimony, comes up with a comprehensive program to solve this problem and to deal with this issue.

This is not the only time or the only place. In fact, it is not the right time, on this appropriation bill, or the right place. It is a complicated issue. You heard that it deals with environmental issues, economic issues, and military issues. It doesn't lend itself to a quick fix.

If we don't adopt this amendment, we will end up with a knee-jerk reaction that will allow offshore drilling anytime, anywhere, off any coastline within 3 miles. And that is just terrible public policy. Terrible public policy.

So let us be reasonable. Let us let the Resources Committee do their work, and then let's make a decision based on the facts.

Mr. PETERSON of Pennsylvania. Mr. Chairman, I yield 2 minutes to the gentleman from Texas (Mr. GENE GREEN).

Mr. GENE GREEN of Texas. Mr. Chairman, I thank my colleague from Pennsylvania for his diligence in working on this issue.

I understand tourism is Florida's biggest producer of revenue, and a lot of people go there. But if we don't pass an amendment that will help us get more natural gas, people at Disney World are going to have to be drinking their Cokes, or whatever they drink, out of something other than a plastic cup.

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Our plastics industry in our country is made from natural gas, not only the feed stock, but the actual plastic. And so I don't know what we are going to do in our country if we continue to see high natural gas prices. We are already paying huge amounts to cool our homes in our part of the country, or heat our homes in the north. But we have a chemical industry that may not be popular if it is down the street, although it is in my neighborhood. But it produces jobs, high-paying jobs; and it produces this plastic that we drink from every day. And if we don't come up with some other way to lower the price of natural gas, we can just kiss this plastic goodbye.

Eighty percent of our U.S. offshore waters are currently excluded from production: the eastern gulf, the Pacific, the Atlantic coast and some coasts of Alaska. Only Texas, Louisiana, Mississippi, and Alabama have coastal production.

100,000 jobs have been lost because of the high prices of natural gas. And these are high-paying manufacturing jobs that we desperately need to keep in our country.

We have the highest natural gas prices in the industrialized world primarily because of our offshore moratorium. Even Northern Europe has cheaper gas, and I know we have had jobs move from my district to Northern Europe because the price of natural gas there is so much cheaper. And their environmental laws are so much stronger.

Norway, Great Britain produce off their coast. Are we saying that they are not concerned about their beaches? It is ludicrous.

We only have two options to prevent the loss of jobs, either import more LNG, liquefied natural gas, which we will bring in, or produce offshore. There is no alternatives. We have got to have it.

Mr. Chairman, I urge Members to vote against the Putnam-Capps amendment.

Eighty percent of our U.S. offshore waters are currently excluded from production—the eastern gulf, the Pacific, and the Atlantic coast, and some coastal areas off Alaska. Only the Texas, Louisiana, Mississippi, and Alabama coasts have production.

This contributes to high natural gas prices that have cost the U.S. nearly 100,000 jobs, primarily high paid manufacturing jobs.



We have the highest natural gas prices in the industrialized world, primarily because of our offshore moratoria. Even Northern Europe has cheap, because they produce in the North Sea. Norway, Great Britain, who have drilled off their coasts with strong environmental laws.

We only have two options to prevent the loss of further jobs—we can build more LNG import plants and we can produce more gas offshore. There is no alternative to natural gas in many cases.

Unfortunately, the opponents of both options are often the same people—they oppose LNG and they oppose drilling for gas. Maybe they think energy and plastics are made from thin air.

Natural gas is the cleanest energy source we have besides solar or wind, and it is a critical fuel for industrial facilities and is a feedstock for the petrochemical industry that makes plastic.

If we cannot produce natural gas here, we are going to have to import gas to heat our homes and import more plastic in bulk or in consumer products. That hurts our balance of trade.

Canada has been producing gas-only wells in Lake Erie for decades. Any producer would rather have oil too at these prices, but if Congress says “gas-only” then it will be gas-only, and there will be no chance of oil spills.

Mr. Chairman, I urge Members to support U.S. jobs, U.S. energy, and reducing the trade deficit by supporting U.S. natural gas. And oppose the Putnam-Capps amendment.

Mrs. CAPPS. Mr. Chairman, I yield myself 30 seconds.

I remind the gentleman that there is production off my district as well. Several coastal State Governors are voicing concerns about the proposal to allow drilling as close as 3 miles off our coast, including California’s Governor, Arnold Schwarzenegger; New Jersey Governor, Jon Corzine; North Carolina Governor, Mike Easley; South Carolina Governor, Mark Sanford. And this is what our former colleague, Mark Sanford, had to say: “Energy independence is something we are all after, but we think it makes more sense in the long run to pursue that goal through focusing on alternative forms of energy rather than fossil fuels. Tourism is our State’s number one industry, and we don’t think it makes sense to undertake something that could potentially damage our coast.”

I am pleased to yield 1 minute to my colleague from Florida (Ms. CORRINE BROWN).

Ms. CORRINE BROWN of Florida. Mr. Chairman, I want to rise in support of the amendment. You know, I have been an elected official for 25 years, 14 years in the Congress. And I want to be clear that the people of Florida are united against any drilling in Florida. Now, when I listen to the people from Texas and other places, you know, I understand that Florida is the number one tourist destination in the world. The number one. And we shouldn’t do anything that would be against the people of Florida and the people of the United States. People save their money to come to Florida.

And certainly we need a comprehensive energy policy. But someone said that the people in Florida in some surveys support drilling in Florida. That is definitely untrue. The people of Florida do not support drilling in Florida. And the people in Florida are united against any drilling in Florida.

Florida’s coastline is a treasure not just for Floridians, but all Americans and the rest of the world. For years Florida’s delegation has worked together to protect our coastline and natural resources. Even conducting an inventory of resources in the Gulf of Mexico will begin to destroy the efforts we have made as a state to preserve our sensitive lands. As long as there are rigs in the area, the potential for devastation to Florida’s beaches persists. Florida’s beaches are not something we can afford to compromise. This decision goes against everything that Floridians have worked for over so many years. Certainly, the people of Florida do not support off of our shores.

In fact, the impact of offshore drilling threatens irreversible scarring to the landscape, affecting thousands of species, each critical to the ecosystem. The great weather, pristine beaches, and 1 marine wildlife are the number one draws to our fine state. By moving forward with even a resources inventory, you risk a multi-billion dollar industry for only a few extra barrels of petroleum.

There are environmental risks associated with near-shore natural gas drilling despite claims to the contrary. Liquid hydrocarbon found with natural gas could float on top of the water and was up on Florida’s beaches. Moreover, one huge problem with the plan is that the areas that are off limits to drilling now are not where the resources are. In fact, 80 percent of the Nation’s undiscovered technically recoverable natural gas on the OCS is located in the Central and Western Gulf of Mexico and offshore Alaska—where drilling is currently allowed and already underway.

Indisputably, allowing drilling would be harmful to tourism and risk Florida’s \$57 billion tourist economy. In fact, this policy would affect all U.S. coastlines from Alaska to Maine. Any drilling would also be visible from the beach and have no effect on oil prices, especially when natural gas prices are falling.

Mr. PETERSON of Pennsylvania. Mr. Chairman, fear can be overcome with facts. And hopefully down the road here we will get the facts.

At this time I yield 2 minutes to my friend from Pennsylvania (Mr. SHERWOOD).

Mr. SHERWOOD. Mr. Chairman, I rise strongly against this amendment. It was said earlier that this is not the right time to make this decision. Well, it is always easy to say it is not the right time to make a tough decision. And the reason we are in this terrible situation is we have made bad decisions in the past.

There is no reason at all that we should have a North America gas market that is four or five times the rest of the world. We should be paying a competitive price for gas, but we are paying this outrageous price because of the decisions that we have made in the past. And we have made them based on outdated facts.

Let’s look at the true facts. Let’s look at the facts that technology has

changed. We can do this safely; we are doing it safely in other places. We want to preserve Florida’s coastline. Nobody wants to do anything that would have any harm. But we also need the natural gas.

We are losing jobs every day because of the price of natural gas in North America. Now, when we lose jobs to China because people over there are willing to work real cheap, we are real upset about that, as we should be.

But we are losing jobs because of the price of natural gas that would pay top American wages, jobs we can’t afford to lose. We cannot afford to be uncompetitive in the world. This ban must be lifted. We must figure out how to do it properly so that we are not locking up the resources that we need to be competitive in the world.

This is a very simple subject that just needs a little cold logic put on it, and we can’t be worrying about the fears of the past. We have to be taking care of the future. We need to defeat this amendment.

Mr. PUTNAM. Mr. Chairman, I say to my friends again, we agree on the technology having been improved. We agree on the need for a comprehensive solution. But you all agree with us that 3 miles is too close. If that is the case, let’s adopt this amendment and do this the right way.

I yield 1 minute to the gentlewoman from Virginia (Mrs. DRAKE).

(Mrs. DRAKE asked and was given permission to revise and extend her remarks.)

Mrs. DRAKE. Mr. Chairman, I am an ardent supporter of safe deep sea drilling for natural gas. However, the current language does not contain necessary safeguards to protect our Nation and our coastal States. Revenue sharing must be included. And we must address the needs of our military.

The coast of Virginia is a valuable training area. We must not impact that training capability. We currently are in discussions with the Navy as to whether we can develop a way to coexist with industry and create a win/win situation, realizing that the needs of the Navy are the top priority.

We must also address the issue of the boundaries drawn by Minerals Management Service and correct the existing map.

It is for these reasons that I support the Putnam amendment and look forward to a complete and detailed discussion of this issue.

Mr. Chairman, I rise today to share my concerns regarding the Peterson language included in H.R. 5386 which would lift the Congressional moratorium on natural gas in the Outer Continental Shelf (OCS). While I am an ardent supporter of safe, deep-sea drilling for natural gas, I do not support the Peterson language. I do support the Putnam amendment, which strikes the Peterson language.

Our Nation is in an energy crisis. Consumers are paying more to heat their homes and to buy American-made products and crops. Because natural gas is a domestic product, its price is determined by domestic

supply and demand. Companies and jobs are moving to other countries where the price of doing business is cheaper because of lower costs in natural gas. The moratorium on offshore drilling places our nation at an extreme disadvantage.

However, I can only support a plan for deep sea drilling that contains the safeguards that I feel will best suit the needs of our nation and the citizens of coastal states. First, the plan must allow the states the option to opt-out of the moratorium on offshore drilling. Coastal states know what is in their best interest. As such, they should be able to determine what terms should be allowed for drilling off of their shore.

The Commonwealth of Virginia and the Hampton Roads area in particular are very proud of the military presence in our region. Norfolk, Virginia is home to the largest Navy base in the world and much of their training occurs off the coast of Virginia. I am committed to ensuring that the Navy will continue to use these areas offshore for training and recognize that offshore drilling can only occur off the coast of Virginia if the military training areas are preserved. I have shared with the Navy that it is my desire to work with the military to come up with the best plan for the co-existence of energy production and military presence. I look forward to continuing our conversations so that offshore drilling is compatible with our military's mission.

In addition, a suitable plan must include a revenue-sharing component with the states. This money can be used for important projects such as transportation, education, sand replenishment, and Chesapeake Bay restoration.

I also believe that the plan that will come out of Congress must fix the Minerals Management Services' (MMS) federal OCS offshore administrative boundaries which determine OCS state adjacent administrative zones. These boundaries, as they are currently drawn, do not accurately reflect the relative boundaries of States and furthermore penalize States, such as Virginia, with concave coastlines and result in grossly unfair zoning. This inequity affects all of the Commonwealth's activities in the ocean including sand and gravel dredging, mariculture, and offshore renewable energy projects involving wind, waves and currents. I have expressed my concerns regarding these administrative boundaries to the Department of the Interior and it is my desire that these boundaries be revised as part of Congressional legislation.

