

H.R. 1589: Mr. HOEKSTRA, Mr. SAXTON, and Mr. MCKEON.  
 H.R. 1594: Mr. RAMSTAD, Mr. SOLOMON, and Mr. CHRISTENSEN.  
 H.J. Res. 79: Mr. BONILLA.  
 H. Con. Res. 36: Mr. ZIMMER.  
 H. Con. Res. 37: Mr. ZIMMER.  
 H. Con. Res. 40: Mr. HOUGHTON, Mr. ACKERMAN, Ms. MCKINNEY, Mr. JEFFERSON, and Mr. JOHNSTON of Florida.  
 H. Con. Res. 48: Mr. DEUTSCH, Mr. NEY, Mr. BROWN of Ohio, Mr. LAFALCE, Ms. LOWEY, Mrs. MEYERS of Kansas, Mrs. CLAYTON, and Mr. ACKERMAN.  
 H. Con. Res. 59: Mr. BROWN of Ohio.  
 H. Res. 23: Mr. BROWN of Ohio.  
 H. Res. 24: Mr. MCKEON.  
 H. Res. 98: Ms. FURSE, Mr. BUNN of Oregon, and Mr. MARTINEZ.  
 H. Res. 99: Ms. FURSE and Mr. BUNN of Oregon.

**THURSDAY, MAY 11, 1995 (64)**

**¶64.1 DESIGNATION OF SPEAKER PRO TEMPORE**

The House was called to order by the SPEAKER pro tempore, Mr. FOLEY, who laid before the House the following communication:

WASHINGTON, DC,  
 May 11, 1995.

I hereby designate the Honorable MARK ADAM FOLEY to act as Speaker pro tempore on this day.

NEWT GINGRICH,  
*Speaker of the House of Representatives.*

**¶64.2 APPROVAL OF THE JOURNAL**

The SPEAKER pro tempore, Mr. FOLEY, announced he had examined and approved the Journal of the proceedings of Wednesday, May 10, 1995.  
 Pursuant to clause 1, rule I, the Journal was approved.

**¶64.3 MESSAGE FROM THE SENATE**

A message from the Senate by Mr. Lundregan, one of its clerks, announced that the Senate had passed with an amendment in which the concurrence of the House is requested, a bill of the House of the following title:  
 H.R. 956. An Act to establish legal standards and procedures for product liability litigation, and for other purposes.

The message also announced that pursuant to sections 276h-276k of title 22, United States Code, as amended, the Chair, on behalf of the Vice President, appoints Mrs. FEINSTEIN as a member of the Senate delegation to the Mexico-United States Interparliamentary Group during the 1st session of the 104th Congress, to be held in Tucson, AZ, May 12-14, 1995.

The message also announced that pursuant to sections 276d-276g of title 22, United States Code, as amended, the Chair, on behalf of the Vice President, appoints Mr. AKAKA as a member of the Senate delegation to the Canada-United States Interparliamentary Group during the 1st session of the 104th Congress, to be held in Huntsville, ON, Canada, May 18-22, 1995.

The message also announced that pursuant to sections 276h-276k of title 22, United States Code, as amended, the Chair, on behalf of the Vice President, appoints Mr. GRASSLEY, Mr. MUR-

KOWSKI, and Mr. GORTON as members of the Senate delegation to the Mexico-United States Interparliamentary Group during the 1st session of the 104th Congress, to be held in Tucson, AZ, May 12-14, 1995.

**¶64.4 CLEAN WATER AMENDMENTS**

The SPEAKER pro tempore, Mr. FOLEY, pursuant to House Resolution 140 and rule XXIII, declared the House resolved into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H.R. 961) to amend the Federal Water Pollution Control Act.

Mr. HOBSON, Acting Chairman, assumed the chair; and after some time spent therein,

**¶64.5 RECORDED VOTE**

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

Strike title IX of the bill (pages 323 through 326).

It was decided in the 

{	Yeas .....	154
	negative .....	267

**¶64.6 [Roll No. 315] AYES—154**

Ackerman	Harman	Orton
Andrews	Hastings (FL)	Owens
Barcia	Hinchey	Pallone
Barrett (WI)	Holden	Payne (NJ)
Becerra	Hoyer	Pelosi
Beilenson	Jackson-Lee	Peterson (MN)
Berman	Jacobs	Rahall
Bonior	Jefferson	Rangel
Borski	Johnson (CT)	Reed
Boucher	Johnson (SD)	Reynolds
Brown (CA)	Johnson, E.B.	Richardson
Brown (FL)	Johnston	Rivers
Brown (OH)	Kanjorski	Roukema
Bryant (TX)	Kaptur	Roybal-Allard
Cardin	Kennedy (RI)	Rush
Clay	Kennelly	Sabo
Clayton	Kildee	Sanders
Clement	Klink	Sawyer
Clyburn	LaFalce	Schroeder
Coleman	Lantos	Schumer
Collins (MI)	Lazio	Scott
Condit	Levin	Serrano
Conyers	Lewis (GA)	Shays
Costello	LoBiondo	Skaggs
Coyne	Lofgren	Skelton
DeFazio	Lowey	Slaughter
DeLauro	Luther	Smith (NJ)
Dellums	Maloney	Spratt
Deutsch	Manton	Stark
Dicks	Martinez	Stokes
Dingell	Mascara	Studds
Doggett	Matsui	Stupak
Doyle	McCarthy	Taylor (MS)
Durbin	McDermott	Thompson
Engel	McHale	Torres
Eshoo	McKinney	Torrice
Evans	McNulty	Tucker
Farr	Meehan	Velazquez
Fattah	Meek	Vento
Fazio	Menendez	Visclosky
Fields (LA)	Mfume	Ward
Flake	Miller (CA)	Waters
Foglietta	Mineta	Watt (NC)
Forbes	Minge	Waxman
Ford	Mink	Wise
Frost	Moran	Woolsey
Furse	Morella	Wyden
Gedjenson	Nadler	Wynn
Gephardt	Neal	Yates
Gibbons	Oberstar	Zimmer
Gutierrez	Obey	
Hall (OH)	Oliver	

**NOES—267**

Abercrombie	Baesler	Barr
Allard	Baker (CA)	Bartlett
Archer	Baker (LA)	Barton
Armey	Baldacci	Bass
Bachus	Ballenger	Bateman

Bentsen	Gilman	Norwood
Bereuter	Gonzalez	Nussle
Bevill	Goodlatte	Ortiz
Billbray	Goodling	Oxley
Bilirakis	Gordon	Packard
Bishop	Goss	Parker
Bliley	Graham	Pastor
Blute	Green	Paxon
Boehlert	Greenwood	Payne (VA)
Boehner	Gunderson	Petri
Bonilla	Gutknecht	Pickett
Brewster	Hall (TX)	Pombo
Browder	Hamilton	Pomeroy
Brownback	Hancock	Porter
Bryant (TN)	Hansen	Portman
Bunn	Hastert	Poshard
Bunning	Hastings (WA)	Pryce
Burr	Hayes	Quillen
Burton	Hayworth	Quinn
Buyer	Hefley	Radanovich
Callahan	Hefner	Ramstad
Calvert	Heineman	Regula
Camp	Hergert	Riggs
Canady	Hillery	Roberts
Castle	Hilliard	Roemer
Chabot	Hobson	Rohrabacher
Chambliss	Hoekstra	Ros-Lehtinen
Chapman	Hoke	Rose
Chenoweth	Horn	Roth
Christensen	Hostettler	Royce
Chrysler	Houghton	Salmon
Clinger	Hunter	Saxton
Coble	Hutchinson	Scarborough
Coburn	Hyde	Schaefer
Combest	Inglis	Schiff
Cooley	Istook	Seastrand
Cox	Johnson, Sam	Sensenbrenner
Cramer	Jones	Shadegg
Crane	Kasich	Shaw
Crapo	Kelly	Shuster
Cremeans	Kennedy (MA)	Sisisky
Cubin	Kim	Skeem
Cunningham	King	Smith (MI)
Danner	Kingston	Smith (TX)
Davis	Kleccka	Smith (WA)
de la Garza	Klug	Solomon
Deal	Knollenberg	Souder
DeLay	Kolbe	Spence
Diaz-Balart	LaHood	Stearns
Dickey	Largent	Stenholm
Dixon	Latham	Stockman
Dooley	LaTourette	Stump
Doolittle	Laughlin	Talent
Dornan	Leach	Tanner
Dreier	Lewis (CA)	Tate
Duncan	Lewis (KY)	Tauzin
Dunn	Lightfoot	Taylor (NC)
Edwards	Lincoln	Tejeda
Ehlers	Linder	Thomas
Ehrlich	Lipinski	Thornberry
Emerson	Livingston	Thornton
English	Longley	Thurman
Ensign	Lucas	Tiahrt
Everett	Manzullo	Torkildsen
Ewing	Markey	Traficant
Fawell	Martini	Upton
Fields (TX)	McCollum	Volkmer
Filner	McCrery	Vucanovich
Flanagan	McHugh	Waldholtz
Foley	McIntosh	Walker
Fowler	McKeon	Walsh
Fox	Metcalfe	Wamp
Frank (MA)	Meyers	Watts (OK)
Franks (CT)	Mica	Weldon (FL)
Franks (NJ)	Miller (FL)	Weldon (PA)
Frelinghuysen	Molinar	Weller
Frisa	Mollohan	White
Funderburk	Montgomery	Wicker
Galleghy	Moorhead	Williams
Ganske	Myers	Wilson
Gekas	Myrick	Wolf
Geran	Nethercutt	Young (AK)
Gilchrist	Neumann	Young (FL)
Gillmor	Ney	Zeliff

