

It was decided in the negative { Yeas 152
Nays 271

¶64.12

[Roll No. 318]

AYES—152

Abercrombie	Gejdenson	Neal
Ackerman	Gephardt	Oberstar
Andrews	Gibbons	Obey
Baldacci	Gonzalez	Olver
Barcia	Gordon	Owens
Barrett (WI)	Gutierrez	Pallone
Becerra	Hall (OH)	Pastor
Beilenson	Harman	Payne (NJ)
Bentsen	Hastings (FL)	Pelosi
Berman	Hefley	Pomeroy
Bishop	Hinchey	Rahall
Bonior	Hoyer	Rangel
Borski	Jackson-Lee	Reed
Brown (FL)	Jefferson	Reynolds
Brown (OH)	Johnson (SD)	Richardson
Bryant (TX)	Johnson, E. B.	Rivers
Cardin	Johnston	Roybal-Allard
Chapman	Kanjorski	Rush
Clay	Kaptur	Sabo
Clayton	Kennedy (MA)	Sanders
Clement	Kennedy (RI)	Sawyer
Clyburn	Kildee	Schroeder
Collins (MI)	Klecza	Schumer
Conyers	Klink	Serrano
Costello	LaFalce	Skaggs
Coyne	Lantos	Slaughter
de la Garza	Levin	Stark
DeFazio	Lewis (GA)	Stokes
DeLauro	Lipinski	Studds
Dellums	Lofgren	Stupak
Deutsch	Lowe	Thompson
Dicks	Luther	Thornton
Dingell	Maloney	Torricelli
Dixon	Manton	Towns
Doggett	Markey	Trafficant
Durbin	Matsui	Tucker
Engel	McCarthy	Velazquez
Eshoo	McDermott	Vento
Evans	McHale	Visclosky
Farr	McKinney	Ward
Fattah	McNulty	Waters
Fazio	Meehan	Watt (NC)
Fields (LA)	Meek	Waxman
Filner	Menendez	Williams
Flake	Mfume	Wilson
Foglietta	Miller (CA)	Wise
Forbes	Mineta	Woolsey
Ford	Mink	Wyden
Fox	Mollohan	Wynn
Frost	Moran	Yates
Furse	Nadler	

NOES—271

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

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

NOT VOTING—11

Bono	Collins (IL)	Peterson (FL)
Boucher	Davis	Rogers
Brown (CA)	Martinez	Torres
Coleman	Moakley	

So the amendment was not agreed to. After some further time,

¶64.13 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendments en bloc submitted by Miss COLLINS of Michigan:

Page 62, after line 14, insert the following:
(d) CONSIDERATION OF CONSUMPTION PATTERNS.—Section 304(a) if further amended by adding at the end the following:

“(13) CONSIDERATION OF CONSUMPTION PATTERNS.—In developing human health and aquatic life criteria under this subsection, the Administrator shall take into account, where practicable, the consumption patterns of diverse segments of the population, including segments at disproportionately high risk, such as minority populations, children, and women of child-bearing age.”

Page 62, line 15, strike “(d)” and insert “(e)”.

Page 63, line 4, strike “(e)” and insert “(f)”.

Page 63, line 24, strike “(f)” and insert “(g)”.

Page 64, line 4, strike “(g)” and insert “(h)”.

Page 73, strike lines 19 through 22 and insert the following:

(c) FISH CONSUMPTION ADVISORIES.—Section 304 (33 U.S.C. 1314) is amended by adding at the end the following:

“(o) FISH CONSUMPTIONS ADVISORIES.—“(1) POSTING.—Not later than 18 months after the date of the enactment of this Act,

the Administrator shall propose and issue regulations establishing minimum, uniform requirements and procedures requiring States, either directly or through local authorities, to post signs, at reasonable and appropriate points of public access, on navigable waters or portions of navigable waters that significantly violate applicable water quality standards under this Act or that are subject to a fishing or shell-fishing ban, advisory, or consumption restriction (issued by a Federal, State, or local authority) due to fish or shellfish contamination.

“(2) SIGNS.—The regulations shall require the signs to be posted under this subsection—

“(A) to indicate clearly the water quality standard that is being violated or the nature and extent of the restriction on fish or shellfish consumption;

“(B) to be in English, and when appropriate, any language used by a large segment of the population in the immediate vicinity of the navigable waters;

“(C) to include a clear warning symbol; and

“(D) to be maintained until the body of water is consistently in compliance with the water quality standard or until all fish and shellfish consumption restrictions are terminated for the body of water or portion thereof.”