The House Committee on Resources, of which I am a member, is the authorizing committee with jurisdiction over OCS. While I applaud Representative PETERSON for bringing this critical issue to the forefront, I believe it is the responsibility of the Resources Committee to approve legislation that contains the principles I have outlined. I am looking forward to working with my colleagues towards passage of a bill that encompasses all of these principles. At this time, I do not believe including the Peterson language in the Interior Appropriations bill allows for the debate that is necessary for such an important issue. For these reasons, I support the Putnam amendment and will continue to discuss this important national security issue with my colleagues in Congress and the important stakeholders on the coast of Virginia.

Mr. PETERSON of Pennsylvania. Mr. Chairman, I yield 2 minutes to the gentleman from Virginia (Mr. GOODLATTE).

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

Mr. GOODLATTE. Mr. Chairman, I rise in opposition to the amendment. I do so always reluctantly when it involves my good friend from Florida (Mr. PUTNAM), with whom I have the greatest respect.

But in 1981, Congress enacted a ban on energy exploration covering more than 85 percent of U.S. Outer Continental Shelf. At the time, U.S. natural gas prices were the lowest in the industrialized world. Today, U.S. natural gas prices are the highest in the industrialized world.

Prices for natural gas continue to increase while the government continues to promote new natural gas consumption. To balance the market, we need to invest in efficient and alternative energy. But we also need to increase access to new sources of supply to keep pace with new sources of demand.

The high cost of natural gas has a major impact on both the farm and forest sector. Paper mills, a major employer in my district, are very energy intensive. Energy costs account for 18 percent of the cost of operating a mill, almost eclipsing costs for employee compensation. The impacts have been dramatic. Over 232 paper mills across the country have closed, and 182,000 jobs lost since 2000, when energy prices started a steep rise.

For farmers, higher natural gas prices mean higher costs for fertilizers. According to the USDA, average fertilizer prices in March 2006 stood 74 percent higher than their 1990-1992 level, very near all time high records. The Interior appropriations bill begins to address the supply piece of the puzzle to help bring natural gas prices down.

We can no longer continue to ban access to large sources of supply, even as we continue to encourage new demand. The bill exempts natural gas from the congressional ban on energy development in the OCS. The ban on oil development remains in place. It allows the Federal Government to begin the process of developing these important resources.

The bill's provisions are a starting point. It is the first time in a quarter century that Congress is acknowledging that it can no longer continue to promote natural gas consumption and, at the same time, prohibit more production.

I urge my colleagues to oppose the amendment.

My friends, I rise in opposition to the amendment.

In 1981, Congress enacted a ban on energy exploration covering more than 85 percent of the U.S. Outer Continental Shelf. At the time, U.S. natural gas prices were the lowest in the industrialized world.

Today, U.S. natural gas prices are the highest in the industrialized world. Prices for natural gas continue to increase, while the government continues to promote new natural gas consumption.

To balance the market, we need to invest in efficiency and alternative energy, but we also need to increase access to new sources of supply to keep pace with new sources of demand, like ethanol and hydrogen.

The high cost of natural gas has a major impact on both the farm and forest sector.

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The Interior Appropriations bill begins to address the supply piece of the puzzle to help bring natural gas prices down. We can no longer continue to ban access to large sources of supply, even as we continue to encourage new demand.

The bill exempts natural gas from the Congressional ban on energy development in the OCS. The ban on oil development remains in place. It allows the Federal government to begin the process of developing these important resources.

The bill's provisions are a starting point. It is the first time in a quarter century that Congress is acknowledging that it can no longer continue to promote natural gas consumption and, at the same time, prohibit more production. I urge my colleagues to vote "no" on the amendment.

Mrs. CAPPS. Mr. Chairman, I yield myself 30 seconds.

Mr. PETERSON wants to discuss the facts, so here are the facts:

Most of the natural gas off our shores is already available. In February MMS released its inventory. This is the copy right here that was required by our energy bill. It says that 80 percent of the Nation's undiscovered technically recoverable natural gas on the Outer Continental Shelf is located in the central and western Gulf of Mexico and offshore Alaska where drilling is currently allowed and well under way.

I reserve the balance of my time.

Mr. PUTNAM. Mr. Chairman, I yield 1 minute to the gentlewoman from Florida (Ms. GINNY BROWN-WAITE).

(Ms. GINNY BROWN-WAITE of Florida asked and was given permission to revise and extend her remarks.)

Ms. GINNY BROWN-WAITE of Florida. Mr. Chairman, I rise in very strong support of the amendment that we have before us that was crafted by many of my colleagues from Florida, as well as friends on the other side of the aisle from California.

Obviously, because of the bipartisan stance that we have taken in Florida, it is very, very important to the State of Florida.

The Peterson language which is included in the Interior appropriations bill basically will have drilling within 3 miles of our shores. I can tell you that back in Florida, when we even talked about having drilling 25 miles from the shore, it was not at all popular.

I would be doing a disservice to my constituents if I didn't fight to keep the moratorium on drilling in the Outer Continental Shelf in place.

Many of you on both sides of the aisle have come up to me and said, you know, my mother or my grandmother or my dad lives in Florida. Many of them live in my district. I would ask you, pick up that phone, call your mom and dad and listen to what they have to say about how much they love Florida, and how much they love the beaches, and how much they want to make sure that we have a State that will continue to be number one in tourism.

Mrs. CAPPs. Mr. Chairman, I am very pleased to yield 1 minute to my colleague from Florida (Mr. BOYD).

Mr. BOYD. Mr. Chairman, ladies and gentlemen, this provision in this bill, if it goes into law, will have the effect obviously of lifting the prohibition on drilling in the Gulf of Mexico, which is of interest to many of those of us from Florida. And if that provision were to be lifted, I think there is a very significant impact on the military training mission that exists along the gulf coast.

As many of you may know, Tyndall Air Force Base is the home of the training for the F-22 and the F-15. The Joint Strike Fighter is going to be based up in that area, and if that prohibition were to be lifted, obviously, that would seriously impact, according to the military, the officials in the Pentagon, the Chief of Staff of the Air Force, the Secretary of Defense, all have said that the critical nature of that Gulf of Mexico training range will be seriously impacted and our military as a result will be impacted.

Mr. PUTNAM. Mr. Chairman, I am pleased to yield 1 minute to my friend from Florida (Mr. FOLEY).

Mr. FOLEY. Thank you very much, Mr. PUTNAM, and all the Members who have spoken on this critical issue tonight. I thank you.

Most of those supporting the drilling do not live in Florida. It is interesting, we haven't had many speakers from the Sunshine State who have said, let's go ahead and drill. And I think there is a reason for it.

□ 2045

Let me give you the statistics. NOAA, a very trusted agency, has said we are entering a 20-year cycle of heavy hurricane activity. Since 2004 there have been nine hurricanes that have hit the Gulf of Mexico. One of the reasons there has been a spike in energy prices is because most of it is located in the gulf, exactly where some proponents of drilling would have us build more drills. We simply do not need it. We do have to be more conservative in our approach to fuels and use alternative energy. Sticking pipes in the ground in Hurricane Alley is not a solution.

So I would urge my colleagues to heed the warnings and advice of those who live in Florida and ask you to re-

ject the notion that we should drill there. Support our amendment, support the amendment to strip this provision from the bill, and allow us to continue to talk and negotiate with those parties who are involved.

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

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

Mr. PUTNAM. Mr. Chairman, I yield myself 30 seconds.

We have begun an important debate here that even the author of the language that we are seeking to strip admits is Draconian, and allowing drilling 3 miles offshore, even the sponsor admits that is not his goal. If that is not his goal, adopt the Putnam-Capps amendment and let us move on to the appropriate way to discuss comprehensive energy policy in this Nation and how it impacts the Gulf of Mexico.

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

Mrs. CAPPs. Mr. Chairman, I yield myself the balance of my time.

I will make three points. First, the Poe amendment and the Peterson amendment are the same thing. Two hundred and seventy-four Members just voted "no" on the Poe amendment. If you voted "no" on the Poe amendment, you should vote "yes" on our amendment.

Drilling for gas is drilling for oil. The American Petroleum Institute says as much, as does MMS. Second, it is simply untrue to say that we do not have access to the vast majority of resources on the Outer Continental Shelf. The Bush administration itself says that we currently can drill in areas where 80 percent of the natural gas is located.

Finally, this is more of the same failed energy strategy that has gotten us record high energy prices and record high profits for the oil companies. We need a new direction on energy.

Vote for the Putnam-Capps amendment, protect our coasts, and take a step into the future.

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

Mr. PETERSON of Pennsylvania. Mr. Chairman, I yield 2 minutes to the gentleman from Hawaii (Mr. ABERCROMBIE).

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

Mr. ABERCROMBIE. Mr. Chairman, I am standing here on what is normally the Republican side to emphasize, and I have said this right from the very beginning when Mr. PETERSON and I have tried to deal with this issue in the Resources Committee, that is not a Republican and Democratic issue. And I think you can see from the fact that people have come to both sides here tonight to speak about it that it is not a Democrat and Republican issue. This is an issue of trying to come to a sensible conclusion on what American policy should be.

And believe me, I think I am in a good position to say to folks that I can appreciate the fact that tourism is on the minds of our good friends from Florida and from California and elsewhere in the country, particularly around the coasts. I do not think that anybody is as close to tourism or is closer, I should say, to tourism in terms of their representation than myself.

So the issue is what should we do and what can be done to advance America's independence with regard to energy and what at the same time can protect our constituents in a way that we can all be compatible with?

I think what needs to be said and has not been said tonight are what some of the origins of our difficulties are. Right now the Republicans have their particular difficulties with certain segments, factions, as our Founding Fathers and mothers said, factions that come in. You have got your problems. Certain people have religious views.

What we have on the Democratic side are other people with religious views. We have environmental Taliban out there now who have revealed wisdom with regard to drilling, in this instance, for natural gas, and you cannot thwart them. You cannot stand up and say let us have a discussion to see whether that really represents today's reality. That is all this is about.

Believe me, no one, Mr. PETERSON, myself, nor any other advocate, wants to drill 3 miles off of anybody's coastline. What this gives us the opportunity to do is to have a responsible conversation in the Resources Committee about whether or not we should move forward with natural gas extraction and exploration and, if so, how should we do it in a way that is responsible to everyone?

So what I ask is please allow us to begin that conversation by not supporting the amendment and allowing us to move to the Resources Committee to have the discussion Mr. PUTNAM has requested.

We are with you and we would like to be able to do it.

#### ENVIRONMENT

Lifting the moratoria will not allow production 3 miles off of the coast. This is only the first step and will provide for discussion and consideration of the kinds of restrictions that are needed for responsible production. Mr. PETERSON and I have introduced legislation to give States a 20-mile buffer zone and 40 percent revenue sharing for producing States.

Natural gas-only drilling is possible and takes place in Canada on the Great Lakes and will begin next year in the Barents Sea by Norway.

Drill cuttings are contained and shipped to shore for proper disposal, not left to pollute the ocean and hurt marine life. This disposal technology is used throughout the world and was recognized by a blue ribbon panel of judges from the U.S. Coast Guard, the Minerals Management Service and the National Academy of Sciences' Marine Board as an outstanding contribution to safety and protection of the environment.

Eighty percent of known resources are already open to development. This is based on 40-year-old estimates that are hopelessly out of date. New technology, 3-D seismic and the like, could give better estimates, but MMS is prohibited by the appropriations moratorium from conducting physical assessments in those areas.

## JOBS AND THE ECONOMY

The Putnam amendment is opposed by the International Brotherhood of Boilermakers; Sheet Metal Workers International Association; Building and Construction Trades Department, AFL-CIO; and the Forest Products Industry National Labor Management Committee.

