

Stump	Upton	White
Talent	Vucanovich	Whitfield
Tate	Waldholtz	Wicker
Tauzin	Walker	Wilson
Taylor (NC)	Walsh	Wolf
Tejeda	Wamp	Young (AK)
Thomas	Watts (OK)	Young (FL)
Thornberry	Weldon (FL)	Zeliff
Tiahrt	Weldon (PA)	
Traficant	Weller	

It was decided in the { Yeas 157
negative } Nays 263

¶34.17 [Roll No. 181]
AYES—157

NOT VOTING—15

Baesler	Hunter	Rangel
Brewster	Lipinski	Rush
Cox	Livingston	Torres
Gonzalez	Miller (CA)	Ward
Gutierrez	Mink	Williams

Abercrombie	Gephardt	Neal
Ackerman	Gibbons	Oberstar
Andrews	Gordon	Obey
Barcia	Green	Olver
Barrett (WI)	Hall (OH)	Owens
Becerra	Harman	Pallone
Beilenson	Hastings (FL)	Pastor
Bentsen	Hefner	Payne (NJ)
Berman	Hilliard	Payne (VA)
Bishop	Hinchee	Pelosi
Bonior	Holden	Peterson (FL)
Borski	Hoyer	Pomeroy
Boucher	Jackson-Lee	Rahall
Brown (CA)	Jefferson	Rangel
Brown (FL)	Johnson (SD)	Reed
Brown (OH)	Johnson, E. B.	Reynolds
Bryant (TX)	Johnston	Richardson
Cardin	Kanjorski	Rivers
Clay	Kaptur	Rose
Clayton	Kennedy (MA)	Roybal-Allard
Clement	Kennedy (RI)	Sabo
Clyburn	Kennelly	Sanders
Coleman	Kildee	Sawyer
Coleman (IL)	Klecza	Schroeder
Collins (MI)	Klink	Schumer
Conyers	LaFalce	Scott
Coyne	Lantos	Serrano
de la Garza	Levin	Skaggs
DeFazio	Lewis (GA)	Slaughter
DeLauro	Lincoln	Spratt
Dellums	Lofgren	Stark
Deutsch	Lowe	Stokes
Dicks	Luther	Studds
Dingell	Maloney	Stupak
Dixon	Manton	Tanner
Doggett	Markey	Thompson
Doyle	Mascara	Thornton
Durbin	Matsui	Torricelli
Engel	McCarthy	Traficant
Eshoo	McDermott	Tucker
Evans	McHale	Velazquez
Farr	McKinney	Vento
Fattah	McNulty	Volkmer
Fazio	Meehan	Waters
Fields (LA)	Meek	Watt (NC)
Filner	Menendez	Waxman
Flake	Mfume	Wise
Foglietta	Mineta	Woolsey
Ford	Minge	Wyden
Frank (MA)	Moakley	Wynn
Frost	Moran	Yates
Furse	Murtha	
Gejdenson	Nadler	

Hoekstra	Molinari	Shaw
Hoke	Mollohan	Shays
Horn	Montgomery	Shuster
Hostettler	Moorhead	Sisisky
Houghton	Morella	Skeen
Hutchinson	Myers	Skelton
Hyde	Myrick	Smith (MI)
Inglis	Nethercutt	Smith (NJ)
Istook	Neumann	Smith (TX)
Jacobs	Ney	Smith (WA)
Johnson (CT)	Norwood	Solomon
Johnson, Sam	Nussle	Souder
Jones	Ortiz	Spence
Kasich	Orton	Stearns
Kelly	Oxley	Stenholm
Kim	Packard	Stockman
King	Parker	Stump
Kingston	Paxon	Talent
Klug	Peterson (MN)	Tate
Knollenberg	Petri	Tauzin
Kolbe	Pickett	Taylor (MS)
LaHood	Pombo	Taylor (NC)
Largent	Porter	Tejeda
Latham	Portman	Thomas
LaTourette	Poshard	Thornberry
Laughlin	Pryce	Thurman
Lazio	Quillen	Tiahrt
Leach	Quinn	Torkildsen
Lewis (CA)	Radanovich	Towns
Lewis (KY)	Ramstad	Upton
Lightfoot	Regula	Visclosky
Linder	Riggs	Vucanovich
Livingston	Roberts	Waldholtz
LoBiondo	Roemer	Walker
Longley	Rogers	Walsh
Lucas	Rohrabacher	Wamp
Manzullo	Ros-Lehtinen	Watts (OK)
Martini	Roth	Weldon (FL)
McColum	Roukema	Weldon (PA)
McCrery	Royce	Weller
McDade	Salmon	White
McHugh	Sanford	Whitfield
McInnis	Saxton	Wicker
McIntosh	Scarborough	Wolf
McKeon	Schaefer	Young (AK)
Metcalf	Schiff	Young (FL)
Meyers	Seastrand	Zeliff
Mica	Sensenbrenner	Zimmer
Miller (FL)	Shadegg	

NOT VOTING—14

Baesler	Lipinski	Torres
Brewster	Martinez	Ward
Gonzalez	Miller (CA)	Williams
Gutierrez	Mink	Wilson
Hunter	Rush	

So the amendment to the amendment was not agreed to.