**NOT VOTING—13**

Barrett (NE)	McInnis	Sanford
Bono	Moakley	Towns
Collins (GA)	Murtha	Whitfield
Collins (IL)	Peterson (FL)	
McDade	Rogers	

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

**¶64.7 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 133, strike line 15, and all that follows through line 9 on page 170 and insert the following:

**SEC. 322. MUNICIPAL STORMWATER MANAGEMENT PROGRAMS.**

(a) STATE PROGRAMS.—Title III (33 U.S.C. 1311 et seq.) is further amended by adding at the end the following new section:

**"SEC. 322. MUNICIPAL STORMWATER MANAGEMENT PROGRAMS.**

"(a) PURPOSE.—The purpose of this section is to assist States in the development and implementation of municipal stormwater control programs in an expeditious and cost effective manner so as to enable the goals and requirements of this Act to be met in each State no later than 15 years after the date of approval of the municipal stormwater management program of the State. It is recognized that State municipal stormwater management programs need to be built on a foundation that voluntary pollution prevention initiatives represent an approach most likely to succeed in achieving the objectives of this Act.

"(b) STATE ASSESSMENT REPORTS.—

"(1) CONTENTS.—After notice and opportunity for public comment, the Governor of each State, consistent with or as part of the assessment required by section 319, shall prepare and submit to the Administrator for approval, a report which—

"(A) identifies those navigable waters within the State which, without additional action to control pollution from municipal stormwater discharges, cannot reasonably be expected to attain or maintain applicable water quality standards or the goals and requirements of this Act;

"(B) identifies those categories and subcategories of municipal stormwater discharges that add significant pollution to each portion of the navigable waters identified under subparagraph (A) in amounts which contribute to such portion not meeting such water quality standards or such goals and requirements;

"(C) describes the process, including intergovernmental coordination and public participation, for identifying measures to control pollution from each category and subcategory of municipal stormwater discharges identified in subparagraph (B) and to reduce, to the maximum extent practicable, the level of pollution resulting from such discharges; and

"(D) identifies and describes State and local programs for controlling pollution added from municipal stormwater discharges to, and improving the quality of, each such portion of the navigable waters.

"(2) INFORMATION USED IN PREPARATION.—In developing, reviewing, and revising the report required by this subsection, the State—

"(A) may rely upon information developed pursuant to sections 208, 303(e), 304(f), 305(b), 314, 319, 320, and 321 and subsection (h) of this section, information developed from any group stormwater permit application process in effect under section 402(p) of this Act and such other information as the State determines is appropriate; and

"(B) may utilize appropriate elements of the waste treatment management plans developed pursuant to sections 208(b) and 303, to the extent such elements are consistent with and fulfill the requirements of this section.

"(3) REVIEW AND REVISION.—Not later than 18 months after the date of the enactment of the Clean Water Amendments of 1995, and every 5 years thereafter, the State shall review, revise, and submit to the Administrator the report required by this subsection.

"(c) STATE MANAGEMENT PROGRAMS.—

"(1) IN GENERAL.—In substantial consultation with local governments and after notice

and opportunity for public comment, the Governor of each State for the State or in combination with the Governors of adjacent States shall prepare and submit to the Administrator for approval a municipal stormwater management program based on available information which the State proposes to implement in the first 5 fiscal years beginning after the date of submission of such management program for controlling pollution added from municipal stormwater discharges to the navigable waters within the boundaries of the State and improving the quality of such waters.

"(2) SPECIFIC CONTENTS.—Each management program proposed for implementation under this subsection shall include the following:

"(A) IDENTIFICATION OF MODEL MANAGEMENT PRACTICES AND MEASURES.—Identification of the model management practices and measures which will be undertaken to reduce pollutant loadings resulting from municipal stormwater discharges designated under subsection (b)(1)(B), taking into account the impact of the practice and measure on ground water quality.

"(B) IDENTIFICATION OF PROGRAMS AND RESOURCES.—Identification of programs and resources necessary (including, as appropriate, nonregulatory programs or regulatory programs, enforceable policies and mechanisms, technical assistance, financial assistance, education, training, technology transfer, and demonstration projects) to manage municipal stormwater discharges to the degree necessary to provide for reasonable further progress toward the goal of attainment of water quality standards which contain the stormwater criteria established under subsection (h) for designated uses of receiving waters identified under subsection (b)(1)(A) taking into consideration specific watershed conditions, by not later than the last day of the 15-year period beginning on the date of approval of the State program.

"(C) PROGRAM FOR REDUCING POLLUTANT LOADINGS.—A program for municipal stormwater discharges identified under subsection (b)(1)(B) to reduce pollutant loadings from categories and subcategories of municipal stormwater discharges.

"(D) SCHEDULE.—A schedule containing interim goals and milestones for making reasonable progress toward the attainment of standards as set forth in subparagraph (B) established for the designated uses of receiving waters, taking into account specific watershed conditions, which may be demonstrated by one or any combination of improvements in water quality (including biological indicators), documented implementation of voluntary stormwater discharge control measures, or adoption of enforceable stormwater discharge control measures.

"(E) CERTIFICATION OF ADEQUATE AUTHORITY.—

"(i) IN GENERAL.—A certification by the Attorney General of the State or States (or the chief attorney of any State water pollution control agency that has authority under State law to make such certification) that the laws of the State or States, as the case may be, provide adequate authority to implement such management program or, if there is not such adequate authority, a list of such additional authorities as will be necessary to implement such management program.

"(ii) COMMITMENT.—A schedule for seeking, and a commitment by the State or States to seek, such additional authorities as expeditiously as practicable.

"(F) IDENTIFICATION OF FEDERAL FINANCIAL ASSISTANCE PROGRAMS.—An identification of Federal financial assistance programs and Federal development projects for which the State will review individual assistance applications or development projects for their ef-

fect on water quality pursuant to the procedures set forth in Executive Order 12372 as in effect on September 17, 1983, to determine whether such assistance applications or development projects would be consistent with the program prepared under this subsection; for the purposes of this subparagraph, identification shall not be limited to the assistance programs or development projects subject to Executive Order 12372 but may include any programs listed in the most recent Catalog of Federal Domestic Assistance which may have an effect on the purposes and objectives of the State's municipal stormwater management program.

"(G) MONITORING.—A description of the monitoring of navigable waters or other assessment which will be carried out under the program for the purposes of monitoring and assessing the effectiveness of the program, including the attainment of interim goals and milestones.

"(H) IDENTIFICATION OF CERTAIN INCONSISTENT FEDERAL ACTIVITIES.—An identification of activities on Federal lands in the State that are inconsistent with the State management program.

"(I) IDENTIFICATION OF GOALS AND MILESTONES.—An identification of goals and milestones for progress in attaining water quality standards, including a projected date for attaining such standards as expeditiously as practicable but not later than 15 years after the date of approval of the State program for each of the waters listed pursuant to subsection (b).

"(3) UTILIZATION OF LOCAL AND PRIVATE EXPERTS.—In developing and implementing a management program under this subsection, a State shall, to the maximum extent practicable, involve local public and private agencies and organizations which have expertise in stormwater management.

"(4) DEVELOPMENT ON WATERSHED BASIS.—A State shall, to the maximum extent practicable, develop and implement a stormwater management program under this subsection on a watershed-by-watershed basis within such State.

"(d) ADMINISTRATIVE PROVISIONS.—

"(1) COOPERATION REQUIREMENT.—Any report required by subsection (b) and any management program and report required by subsection (c) shall be developed in cooperation with local, substate, regional, and interstate entities which are responsible for implementing municipal stormwater management programs.

"(2) TIME PERIOD FOR SUBMISSION OF MANAGEMENT PROGRAMS.—Each management program shall be submitted to the Administrator within 30 months of the issuance by the Administrator of the final guidance under subsection (1) and every 5 years thereafter. Each program submission after the initial submission following the date of the enactment of the Clean Water Amendments of 1995 shall include a demonstration of reasonable further progress toward the goal of attaining water quality standards as set forth in subsection (c)(2) established for designated uses of receiving waters taking into account specific watershed conditions by not later than the date referred to in subsection (b)(2)(B), including a documentation of the degree to which the State has achieved the interim goals and milestones contained in the previous program submission. Such demonstration shall take into account the adequacy of Federal funding under this section.

"(3) TRANSITION.—

"(A) IN GENERAL.—Permits issued pursuant to section 402(p) for discharges from municipal storm sewers, as in effect on the day before the date of the enactment of this section, shall remain in effect until the effective date of a State municipal stormwater management program under this section. Stormwater dischargers shall continue to

implement any stormwater management practices and measures required under such permits until such practices and measures are modified pursuant to this subparagraph or pursuant to a State municipal stormwater management program. Prior to the effective date of a State municipal stormwater management program, municipal stormwater dischargers may submit for approval proposed revised stormwater management practices and measures to the State, in the case of a State with an approved program under section 402, or the Administrator. Upon notice of approval by the State or the Administrator, the municipal stormwater discharger shall implement the revised stormwater management practices and measures which may be voluntary pollution prevention activities. A municipal stormwater discharger operating under a permit continued in effect under this subparagraph shall not be subject to citizens suits under section 505.