Since 2000, U.S. natural gas prices have been the highest in the world. U.S. companies—and U.S. workers—are at an unfair competitive disadvantage in the global market.

The Department of Commerce estimates that during 2000–04, natural gas price increases reduced civilian employment by an average of 489,000 jobs/year. Losses in the manufacturing sector accounted for 16 percent of that loss, 79,000 jobs per year.

BUILDING AND CONSTRUCTION  
TRADES DEPARTMENT, AMERICAN  
FEDERATION OF LABOR—CONGRESS  
OF INDUSTRIAL ORGANIZATIONS,

Washington, DC, May 18, 2006.

DEAR REPRESENTATIVE: On behalf of the affiliated unions of the Building and Construction Trades Department and the millions of union members and their families whose livelihoods depend on affordable natural gas, I am writing to ask you to stand up for the American worker and vote against the Putnam-Capps Amendment to the Interior Appropriations bill.

Putnam-Capps is a slap in the face of every union member who works in an industry that is losing business due to the high price of natural gas.

Manufacturing industries consume large amounts of natural gas to power their equipment, and as a raw ingredient that goes into thousands of manufactured goods. Union workers make the production, distribution and consumption of those goods possible. Since 2000, U.S. natural gas prices have been the highest in the world. U.S. companies—and U.S. workers—are at an unfair competitive disadvantage in the global market. Industrial production is shutting down or moving overseas and more than three million manufacturing jobs have disappeared in that time.

The cause for high U.S. natural gas prices is a severe imbalance between supply and demand. U.S. government policy pushes up demand by encouraging new uses for natural gas, including electricity generation, ethanol and hydrogen. At the same time, Congress severely restricts access to new supplies. In the absence of new supply, new sources of demand are driving traditional industrial demand out of the market, wiping out union jobs in the process.

Supporters of the Putnam-Capps Amendment are turning a blind eye to the problem and they are jeopardizing millions of good paying union jobs by prohibiting access to new sources of natural gas supply.

For the Building Trades, offshore natural gas production is first and foremost a jobs issue. If you support keeping good-paying union jobs in the USA, you will vote against the Putnam-Capps Amendment.

Sincerely,

EDWARD C. SULLIVAN,

President.

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

I thank my friend from Hawaii. That conversation is well underway. I appreciate

the leadership of our friend from California, the chairman of the Resources Committee, Mr. POMBO, who has led that discussion and has led to a very bipartisan, thoughtful, and candid approach to the proper way to deal with this Nation's energy crisis, the proper way to deal with exploration in the Gulf of Mexico, the proper way to make sure that we are not impeding the military mission that would affect our Nation's defense.

This language that the amendment I have sponsored with Mrs. CAPPs and a number of others is an overreach. The amendment fixes what even the authors of that language admit is an overreach. Three miles is not supported by even the person who wrote the language. So if that is the case, let us pass the Putnam-Capps amendment and begin to move further down that road of the exploration question to solve our Nation's energy problems.

Mr. Chairman, I am pleased now to yield the balance of my time to a champion for Florida, a stalwart in this debate, the chairman of the Defense Subcommittee of the Appropriations Committee, my good friend, Mr. YOUNG.

Mr. YOUNG of Florida. Mr. Chairman, my friends who are opposing the Putnam-Capps amendment would like us to believe that in the Gulf of Mexico there is an unlimited supply of nice, clean, cheap natural gas just waiting for someone to punch a hole and it will come flowing out. That is really interesting because Mr. PETERSON's effort last year was to create an inventory to see if there was any natural gas in the Gulf of Mexico. There is something wrong here. That is not really consistent. Last year we did not know if there was or not. This year we are prepared to violate environmental concerns. Is there gas there or is there not gas there?

And what about the high cost? I learned something interesting at the Appropriations Committee the other day, that no matter what it costs to produce a barrel of oil domestically in the United States we still pay the same price that OPEC charges. Why? I do not know. One Member told me that his State produces oil for \$30 a barrel that has to go through Canada, and they sell it back to us at 70 some dollars a barrel. There is something wrong with that. And then this afternoon I learned that natural gas is priced the same way. So is it going to be less expensive to produce in the Gulf of Mexico, where the environmental issues are real and the national defense issues are real, or should we allow, as Mr. PUTNAM has suggested and I suggested earlier on the Poe amendment, and that was a good vote on the Poe amendment, to let the authorizing committee that holds hearings, and there were no hearings on this, on the appropriations part of it, let the authorizing committee do their work and let us make a decision based on what is the truth versus fiction versus opinion, what is real, what

is safe for the environment, and let us pass the Putnam amendment here this evening.

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

Mr. YOUNG of Florida. I yield to the gentleman from Washington.

Mr. DICKS. Mr. Chairman, I just want to reiterate an important fact that was made in the full committee. Federal offshore lands already open to exploration is 80 percent of potential gas reserves offshore. Of the most current mean estimate of undiscovered, technically recoverable gas: offshore non-moratoria reserves, 328 trillion cubic feet; offshore moratoria reserves, 77 trillion cubic feet.

There is a lot of offshore drilling that can be done that is legal, as the gentleman said, from the Minerals Management Service's most recent report. So let us go drill there and protect our beaches. That is the best way to move forward and let the authorizers go forward and try to come up with a responsible end to this. But to precipitously move out tonight on this Peterson amendment would be a mistake, and I support strongly the Putnam-Capps amendment.

Mr. YOUNG of Florida. Mr. Chairman, reclaiming my time, I appreciate the gentleman's comments and I appreciate his support, and it is more than just beaches. It is fisheries, ecosystems that are critical to the food chain in the Gulf of Mexico. This is more than just beaches, and beaches are important. And I represent a lot of beaches and they are beautiful, and we welcome all of you to come.

Mr. DICKS. If the gentleman will yield, we do, Mr. Chairman.

Mr. YOUNG of Florida. Actually, yes, and we appreciate that very much.

But, anyway, let us pass the Putnam amendment. This is the right thing to do, and let us let the House work its will through the established process, through the committee process, a committee that has appropriate jurisdiction.

Mr. PETERSON of Pennsylvania. Mr. Chairman, I yield myself the balance of my time.

I want to thank everybody tonight. There has been a good tone of this debate. There has been no personalities. It has been friendly, but I think it has been very informational.

I want to share this letter with you. Mr. ABERCROMBIE was supposed to. "Supporters of the Putnam-Capps amendment are turning a blind eye to the problem, and they are jeopardizing millions of good-paying union jobs by prohibiting access to new sources of natural gas supply," says the Building and Construction Trades and Contractors. In fact, eight unions in the last few days have signed up in support of this legislation.

Folks, this is not about 3 miles offshore. This is not about hearings. Did we have hearings before this authorizing language was placed in this bill 25 times? I was here 5 years before I knew

I was voting to prohibit offshore production of natural gas. I would have been protesting a long time ago.

Folks, this is about our future. America's richest energy source is natural gas. It is the cleanest, it is the mother's milk of all of our industries. American women in the North should not have to keep their thermostats at 55 degrees, and they have in my district. Churches in rural areas should not have to meet in the basement in January and February because they cannot afford the gas bill, and they have in my district.

Folks, natural gas prices are changing how people live in this country, and they are changing to where companies decide on whether they want to live here. When we lose the industries we have talked about, folks, it is happening. We cannot delay.

They talk about the years it is going to take to get the supply. That is why we need to do it tomorrow. We need to do authorizing language. We need to have the President look at this issue with a bright eye. We have a lot of work to do, folks. But energy is the mother's milk of our country. We will never balance the budget without a growing economy, and our economy will stop growing if we do not have affordable, clean natural gas to fuel it.

Ms. ESHOO. Mr. Chairman, I rise in support of this bipartisan amendment to retain the moratoria on drilling in protected offshore areas of the United States.

If we don't approve this amendment, we will undo a 25-year legacy of protecting the coast of my State of California and other States from the damage that can be done by drilling.

Three Presidents . . . George Bush, Bill Clinton, and George W. Bush, have supported the drilling moratoria in sensitive coastal areas of the United States.

The Governor of the State of California has written to Members of the California delegation to express his support of the moratorium and he opposes the language in this bill. He wrote:

"[T]he bill's provisions would allow drilling to begin just three miles from our coast. Rather than watching the sun set on the western horizon each day, millions of Californians and visitors will now see grotesque oil platforms in plain sight. I urge the Delegation to oppose these provisions and work to defeat them during the House debate. California's beautiful coastline is an integral part of our culture, our heritage, and our economy. Putting it at risk would be an absolute travesty."

The argument we're hearing is that we need to develop domestic natural gas supplies to bring down prices and avoid dependence on foreign sources of energy.

This argument is a masquerade.

It's well known that there cannot be selective drilling for natural gas. Drilling is drilling, and where gas is found, oil is also found. Last fall, the Director of the Mineral Management Service, Johnnie Burton, said so. He said:

Natural gas seldom comes totally by itself. It has some liquids with it. Sometimes it is oil, sometimes it is very refined oil . . .

So lifting the moratorium on gas drilling will also effectively lift the ban on oil drilling.

Mr. Chairman, if we're concerned about prices and security, we need to begin requir-

ing the use of renewable fuels and improving the fuel economy of our automobiles. We shouldn't tear our oceans apart and ruin our coastlines.

Mr. LARSON of Connecticut. Mr. Chairman, I regret that I could not be present today because of a family medical emergency and I would like to submit this statement for the RECORD in support of the Capps amendment to H.R. 5386, the FY2007 Interior-Environment Appropriations Bill.

The bill before the House today includes a provision lifting a long-standing Congressional ban on natural gas drilling and production in most of the Outer Continental Shelf (OCS). More important than what it does, however, is what it fails to do. For instance, rather than giving States a "buffer zone" which allows them to block the construction of natural gas platforms within 20 miles of their shores, the provision in this bill opens the OCS to drilling as close as three miles. Since this provision is being tacked onto an appropriations bill, it does not include the critic authorizing language that will provide the Department of the Interior with guidance on how and where to provide for drilling and production, or even grant them the authority to issue leases. In addition, it lifts only the Congressional prohibition on OCS natural gas drilling and leaves intact the Executive ban in effect until 2012, making this provision meaningless without more extensive authorizing legislation.

Many of our colleagues have deep concerns about the impact that opening our OCS to natural gas drilling and production will have on their States. This is therefore not an issue we should rush into with only cursory debate in an appropriations bill. Rather, it is one that should be carefully considered, with input reflecting all sides of this issue, through hearings held by the House Resources Committee. I urge my colleagues to support the Capps amendment.

Mr. BILIRAKIS. Mr. Chairman, I rise in support of the Putnam-Capps amendment to restore the congressional spending moratorium against natural gas leases off the coastline of the national Outer Continental Shelf (OCS).

The repeal of the congressional spending moratorium that was adopted by the Appropriations Committee limits States' ability to safeguard their natural resources and would set current OCS policy badly adrift. The prohibition of OCS drilling has been a national priority for over 20 years. Congress led the way by passing the first moratorium on OCS leasing in 1982, which was soon extended to waters throughout much of our nation's coastal areas.

Opposition to OCS drilling is particularly strong in Florida due to the potentially devastating consequences it could have for our economy, natural resources, and quality of life. Our pristine beaches and waterways represent our best and most distinctive qualities and attract millions of visitors from across the country and world every year. Repealing the moratorium severely jeopardizes Florida's \$57 billion tourist economy.

Our natural habitats, particularly our marine life, represent some of the richest and most diverse ecosystems in the world. The quality of life enjoyed by Floridians is due in large part to these natural endowments, which has made my state one of the most desirable places in the country to work and live.