The SPEAKER pro tempore, Mr. KNOLLENBERG, assumed the Chair.

When Mr. HASTINGS of Washington, Chairman, pursuant to House Resolution 96, reported the bill back to the House with sundry amendments adopted by the Committee.

The previous question having been ordered by said resolution.

The following amendments, reported from the Committee of the Whole House on the state of the Union, were agreed to:

Page 5, after line 18, insert:

(5) EMERGENCY.—As used in this Act, the term “emergency” means a situation that is immediately impending and extraordinary in nature, demanding attention due to a condition, circumstance, or practice reasonably expected to cause death, serious illness, or severe injury to humans, or substantial endangerment to private property or the environment if no action is taken.

At the end of section 106 (page 18, line 25), add after the period the following:

For the purposes of this section, the term “non-United States-based entity” means—

- (1) any foreign government and its agencies;
- (2) the United Nations or any of its subsidiary organizations;
- (3) any other international governmental body or international standards-making organization; or

¶34.16 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment submitted by Mr. BROWN of California to the amendment submitted by Mr. WALKER:

Amendment submitted by Mr. BROWN of California:

At the end of the amendment, insert the following:

Page 4, strike lines 5 through 9 (all of paragraph (1) of section 3) and insert the following and redesignate paragraphs (2) through (4) as paragraphs (3) through (5), respectively:

(1) A situation that the head of the agency considers an emergency.

(2) A situation that the head of the agency considers to be reasonably expected to cause death or serious injury or illness to humans, or substantial endangerment to private property or the environment unless prompt action is taken to avoid death or to avoid or mitigate serious injury or illness to humans, or substantial endangerment to private property or the environment.

Amendment submitted by Mr. WALKER:

Page 30, after line 23, insert:

SEC. 204. ENVIRONMENTAL CLEAN-UP

For purposes of this title, any determination by a Federal agency to approve or reject any proposed or final environmental clean-up plan for a facility the costs of which are likely to exceed \$5,000,000 shall be treated as major rule subject to the provisions of this title (other than the provisions of section 201(a)(5)). As used in this section, the term “environmental clean-up” means a corrective action under the Solid Waste Disposal Act, a remedial action under the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, and any other environmental restoration and waste management carried out by or on behalf of a Federal agency with respect to any substance other than municipal waste.

Page 4, after line 18, insert the following new section and redesignate section 4 as section 5:

SEC. 4. UNFUNDED MANDATES

Nothing in this Act itself shall, without Federal funding and further Federal agency action, create any new obligation or burden on any State or local government or otherwise impose any financial burden on any State or local government in the absence of Federal funding, except with respect to routine information requests.

Page 16, beginning on line 8, after “uncertainties” add:

“Sensitive subpopulations or highly exposed subpopulations include, where relevant and appropriate, children, the elderly, pregnant women and disabled persons.”

NOES—263

Allard	Chapman	Fawell
Archer	Chenoweth	Fields (TX)
Armey	Christensen	Flanagan
Bachus	Chrysler	Foley
Baker (CA)	Clinger	Forbes
Baker (LA)	Coble	Fowler
Baldacci	Coburn	Fox
Ballenger	Collins (GA)	Franks (CT)
Barr	Combest	Franks (NJ)
Barrett (NE)	Condit	Frelinghuysen
Bartlett	Cooley	Frisa
Barton	Costello	Funderburk
Bass	Cox	Gallely
Bateman	Cramer	Ganske
Bereuter	Crane	Gekas
Bevill	Crapo	Geren
Bilbray	Creameans	Gilchrist
Bilirakis	Cubin	Gillmor
Bliley	Cunningham	Gilman
Blute	Danner	Goodlatte
Boehlert	Davis	Goodling
Boehner	Deal	Goss
Bonilla	DeLay	Graham
Bono	Diaz-Balart	Greenwood
Browder	Dickey	Gunderson
Brownback	Dooley	Gutknecht
Bryant (TN)	Doolittle	Hall (TX)
Bunn	Dornan	Hamilton
Bunning	Dreier	Hancock
Burr	Duncan	Hansen
Burton	Dunn	Hastert
Buyer	Edwards	Hastings (WA)
Callahan	Ehlers	Hayes
Calvert	Ehrlich	Hayworth
Camp	Emerson	Hefley
Canady	English	Heineman
Castle	Ensign	Hergert
Chabot	Everett	Hilleary
Chambliss	Ewing	Hobson

(4) any other organization or private entity without a place of business located in the United States or its territories.