“(B) ANTIBACKSLIDING.—Section 402(o) shall not apply to any activity carried out in accordance with this paragraph.

“(e) APPROVAL OR DISAPPROVAL OF REPORTS OR MANAGEMENT PROGRAMS.—

“(1) DEADLINE.—Subject to paragraph (2), not later than 180 days after the date of submission to the Administrator of any report or revised report or management program under this section, the Administrator shall either approve or disapprove such report or management program, as the case may be. The Administrator may approve a portion of a management program under this subsection. If the Administrator does not disapprove a report, management program, or portion of a management program in such 180-day period, such report, management program, or portion shall be deemed approved for purposes of this section.

“(2) PROCEDURE FOR DISAPPROVAL.—If, after notice and opportunity for public comment and consultation with appropriate Federal and State agencies and other interested persons, the Administrator determines that—

“(A) the proposed management program or any portion thereof does not meet the requirements of subsection (b) of this section or is not likely to satisfy, in whole or in part, the goals and requirements of this Act;

“(B) adequate authority does not exist, or adequate resources are not available, to implement such program or portion; or

“(C) the practices and measures proposed in such program or portion will not result in reasonable progress toward the goal of attainment of applicable water quality standards as set forth in subsection (c)(2) established for designated uses of receiving waters taking into consideration specific watershed conditions as expeditiously as possible but not later than 15 years after approval of a State municipal stormwater management program under this section;

“(2) the Administrator shall within 6 months of the receipt of the proposed program notify the State of any revisions or modifications necessary to obtain approval. The State shall have an additional 6 months to submit its revised management program, and the Administrator shall approve or disapprove such revised program within 3 months of receipt.

“(3) FAILURE OF STATE TO SUBMIT REPORT.—If a Governor of a State does not submit a report or revised report required by subsection (b) within the period specified by subsection (d)(2), the Administrator shall, within 18 months after the date on which such report is required to be submitted under subsection (b), prepare a report for such State which makes the identifications required by paragraphs (1)(A) and (1)(B) of subsection (b). Upon completion of the requirement of the preceding sentence and after notice and opportunity for a comment, the Ad-

ministrator shall report to Congress of the actions of the Administrator under this section.

“(4) FAILURE OF STATE TO SUBMIT MANAGEMENT PROGRAM.—

“(A) PROGRAM MANAGEMENT BY ADMINISTRATOR.—Subject to paragraph (5), if a State fails to submit a management program or revised management program under subsection (c) or the Administrator does not approve such management program, the Administrator shall prepare and implement a management program for controlling pollution added from municipal stormwater discharges to the navigable waters within the State and improving the quality of such waters in accordance with subsection (c).

“(B) NOTICE AND HEARING.—If the Administrator intends to disapprove a program submitted by a State the Administrator shall first notify the Governor of the State, in writing, of the modifications necessary to meet the requirements of this section. The Administrator shall provide adequate public notice and an opportunity for a public hearing for all interested parties.

“(C) STATE REVISION OF ITS PROGRAM.—If, after taking into account the level of funding actually provided as compared with the level authorized, the Administrator determines that a State has failed to demonstrate reasonable further progress toward the attainment of water quality standards as required, the State shall revise its program within 12 months of that determination in a manner sufficient to achieve attainment of applicable water quality standards by the deadline established by this section. If a State fails to make such a program revision or the Administrator does not approve such a revision, the Administrator shall prepare and implement a municipal stormwater management program for the State.

“(5) LOCAL MANAGEMENT PROGRAMS; TECHNICAL ASSISTANCE.—If a State fails to submit a management program under subsection (c) or the Administrator does not approve such a management program, a local public agency or organization which has expertise in, and authority to, control water pollution resulting from municipal stormwater sources in any area of such State which the Administrator determines is of sufficient geographic size may, with approval of such State, request the Administrator to provide, and the Administrator shall provide, technical assistance to such agency or organization in developing for such area a management program which is described in subsection (c) and can be approved pursuant to this subsection. After development of such management program, such agency or organization shall submit such management program to the Administrator for approval.

“(f) INTERSTATE MANAGEMENT CONFERENCE.—

“(1) CONVENING OF CONFERENCE; NOTIFICATION; PURPOSE.—

“(A) CONVENING OF CONFERENCE.—If any portion of the navigable waters in any State which is implementing a management program approved under this section is not meeting applicable water quality standards or the goals and requirements of this Act as a result, in whole or in part, of pollution from stormwater in another State, such State may petition the Administrator to convene, and the Administrator shall convene, a management conference of all States which contribute significant pollution resulting from stormwater to such portion.

“(B) NOTIFICATION.—If, on the basis of information available, the Administrator determines that a State is not meeting applicable water quality standards or the goals and requirements of this Act as a result, in whole or in part, of significant pollution from stormwater in another State, the Administrator shall notify such States.

“(C) TIME LIMIT.—The Administrator may convene a management conference under this paragraph not later than 180 days after giving such notification under subparagraph (B), whether or not the State which is not meeting such standards requests such conference.

“(D) PURPOSE.—The purpose of the conference shall be to develop an agreement among the States to reduce the level of pollution resulting from stormwater in the portion of the navigable waters and to improve the water quality of such portion.

“(E) PROTECTION OF WATER RIGHTS.—Nothing in the agreement shall supersede or abrogate rights to quantities of water which have been established by interstate water compacts, Supreme Court decrees, or State water laws.

“(F) LIMITATIONS.—This subsection shall not apply to any pollution which is subject to the Colorado River Basin Salinity Control Act. The requirement that the Administrator convene a management conference shall not be subject to the provisions of section 505 of this Act.

“(2) STATE MANAGEMENT PROGRAM REQUIREMENT.—To the extent that the States reach agreement through such conference, the management programs of the States which are parties to such agreements and which contribute significant pollution to the navigable waters or portions thereof not meeting applicable water quality standards or goals and requirements of this Act will be revised to reflect such agreement. Such management programs shall be consistent with Federal and State law.

“(g) GRANTS FOR STORMWATER RESEARCH.—

“(1) IN GENERAL.—To determine the most cost-effective and technologically feasible means of improving the quality of the navigable waters and to develop the criteria required pursuant to subsection (g), the Administrator shall establish an initiative through which the Administrator shall fund State and local demonstration programs and research to—

“(A) identify adverse impacts of stormwater discharges on receiving waters;

“(B) identify the pollutants in stormwater which cause impact; and

“(C) test innovative approaches to address the impacts of source controls and model management practices and measures for runoff from municipal storm sewers.

Persons conducting demonstration programs and research funded under this subsection shall also take into account the physical nature of episodic stormwater flows, the varying pollutants in stormwater, the actual risk the flows pose to the designated beneficial uses, and the ability of natural ecosystems to accept temporary stormwater events.

“(2) AWARD OF FUNDS.—The Administrator shall award the demonstration and research program funds taking into account regional and population variations.

“(3) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this subsection \$20,000,000 per fiscal year for fiscal years 1996 through 2000. Such sums shall remain available until expended.

“(h) DEVELOPMENT OF STORMWATER CRITERIA.—

“(1) IN GENERAL.—To reflect the episodic character of stormwater which results in significant variances in the volume, hydraulics, hydrology, and pollutant load associated with stormwater discharges, the Administrator shall establish, as an element of the water quality standards established for the designated uses of the navigable waters, stormwater criteria which protect the navigable waters from impairment of the designated beneficial uses caused by stormwater discharges. The criteria shall be technologically and financially feasible and may in-

clude performance standards, guidelines, guidance, and model management practices and measures and treatment requirements, as appropriate, and as identified in subsection (g)(1).

“(2) INFORMATION TO BE USED IN DEVELOPMENT.—The stormwater discharge criteria to be established under this subsection—

“(A) shall be developed from—

“(i) the findings and conclusions of the demonstration programs and research conducted under subsection (g);

“(ii) the findings and conclusions of the research and monitoring activities of stormwater dischargers performed in compliance with permit requirements of this Act; and

“(iii) other relevant information, including information submitted to the Administrator under the industrial group permit application process in effect under section 402 of this Act;

“(B) shall be developed in consultation with persons with expertise in the management of stormwater (including officials of State and local government, industrial and commercial stormwater dischargers, and public interest groups); and

“(C) shall be established as an element of the water quality standards that are developed and implemented under this Act by not later than December 31, 2008.

“(i) COLLECTION OF INFORMATION.—The Administrator shall collect and make available, through publications and other appropriate means, information pertaining to model management practices and measures and implementation methods, including, but not limited to—

“(1) information concerning the costs and relative efficiencies of model management practices and measures for reducing pollution from stormwater discharges; and

“(2) available data concerning the relationship between water quality and implementation of various management practices to control pollution from stormwater discharges.