I am also concerned about the impact the repeal of the moratorium could have on our

military readiness. The language incorporated into H.R. 5386 poses a serious threat to the critical missions of our Air Force and Navy which are conducted in the Gulf of Mexico. Since the closing of the ranges in Vieques, Puerto Rico, the Gulf of Mexico is home to a number of training missions for our military, specifically those conducted by the U.S. Navy. The Navy uses the Eastern Gulf of Mexico to conduct pre-deployment certifications. Additionally, submerged U.S. Navy submarines launch Tomahawk cruise missiles from the Eastern Gulf of Mexico. If natural gas companies were allowed to begin to explore the area, serious encroachments on these pre-deployment training exercises would be created.

The Air Force also uses the Gulf of Mexico water ranges to do live fire tests and evaluations of many of its new weapons systems. For example, the F-35 Joint Strike Fighter Initial Training is being located at Eglin Air Force Base. The projected Air-to-Surface live fire weapons training requirements of the F-35 will, according to the Air Armament Center, "significantly increase the amount of airspace needed over the Eastern Gulf."

In a letter to the Chairman of the Senate Armed Services Committee, Defense Secretary Rumsfeld wrote that "Prior analysis and existing agreements recognize that areas east of the 86° 41' line in the Gulf of Mexico commonly known as the 'military mission line' are especially critical to DoD due to the number and diversity of military testing and training activities conducted there now, and those planned for the future. In those areas east of the military mission line drilling structures and associated development would be incompatible with military activities, such as missile flights, low-flying drone aircraft, weapons testing, and training."

The current language in H.R. 5386 could open the entire eastern Gulf of Mexico, including areas east of the military mission line, to natural gas exploration and activities. This is in direct conflict with the statement from Secretary of Defense Rumsfeld and a direct threat to the readiness of the United States military.

I urge my colleagues to support the Putnam-Capps amendment.

Mr. STEARNS. Mr. Chairman, I rise today in strong support of the Putnam-Capps amendment to H.R. 5386. This amendment, which has broad bi-partisan support, would remove the provisions in the underlying bill that lifts three long-standing moratoriums on offshore natural gas leasing.

This provision will not provide the relief its supporters claim it will. It will merely hinder our efforts to get a real and permanent solution to this problem.

The repeal of the congressional moratorium will limit States' ability to safeguard their natural resources and would set current OCS policy badly adrift. The prohibition of OCS drilling has been a national priority for over 20 years. Congress led the way by passing the first moratorium on OCS leasing in 1982, which was soon extended to waters throughout much of our nation's coastal areas. Dismantling this 25-year congressional moratorium in an appropriations bill is an unwise approach to our nation's energy needs.

Comprehensive legislative is needed to deal with the many complex oil and gas issues on the OCS. For the past few months, I have been working with some of my Florida colleagues on a comprehensive solution to this

issue, not a patchwork of legislative initiatives. We have worked with Chairman POMBO on legislation that would give the states the final authority to decide whether or not to allow drilling or leasing off its shores.

It is imperative to empower all coastal states to determine their own future, putting decisions regarding offshore development in the hands of our state elected officials instead of the federal government. The bill would have put a 125-mile buffer permanently under state control for purposes of oil and gas leasing.

Ms. LEE. Mr. Chairman, I rise in strong opposition to the interior appropriations bill and in support of the Putnam/Capps amendment.

For 25 years we have maintained a bipartisan agreement to ban any new drilling off our shores because we believed it was more important to safeguard the health and beauty of our coastal environment for future generations to enjoy.

But now the interior appropriations bill threatens to upset this agreement and open our coastal areas to drilling despite overwhelming opposition from the American people.

We should not be trading away our pristine coastal habitats to fatten the coffers of the administration's cronies in the oil and gas industry.

The fact of the matter is that new offshore drilling will do nothing in the short term to reduce the high gas prices that consumers are facing at the pump, and will do nothing in the long term to wean us away from our addiction to oil.

The best way to fight high gas prices now is to hold oil companies accountable for gouging consumers by instituting a windfall profits tax.

At the same time, we need to make immediate investments to expand energy efficiency by raising vehicle fuel economy standards, increasing the use of renewable fuels, and by adopting a foreign policy that does not hold our constituents hostage to the latest political crisis in the Middle East.

Today our constituents are paying the price for this administration's deliberate decision to prioritize the profit margins of the oil and gas industry over a comprehensive and sustainable long term energy policy.

Vote against another giveaway to the energy industry. Support the Putnam/Capps amendment and save our coastal environments.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Florida (Mr. PUTNAM).

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

Mr. PETERSON of Pennsylvania. 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 Florida will be postponed.

AMENDMENT OFFERED BY MS. JACKSON-LEE OF TEXAS

Ms. JACKSON-LEE of Texas. 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 Ms. JACKSON-LEE of Texas:

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

**TITLE V—ADDITIONAL GENERAL PROVISIONS**

SEC. 501. None of the funds made available in this Act may be used to eliminate or restrict programs that are for the reforestation of urban areas.

The CHAIRMAN. Pursuant to the previous order of the House of today, the gentlewoman from Texas (Ms. JACKSON-LEE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Texas.

□ 2100

Ms. JACKSON-LEE of Texas. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I thank the chairman and ranking member of the subcommittee for their kindness and understanding of the importance of this amendment and allowing me to present this amendment.

Mr. TAYLOR of North Carolina. Mr. Chairman, will the gentlewoman yield?

Ms. JACKSON-LEE of Texas. I would be delighted to yield to the gentleman from North Carolina. I would like to be able to explain the amendment.

Mr. TAYLOR of North Carolina. Mr. Chairman, we would be happy to accept it, if the gentlewoman would explain it briefly.

Ms. JACKSON-LEE of Texas. Mr. Chairman, reclaiming my time, I thank the chairman. You are very kind.

Mr. Chairman, I live in an area that is urban, but yet rural, and I ask in this amendment that no funds be used to eliminate or restrict programs that are for reforestation of urban areas.

If I might, Mr. Chairman, just indicate to you, the surveys indicate that some urban forests are in serious danger. In the past 30 years alone, we have lost 30 percent of all of our urban trees, a loss of over 600 million trees. Eighty percent of the American population live in dense quarters of a city.

This amendment simply emphasizes the importance of urban reforestation, and allows me to salute the City of Houston Parks Department, the Pleasantville community that invested in the reforestation of their neighborhood, and it also provides the umbrella of trees that cleans the air, clears the air of toxic entities, and provides the quality of life that all of us would like.

So I appreciate the opportunity to present this amendment to reemphasize the importance in the Interior Department to as well affirm the value of reforestation.

I ask my colleagues to support the amendment.

Mr. Chairman, I rise today to offer an amendment that emphasizes the importance of urban forests, and preserves our ability to return urban areas to healthy and safe living environments for our children.

Surveys indicate that some urban forests are in serious danger. In the past 3 years alone, we have lost 30 percent of all our urban trees—a loss of over 600 million trees.

Eight percent of the American population lives in the dense quarters of a city. Reforestation programs return a tool of nature to a concrete area that can help to remove air pollution, filter out chemicals and agricultural waste in water, and save communities millions of dollars in storm water management costs. I have certainly seen neighborhoods in Houston benefit from urban reforestation.

In addition, havens of green in the middle of a city can have beneficial effects on a community's health, both physical and psychological, as well as increase property value of surrounding real estate.

Reforestation of cities is an innovative way of combating urban sprawl and/or deterioration. Commitment to enhancing our environment involves both the protection of existing natural resources and active support for restoration and improvement projects.

In 1999, American Forests, a conservation group, estimated that the tree cover lost in the greater Washington metropolitan area from 1973 to 1997 resulted in an additional 540 million cubic feet of storm water runoff annually, which would have taken more than \$1 billion in storm water control facilities to manage.

Trees breathe in carbon dioxide, and produce oxygen. People breathe in oxygen and exhale carbon dioxide. A typical person consumes about 38 lbs of oxygen per year. A healthy tree, say a 32 ft tall ash tree, can produce about 260 lb of oxygen annually. Two trees supply the oxygen needs of a person for a year!

Trees help reduce pollution by capturing particulates like dust and pollen with their leaves. A mature tree absorbs from 120 to 240 lbs of the small particles and gases of air pollution. They help combat the effects of "greenhouse" gases, the increased carbon dioxide produced from burning fossil fuels that is causing our atmosphere to "heat up".

Trees help cool down the overall city environment by shading asphalt, concrete and metal surfaces. Buildings and paving in city centers create a heat-island effect. A mature tree canopy reduces air temperatures by about 5–10 degrees Fahrenheit. A 25-foot tree reduces annual heating and cooling cost of a typical residence by 8 to 12 percent, producing an average \$10 savings per American household. Proper tree plantings around buildings can slow winter winds and reduce annual energy use for home heating by 4–22 percent.

Trees play a vital role in making our cities more sustainable and liveable, and this amendment simply provides for continued support to programs that reforest our urban areas. I urge my colleagues to join me in supporting these efforts.

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

The CHAIRMAN. Does anyone claim the time in opposition?

If not, the question is on the amendment offered by the gentlewoman from Texas (Ms. JACKSON-LEE).

The amendment was agreed to.

AMENDMENT OFFERED BY MS. JACKSON-LEE OF TEXAS

Ms. JACKSON-LEE of Texas. 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 Ms. JACKSON-LEE of Texas:



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

**TITLE V—ADDITIONAL GENERAL PROVISIONS**

SEC. 501: None of the funds made available in this Act may be used to limit outreach programs administered by the Smithsonian Institution.

The CHAIRMAN. Pursuant to the order of the House of today, the gentlewoman from Texas (Ms. JACKSON-LEE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Texas.

Ms. JACKSON-LEE of Texas. Mr. Chairman, I yield myself such time as I may consume.

Mr. TAYLOR of North Carolina. Mr. Chairman, will the gentlewoman yield?

Ms. JACKSON-LEE of Texas. I yield to the gentleman from North Carolina.

Mr. TAYLOR of North Carolina. Mr. Chairman, we will be happy to accept this amendment also.

Ms. JACKSON-LEE of Texas. Mr. Chairman, reclaiming my time, I thank the gentleman very much.

Mr. Chairman, I want to thank the ranking member of the subcommittee, the ranking member of the full committee, and the chairman of the full committee.

Very briefly, Mr. Chairman, this re-emphasizes the importance of the Smithsonian, but what it says is that no funds shall be used to eliminate the outreach programs of the Smithsonian.

The reason why I offer this is simply a quote from James Baldwin that says "the great force of history comes from the fact that we carry it within us, and that history is literally present in all that we do."

The outreach programs for the Smithsonian will help cities beyond the Beltway to establish culturally grounded museums that present the history of America. The City of Houston is attempting to do an African American History Museum, and it will be the importance of the Smithsonian outreach program that provides the thousands of communities that serve millions of Americans and hundreds of institutions in all 50 States through loan objects, traveling exhibitions and sharing of educational resources via publications, lectures and presentations, training programs and Web sites.

I know that we are going to be able to establish that museum in the City of Houston. It will be through reaffirming the value of the outreach programs of the Smithsonian, and we ask that no funds be utilized to stop that outreach program.

Mr. Chairman, I ask my colleagues to support the amendment.

Mr. Chairman, I rise today to offer my amendment that encourages support of the Smithsonian Institution's outreach programs.

It is of the utmost importance that none of the funds made available in this Act be used to limit outreach programs administered by the Smithsonian Institution.

The Smithsonian's outreach programs bring Smithsonian scholars in art, history and

science out of "the nation's attic" and into their own backyard. Each year, millions of Americans visit the Smithsonian in Washington, D.C. But in order to fulfill the Smithsonian's mission, "the increase and diffusion of knowledge", the Smithsonian seeks to serve an even greater audience by bringing the Smithsonian to enclaves of communities who otherwise would be deprived of the vast amount of cultural history offered by the Smithsonian.