Page 37, after line 2, insert:

(b) STATE, LOCAL, AND TRIBAL PRIORITIES.— In identifying national priorities, the President shall consider priorities developed and submitted by State, local, and tribal governments.

Page 37, line 12, after "report" insert "and priorities developed and submitted by State, local, and tribal governments."

Page 5, after line 18, insert the following new section:

SEC. 5. AVAILABILITY OF INFORMATION AMONG FEDERAL AGENCIES

Covered Federal agencies shall make existing databases and information developed under this Act available to other Federal agencies, subject to applicable confidentiality requirements, for the purpose of meeting the requirements of this Act. Within 15 months after the date of enactment of this Act, the President shall issue guidelines for Federal agencies to comply with this section.

On page 8, at the end of line 3, add the following:

"Nothing in this Section (iii) shall apply to the requirements of Section 404 of the Clean Water Act."

Page 30, after line 23, insert:

SEC. 204. ENVIRONMENTAL CLEAN-UP

For purposes of this title, any determination by a Federal agency to approve or reject any proposed or final environmental clean-up plan for a facility the costs of which are likely to exceed \$5,000,000 shall be treated as major rule subject to the provisions of this title (other than the provisions of section 201(a)(5). As used in this section, the term "environmental clean-up" means a corrective action under the Solid Waste Disposal Act, a remedial action under the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, and any other environmental restoration and waste management carried out by or on behalf of a Federal agency with respect to any substance other than municipal waste.

Page 4, after line 18, insert the following new section and redesignate section 4 as section 5:

SEC. 4. UNFUNDED MANDATES

Nothing in this Act itself shall, without Federal funding and further Federal agency action, create any new obligation or burden on any State or local government or otherwise impose any financial burden on any State or local government in the absence of Federal funding, except with respect to routine information requests.

Page 16, beginning on line 8, after "uncertainties" add:

"Sensitive subpopulations or highly exposed subpopulations include, where relevant and appropriate, children, the elderly, pregnant women and disabled persons."

The bill, as amended, was ordered to be engrossed and read a third time, was read a third time by title.

Mr. DOGGETT moved to recommit the bill to the Committee on Science with instructions to report the bill back to the House forthwith with the following amendment:

Amend the heading of section 301 (page 31, line 2) to read as follows:

SEC. 301. PEER REVIEW PROGRAM AND PROHIBITION OF CONFLICTS OF INTEREST.

Strike paragraph (3) of section 301(a) (page 31, line 23 through page 32, line 5) and insert the following:

(3) shall exclude peer reviewers who have a potential financial interest in the outcome:

After debate,

By unanimous consent, the previous question was ordered on the motion to recommit with instructions.

The question being put, viva voce,

Will the House recommit said bill with instructions?

The SPEAKER pro tempore, Mr. KNOLLENBERG, announced that the yeas had it.

Mr. DOGGETT demanded a recorded vote on agreeing to the motion, which demand was supported by one-fifth of a quorum, so a recorded vote was ordered.

The vote was taken by electronic device.

It was decided in the { Yeas 174 negative } { Nays 250

34.18 [Roll No. 182] AYES—174

- Abercrombie, Ackerman, Andrews, Baldacci, Barrett (WI), Becerra, Beilenson, Bentsen, Berman, Bevill, Bishop, Boehlert, Bonior, Borski, Boucher, Brown (CA), Brown (FL), Brown (OH), Bryant (TX), Cardin, Chapman, Clay, Clayton, Clement, Clyburn, Coleman, Collins (IL), Collins (MI), Conyers, Costello, Coyne, Danner, de la Garza, DeFazio, DeLauro, Dellums, Deutsch, Dicks, Dingell, Dixon, Doggett, Doyle, Durbin, Edwards, Engel, Eshoo, Evans, Farr, Fattah, Fazio, Fields (LA), Filner, Flake, Foglietta, Ford, Frank (MA), Frost, Furse, Gejdenson, Gephardt, Gibbons, Gordon, Green, Hall (OH), Hamilton, Hastings (FL), Hefner, Hilliard, Hinchey, Holden, Hoyer, Jackson-Lee, Jacobs, Jefferson, Johnson (SD), Johnson, E.B., Johnston, Kanjorski, Kaptur, Kennedy (MA), Kennedy (RI), Kennelly, Kildee, Kleczka, Klink, LaFalce, Lantos, Levin, Lewis (GA), Lincoln, Lofgren, Lowey, Luther, Maloney, Manton, Markey, Mascara, Matsui, McCarthy, McDermott, McHale, McKinney, McNulty, Meehan, Meek, Menendez, Mfume, Miller (CA), Mineta, Minge, Mink, Moakley, Montgomery, Morella, Murtha, Nadler, Neal, Oberstar, Obey, Olver, Ortiz, Owens, Pallone, Pastor, Payne (NJ), Pelosi, Pomeroy, Poshard, Rahall, Rangel, Reed, Reynolds, Richardson, Rivers, Roemer, Rose, Roybal-Allard, Sabo, Sanders, Sawyer, Schroeder, Schumer, Scott, Serrano, Shays, Skaggs, Slaughter, Stark, Stokes, Studds, Stupak, Tanner, Taylor (MS), Tejeda, Thompson, Thornton, Torres, Torricelli, Towns, Traficant, Tucker, Velazquez, Vento, Visclosky, Volkmer, Waters, Watt (NC), Waxman, Williams, Wise, Woolsey, Wyden, Wynn, Yates