Page 73, after line 18, insert the following:

(c) FISH AND SHELLFISH SAMPLINGS.—Section 304 (33 U.S.C. 1314) is amended by adding at the end the following:

“(n) FISH AND SHELLFISH SAMPLINGS; MONITORING.—Not later than 18 months after the date of the enactment of this Act, the Administrator shall propose and issue regulations to establish uniform and scientifically sound requirements and procedures for fish and shellfish sampling and analysis and uniform requirements for monitoring of navigable waters that do not meet applicable water quality standards under this Act or that are subject to a fishing or shell-fishing ban, advisory, or consumption restriction (issued by a Federal, State, or local authority) due to fish or shellfish contamination.”

Page 73, line 19, strike “(c)” and insert “(d)”.

Page 203, after line 8, insert the following:
SEC. 410. ENVIRONMENTAL JUSTICE REVIEW.

Section 402 (32 U.S.C. 1342) is further amended by adding at the end the following:

“(u) ENVIRONMENTAL JUSTICE REVIEW.—No permit may be issued under this section unless the Administrator or the State, as the case may be, first reviews the proposed permit to identify and reduce disproportionately high and adverse impacts to the health of, or environmental exposures of, minority and low-income populations.”

Redesignate subsequent sections of the bill accordingly. Conform the table of contents of the bill accordingly.

Page 213, after line 14, insert the following:
SEC. 508. DATA COLLECTION.

Section 516 (33 U.S.C. 1375) is amended by inserting after subsection (e) the following:

“(f) DATA COLLECTION.—

“(1) IN GENERAL.—The Administrator shall, on an ongoing basis—

“(A) collect, maintain, and analyze data necessary to assess and compare the levels and sources of water pollution to which minority and low-income populations are disproportionately exposed; and

“(B) for waters receiving discharges in violation of permits issued under section 402 or waters with levels of pollutants exceeding applicable water quality standards under this Act, collect data on the frequency and volume of discharges of each pollutant for which a violation occurs into waters adjacent to or used by minority and low-income communities.

“(2) PUBLICATION.—The Administrator shall publish summaries of the data collected under this section annually.”.

Redesignate subsequent sections of the bill accordingly. Conform the table of contents of the bill accordingly.

Page 236, strike lines 13 and 14.

Page 236, line 15, strike “(k)” and insert “(j)”.

It was decided in the { Yeas 153 negative Nays 271

¶64.14 [Roll No. 319] AYES—153

Table listing names of representatives under ¶64.14 AYES—153, including Abercrombie, Ackerman, Andrews, Barcia, Barrett (WI), Becerra, Beilenson, Bentsen, Berman, Bishop, Bonior, Borski, Brown (CA), Brown (FL), Brown (OH), Bryant (TX), Cardin, Clay, Clayton, Clyburn, Coleman, Collins (MI), Conyers, Costello, Coyne, de la Garza, DeFazio, DeLauro, Dellums, Deutsch, Diaz-Balart, Dicks, Dingell, Dixon, Doggett, Durbin, Engel, Eshoo, Evans, Farr, Fattah, Fazio, Fields (LA), Filner, Flake, Foglietta, Ford, Frank (MA), Frost, Furse, Gejdenson, Gephardt, Gibbons, Gonzalez, Green, Gutierrez, Hall (OH), Harman, Hastings (FL), Hayes, Hefner, Hilliard, Hinchey, Hoyer, Jackson-Lee, Jacobs, Jefferson, Johnson, E. B., Johnston, Kaptur, Kennedy (MA), Kennedy (RI), Kennelly, Kildee, Lantos, Levin, Lewis (GA), Lincoln, Lipinski, Lofgren, Lowey, Maloney, Manton, Markey, Martinez, Matsui, McDermott, McHale, McKinney, Meehan, Meek, Menendez, Mfume, Miller (CA), Mineta, Mink, Moran, Nadler, Neal, Oberstar, Olver, Ortiz, Owens, Pallone, Pastor, Payne (NJ), Pelosi, Pomeroy, Poshard, Rahall, Rangel, Reed, Reynolds, Rivers, Roemer, Rose, Roybal-Allard, Ruysh, Sabo, Sanders, Sawyer, Schroeder, Schumer, Scott, Serrano, Skaggs, Slaughter, Stark, Stokes, Studds, Stupak, Thompson, Thornton, Thurman, Torres, Torricelli, Towns, Traficant, Tucker, Velazquez, Vento, Visclosky, Volkmer, Ward, Waters, Watt (NC), Waxman, Williams, Wise, Woolsey, Wyden, Wynn, Yates.