The Smithsonian's outreach programs serve millions of Americans, thousands of communities, and hundreds of institutions in all 50 states, through loans of objects, traveling exhibitions, and sharing of educational resources via publications, lectures and presentations, training programs, and websites. Smithsonian outreach programs work in close cooperation with Smithsonian museums and research centers, as well as with 144 affiliate institutions and others across the nation.

The Smithsonian's outreach activities support community-based cultural and educational organizations around the country; ensure a vital, recurring, and high-impact Smithsonian presence in all 50 states through the provision of traveling exhibitions and a network of affiliations; increase connections between the Institution and targeted audiences (African American, Asian American, Latino, Native American, and new American); provide kindergarten through college-age museum education and outreach opportunities; enhance K-12 science education programs; facilitate the Smithsonian's scholarly interactions with students and scholars at universities, museums, and other research institutions; and publish and disseminate results related to the research and collections strengths of the Institution.

One example of a large and successful outreach program is the Smithsonian Institution Traveling Exhibition Service (SITES).

SITES will be the public exhibitions' face of the Smithsonian's National Museum of African American History and Culture, as the planning for that new Museum gets under way. Providing national access to projects that will introduce the American public to the Museum's mission, SITES in FY 2007 will tour such stirring exhibitions as "381 Days: The Montgomery Bus Boycott Story".

The mission of Smithsonian Affiliations is to build a strong national network of museums and educational organizations in order to establish active and engaging relationships with communities throughout the country. There are currently 138 affiliates located in the United States, Puerto Rico, and Panama. By working with museums of diverse subject areas and scholarly disciplines, both emerging and well-established, Smithsonian Affiliations is building partnerships through which audiences and visitors everywhere will be able to share in the great wealth of the Smithsonian while building capacity and expertise in local communities.

The Smithsonian also offers access to its resources to underserved audiences in urban locales and to individuals with disabilities.

I urge my colleagues to support this amendment, and support the Smithsonian's high quality education and its ability to share our wealth of knowledge to every American.

Recently I was asked if museums that explore the African American experience are still valuable as they once were in this di-

verse and more integrated America. While I responded quickly, I realized later that the question deserved more thought.

The notion that African American history has limited meaning should be a concern for all Americans. We would be better served if we remember the words that James Baldwin wrote in his powerful novel, *The Fire Next Time*: ". . . history does not refer merely or even principally to the past. On the contrary, the great force of history comes from the fact that we carry it within us, are unconsciously controlled by it in many ways, and that history is literally present in all that we do."

Let me cite four reasons why the interpretation and preservation of African American history and culture are so important and relevant for an America still struggling with the legacy and impact of race.

(1) The Danger of Forgetting: You can tell a great deal about a country or a people by what they deem important enough to remember, what they build monuments to celebrate; and what graces the walls of their museums. Throughout Scandinavia there are monuments and museums that cherish the Vikings as a proud symbol of Nordic curiosity, exploration, and freedom. In Scotland, much is made of the heroic struggles of William Wallace (whom we know as Mel Gibson) to throw off the yoke of British domination. Until recently, South Africa was dominated by monuments and memories of the Vortrekker, while the United States traditionally revels in Civil War battles or founding fathers, with an occasional president thrown into the mix.

Yet I would argue that we learn even more about a country by what it chooses to forget. This desire to omit—to forget disappointments, moments of evil, and great missteps—is both natural and instructive. It is often the essence of African American culture that is forgotten or downplayed. And yet, it is also the African American experience that is a clarion call to remember.

A good example of this nexus of race and memory is one of the last great unmentionables of public discourse about American history—the story of slavery. For nearly 250 years, slavery not only existed but it was one of the most dominate forces in American life. Political clout and economic fortune depended upon the labor of slaves. Almost every aspect of American life—from business to religion, from culture to commerce, from foreign policy to western expansion was informed and shaped by the experience of slavery. American slavery was so dominant globally that 90 percent of the world's cotton was produced in the American South. By 1860 the monetary value of slaves outweighed all the money invested in this country's railroads, banking, and industry combined. And the most devastating war in American history was fought over the issue of slavery.

And yet few institutions address this history for a non-scholarly audience. And there are even fewer opportunities to discuss— candidly and openly—the impact, legacy, and contemporary meaning of slavery.

I remember a small survey from the early 1990s that assessed the public's knowledge about slavery. The results were fascinating: 81 percent of white respondents felt that slavery was a history that had little to do with them; 73 percent felt that slavery was an important story but that its real relevance was only to African Americans. Even more troubling was the fact that the majority of African Americans surveyed expressed either little interest or some level of embarrassment about slavery.

There is a great need to help Americans understand that the history of slavery matters because so much of our complex and troubling struggle to find racial equality has

been shaped by slavery. And until we use the past to better understand the contemporary resonance of slavery, we will never get to the heart of one of the central dilemmas in American life—race relations. But it is also important for those who preserve and interpret African American life to help combat the notion of embarrassment. I am not ashamed of my slave ancestors, I am in awe of their ability—in spite of the cruelties of slavery—to maintain their culture, their sense of family, their humor and their humanity. I wish more people knew the words of William Prescott, a former slave who when asked about slavery by a WPA interviewer in the 1930s said, “They will remember that we were sold but not that we were strong; they will remember that we were bought but not that we were brave.”

(2) The power of inspiration: There is a great need and opportunity to draw inspiration, sustenance, and guidance for African American culture. And from this inspiration, people can find tools and paths to help them live their lives. The importance of inspiration was brought home to me on a trip a few years ago.

In 1997, I was lecturing in South Africa. One day I found myself in the small city of Pietermaritzburg, which is located in Durban in Kwa Zulu Natal. This city has a significant Indian population and it was the site of Mahatma Gandhi's first brush with the racism of South Africa in 1903. While I was there, Nelson Mandela came to this city that was the ancestral homeland of his political and tribal rivals, the Zulus. He was to receive “the freedom of the city.” I was privileged to sit on the podium as Mandela gave his speech. As is his custom, he spoke in several languages—from Xhosa to Zulu to Ndebele—about his struggles against apartheid. And then in English he spoke about his 27 years in the prison on Robben Island. He said one of the things that gave him strength and substance was the history of the struggle for racial equality in America. He spoke passionately and eloquently of how American abolitionists such as Sojourner Truth, Harriet Tubman, William Lloyd Garrison and Frederick Douglass inspired him and helped him to believe that freedom and racial transformation were possible in South Africa.

Mandel's words helped me to remember the power of African American culture. We hold such important moments within our collective institutions. Who could not be inspired by the oratory, the commitment to racial justice, or the ultimate sacrifice of Dr. King? Who is not moved by the beauty of the work of Betty Saab, the richness of the words of Langston Hughes or the quiet bravery of Rosa Parks and John Lewis? Or who is not moved by the family who came north during the Great Migration or the person who struggled and risked death to keep his name on the voter registration list during the 1960s? It is crucial to remember that we are all made better by embracing the inspirational stories and lessons of African American culture.

(3) The power of illumination: Far too often, many view the experiences of the African American community as an interesting and occasionally exotic ancillary story that has limited impact on most Americans. Yet the story of how race, how African American culture has shaped and continues to re-shape American life, is less understood than it should be. It is important that we help all to grapple with the centrality of race in the construction of American identity.

As American continues its internal debates about who we are as a nation and what our core values are, where better to look than through the lens of African American history and culture. If one wants to understand the notion of American resilience, optimism,

or spirituality, where better than the black experience. If one wants to explore the limits of the American dream, where better than by examining the Gordian knot of race relations. If one wants to understand the impact and tensions that accompany the changing demographics of our cities, where better than the literature and music of the African American community. African American culture has the power and the complexity needed to illuminate all the dark corners of American life, and the power to illuminate all the possibility and ambiguities of American life. One of the challenges before us, whether we write, preserve, exhibit history or consume culture, is to do a better job of centralizing race.

(4) THE MIRROR: A final reason why African American history and culture are still so vital, so relevant, and so important is because the black past is a wonderful but unforgiving mirror that reminds us of America's ideals and promises. It is a mirror that makes those who are often invisible, more visible, and it gives voice to many who are often overlooked. It is a mirror that challenges us to be better and to work to make our community and country better. But it is also a mirror that allows us to see our commonalities. It is a mirror that allows us to celebrate and to revel but also demands that we all struggle, that we all continue to “fight the good fight.”

The struggle to create a national monument to black life goes back to the late 19th and early 20th centuries. This desire for recognition, acceptance, and cultural acknowledgment was thwarted until the recent legislative success engineered by Congressman John Lewis and Senator Sam Brownback. Legislation was passed by Congress in 2003 and signed by the President. Now at last the National Museum of African American History and Culture exists. It is not yet what it will be one day—a site has yet to be chosen from the four now under consideration—but that begs the question, What is NMAAHC?

It is a museum that will celebrate and honor African American history and culture by reveling in and revealing the richness, the lessons, the ambiguities, the challenges and the beauty of African American culture. And through that exploration, the many publics will find meaning, relevance, and understanding.

When I imagine the museum I see interactive exhibitions on the history and legacy of slavery, on the Cultural Renaissance of the 1920s, on the Civil Rights movement. But I also see the opportunity to explore cultural expressions like dance, performance, and of course, art. But while the museum must explore the large stories, it must also provide glimpses into more intimate moments of the African American story.

The museum must also use this culture as a lens for all to better understand what it means to be an American, so that all who visit, interact with its online activities, and experience its national programming will see how America was and will always be shaped by this culture.

The museum must be a place of collaboration and education—especially with the African American museum field. I see this museum as a collaborator, not a competitor. And I see that collaboration beginning immediately. I believe that this museum must begin strategic program and collaborations right away. I want to work with many of our African American museums to develop lectures and performances that we can co-sponsor in their communities. I would also like to work together to craft a national campaign to “save our treasures” so that sister institutions can continue to collect the patrimony that is quickly vanishing. And I would like to find ways that this national

museum in Washington can also highlight the work and increase the visibility of museums in communities across the country. It may be as simple as suggesting that as visitors explore an exhibition on migration here at the Smithsonian, they are encouraged to visit the DuSable museum in Chicago, or the African American museum in Los Angeles to get a deeper look at this history, or letting visitors know about related exhibits at museums of every kind—art, history, science, living collections, children's museums—in communities everywhere.

There are many possibilities to explore from collaborating to help train future generations of African American museum professionals to working through and with the Institute of Museum and Library Services to help ensure the sustainability of the African American institutions.

If we do the job right, the National Museum of African American History and Culture will be a place of meaning, of reflection, of laughter, of learning, and of hope. A beacon that reminds us of what we were, what challenges still remain, and points us toward what we can become.

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

The CHAIRMAN. Does anyone claim opposition to the gentlewoman's amendment?

If not, the question is on the amendment offered by the gentlewoman from Texas (Ms. JACKSON-LEE).

The amendment was agreed to.

AMENDMENT NO. 1 OFFERED BY MR. HEFLEY

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

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 1 offered by Mr. HEFLEY:

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

#### TITLE VI—ADDITIONAL GENERAL PROVISIONS

SEC. 601. Each amount appropriated or otherwise made available by this Act that is not required to be appropriated or otherwise made available by a provision of law is reduced by 1 percent.

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

The Chair recognizes the gentleman from Colorado.

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

Mr. Chairman, I will try to be very brief because, first of all, it is wonderful to be here with my amendment at a time when the chairman is in the mood to accept amendments. I am sure he will probably accept this one as well.

This is one that I have offered for the last 3 years, and it is identical to them. It is an amendment which trims outlays for H.R. 5386 by 1 percent under the Holman rule, which means that if the amendment passes, it will be up to the administration to determine where the cuts will fall.

I think Mr. TAYLOR, as always, has done a solid and conscientious job on this bill. That said, I don't think that the funding levels in this bill are reflective of a country with a deficit in

excess of \$350 billion. This amendment would trim a penny on a dollar across the agencies funded by this bill.