“(j) REPORTS OF ADMINISTRATOR.—

“(1) BIENNIAL REPORTS.—Not later than January 1, 1996, and biennially thereafter, the Administrator shall transmit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate, a report for the preceding fiscal year on the activities and programs implemented under this section and the progress made in reducing pollution in the navigable waters resulting from stormwater discharges and improving the quality of such waters.

“(2) CONTENTS.—Each report submitted under paragraph (1), at a minimum shall—

“(A) describe the management programs being implemented by the States by types of affected navigable waters, categories and subcategories of stormwater discharges, and types of measures being implemented;

“(B) describe the experiences of the States in adhering to schedules and implementing the measures under subsection (c);

“(C) describe the amount and purpose of grants awarded pursuant to subsection (g);

“(D) identify, to the extent that information is available, the progress made in reducing pollutant loads and improving water quality in the navigable waters;

“(E) indicate what further actions need to be taken to attain and maintain in those navigable waters (i) applicable water quality standards, and (ii) the goals and requirements of this Act;

“(F) include recommendations of the Administrator concerning future programs (including enforcement programs) for controlling pollution from stormwater; and

“(G) identify the activities and programs of departments, agencies, and instrumental-

ities of the United States that are inconsistent with the municipal stormwater management programs implemented by the States under this section and recommended modifications so that such activities and programs are consistent with and assist the States in implementation of such management programs.

“(k) GUIDANCE ON MODEL STORMWATER MANAGEMENT PRACTICES AND MEASURES.—

“(1) IN GENERAL.—The Administrator, in consultation with appropriate Federal, State, and local departments and agencies, and after providing notice and opportunity for public comment, shall publish guidance to identify model management practices and measures which may be undertaken, at the discretion of the State or appropriate entity, under a management program established pursuant to this section. In preparing such guidance, the Administrator shall consider integration of a municipal stormwater management program of a State with, and the relationship of such program to, the nonpoint source management program of the State under section 319.

“(2) PUBLICATION.—The Administrator shall publish proposed guidance under this subsection not later than 6 months after the date of the enactment of this subsection and shall publish final guidance under this subsection not later than 18 months after such date of enactment. The Administrator shall periodically review and revise the final guidance upon adequate notice and opportunity for public comment at least once every 3 years after its publication.

“(3) MODEL MANAGEMENT PRACTICES AND MEASURES DEFINED.—For the purposes of this subsection, the term “model management practices and measures” means economically achievable measures for the control of pollutants from stormwater discharges which reflect the most cost-effective degree of pollutant reduction achievable through the application of the best available practices, technologies, processes, siting criteria, operating methods, or other alternatives.

“(l) ENFORCEMENT WITH RESPECT TO MUNICIPAL STORMWATER DISCHARGERS VIOLATING STATE MANAGEMENT PROGRAMS.—Municipal stormwater dischargers that do not comply with State management program requirements under subsection (c) are subject to applicable enforcement actions under sections 309 and 505 of this Act.

“(m) ENTRY AND INSPECTION.—In order to carry out the objectives of this section, an authorized representative of a State, upon presentation of his or her credentials, shall have a right of entry to, upon, or through any property at which a stormwater discharge or records required to be maintained under the State municipal stormwater management program are located.

“(n) LIMITATION ON DISCHARGES REGULATED UNDER WATERSHED MANAGEMENT PROGRAM.—Municipal stormwater discharges regulated under section 321 in a manner consistent with this section shall not be subject to this section.”

(b) CONFORMING AMENDMENTS TO INDUSTRIAL STORMWATER DISCHARGE PROGRAM.—Section 402(p) (33 U.S.C 1342(p)) is amended—

(1) in the subsection heading by striking “MUNICIPAL AND”;

(2) in paragraph (1) by striking “1994” and inserting “2001”;

(3) by adding at the end of the paragraph (1) the following: “This subsection does not apply to municipal stormwater discharges which are covered by section 322.”;

(4) in paragraph (2) by striking subparagraphs (C) and (D) and by redesignating subparagraph (E) as subparagraph (C);

(5) in paragraph (3)—

(A) by striking the heading for subparagraph (A);

(B) by moving the text of subparagraph (A) after the paragraph heading; and

(C) by striking subparagraph (B);

(6) in paragraph (4)—

(A) by striking the heading for subparagraph (A);

(B) by moving the text of subparagraph (A) after the paragraph heading;

(C) by striking “and (2)(C)”;

(D) by striking subparagraph (B);

(7) by striking paragraph (5);

(8) by redesignating paragraph (6) as paragraph (5); and

(9) in paragraph (5) as so redesignated—

(A) by striking “1993” and inserting “2000”; and

(B) by inserting after “paragraph (2)” the following: “and other than municipal stormwater discharges”.

(c) DEFINITIONS.—Section 502 (33 U.S.C. 1362) is amended by adding at the end the following:

“(25) The term ‘stormwater’ means runoff from rain, snow melt, or any other precipitation-generated surface runoff.

“(26) The term ‘stormwater discharge’ means a discharge from any conveyance which is used for the collecting and conveying of stormwater to navigable waters and which is associated with a municipal storm sewer system or industrial, commercial, oil, gas, or mining activities or construction activities.”

It was decided in the { Yeas ..... 159  
negative ..... } Nays ..... 258

¶64.8 [Roll No. 316]

AYES—159

Abercrombie	Gutierrez	Olver
Ackerman	Hamilton	Owens
Andrews	Harman	Pallone
Baesler	Hastings (FL)	Pastor
Barrett (WI)	Hefner	Payne (NJ)
Becerra	Hinchey	Pelosi
Beilenson	Holden	Peterson (MN)
Bentsen	Hoyer	Pomeroy
Berman	Jackson-Lee	Rahall
Boehlert	Jacobs	Reed
Bonior	Jefferson	Reynolds
Borski	Johnson (CT)	Richardson
Boucher	Johnson, E. B.	Rivers
Brown (CA)	Johnston	Roemer
Brown (OH)	Kanjorski	Ros-Lehtinen
Bryant (TX)	Kaptur	Roybal-Allard
Cardin	Kennedy (MA)	Rush
Clay	Kennedy (RI)	Sabo
Clayton	Kennelly	Sanders
Clyburn	Kildee	Sawyer
Collins (MI)	Klecza	Schroeder
Conyers	Klink	Schumer
Coyne	LaFalce	Scott
Deal	Lantos	Serrano
DeFazio	Levin	Shays
DeLauro	Lewis (GA)	Skaggs
Dellums	Lipinski	Slaughter
Deutsch	Lofgren	Stark
Dicks	Lowe	Stokes
Dingell	Luther	Studds
Dixon	Maloney	Stupak
Doggett	Manton	Thompson
Durbin	Markey	Thurman
Engel	Martinez	Torres
Eshoo	Mascara	Torricelli
Evans	Matsui	Tucker
Farr	McCarthy	Velazquez
Fattah	McDermott	Vento
Fazio	McHale	Visclosky
Fields (LA)	McKinney	Volkmer
Filner	Meek	Walsh
Flake	Menendez	Ward
Foglietta	Mfume	Waters
Forbes	Miller (CA)	Watt (NC)
Ford	Mineta	Waxman
Frost	Minge	Williams
Furse	Mink	Wilson
Gejdenson	Moran	Wise
Gephardt	Morella	Woolsey
Gibbons	Nadler	Wyden
Gilchrest	Neal	Wynn
Gilman	Oberstar	Yates
Green	Obey	Zimmer