NOES—271

Table listing names of representatives under NOES—271, including Allard, Archer, Army, Bachus, Baesler, Baker (CA), Baker (LA), Baldacci, Ballenger, Barr, Barrett (NE), Bartlett, Barton, Bass, Bateman, Bereuter, Bevill, Bilbray, Bilirakis, Bliley, Blute, Boehlert, Boehner, Bonilla, Brewster, Browder, Brownback, Bryant (TN), Bunn, Bunning, Burr, Burton, Buyer, Callahan, Calvert, Camp, Canady, Castle, Chabot, Chambliss, Chapman, Chenoweth, Christensen, Chrysler, Clement, Clinger, Coble, Coburn, Collins (GA), Combust, Condit, Cooley, Cox, Cramer, Crane, Crapo, Cremeans, Cubin, Cunningham, Danner, Davis, Deal, DeLay, Dickey, Dooley, Doolittle, Dornan, Doyle, Dreier, Duncan, Dunn, Edwards, Ehlers, Ehrlich, Emerson, English, Ensign, Everett, Ewing, Fawell, Flanagan, Foley, Forbes, Fowler, Fox, Franks (CT), Franks (NJ), Frelinghuysen, Frisa, Funderburk.

Table listing names of representatives in the middle column, including Gallegly, Ganske, Gekas, Geren, Gilchrist, Gillmor, Gilman, Goodlatte, Goodling, Gordon, Goss, Graham, Greenwood, Gunderson, Gutknecht, Hall (TX), Hamilton, Hancock, Hansen, Hastert, Hastings (WA), Hayworth, Hefley, Heineman, Herger, Hilleary, Hobson, Hoekstra, Hoke, Holden, Horn, Hostettler, Houghton, Hunter, Hutchinson, Hyde, Inglis, Istook, Johnson (CT), Johnson (SD), Johnson, Sam, Jones, Kanjorski, Kasich, Kelly, Kim, King, Kingston, Kleczka, Klink, Klug, Knollenberg, Kolbe, LaFalce, LaHood, Largent, Latham, LaTourette, Laughlin, Lazio, Leach, Lewis (CA), Lewis (KY), Lightfoot, Linder, Livingston, LoBiondo, Longley, Lucas, Luther, Manzullo, Martini, Mascara, McCarthy, McCollum, McCrery, McHugh, McInnis, McIntosh, McKeon, McNulty, Metcalf, Meyers, Mica, Miller (FL), Minge, Molinari, Mollohan, Montgomery, Moorhead, Morella, Murtha, Myers, Myrick, Nethercutt, Neumann, Ney, Norwood, Nussle, Obey, Orton, Packard, Parker, Paxon, Payne (VA), Peterson (MN), Petri, Pickett, Pombo, Porter, Portman, Pryce, Quinn, Radanovich, Ramstad, Regula, Riggs, Roberts, Rohrabacher, Ros-Lehtinen, Roth, Roukema, Royce, Salmon, Sanford, Saxton, Scarborough, Schaefer, Schiff, Seastrand, Sensenbrenner, Shadegg, Shaw, Shays, Shuster, Siskisky, Skeen, Skelton, Smith (MI), Smith (NJ), Smith (TX), Smith (WA), Solomon, Souder, Spence, Spratt, Stearns, Stenholm, Stockman, Stump, Talent, Tanner, Tate, Tauzin, Taylor (MS), Taylor (NC), Tejeda, Thomas, Thornberry, Tiahrt, Torkildsen, Upton, Vucanovich, Waldholtz, Walker, Walsh, Wamp, Watts (OK), Weldon (FL), Weldon (PA), Weller, White, Whitfield, Wicker, Wilson, Wolf, Young (AK), Young (FL), Zeff, Zimmer.

NOT VOTING—10

Table listing names of representatives under NOT VOTING—10, including Bono, Boucher, Collins (IL), Fields (TX), McDade, Moakley, Oxley, Peterson (FL), Richardson, Rogers.