Last night there was a lot of pontificating about how we need to balance the budget and we need to get our spending under control. Well, this is a way to prove that you are really serious about that, not that this is going to balance the budget, of course. It is not. But it would at least symbolically say we care about this issue.

So, Mr. Chairman, I would move the amendment, and ask for support of the committee.

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

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

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

Mr. Chairman, I love the gentleman from Colorado like a brother, but I am going to have to oppose his amendment. First of all, the bill has already been reduced \$145 million below the \$206 million level. The nine largest agencies in this bill have absorbed more than \$2 billion in pay and other fixed costs over the past few years, and this bill assumes that several hundred millions of dollars more in costs will have to be absorbed.

The committee has done a responsible job, and one might say we gave at the office. We have already cut this bill about as much as we can. I have to oppose the gentleman's amendment.

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

Mr. HEFLEY. I would encourage its passage, and yield back the balance of my time.

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

The CHAIRMAN. The question is on the amendment offered by the gentleman from Colorado (Mr. HEFLEY).

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

Mr. HEFLEY. 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 Colorado will be postponed.

#### AMENDMENT OFFERED BY MR. OBEY

Mr. OBEY. 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. OBEY:

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

#### TITLE VI—ENHANCED APPROPRIATIONS FOR CONSERVATION, RECREATION, THE ENVIRONMENT, AND NATIVE AMERICANS

SEC. 601. In addition to the amounts otherwise made available by this Act, the following sums, to remain available until expended, are appropriated:

(1) \$300,000,000 for clean air and water programs administered by the Environmental Protection Agency as follows:

(A) \$250,000,000 for the Clean Water State Revolving Fund, as authorized by title VI of the Federal Water Pollution Control Act.

(B) \$50,000,000 for clean diesel and homeland security programs, as requested in the President's budget.

(2) \$300,000,000 for protection of Federal lands administered by the Department of the Interior and the United States Forest Service as follows:

(A) \$100,000,000 to address maintenance backlogs within the national parks, refuges, forests, and other lands of the United States.

(B) \$150,000,000 for acquisition and preservation of priority lands within the national parks, refuges, and forests when such lands are threatened by development activities that could restrict access to such lands in the future by the American people.

(C) \$50,000,000 to address staffing shortages for visitor services at national parks and national wildlife refuges.

(3) \$30,000,000 for grants to States administered by the National Park Service for support of conservation and recreation programs within the States.

(4) \$20,000,000 for the State and Tribal Wildlife Grants program administered by the United States Fish and Wildlife Service.

(5) \$50,000,000 for "Payments in Lieu of Taxes" as administered by the Secretary of the Interior and as authorized by sections 6901 through 6907 of title 31, United States Code.

(6) \$50,000,000 for "Indian Health Services" for support of expanded clinical health services to Native Americans.

(7) \$50,000,000 for "Bureau of Indian Affairs—Operation of Indian Programs" for support of educational services to Native Americans.

SEC. 602. In the case of taxpayers with income in excess of \$1,000,000, for calendar year 2007 the amount of tax reduction resulting from the enactment of Public Laws 107-16, 108-27, and 108-311 shall be reduced by 1.94 percent.

Mr. TAYLOR of North Carolina. Mr. Chairman, I reserve a point of order on the amendment.

The CHAIRMAN. The gentleman reserves a point of order.

Pursuant to the previous order of the House today, the gentleman from Wisconsin (Mr. OBEY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Wisconsin.

Mr. OBEY. Mr. Chairman, I won't take much time. The Republican bill before us is based on the assumption that the Senate has passed the House Republican budget resolution. It hasn't. This amendment is based on a more responsible assumption.

It is in conformance with the Spratt budget amendment. It adds roughly \$800 million for restoring the Clean Water State Revolving Fund. We add \$50 million to the EPA budget to protect local water supplies from terrorist attacks. We add \$300 million for our national parks, refuges, and forests. We provide \$150 million to provide some key land acquisitions at Valley Forge, Acadia, Grand Teton, Mount Rainier and a number of other purposes.

We pay for it with a modest 2 percent reduction in the tax cuts expected for millionaires. It would reduce the size of their tax cuts by about \$2,200.

I would hope that no one lodges a point of order on this amendment so we could have a more constructive approach to these programs.

#### POINT OF ORDER

The CHAIRMAN. Does the gentleman from North Carolina insist on his point of order?

Mr. TAYLOR of North Carolina. Mr. Chairman, I do insist on my point of order.

The CHAIRMAN. The gentleman will state his point of order.

Mr. TAYLOR of North Carolina. Mr. Chairman, I raise a point of order against the amendment because it proposes to change existing law and constitutes legislation in an appropriations bill. Therefore, it violates clause 2 of rule XXI.

The CHAIRMAN. Does any Member wish to be heard on the point of order?

Mr. OBEY. Mr. Chairman, I reluctantly must concede the point of order. I would have preferred that the gentleman had not made the point of order, but given the fact he has done it, the rule under which this bill is being debated precludes the inclusion of this amendment. I very much regret that.

The CHAIRMAN. The point of order is conceded and sustained. The amendment is not in order.

#### AMENDMENT OFFERED BY MR. DENT

Mr. DENT. 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. DENT:

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

#### TITLE VI—ADDITIONAL GENERAL PROVISIONS

SEC. 601. None of the funds made available in this Act may be used to implement, administer, or enforce section 20(b)(1) of the Indian Gaming Regulatory Act (25 U.S.C. 2719(b)(1)).

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

The Chair recognizes the gentleman from Pennsylvania.

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

Mr. Chairman, this amendment, which I do intend to withdraw, would prevent the Department of the Interior from using any appropriated funds to further the expansion of off-reservation gambling under the Indian Gaming Regulatory Act.

Casino gambling sponsored by Indian tribes is a multi-billion dollar business that today comprises some 23 percent of gambling revenue nationwide. Unfortunately, as these casino profits increase, so does the motive to use the Indian Gaming Regulatory Act as a vehicle not for promoting Indian culture, but only as a tool to spread casino gambling into places where tribes have no federally recognized historical presence.

Because profits in this industry are so high, many of these casinos are being established long distances, in some cases hundreds of miles, from existing reservations.

The residents of my district in Pennsylvania, where there are no federally recognized tribes, have felt the sting caused by the unbridled expansion of tribal gambling. Recently, the Delaware Nation, which is headquartered in Bartlesville, Oklahoma, filed suit in U.S. District Court in Pennsylvania seeking title to land in my district based on a conveyance that allegedly occurred in 1737.

This land is currently occupied by approximately 25 homeowners as well as commercial entities such as the Binney and Smith Corporation, makers of the world-famous Crayola crayons. These innocent homeowners and businesses have had to go to court to defend their title against this encroachment, and only after a couple years of litigation and attorneys' fees has the third circuit found in their favor.

This suit, which has nothing whatsoever to do with the preservation of Indian culture and everything to do with establishing a casino, represents just how out of control the pursuit of off-reservation gambling rights has become.

Mr. Chairman, I would like to take a moment to engage in a colloquy with my friend and colleague from California (Mr. POMBO).

Mr. POMBO, my specific question to you, I know you plan to advance legislation out of your committee that will deal with the issue of reservation shopping.

Mr. POMBO. Mr. Chairman, if the gentleman would yield, I appreciate your agreeing to offer this amendment and withdraw it. This is a major issue and you have talked to me several times in the past about this issue and the impact that it has on your district.

I fully understand that. It is something that we in the committee have taken very seriously. As we move forward with this issue in the committee, it is something that is extremely important to us and to a number of other Members of Congress; and I can guarantee you that as we move forward that the issues that you raise will be taken under consideration.

In terms of crossing State lines and having the ability to locate off current reservation land, we will deal with that.

Also we have the issue dealing with tribes who do not currently have land in trust. That is a major issue. It is an issue in California, and something we are dealing with in the underlying legislation. As the authorizing committee moves forward, this is something that we are going to address.

I appreciate you bringing this to the attention of Congress. I do know that it is a major issue in your district, and we will deal with it.

Mr. DENT. Mr. Chairman, reclaiming my time, I yield 1 minute to my friend from Oregon (Mr. WU).

Mr. WU. Mr. Chairman, I thank Mr. DENT, and I rise in support of his amendment because of a proposed Indian gambling casino for the Columbia River Gorge National Scenic Area. The Columbia River Gorge National Scenic Area is the crown jewel of Oregon's natural heritage. The Columbia River cuts the only sea level passage through the Cascade Mountains. It is, to many, another Yosemite, with many waterfalls and the second tallest waterfall in North America.

There is a proposed 700,000 square foot casino for this national scenic area. It would draw 3 million people per year and 1 million extra cars with the attendant pollution and urbanization.

I support Mr. DENT's amendment and would ask the committee chairman to address the issues, because the amendment as originally structured would put a pause and encourage the Department to consider on reservation sites this for the tribe with the largest reservation in the State of Oregon.

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

The CHAIRMAN. Without objection, the amendment is withdrawn.

There was no objection.

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 by Mr. OBERSTAR of Minnesota.

Amendment by Mr. PUTNAM of Florida.

Amendment by Mr. HEFLEY of Colorado.

The Chair will reduce to 5 minutes the time for any electronic vote after the first vote in this series.

AMENDMENT OFFERED BY MR. OBERSTAR

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from Minnesota (Mr. OBERSTAR) 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 vote was taken by electronic device, and there were—ayes 222, noes 198, not voting 12, as follows:

[Roll No. 169]

AYES—222

Abercrombie	Bean	Bradley (NH)
Ackerman	Becerra	Brady (PA)
Allen	Berkley	Brown (OH)
Andrews	Berman	Brown, Corrine
Baca	Biggart	Butterfield
Baird	Bishop (NY)	Capps
Baldwin	Blumenauer	Capuano
Barrow	Boehlert	Cardin
Bass	Boucher	Cardoza

Carnahan	Jackson-Lee	Platts
Carson	(TX)	Price (NC)
Case	Jefferson	Rahall
Castle	Johnson (CT)	Ramstad
Chandler	Johnson (IL)	Rangel
Clay	Johnson, E. B.	Reichert
Cleaver	Jones (NC)	Reyes
Clyburn	Jones (OH)	Rothman
Conyers	Kanjorski	Royal-Allard
Cooper	Kaptur	Ruppersberger
Costa	Kelly	Rush
Costello	Kildee	Ryan (OH)
Cramer	Kilpatrick (MI)	Ryan (WI)
Crowley	Kind	Sabo
Cummings	Kirk	Salazar
Davis (AL)	Kucinich	Sánchez, Linda
Davis (CA)	Langevin	T.
Davis (FL)	Lantos	Sanchez, Loretta
Davis (IL)	Larsen (WA)	Sanders
Davis (TN)	LaTourette	Saxton
Davis, Tom	Lee	Schakowsky
DeFazio	Levin	Schiff
DeGette	Lewis (GA)	Schwartz (PA)
DeLahunt	Lipinski	Schwarz (MI)
DeLauro	LoBiondo	Scott (GA)
Dicks	Lofgren, Zoe	Scott (VA)
Dingell	Lowey	Serrano
Doggett	Lynch	Shaw
Doyle	Maloney	Shays
Ehlers	Markey	Sherman
Emanuel	Marshall	Simmons
Engel	Matheson	Skelton
Eshoo	Matsui	Slaughter
Etheridge	McCarthy	Smith (NJ)
Farr	McCollum (MN)	Smith (WA)
Fattah	McDermott	Snyder
Ferguson	McGovern	Solis
Filner	McIntyre	Spratt
Fitzpatrick (PA)	McKinney	Stark
Foley	McNulty	Tanner
Forbes	Meehan	Tauscher
Ford	Meek (NY)	Taylor (MS)
Frank (MA)	Meeke (NY)	Thompson (CA)
Frelinghuysen	Michaud	Thompson (MS)
Gerlach	Millender	Tierney
Gilchrest	McDonald	Towns
Gonzalez	Miller (NC)	Udall (CO)
Gordon	Miller, George	Udall (NM)
Green (WI)	Mollohan	Upton
Green, Al	Moore (KS)	Van Hollen
Green, Gene	Moore (WI)	Velázquez
Grijalva	Moran (VA)	Visclosky
Gutierrez	Murtha	Walsh
Harman	Nadler	Wasserman
Hastings (FL)	Napolitano	Schultz
Higgins	Neal (MA)	Waters
Hinchee	Oberstar	Watson
Hinojosa	Obey	Watt
Holden	Olver	Waxman
Holt	Ortiz	Weiner
Honda	Owens	Wexler
Hooley	Pallone	Wilson (NM)
Hoyer	Pascarell	Woolsey
Inslie	Pastor	Wu
Israel	Payne	Wynn
Jackson (IL)	Pelosi	Young (FL)
	Petri	