NOES—258

Allard	Bachus	Ballenger
Archer	Baker (CA)	Barcia
Arney	Baker (LA)	Barr

Barrett (NE)	Gallegly	Nethercutt
Bartlett	Ganske	Neumann
Barton	Gekas	Ney
Bass	Geren	Norwood
Bateman	Gillmor	Nussle
Bereuter	Gonzalez	Ortiz
Bevill	Goodlatte	Orton
Bilbray	Goodling	Oxley
Bilirakis	Gordon	Packard
Bishop	Goss	Parker
Bliley	Graham	Paxon
Blute	Greenwood	Payne (VA)
Boehner	Gunderson	Petri
Bonilla	Gutknecht	Pickett
Brewster	Hall (TX)	Pombo
Browder	Hancock	Porter
Brownback	Hansen	Portman
Bryant (TN)	Hastert	Poshard
Bunn	Hastings (WA)	Pryce
Bunning	Hayes	Quillen
Burr	Hayworth	Quinn
Burton	Hefley	Radanovich
Buyer	Heineman	Ramstad
Callahan	Herger	Regula
Calvert	Hilleary	Riggs
Camp	Hilliard	Roberts
Canady	Hobson	Rohrabacher
Castle	Hoekstra	Rose
Chabot	Hoke	Roth
Chambliss	Horn	Roukema
Chapman	Hostettler	Royce
Chenoweth	Houghton	Salmon
Christensen	Hunter	Sanford
Chrysler	Hutchinson	Saxton
Clement	Hyde	Scarborough
Clinger	Inglis	Schaefer
Coble	Istook	Schiff
Coburn	Johnson (SD)	Seastrand
Coleman	Johnson, Sam	Sensenbrenner
Combust	Jones	Shadegg
Condit	Kasich	Shaw
Cooley	Kelly	Shuster
Costello	Kim	Sisisky
Cox	King	Skeen
Cramer	Kingston	Skelton
Crane	Klug	Smith (NJ)
Crapo	Knollenberg	Smith (TX)
Creameans	Kolbe	Smith (WA)
Cubin	LaHood	Solomon
Cunningham	Largent	Souder
Danner	Latham	Spence
Davis	LaTourette	Spratt
de la Garza	Laughlin	Stearns
DeLay	Lazio	Stenholm
Diaz-Balart	Leach	Stockman
Dickey	Lewis (CA)	Stump
Dooley	Lewis (KY)	Talent
Doolittle	Lightfoot	Tanner
Dornan	Lincoln	Tate
Doyle	Linder	Tauzin
Dreier	Livingston	Taylor (MS)
Duncan	LoBiondo	Taylor (NC)
Dunn	Longley	Tejeda
Edwards	Lucas	Thomas
Ehlers	Manzullo	Thornberry
Ehrlich	Martini	Thornton
Emerson	McCollum	Tiahrt
English	McCrery	Traficant
Ensign	McDade	Upton
Everett	McHugh	Vucanovich
Ewing	McInnis	Waldholtz
Fawell	McIntosh	Walker
Fields (TX)	McKeon	Wamp
Flanagan	Meehan	Watts (OK)
Foley	Meyers	Weldon (FL)
Fowler	Mica	Weldon (PA)
Fox	Miller (FL)	Weller
Frank (MA)	Molinari	White
Franks (CT)	Mollohan	Wicker
Franks (NJ)	Montgomery	Wolf
Frelinghuysen	Moorhead	Young (AK)
Frisa	Myers	Young (FL)
Funderburk	Myrick	Zeliff

## NOT VOTING—17

Baldacci	McNulty	Rogers
Bono	Metcalf	Smith (MI)
Brown (FL)	Moakley	Torkildsen
Collins (GA)	Murtha	Towns
Collins (IL)	Peterson (FL)	Whitfield
Hall (OH)	Rangel	

So the amendment was not agreed to.

After some further time,

## ¶64.9 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the

Whole on the following amendment submitted by Mr. PALLONE:

Page 72, strike line 20 and all that follows through line 18 on page 73 and insert the following:

(b) BEACHES ENVIRONMENTAL ASSESSMENT, CLOSURE, AND HEALTH.—

(1) WATER QUALITY CRITERIA AND STANDARDS.—

(A) ISSUANCE OF CRITERIA.—Section 304(a) (33 U.S.C. 1314(a)) is further amended by adding at the end the following:

“(13) COASTAL RECREATION WATERS.—(A) The Administrator, after consultation with appropriate Federal and State agencies and other interested persons, shall issue within 18 months after the effective date of this paragraph (and review and revise from time to time thereafter) water quality criteria for pathogens in coastal recreation waters. Such criteria shall—

“(i) be based on the best available scientific information;

“(ii) be sufficient to protect public health and safety in case of any reasonably anticipated exposure to pollutants as a result of swimming, bathing, or other body contact activities; and

“(iii) include specific numeric criteria calculated to reflect public health risks from short-term increases in pathogens in coastal recreation waters resulting from rainfall, malfunctions of wastewater treatment works, and other causes.

“(B) For purposes of this paragraph, the term ‘coastal recreation waters’ means Great Lakes and marine coastal waters commonly used by the public for swimming, bathing, or other similar primary contact purposes.”

(B) STANDARDS.—

(i) ADOPTION BY STATES.—A State shall adopt water quality standards for coastal recreation waters which, at a minimum, are consistent with the criteria published by the Administrator under section 304(a)(13) of the Federal Water Pollution Control Act not later than 3 years following the date of such publication. Such water quality standards shall be developed in accordance with the requirements of section 303(c) of the Federal Water Pollution Control Act. A State shall incorporate such standards into all appropriate programs into which such State would incorporate water quality standards adopted under section 303(c) of the Federal Water Pollution Control Act.

(ii) FAILURE OF STATES TO ADOPT.—If a State has not complied with subparagraph (A) by the last day of the 3-year period beginning on the date of publication of criteria under section 304(a)(13) of the Federal Water Pollution Control Act, the Administrator shall promulgate water quality standards for coastal recreation waters for the State under applicable provisions of section 303 of the Federal Water Pollution Control Act. The water quality standards for coastal recreation waters shall be consistent with the criteria published by the Administrator under such section 304(a)(13). The State shall use the standards issued by the Administrator in implementing all programs for which water quality standards for coastal recreation waters are used.

(2) COASTAL BEACH WATER QUALITY MONITORING.—Title IV (33 U.S.C. 1341-1345) is amended by adding at the end thereof the following new section:

“SEC. 406. COASTAL BEACH WATER QUALITY MONITORING.

“(a) MONITORING.—Not later than 9 months after the date on which the Administrator publishes revised water quality criteria for coastal recreation waters under section 304(a)(13), the Administrator shall publish regulations specifying methods to be used by States to monitor coastal recreation waters,

during periods of use by the public, for compliance with applicable water quality standards for those waters and protection of the public safety. Monitoring requirements established pursuant to this subsection shall, at a minimum—

“(1) specify the frequency of monitoring based on the periods of recreational use of such waters;

“(2) specify the frequency of monitoring based on the extent and degree of use during such periods;

“(3) specify the frequency of monitoring based on the proximity of coastal recreation waters to pollution sources;

“(4) specify methods for detecting short-term increases in pathogens in coastal recreation waters;

“(5) specify the conditions and procedures under which discrete areas of coastal recreation waters may be exempted by the Administrator from the monitoring requirements of this subsection, if the Administrator determines that an exemption will not impair—

“(A) compliance with the applicable water quality standards for those waters; and

“(B) protection of the public safety; and

“(6) require, if the State has an approved coastal zone management program under section 306 of the Coastal Zone Management Act of 1972 (16 U.S.C. 1455), that each coastal zone management agency of the State provide technical assistance to local governments within the State for ensuring that coastal recreation waters and beaches are as free as possible from floatable materials.

“(b) NOTIFICATION REQUIREMENTS.—Regulations published pursuant to subsection (a) shall require States to notify local governments and the public of violations of applicable water quality standards for State coastal recreation waters. Notification pursuant to this subsection shall include, at a minimum—

“(1) prompt communication of the occurrence, nature, and extent of such a violation, to a designated official of a local government having jurisdiction over land adjoining the coastal recreation waters for which a violation is identified; and

“(2) posting of signs, for the period during which the violation continues, sufficient to give notice to the public of a violation of an applicable water quality standard for such waters and the potential risks associated with body contact recreation in such waters.

“(c) FLOATABLE MATERIALS MONITORING PROCEDURES.—The Administrator shall—

“(1) issue guidance on uniform assessment and monitoring procedures for floatable materials in coastal recreation waters; and

“(2) specify the conditions under which the presence of floatable material shall constitute a threat to public health and safety.

“(d) DELEGATION OF RESPONSIBILITY.—A State may delegate responsibility for monitoring and posting of coastal recreation waters pursuant to this section to local government authorities.

“(e) REVIEW AND REVISION OF REGULATIONS.—The Administrator shall review and revise regulations published pursuant to this section periodically.

“(f) DEFINITIONS.—For the purposes of this section—

“(1) the term ‘coastal recreation waters’ means Great Lakes and marine coastal waters commonly used by the public for swimming, bathing, or other similar body contact purposes; and

“(2) the term ‘floatable materials’ means any matter that may float or remain suspended in the water column and includes plastic, aluminum cans, wood, bottles, and paper products.”

(3) STUDY TO IDENTIFY INDICATORS OF HUMAN-SPECIFIC PATHOGENS IN COASTAL RECREATION WATERS.—

(A) STUDY.—The Administrator, in co-operation with the Under Secretary of Commerce for Oceans and Atmosphere, shall conduct an ongoing study to provide additional information to the current base of knowledge for use for developing better indicators for directly detecting in coastal recreation waters the presence of bacteria and viruses which are harmful to human health.

(B) REPORT.—Not later than 4 years after the date of the enactment of this Act, and periodically thereafter, the Administrator shall submit to the Congress a report describing the findings of the study under this paragraph, including—

(i) recommendations concerning the need for additional numerical limits or conditions and other actions needed to improve the quality of coastal recreation waters;

(ii) a description of the amounts and types of floatable materials in coastal waters and on coastal beaches and of recent trends in the amounts and types of such floatable materials; and

(iii) an evaluation of State efforts to implement this section, including the amendments made by this section.

(4) GRANTS TO STATES.—

(1) GRANTS.—The Administrator may make grants to States for use in fulfilling requirements established pursuant to paragraphs (1) and (2) (including any amendments made by such paragraphs).

(B) COST SHARING.—The total amount of grants to a State under this paragraph for a fiscal year shall not exceed 50 percent of the cost to the State of implementing requirements established pursuant to such paragraphs.

(5) DEFINITIONS.—In this subsection—

(A) the term "coastal recreation waters" means Great Lakes and marine coastal waters commonly used by the public for swimming, bathing, or other similar body contact purposes; and

(B) the term "floatable materials" means any matter that may float or remain suspended in the water column and includes plastic, aluminum cans, wood, bottles, and paper products.