NOES—250

- Allard, Archer, Arney, Bachus, Baesler, Baker (CA), Baker (LA), Ballenger, Barcia, Barr, Barrett (NE), Bartlett, Barton, Bass, Bateman, Bereuter, Bilbray, Bilirakis, Bliley, Blute, Boehner, Bonilla, Bono, Brewster, Brownback, Bryant (TN), Bunn, Bunning, Burr, Burton, Buyer, Callahan, Calvert, Camp, Canady, Castle

- Chabot, Chambliss, Chenoweth, Christensen, Chrysler, Clinger, Coble, Coburn, Collins (GA), Combest, Condit, Cooley, Cox, Cramer, Crane, Crapo, Creameans, Cubin, Cunningham, Davis, Deal, DeLay, Diaz-Balart, Dickey, Dooley, Doolittle, Dorman, Dreier, Duncan, Dunn, Ehlers, Ehrlich, Emerson, English, Ensign, Everett, Ewing, Fawell, Fields (TX), Flanagan, Foley, Forbes, Fowler, Fox, Franks (CT), Franks (NJ), Frelinghuysen, Frisa, Funderburk, Gallegly, Ganske, Gekas, Geren, Gilchrest, Gillmor, Gilman, Goodlatte, Goodling, Goss, Graham, Greenwood, Gunderson, Gutknecht, Hall (TX), Hancock, Hansen, Harman, Hastert, Hastings (WA), Hayes, Hayworth, Hefley, Heineman, Herger, Hilleary, Hobson, Hoekstra, Hoke, Horn, Hostettler, Houghton, Hutchinson, Hyde, Inglis, Istook, Johnson (CT), Johnson, Sam, Jones, Kasich, Kelly, Kim, King, Kingston, Klug, Knollenberg, Kolbe, LaHood, Largent, Latham, Laughlin, Lazio, Leach, Lewis (CA), Lewis (KY), Lightfoot, Linder, Livingston, LoBiondo, Longley, Lucas, Manzullo, Martini, McCollum, McCrery, McDade, McHugh, McInnis, McIntosh, McKeon, Meyers, Mica, Miller (FL), Molinari, Mollohan, Moorhead, Moran, Myers, Myrick, Nethercutt, Neumann, Ney, Norwood, Nussle, Orton, Oxley, Packard, Parker, Paxon, Payne (VA), Peterson (FL), Peterson (MN), Petri, Pickett, Pombo, Porter, Portman, Pryce, Quillen, Quinn, Radanovich, Ramstad, Regula, Riggs, Roberts, Rogers, Rohrabacher, Ros-Lehtinen, Roth, Roukema, Royce, Salmon, Sanford, Saxton, Scarborough, Schaefer, Schiff, Seastrand, Sensenbrenner, Shadegg, Shaw, Shuster, Sisisky, Skeen, Skelton, Smith (MI), Smith (NJ), Smith (TX), Smith (WA), Solomon, Souder, Spence, Spratt, Stearns, Stenholm, Stockman, Stump, Talent, Tate, Tauzin, Taylor (NC), Thomas, Thornberry, Thurman, Tiahrt, Torkildsen, Upton, Vucanovich, Waldholtz, Walker, Walsh, Wamp, Watts (OK), Weldon (FL), Weldon (PA), Weller, White, Whitfield, Wicker, Wilson, Wolf, Young (AK), Young (FL), Zeliff, Zimmer

NOT VOTING—10

- Browder, Gonzalez, Gutierrez, Hunter, LaTourette, Lipinski, Martinez, Metcalf, Rush, Ward

So the motion to recommit with instructions was not agreed to.

The question being put, viva voce,

Will the House pass said bill?

The SPEAKER pro tempore, Mr. KNOLLENBERG, announced that the yeas had it.

Mr. BROWN of California demanded a recorded vote on passage of said bill, which demand was supported by one-fifth of a quorum, so a recorded vote was ordered.

The vote was taken by electronic device.