So the amendments en bloc were not agreed to.

After some further time,

¶64.15 RECORDED VOTE

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

Page 172, line 14, insert “similar” before “risks”.

Page 172, line 15, before the period insert the following: “regulated by the Environmental Protection Agency resulting from comparable activities and exposure pathways”.

Page 172, after line 15, insert the following: Comparisons under paragraph (7) should consider relevant distinctions among risks such as the voluntary or involuntary nature of risks and the preventability and nonpreventability of risks.

Page 173, line 18, after the period insert closing quotation marks and a period.

Page 173, strike line 19 and all that follows through page 172, line 17.

Page 176, lines 10 and 11, strike “the requirement or guidance maximizes net bene-

fits to society” and insert “the incremental benefits to human health, public welfare, and the environment of the requirement or guidance will likely justify, and be reasonably related to, the incremental costs incurred by State, local, and tribal governments, the Federal Government, and other public and private entities”.

Page 178, line 14, insert “and benefits” after “costs”.

Page 179, strike line 3, and all that follows through page 180, line 22.

Page 180, line 23, strike “(g)” and insert “(f)”.

It was decided in the { Yeas 157 negative Nays 262

¶64.16 [Roll No. 320] AYES—157

Table listing names of representatives under ¶64.16 AYES—157, including Abercrombie, Ackerman, Andrews, Baldacci, Barcia, Barrett (WI), Becerra, Beilenson, Bentsen, Berman, Bonior, Borski, Brown (CA), Brown (FL), Brown (OH), Bryant (TX), Cardin, Clay, Clayton, Clement, Clyburn, Coleman, Conyers, Costello, Coyne, DeFazio, DeLauro, Dellums, Deutsch, Dicks, Dingell, Dixon, Doggett, Doyle, Durbin, Engel, Eshoo, Evans, Farr, Fazio, Fields (LA), Filner, Flake, Foglietta, Ford, Frost, Furse, Gejdenson, Gephardt, Gibbons, Gonzalez, Gordon, Green, Gutierrez, Hall (OH), Harman, Hastings (FL), Hefner, Hinchey, Holden, Hoyer, Jackson-Lee, Jacobs, Jefferson, Johnson (SD), Johnson, E. B., Johnston, Kanjorski, Kaptur, Kennedy (MA), Kennedy (RI), Kildee, Kleczka, Klink, LaFalce, Lantos, Levin, Lewis (GA), Lincoln, Lipinski, Lofgren, Lowey, Luther, Maloney, Manton, Markey, Martinez, Mascara, Matsui, McCarthy, McDermott, McHale, McKinney, Meehan, Meek, Menendez, Meyers, Mfume, Miller (CA), Mineta, Mink, Moran, Morella, Nadler, Neal, Oberstar, Obey, Olver, Owens, Pallone, Pastor, Payne (NJ), Pelosi, Pomeroy, Rahall, Rangel, Reed, Reynolds, Rivers, Roybal-Allard, Rush, Sabo, Sanders, Sanford, Sawyer, Schroeder, Schumer, Scott, Serrano, Shays, Skaggs, Slaughter, Spratt, Stark, Stokes, Studds, Thompson, Thornton, Torres, Torricelli, Towns, Traficant, Tucker, Velazquez, Vento, Visclosky, Volkmer, Ward, Waters, Watt (NC), Waxman, Williams, Wise, Woolsey, Wyden, Wynn, Yates.

NOES—262

Table listing names of representatives under NOES—262, including Allard, Archer, Army, Bachus, Baesler, Baker (CA), Baker (LA), Ballenger, Barr, Barrett (NE), Bartlett, Bass, Bateman, Bereuter, Bevill, Bilbray, Bilirakis, Bishop, Bliley, Blute, Boehlert, Boehner, Bonilla, Brewster, Browder, Brownback, Bryant (TN), Bunn, Bunning, Burr, Burton, Buyer, Callahan, Calvert, Camp, Canady, Castle, Chabot, Chambliss, Chapman, Chenoweth, Christensen, Chrysler, Clinger, Coble, Coburn, Collins (GA), Combust, Condit, Cooley, Cox, Cramer, Crane, Crapo, Cremeans, Cubin, Cunningham, Danner, Davis, de la Garza, Deal, DeLay, Diaz-Balart, Dickey, Dooley, Doolittle, Dornan, Dreier, Duncan.