(6) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Administrator—

(A) for use in making grants to States under paragraph (4) not more than \$3,000,000 for each of the fiscal years 1996 and 1997; and

(B) for carrying out the other provisions of this subsection not more than \$1,000,000 for each of the fiscal years 1996 and 1997.

Page 204, line 14, strike "406" and insert "407".

It was decided in the { Yeas ..... 175 negative ..... } { Nays ..... 251

¶64.10 [Roll No. 317] AYES—175

- Ackerman, Costello, Foglietta, Andrews, Coyne, Forbes, Baldacci, Davis, Ford, Barcia, de la Garza, Fox, Becerra, DeFazio, Frank (MA), Beilenson, DeLauro, Frelinghuysen, Bentsen, Dellums, Frost, Berman, Deutsch, Furse, Boehlert, Dicks, Gejdenson, Bonior, Dingell, Gephardt, Borski, Dixon, Gibbons, Boucher, Doggett, Gilchrist, Brown (CA), Doyle, Gilman, Brown (FL), Durbin, Gonzalez, Brown (OH), Engel, Gordon, Bryant (TX), English, Green, Cardin, Eshoo, Greenwood, Castle, Evans, Gutierrez, Clay, Farr, Hall (OH), Clayton, Fattah, Harman, Clyburn, Fazio, Hastings (FL), Coleman, Fields (LA), Collins (MI), Filner, Hinchey, Conyers, Flake, Holden

- Hoyer, Meek, Serrano, Jackson-Lee, Menendez, Shays, Jefferson, Meyers, Skaggs, Johnson (SD), Mfume, Slaughter, Johnson (E. B.), Mineta, Smith (NJ), Johnston, Moran, Spratt, Kanjorski, Morella, Stark, Kaptur, Nadler, Stokes, Kennedy (MA), Neal, Studds, Kennedy (RI), Oberstar, Stupak, Kennelly, Obey, Thompson, Kildee, Olver, Thornton, Klink, Owens, Torildsen, LaFalce, Pallone, Torres, Schafer, Lantos, Pastor, Torricelli, Lazio, Payne (NJ), Towns, Schiff, Levin, Pelosi, Tucker, Lewis (GA), Pomeroy, Velazquez, Lincoln, Poshard, Vento, Lipinski, Rahall, Visclosky, LoBiondo, Rangel, Ward, Lofgren, Reed, Waters, Lowey, Reynolds, Watt (NC), Luther, Richardson, Waxman, Maloney, Rivers, Weldon (PA), Manton, Roukema, Williams, Markey, Roybal-Allard, Wilson, Martinez, Rush, Wise, Mascara, Sabo, Woolsey, Matsui, Sanders, Wyden, McDermott, Sawyer, Wynn, McHale, Saxton, Yates, McKinney, Schroeder, Zimmer, McNulty, Schumer, Meehan, Scott

NOES—251

- Abercrombie, Dickey, Kelly, Allard, Dooley, Kim, Archer, Doolittle, King, Arney, Dornan, Kingston, Bachus, Dreier, Kleczka, Baesler, Duncan, Klug, Baker (CA), Dunn, Knollenberg, Baker (LA), Edwards, Kolbe, Ballenger, Ehlers, LaHood, Barr, Ehrlich, Largent, Barrett (NE), Emerson, Latham, Barrett (WI), Ensign, LaTourrette, Bartlett, Everrett, Leach, Barton, Ewing, Lewis (CA), Bass, Fawell, Lewis (KY), Bateman, Fields (TX), Lightfoot, Bereuter, Flanagan, Linder, Bevill, Foley, Livingston, Bilbray, Fowler, Longley, Bilirakis, Franks (CT), Lucas, Bishop, Franks (NJ), Manzullo, Bilely, Frisa, Martini, Blute, Funderburk, McCarthy, Boehner, Gallegly, McCollum, Bonilla, Ganske, McCrery, Brewster, Gekas, McDade, Browder, Geren, McHugh, Brownback, Gillmor, McInnis, Bryant (TN), Goodlatte, McIntosh, Bunn, Goodling, McKeon, Bunning, Goss, Metcalf, Burr, Graham, Mica, Miller (FL), Burton, Gunderson, Minge, Buyer, Gutknecht, Mink, Callahan, Hall (TX), Mollinari, Calvert, Hamilton, Mollohan, Camp, Hancock, Montgomery, Canady, Hansen, Moorhead, Chabot, Hastert, Murtha, Chambliss, Hastings (WA), Myers, Chapman, Hayes, Myrick, Chenoweth, Hayworth, Nethercutt, Christensen, Hefley, Neumann, Chryslers, Hoyer, Ney, Clement, Herger, Nussle, Clinger, Hilleary, Ortiz, Coble, Hilliard, Orton, Coburn, Hobson, Oxley, Collins (GA), Hoekstra, Packard, Combest, Hoke, Parker, Condit, Horn, Paxon, Cooley, Hostettler, Payne (VA), Cox, Houghton, Peterson (MN), Cramer, Hunter, Cramer, Hutchinson, Crane, Hyde, Crapo, Inglis, Cremean, Inglis, Porter, Cubin, Istook, Portman, Cunningham, Jacobs, Pryce, Danner, Johnson (CT), Deal, Johnson, Sam, Jones, Jones, Quinn, Diaz-Balart, Kasich, Radanovich

- Ramstad, Skeen, Thurman, Regula, Skelton, Tiahrt, Riggs, Smith (MI), Traficant, Roberts, Smith (TX), Upton, Roemer, Smith (WA), Volkmer, Rohrabacher, Solomon, Vucanovich, Ros-Lehtinen, Souder, Waldholtz, Rose, Spence, Walker, Roth, Stearns, Walsh, Royce, Stenholm, Wamp, Salmon, Stockman, Watts (OK), Sanford, Stump, Weldon (FL), Scarborough, Talent, Weller, Schaefer, Tanner, White, Schiff, Tate, Whitfield, Seastrand, Tauzin, Wicker, Sensenbrenner, Taylor (MS), Wolf, Shadegg, Taylor (NC), Young (AK), Shaw, Tejada, Young (FL), Shuster, Thomas, Zeliff, Sisisky, Thornberry

NOT VOTING—8

- Bono, Miller (CA), Peterson (FL), Collins (IL), Moakley, Rogers, Laughlin, Norwood

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

¶64.11 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 170, line 19, strike "issuing". Page 170, line 20, before "any" insert "issuing". Page 170, line 24, strike "or". Page 171, line 1, before "any" insert "issuing". Page 171, line 3 strike the period and insert a semicolon.

Page 171, after line 3, insert the following:

"(3) granting under section 301(g) a modification of the requirements of section 301(b)(2)(A);

"(4) issuing a permit under section 402 which under section 301(p)(5) modifies the requirements of section 301, 302, 306, or 307;

"(5) extending under section 301(k) a deadline for a point source to comply with any limitation under section 301(b)(1)(A), 301(b)(2)(A), or 301(b)(2)(E) or otherwise modifying under section 301(k) the conditions of a permit under section 402;

"(6) issuing a permit under section 402 which modifies under section 301(q) the requirements of section 301(b), 306, or 307;

"(7) issuing a permit under section 402 which modifies under section 301(r) the requirements of section 301(b), 306, or 307;

"(8) renewing, reissuing, or modifying a permit to which section 401(o)(1) applies if the permittee has received a permit modification under section 301(q) or 301(r) or the exception under section 402(o)(2)(F) applies;

"(9) extending under section 307(e) the deadline for compliance with applicable national categorical pretreatment standards or otherwise modifying under section 307(e) pretreatment requirements of section 307(b);

"(10) waiving or modifying under section 307(f) pretreatment requirements of section 307(b);

"(11) allowing under section 307(g) any person that introduces silver into a publicly owned treatment works to comply with a code of management practices in lieu of complying with any pretreatment requirement for silver;

"(12) establishing under section 316(b)(3) a standard other than best technology available for existing point sources;

"(13) approving a pollutant transfer pilot project under section 321(g)(1); or

"(14) issuing a permit pursuant to section 402(r)(1) with a limitation that does not meet applicable water quality standards.

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	Lowey	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	Galleghy
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, Studds, Stupak, Thompson, Thornton, Thurman, Torres, Torricelli, Towns, Trafficant, 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, 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, Trafficant, 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.