NOES—198

Aderholt	Camp (MI)	Flake
Akin	Campbell (CA)	Fortenberry
Alexander	Cantor	Fossella
Bachus	Capito	Foxx
Baker	Carter	Franks (AZ)
Barrett (SC)	Chabot	Gallely
Bartlett (MD)	Chocola	Garrett (NJ)
Barton (TX)	Coble	Gibbons
Beauprez	Cole (OK)	Gillmor
Berry	Conaway	Gingrey
Billirakis	Crenshaw	Gohmert
Bishop (UT)	Cubin	Goode
Blunt	Cuellar	Goodlatte
Boehner	Culberson	Granger
Bonilla	Davis (KY)	Graves
Bonner	Davis, Jo Ann	Gutknecht
Bono	Deal (GA)	Hall
Boozman	DeLay	Harris
Boren	Dent	Hart
Boswell	Diaz-Balart, L.	Hastings (WA)
Boustany	Diaz-Balart, M.	Hayes
Boyd	Doolittle	Hayworth
Brady (TX)	Drake	Hefley
Brown (SC)	Dreier	Hensarling
Brown-Waite,	Duncan	Herger
Ginny	Edwards	Herseth
Burgess	Emerson	Hobson
Burton (IN)	English (PA)	Hoekstra
Buyer	Everett	Hostetler
Calvert	Feeney	Hulshof

Hunter Miller (FL) Ros-Lehtinen Calvert Higgins Olver King (IA) Ortiz Sherwood  
Hyde Miller (MI) Ross Campbell (CA) Hinchey Owens Kline Osborne Shimkus  
Inglis (SC) Miller, Gary Royce Cantor Kincaid Pfaller Knollenberg Otter Shuster  
Issa Moran (KS) Ryun (KS) Capps Honda Pascrell Kolbe Oxley Simpson  
Istook Murphy Schmidt Capuano Hooley Paul Kuhl (NY) Skelton  
Jenkins Myrick Sensenbrenner Cardin Hoyer Payne Latham Pearce Smith (TX)  
Jindal Neugebauer Sessions Costa Doornick Lewis (CA) Pence Sodrel  
Johnson, Sam Ney Shadegg Carnahan Israel Lewis (KY) Peterson (MN)  
Keller Northup Sherwood Carson Jackson (IL) Linder Peterson (PA)  
Kennedy (MN) Norwood Shimkus Johnson (CT) Price (NC) Linder Peterson (PA)  
King (IA) Nunes Shuster Castle Johnson (IL) Price (NC) Linder Peterson (PA)  
King (NY) Nussle Chandler Jones (NC) Putnam Lungren, Daniel  
Kingston Osborne Smith (TX) Clay Jones (OH) Ramstad E. Platts Tancredo  
Kline Otter Sodrel Cleaver Kaptur Rangel Reichert Marchant Poe Tanner  
Knollenberg Oxley Keller Kellner Ros-Lehtinen Marshall Porter Taylor (MS)  
Kolbe Paul Conyers Cooper Cramer Kilpatrick (MI) Rothman McCaul (TX) Pryce (GA) Taylor (NC)  
Kuhl (NY) Pearce Sullivan Cooper Costa Royce Kennedy (MN) Kelly McHenry Radanovich Thomas  
LaHood Pence Sweeney Tancredo Ryan (OH) Kildee McHenry Rahall Thornberry  
Latham Peterson (MN) Taylor (NC) Crenshaw Kind Kirk Kucinich McMorris Meeks (NY) Tiahrt  
Lewis (CA) Peterson (PA) Terry Cummings Davis (AL) Kucinich Mica Rogers (AL) Tiberi  
Lewis (KY) Pickering Pitts Davis (CA) LaHood Sanders Miller (MI) Miller, Gary Rohrabacher  
Linder Pitts Thomas Thornberry Davis (FL) Langevin Saxton Miller, Gary Rohrabacher  
Lucas Poe Thomas Thornberry Davis (IL) Lantos Schakowsky Mollohan Moran (KS) Rush  
Lungren, Daniel Pomeroy Turner Walden (OR) Wamp Ross Weldon (FL)  
E. Pomeroy Tiahrt Davis (TN) Larsen (WA) LaTourrette Lee Levin Scott (VA) Sabo  
Mack Porter Turner Westmoreland Delahunt Lipinski Serrano Shaw Ney Whitfield  
Manzullo Price (GA) Wicker DeLauro DeLauro LoBiondo LoBiondo LoBiondo LoBiondo  
Marchant Pryce (OH) Wilson (SC) Diaz-Balart, L. Lofgren, Zoe Sherman Simmons  
McCaul (TX) Putnam Wamp Davis, Jo Ann Dicks Lynch Slaughter Smith (NJ)  
McCotter Radanovich Weller Westmoreland Whitfield Whitfield Whitfield  
McCrery Regula Weller Westmoreland Whitfield Whitfield Whitfield  
McHenry Rehberg Westmoreland Whitfield Whitfield Whitfield  
McHugh Renzi Wilson (SC) Wolf Young (AK) Doggett Maloney Markey Snyder  
McKeon Rogers (AL) Wicker DeLauro DeLauro LoBiondo LoBiondo LoBiondo LoBiondo  
McMorris Rogers (KY) Wilson (SC) Wolf Young (AK) Doggett Maloney Markey Snyder  
Melancon Rogers (MI) Young (AK) Dingell Doggett Maloney Markey Snyder  
Mica Rohrabacher Young (AK) Dingell Doggett Maloney Markey Snyder

NOT VOTING—12

Bishop (GA) Kennedy (RI) Reynolds Blackburn Larson (CT) Strickland Cannon Leach Stupak Evans Musgrave Weldon (PA)

□ 2142

Messrs. TIBERI, BARRETT of South Carolina, SMITH of Texas, TERRY, Mrs. JO ANN DAVIS of Virginia and Ms. PRYCE of Ohio changed their vote from “aye” to “no.”

Mr. LATOURETTE and Mrs. JOHNSON of Connecticut changed their vote from “no” to “aye.”

So the amendment was agreed to.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. PUTNAM

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from Florida (Mr. PUTNAM) on which further proceedings were postponed and on which the ayes 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 217, noes 203, not voting 12, as follows:

[Roll No. 170]

AYES—217

Ackerman Becerra Bono Allen Berkley Boswell Andrews Berman Boyd Baca Biggart Bradley (NH) Baird Bilirakis Brown (OH) Baldwin Bishop (NY) Brown, Corrine Barrow Blumenauer Brown-Waite, Bartlett (MD) Boehlert Ginny Bass Bonner Butterfield

Abdercrombie Cole (OK) Graves Aderholt Conaway Green (WI) Akin Costello Green, Al Alexander Cubin Green, Gene Bachus Cuellar Gutknecht Hall Baker Culberson Hall Barrett (SC) Davis (KY) Hart Barton (TX) Deal (GA) Hastings (WA) Bean DeLay Hayes Beauprez Dent Hayworth Berry Doolittle Hefley Bishop (UT) Doyle Hensarling Blackburn Duncan Heger Blunt Edwards Hinojosa Boehner Emerson Hinojosa Bonilla English (PA) Hobson Boozman Everett Hoekstra Boren Flake Hostettler Boucher Forbes Hulshof Boustany Ford Hunter Hyde Brady (PA) Fortenberry Hyde Brady (TX) Poxx Inglis (SC) Brown (SC) Franks (AZ) Issa Burgess Gerlach Istook Burton (IN) Burgess Gillmor Jackson-Lee (TX) Gillmor Gingrey Jefferson Buyer Camp (MI) Jenkins Jenkinns Carter Gonzalez Jindal Chabot Goode Johnson, E. B. Choccola Goodlatte Johnson, Sam Coble Granger Goodlatte Kanjorski

NOES—203

Abdercrombie Cole (OK) Graves Aderholt Conaway Green (WI) Akin Costello Green, Al Alexander Cubin Green, Gene Bachus Cuellar Gutknecht Hall Baker Culberson Hall Barrett (SC) Davis (KY) Hart Barton (TX) Deal (GA) Hastings (WA) Bean DeLay Hayes Beauprez Dent Hayworth Berry Doolittle Hefley Bishop (UT) Doyle Hensarling Blackburn Duncan Heger Blunt Edwards Hinojosa Boehner Emerson Hinojosa Bonilla English (PA) Hobson Boozman Everett Hoekstra Boren Flake Hostettler Boucher Forbes Hulshof Boustany Ford Hunter Hyde Brady (PA) Fortenberry Hyde Brady (TX) Poxx Inglis (SC) Brown (SC) Franks (AZ) Burgess Gerlach Istook Burton (IN) Burgess Gillmor Jackson-Lee (TX) Gillmor Gingrey Jefferson Buyer Camp (MI) Jenkins Jenkinns Carter Gonzalez Jindal Chabot Goode Johnson, E. B. Choccola Goodlatte Johnson, Sam Coble Granger Goodlatte Kanjorski

King (IA) Ortiz Sherwood Kline Osborne Shimkus Knollenberg Otter Shuster Kolbe Oxley Simpson Paul Kuhl (NY) Skelton Latham Pearce Smith (TX) Lewis (CA) Pence Sodrel Lewis (KY) Peterson (MN) Linder Peterson (PA) Lucas Pickering Lungren, Daniel Pitts Platts Tancredo E. Platts Tanner Manzullo Poe Taylor (MS) Marchant Porter Taylor (NC) Marshall Price (GA) Terry McHenry Radanovich Thomas McHenry Rahall Thornberry McHugh Regula Tiahrt McKeon Rehberg Tiberi McMorris Renzi Towns Meeks (NY) Reyes Turner Melancon Rogers (AL) Upton Mica Rogers (KY) Visclosky Miller (MI) Rogers (MI) Walden (OR) Miller, Gary Rohrabacher Walsh Ross Wamp Weldon (FL) Moran (KS) Rush Weller Murphy Ryan (WI) Westmoreland Murtha Ryan (KS) Sabo Whitfield Myrick Sabo Whitfield Neugebauer Salazar Wicker Ney Schmidt Wicker Northup Schwarz (MI) Wilson (NM) Norwood Sensenbrenner Wilson (SC) Nunes Sessions Wolf Nussle Shadegg Young (AK)

NOT VOTING—12

Bishop (GA) King (NY) Pombo Cannon Larson (CT) Reynolds Evans Leach Strickland Kennedy (RI) Musgrave Stupak

□ 2150

Mr. SCHWARZ of Michigan changed his vote from “aye” to “no.”

So the amendment was agreed to.