Dunn	Kim	Roberts
Edwards	King	Roemer
Ehlers	Kingston	Rohrabacher
Ehrlich	Klug	Ros-Lehtinen
Emerson	Knollenberg	Rose
English	Kolbe	Roth
Ensign	LaHood	Roukema
Everett	Largent	Royce
Ewing	Latham	Salmon
Fawell	LaTourette	Saxton
Fields (TX)	Laughlin	Scarborough
Flanagan	Leach	Schaefer
Foley	Lewis (CA)	Schiff
Forbes	Lewis (KY)	Seastrand
Fowler	Lightfoot	Sensenbrenner
Fox	Livingston	Shadegg
Franks (CT)	LoBiondo	Shaw
Franks (NJ)	Longley	Shuster
Frelinghuysen	Lucas	Sisisky
Frisa	Manzullo	Siskey
Funderburk	Martini	Skelton
Galglegly	McCollum	Smith (MI)
Ganske	McCrery	Smith (NJ)
Gekas	McDade	Smith (TX)
Geren	McHugh	Smith (WA)
Gilchrist	McInnis	Solomon
Gillmor	McIntosh	Souder
Gilman	McKeon	Spence
Goodlatte	McNulty	Stearns
Goodling	Metcalf	Stenholm
Goss	Mica	Stockman
Graham	Miller (FL)	Stump
Greenwood	Minge	Stupak
Gunderson	Molinari	Talent
Gutknecht	Mollohan	Tanner
Hall (TX)	Montgomery	Tate
Hamilton	Moorhead	Tauzin
Hancock	Murtha	Taylor (MS)
Hansen	Myers	Taylor (NC)
Hastert	Myrick	Tejeda
Hastings (WA)	Nethercutt	Thomas
Hayes	Neumann	Thornberry
Hayworth	Ney	Thurman
Hefley	Norwood	Tiahrt
Heineman	Nussle	Torkildsen
Herger	Ortiz	Upton
Hilleary	Orton	Vucanovich
Hilliard	Oxley	Waldholtz
Hobson	Packard	Walker
Hoekstra	Paxon	Wamp
Hoke	Payne (VA)	Watts (OK)
Horn	Peterson (MN)	Weldon (FL)
Hostettler	Petri	Weldon (PA)
Houghton	Pickett	Weller
Hunter	Pombo	White
Hutchinson	Porter	Whitfield
Hyde	Portman	Wicker
Inglis	Poshard	Wilson
Istook	Pryce	Wolf
Johnson (CT)	Quillen	Young (AK)
Johnson, Sam	Quinn	Young (FL)
Jones	Radanovich	Zeliff
Kasich	Ramstad	Zimmer
Kelly	Regula	
Kennelly	Riggs	

NOT VOTING—15

Barton	Fattah	Parker
Bono	Frank (MA)	Peterson (FL)
Boucher	Lazio	Richardson
Collins (IL)	Linder	Rogers
Collins (MI)	Moakley	Walsh

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

64.17 RECORDED VOTE

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

Page 92, line 2, strike "or other facility", as inserted on page 14 of the committee amendment offered by Mr. Shuster.

It was decided in the  
negative ..... Yeas ..... 126  
Nays ..... 294

64.18 [Roll No. 321]  
AYES—126

Abercrombie	Bonior	Clyburn
Baldacci	Borski	Coleman
Barcia	Brown (CA)	Conyers
Barrett (WI)	Brown (OH)	Costello
Becerra	Bryant (TX)	Coyne
Beilenson	Cardin	DeFazio
Bentsen	Clay	DeLauro
		Cunningham

Dellums	Klecza	Rahall
Deutsch	Lantos	Rangel
Dingell	Levin	Reynolds
Dixon	Lewis (GA)	Rivers
Doggett	Lincoln	Roybal-Allard
Durbin	Lipinski	Rush
Engel	Lofgren	Sabo
Eshoo	Lowe	Sanders
Evans	Luther	Sawyer
Farr	Maloney	Schroeder
Fattah	Manton	Serrano
Fields (LA)	Markey	Shays
Filner	Matsui	Skaggs
Flake	McCarthy	Slaughter
Foglietta	McDermott	Stark
Ford	McKinney	Stokes
Frank (MA)	Meehan	Studds
Furse	Meek	Stupak
Gejdenson	Menendez	Thompson
Gephardt	Mfume	Torres
Gibbons	Miller (CA)	Towns
Green	Mineta	Tucker
Gutierrez	Minge	Velazquez
Hall (OH)	Mink	Vento
Hastings (FL)	Nadler	Visclosky
Hefner	Neal	Ward
Hinchey	Oberstar	Waters
Jackson-Lee	Obey	Watt (NC)
Jacobs	Olver	Waxman
Johnson (SD)	Owens	Williams
Johnson, E. B.	Pallone	Wise
Johnston	Payne (NJ)	Woolsey
Kaptur	Pelosi	Wyden
Kennedy (MA)	Pomeroy	Wynn
Kildee	Poshard	Yates

NOES—294

Ackerman	Danner	Hilliard
Allard	Davis	Hobson
Andrews	de la Garza	Hoekstra
Archer	Deal	Hoke
Armey	DeLay	Holden
Bachus	Diaz-Balart	Horn
Baessler	Dickey	Hostettler
Baker (CA)	Dicks	Houghton
Baker (LA)	Dooley	Hoyer
Balenger	Doolittle	Hunter
Barr	Dornan	Hutchinson
Barrett (NE)	Doyle	Hyde
Bartlett	Dreier	Inglis
Bass	Duncan	Istook
Bateman	Edwards	Jefferson
Bereuter	Ehlers	Johnson (CT)
Berman	Ehrlich	Johnson, Sam
Bevill	Emerson	Jones
Bilbray	English	Kanjorski
Bilirakis	Ensign	Kasich
Bishop	Everett	Kelly
Bibley	Ewing	Kennedy (RI)
Blute	Fawell	Kennelly
Boehlert	Fazio	Kim
Boehner	Fields (TX)	King
Bonilla	Flanagan	Kingston
Brewster	Foley	Klink
Browder	Forbes	Klug
Brown (FL)	Fowler	Knollenberg
Brownback	Fox	Kolbe
Bryant (TN)	Franks (CT)	LaFalce
Bunn	Franks (NJ)	LaHood
Bunning	Frelinghuysen	Largent
Burr	Frost	Latham
Burton	Funderburk	LaTourette
Buyer	Galglegly	Laughlin
Callahan	Ganske	Laughlin
Calvert	Gekas	Lazio
Camp	Geren	Leach
Canady	Gilchrist	Lewis (CA)
Castle	Gillmor	Lewis (KY)
Chabot	Gilman	Lightfoot
Chambliss	Gonzalez	Linder
Chapman	Goodlatte	Livingston
Chenoweth	Goodling	LoBiondo
Christensen	Gordon	Longley
Chrysler	Goss	Lucas
Clyton	Graham	Manzullo
Clement	Greenwood	Martini
Clinger	Gunderson	Mascara
Coble	Gutknecht	McCollum
Coburn	Hall (TX)	McCrery
Collins (GA)	Hamilton	McDade
Combest	Hansen	McHale
Condit	Harman	McHugh
Cooley	Hastert	McInnis
Cox	Hastings (WA)	McIntosh
Cramer	Hayes	McKeon
Crane	Hayworth	McNulty
Crapo	Hefley	Metcalf
Creameans	Heineman	Meyers
Cubin	Herger	Mica
Cunningham	Hilleary	Miller (FL)
		Molinari

Mollohan	Roberts	Talent
Montgomery	Roemer	Tanner
Moorhead	Rohrabacher	Tate
Moran	Ros-Lehtinen	Tauzin
Morella	Rose	Taylor (MS)
Murtha	Roth	Taylor (NC)
Myers	Roukema	Tejeda
Myrick	Royce	Thomas
Nethercutt	Salmon	Thornberry
Neumann	Sanford	Thornton
Ney	Saxton	Thurman
Norwood	Scarborough	Tiahrt
Nussle	Schaefer	Torkildsen
Ortiz	Schiff	Torricelli
Orton	Scott	Trafficant
Oxley	Seastrand	Upton
Packard	Sensenbrenner	Volkmer
Parker	Shadegg	Vucanovich
Pastor	Shaw	Waldholtz
Paxon	Shuster	Walker
Payne (VA)	Sisisky	Walsh
Peterson (MN)	Skeen	Wamp
Petri	Skelton	Watts (OK)
Pickett	Smith (MI)	Weldon (FL)
Pombo	Smith (NJ)	Weldon (PA)
Porter	Smith (TX)	Weller
Portman	Smith (WA)	White
Pryce	Solomon	Whitfield
Quillen	Souder	Wicker
Quinn	Spence	Wilson
Radanovich	Spratt	Wolf
Ramstad	Stearns	Young (AK)
Reed	Stenholm	Young (FL)
Regula	Stockman	Zeliff
Riggs	Stump	Zimmer

NOT VOTING—14

Barton	Dunn	Peterson (FL)
Bono	Frisa	Richardson
Boucher	Hancock	Rogers
Collins (IL)	Martinez	Schumer
Collins (MI)	Moakley	

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

64.19 RECORDED VOTE

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

Page 50, strike line 19 and all that follows through line 10 on page 52.