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 109, noes 312, not voting 11, as follows:

[Roll No. 171]

AYES—109

Akin Campbell (CA) Fossella Alexander Chabot Foxx Baker Chocola Franks (AZ) Barrett (SC) Coble Garrett (NJ) Bartlett (MD) Cooper Gibbons Barton (TX) Davis (KY) Gohmert Bass Davis, Jo Ann Goodlatte Bean Davis, Tom Graves Beauprez Deal (GA) Green (WI) Bilirakis Diaz-Balart, M. Hall Blackburn Duncan Harris Brady (TX) Everett Hart Brown (SC) Farr Hayworth Brown-Waite, Ginny Feeney Fluke Burton (IN) Fluke Hensarling

Herger  
Hoekstra  
Hostettler  
Hunter  
Inglis (SC)  
Issa  
Jenkins  
Jindal  
Johnson, Sam  
Jones (NC)  
Keller  
Kennedy (MN)  
King (IA)  
Lewis (KY)  
Linder  
Lungren, Daniel  
E.  
Mack  
Manzullo  
Marchant  
McCotter

McHenry  
Mica  
Miller (FL)  
Miller, Gary  
Moran (KS)  
Myrick  
Neugebauer  
Norwood  
Otter  
Oxley  
Paul  
Pence  
Petri  
Pitts  
Poe  
Price (GA)  
Radanovich  
Rogers (MI)  
Rohrabacher  
Royce  
Ryan (WI)

Ryun (KS)  
Schmidt  
Sensenbrenner  
Sessions  
Shadegg  
Shimkus  
Shuster  
Stearns  
Sullivan  
Tancredo  
Tanner  
Taylor (MS)  
Terry  
Thornberry  
Tiahrt  
Tiberi  
Westmoreland  
Wilson (SC)  
Wolf  
Young (AK)  
Young (FL)

## NOES—312

Abercrombie  
Ackerman  
Aderholt  
Allen  
Andrews  
Baca  
Bachus  
Baird  
Baldwin  
Barrow  
Becerra  
Berkley  
Berman  
Berry  
Biggert  
Bishop (NY)  
Bishop (UT)  
Blumenauer  
Blunt  
Boehlert  
Boehner  
Bonilla  
Bonner  
Bono  
Boozman  
Boren  
Boswell  
Boucher  
Boustany  
Boyd  
Bradley (NH)  
Brady (PA)  
Brown (OH)  
Brown, Corrine  
Burgess  
Butterfield  
Buyer  
Calvert  
Camp (MI)  
Cantor  
Capito  
Capps  
Capuano  
Cardin  
Cardoza  
Carnahan  
Carson  
Carter  
Case  
Castle  
Chandler  
Clay  
Cleaver  
Clyburn  
Cole (OK)  
Conaway  
Conyers  
Costa  
Costello  
Cramer  
Crenshaw  
Crowley  
Cuellar  
Culberson  
Cummings  
Davis (AL)  
Davis (CA)  
Davis (FL)  
Davis (IL)  
Davis (TN)  
DeFazio  
DeGette  
Delahunt  
DeLauro  
DeLay  
Dent

Diaz-Balart, L.  
Dicks  
Dingell  
Doggett  
Doolittle  
Doyle  
Drake  
Dreier  
Edwards  
Ehlers  
Emanuel  
Emerson  
Engel  
English (PA)  
Eshoo  
Etheridge  
Fattah  
Ferguson  
Filner  
Fitzpatrick (PA)  
Foley  
Forbes  
Ford  
Fortenberry  
Frank (MA)  
Frelinghuysen  
Gallegly  
Gerlach  
Gilchrest  
Gillmor  
Gingrey  
Gonzalez  
Goode  
Gordon  
Granger  
Green, Al  
Green, Gene  
Grijalva  
Gutierrez  
Harman  
Hastings (FL)  
Hastings (WA)  
Hayes  
Herseth  
Higgins  
Hinchey  
Hinojosa  
Hobson  
Holden  
Holt  
Honda  
Hooley  
Hoyer  
Hulshof  
Hyde  
Inslie  
Israel  
Istook  
Jackson (IL)  
Jackson-Lee  
(TX)  
Jefferson  
Johnson (CT)  
Johnson (IL)  
Johnson, E. B.  
Jones (OH)  
Kanjorski  
Kaptur  
Kelly  
Kildee  
Kilpatrick (MI)  
Kind  
Kingston  
Kirk  
Kline  
Knollenberg

Kolbe  
Kucinich  
Kuhl (NY)  
LaHood  
Langevin  
Lantos  
Larsen (WA)  
Latham  
LaTourette  
Lee  
Levin  
Lewis (CA)  
Lewis (GA)  
Lipinski  
LoBiondo  
Lofgren, Zoe  
Lowey  
Lucas  
Lynch  
Maloney  
Markey  
Marshall  
Matheson  
Matsui  
McCarthy  
McCaul (TX)  
McCollum (MN)  
McCrery  
McDermott  
McGovern  
McHugh  
McIntyre  
McKeon  
McKinney  
McMorris  
McNulty  
Meehan  
Meek (FL)  
Meeks (NY)  
Melancon  
Michaud  
Millender-  
McDonald  
Miller (MI)  
Miller (NC)  
Miller, George  
Mollohan  
Moore (KS)  
Moore (WI)  
Moran (VA)  
Murphy  
Murtha  
Nadler  
Napolitano  
Neal (MA)  
Ney  
Northup  
Nunes  
Nussle  
Oberstar  
Obey  
Olver  
Ortiz  
Osborne  
Owens  
Pallone  
Pascrell  
Pastor  
Payne  
Pearce  
Pelosi  
Peterson (MN)  
Peterson (PA)  
Pickering  
Platts  
Pombo

Pomeroy  
Porter  
Price (NC)  
Pryce (OH)  
Putnam  
Rahall  
Ramstad  
Rangel  
Regula  
Rehberg  
Reichert  
Renzi  
Reyes  
Rogers (AL)  
Rogers (KY)  
Ros-Lehtinen  
Rothman  
Roybal-Allard  
Ruppersberger  
Rush  
Ryan (OH)  
Sabo  
Salazar  
Sánchez, Linda  
T.  
Sanchez, Loretta  
Sanders  
Saxton  
Schakowsky

Schiff  
Schwartz (PA)  
Schwarz (MI)  
Scott (GA)  
Scott (VA)  
Serrano  
Shaw  
Shays  
Sherman  
Sherwood  
Simmons  
Simpson  
Skelton  
Slaughter  
Smith (NJ)  
Smith (TX)  
Smith (WA)  
Snyder  
Sodrel  
Solis  
Souder  
Spratt  
Stark  
Sweeney  
Tauscher  
Taylor (NC)  
Thomas  
Thompson (CA)  
Thompson (MS)  
Tierney

Towns  
Turner  
Udall (CO)  
Udall (NM)  
Upton  
Van Hollen  
Velázquez  
Visclosky  
Walden (OR)  
Walsh  
Wamp  
Wasserman  
Schultz  
Waters  
Watson  
Watt  
Waxman  
Weiner  
Weldon (FL)  
Weldon (PA)  
Weller  
Wexler  
Whitfield  
Wicker  
Wilson (NM)  
Woolsey  
Wu  
Wynn

## NOT VOTING—11

Bishop (GA)  
Cannon  
Evans  
Kennedy (RI)

King (NY)  
Larson (CT)  
Leach  
Musgrave

Reynolds  
Strickland  
Stupak

□ 2157

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

## PERSONAL EXPLANATION

Mr. FARR. Mr. Speaker, on rollcall No. 171, I inadvertently voted “aye” when I meant to vote “no” and I would like the RECORD to so state that had I voted correctly, I would have opposed the Hefley amendment.

The CHAIRMAN. The Clerk will read the last three lines.

The Clerk read as follows:

This Act may be cited as the “Department of the Interior, Environment, and Related Agencies Appropriations Act, 2007”.

Mr. TAYLOR of North Carolina. Mr. Chairman, I move that the Committee do now rise and report the bill back to the House with sundry amendments, with the recommendation that the amendments be agreed to and that the bill, as amended, do pass.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. BASS) 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. 5386) making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2007, and for other purposes, had directed him to report the bill back to the House with sundry amendments, with the recommendation that the amendments be agreed to and that the bill, as amended, do pass.

The SPEAKER pro tempore. Pursuant to House Resolution 818, the previous question is ordered.

Is a separate vote demanded on any amendment? If not, the Chair will put them en gros.

The amendments were agreed to.

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

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

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

Pursuant to clause 10 of rule XX, the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 293, nays 128, not voting 11, as follows:

[Roll No. 172]

YEAS—293

Abercrombie	Edwards	Kuhl (NY)
Aderholt	Ehlers	LaHood
Akin	Emanuel	Larsen (WA)
Alexander	Emerson	Latham
Baca	English (PA)	LaTourette
Bachus	Farr	Lewis (CA)
Barrett (SC)	Fattah	Lewis (KY)
Barrow	Feeney	Linder
Bartlett (MD)	Ferguson	LoBiondo
Barton (TX)	Filner	Lowey
Bass	Fitzpatrick (PA)	Lucas
Bean	Foley	Lungren, Daniel
Beauprez	Forbes	E.
Berkley	Fortenberry	Mack
Biggert	Fossella	Maloney
Bishop (UT)	Fox	Manzullo
Blunt	Frelinghuysen	Marchant
Boehlert	Gallegly	Marshall
Boehner	Garrett (NJ)	McCarthy
Bonilla	Gerlach	McCaul (TX)
Bonner	Gibbons	McCotter
Bono	Gilchrest	McCrery
Boozman	Gillmor	McDermott
Boren	Gingrey	McHenry
Boswell	Gohmert	McHugh
Boucher	Gonzalez	McIntyre
Boustany	Goode	McKeon
Boyd	Goodlatte	McMorris
Bradley (NH)	Gordon	Meek (FL)
Brady (PA)	Granger	Melancon
Brady (TX)	Graves	Mica
Brown (SC)	Green, Al	Millender-
Brown, Corrine	Green, Gene	McDonald
Brown-Waite,	Gutknecht	Miller (FL)
Ginny	Hall	Miller (MI)
Burgess	Harman	Miller, Gary
Burton (IN)	Harris	Mollohan
Butterfield	Hart	Moore (KS)
Buyer	Hastings (WA)	Moran (KS)
Calvert	Hayes	Moran (VA)
Camp (MI)	Hayworth	Murphy
Campbell (CA)	Herger	Murtha
Cannon	Herseth	Myrick
Cantor	Higgins	Neal (MA)
Capito	Hinchey	Neugebauer
Capuano	Hinojosa	Ney
Cardin	Hobson	Northup
Cardoza	Hoekstra	Norwood
Carnahan	Hostettler	Nunes
Carter	Hulshof	Nussle
Castle	Hunter	Oberstar
Chandler	Hyde	Olver
Clay	Inglis (SC)	Ortiz
Cleaver	Inslie	Osborne
Clyburn	Israel	Otter
Cole (OK)	Conaway	Oxley
Conaway	Costa	Pascrell
Conyers	Istook	Pastor
Costa	Cramer	Pearce
Costello	Crenshaw	Pence
Cramer	Crowley	Peterson (MN)
Crenshaw	Cubin	Peterson (PA)
Crowley	Cuellar	Pickering
Cuellar	Culberson	Pitts
Culberson	Davis (AL)	Platts
Cummings	Davis (FL)	Pombo
Davis (AL)	Davis (KY)	Pomeroy
Davis (CA)	Davis (TN)	Porter
Davis (FL)	Davis, Jo Ann	Price (GA)
Davis (IL)	Deal (GA)	Price (NC)
Davis (TN)	DeLay	Pryce (OH)
DeFazio	Dent	Putnam
DeGette	Diaz-Balart, L.	Radanovich
Delahunt	Diaz-Balart, M.	Ramstad
DeLauro	Dicks	Rangel
DeLay	Doolittle	Regula
Dent	Drake	Rehberg
	Dreier	Reichert
	Duncan	