It was decided in the  
negative ..... Yeas ..... 121  
Nays ..... 294

64.20 [Roll No. 322]  
AYES—121

Abercrombie	Forbes	Mineta
Ackerman	Ford	Mink
Andrews	Gejdenson	Nadler
Baldacci	Gephardt	Oberstar
Barrett (WI)	Gibbons	Obey
Becerra	Gonzalez	Olver
Beilenson	Gutierrez	Owens
Berman	Hastings (FL)	Pallone
Bonior	Hinchey	Pastor
Borski	Hoyer	Payne (NJ)
Brown (CA)	Jackson-Lee	Pelosi
Brown (FL)	Jefferson	Pomeroy
Brown (OH)	Johnson, E. B.	Rahall
Bryant (TX)	Johnston	Rangel
Cardin	Kennedy (MA)	Reed
Clay	Kennedy (RI)	Reynolds
Clayton	Kildee	Rivers
Clyburn	Klecza	Roybal-Allard
Coleman	LaFalce	Rush
Conyers	Lantos	Sabo
Coyne	Levin	Sanders
DeFazio	Lewis (GA)	Sawyer
DeLauro	Lipinski	Schroeder
Dellums	Lofgren	Scott
Deutsch	Lowe	Serrano
Dicks	Luther	Skaggs
Dingell	Maloney	Slaughter
Dixon	Manton	Stark
Durbin	Markey	Stokes
Engel	Matsui	Studds
Eshoo	McCarthy	Thompson
Evans	McDermott	Torricelli
Farr	McHale	Towns
Fattah	McKinney	Tucker
Fields (LA)	Meek	Velazquez
Filner	Menendez	Vento
Flake	Meyers	Ward
Miller (FL)	Mfume	Waters
Molinari		

Watt (NC)
Waxman
Williams

Wise
Woolsey
Wynn

Yates

Whitfield
Wicker
Wilson

Wolf
Wyden
Young (AK)

Young (FL)
Zeliff
Zimmer

Bliley
Blute
Boehlert
Boehner
Bonilla
Brewster
Browder
Brownback
Bryant (TN)
Bryant (TX)
Bunn
Bunning
Burr
Burton
Buyer
Callahan
Calvert
Camp
Canady
Castle
Chabot
Chambliss
Chapman
Chenoweth
Christensen
Chrysler
Clayton
Clement
Clinger
Clyburn
Coble
Coburn
Coleman
Collins (GA)
Combest
Condit
Cooley
Cox
Cramer
Crane
Crapo
Cremeans
Cubin
Cunningham
Danner
Davis
de la Garza
Deal
DeLay
Diaz-Balart
Dickey
Dooley
Doolittle
Dornan
Doyle
Dreier
Duncan
Durbin
Edwards
Ehlers
Ehrlich
Emerson
English
Ensign
Everett
Ewing
Fawell
Fazio
Fields (TX)
Flanagan
Foley
Fowler
Fox
Frank (MA)
Franks (CT)
Franks (NJ)
Frelinghuysen
Frost

Goss
Graham
Greenwood
Gunderson
Gutknecht
Hall (OH)
Hall (TX)
Hamilton
Hansen
Hastert
Hastings (WA)
Hayes
Hayworth
Hefley
Hefner
Heineman
Herger
Hilleary
Hilliard
Hobson
Hoekstra
Holden
Horn
Hostettler
Houghton
Hoyer
Hunter
Hutchinson
Hyde
Inglis
Istook
Jackson-Lee
Jacobs
Johnson (SD)
Johnson, Sam
Jones
Kasich
Kelly
Kim
King
Kingston
Klink
Knollenberg
Kolbe
LaHood
Largent
Latham
LaTourrette
Laughlin
Lazio
Leach
Lewis (CA)
Lewis (KY)
Lightfoot
Lincoln
Linder
Livingston
LoBiondo
Longley
Lucas
Manzullo
Martini
Mascara
McCarthy
McCollum
McCrery
McDade
McHugh
McInnis
McIntosh
McKeon
McNulty
Metcalf
Meyers
Mica
Miller (FL)
Minge
Molinaro
Mollohan
Montgomery
Moorhead
Morella
Murtha
Myers
Myrick
Nethercutt
Neumann
Ney

Norwood
Nussle
Obey
Orton
Oxley
Packard
Parker
Paxon
Payne (VA)
Peterson (MN)
Petri
Pickett
Pombo
Pomeroy
Porter
Portman
Poshard
Pryce
Quillen
Quinn
Radanovich
Ramstad
Regula
Riggs
Roberts
Roemer
Rohrabacher
Ros-Lehtinen
Rose
Roth
Roukema
Royce
Salmon
Sanford
Sawyer
Saxton
Scarborough
Schaefer
Schiff
Seastrand
Sensenbrenner
Shadegg
Shaw
Shuster
Siskiny
Skinner
Skelton
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Solomon
Souder
Spence
Spratt
Stearns
Stenholm
Stockman
Stump
Talent
Tate
Tauzin
Taylor (MS)
Taylor (NC)
Tejeda
Thomas
Thornberry
Thurman
Tiahrt
Torkildsen
Upton
Volkmer
Vucanovich
Walker
Walsh
Wamp
Weldon (FL)
Weldon (PA)
Weller
White
Whitfield
Wicker
Williams
Wilson
Wise
Wolf
Young (AK)
Zeliff
Zimmer

NOES—294

Allard
Archer
Armey
Bachus
Baesler
Baker (CA)
Baker (LA)
Ballenger
Barcia
Barr
Barrett (NE)
Bartlett
Bass
Bateman
Bentsen
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
Clement
Clinger
Coble
Coburn
Collins (GA)
Combest
Condit
Cooley
Costello
Cox
Cramer
Crane
Crapo
Cremeans
Cubin
Cunningham
Danner
Davis
de la Garza
Deal
DeLay
Diaz-Balart
Dickey
Doggett
Dooley
Doolittle
Dornan
Doyle
Dreier
Duncan
Edwards
Ehlers
Ehrlich
Emerson
English
Ensign
Everett
Ewing
Fawell
Fazio
Fields (TX)
Flanagan
Foley
Fowler
Fox
Frank (MA)
Franks (CT)
Franks (NJ)
Frelinghuysen
Frost

Montgomery
Moorhead
Moran
Morella
Murtha
Myers
Myrick
Neal
Nethercutt
Neumann
Ney
Norwood
Nussle
Orton
Oxley
Packard
Parker
Paxon
Payne (VA)
Peterson (MN)
Petri
Pickett
Pombo
Porter
Portman
Poshard
Pryce
Quillen
Quinn
Radanovich
Ramstad
Regula
Riggs
Roberts
Roemer
Rohrabacher
Ros-Lehtinen
Rose
Roth
Roukema
Royce
Salmon
Sanford
Saxton
Scarborough
Schaefer
Schiff
Seastrand
Sensenbrenner
Shadegg
Shaw
Shays
Shuster
Siskiny
Skean
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Solomon
Souder
Spence
Spratt
Stearns
Stenholm
Stockman
Stump
Stupak
Talent
Tanner
Tate
Tauzin
Taylor (MS)
Taylor (NC)
Tejeda
Thomas
Thornberry
Thornton
Thurman
Tiahrt
Torkildsen
Traficant
Upton
Visclosky
Volkmer
Vucanovich
Waldholtz
Walker
Walsh
Wamp
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
White

NOT VOTING—19

Barton
Bono
Boucher
Collins (IL)
Collins (MI)
Dunn
Frisa

Hancock
Leach
McCollum
Miller (CA)
Moakley
Ortiz
Peterson (FL)

Richardson
Rogers
Schumer
Skelton
Torres

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

64.21 RECORDED VOTE

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

Page 100, strike line 5 and all that follows through the first period on line 10 on page 101.

Page 102, line 1, strike "Such demonstration" and all that follows through the first period on line 3.

Page 114, strike line 17 and all that follows through line 4 on page 115.

Page 115, line 5, strike "(n)" and insert "(m)".

Page 117, line 4, strike "(o)" and insert "(n)".

Page 117, line 6, strike "(q)" and insert "(p)".

Page 117, line 10, strike "(p)" and insert "(o)".

Page 117, line 12, strike "(r)" and insert "(p)".

It was decided in the Yeas ..... 122
negative ..... Nays ..... 290

64.22 [Roll No. 323]

AYES—122

Abercrombie
Ackerman
Andrews
Barrett (WI)
Becerra
Beilenson
Berman
Bonior
Borski
Brown (CA)
Brown (FL)
Brown (OH)
Cardin
Clay
Conyers
Costello
Coyne
DeFazio
DeLauro
Dellums
Deutsch
Dicks
Dingell
Dixon
Doggett
Engel
Eshoo
Evans
Fattah
Fields (LA)
Filner
Flake
Foglietta
Forbes
Ford
Furse
Gejdenson
Gephardt
Gibbons
Gonzalez
Green

Gutierrez
Harman
Hastings (FL)
Hinche
Jefferson
Johnson (CT)
Johnson, E. B.
Johnston
Kanjorski
Kaptur
Kennedy (MA)
Kennedy (RI)
Kennelly
Kildee
Klecza
LaFalce
Lantos
Levin
Lewis (GA)
Lipinski
Lofgren
Lowey
Luther
Maloney
Manton
Markey
Martinez
Matsui
McDermott
McHale
McKinney
Meehan
Menendez
Mfume
Mineta
Mink
Moran
Nadler
Neal
Oberstar
Olver

Owens
Pallone
Payne (NJ)
Pelosi
Rahall
Rangel
Reed
Reynolds
Rivers
Roybal-Allard
Rush
Sabo
Sanders
Schroeder
Scott
Serrano
Shays
Skaggs
Slaughter
Stark
Stokes
Studds
Stupak
Thompson
Thornton
Torricelli
Towns
Traficant
Tucker
Velazquez
Vento
Visclosky
Ward
Waters
Watt (NC)
Waxman
Woolsey
Wyden
Wynn
Yates

NOES—290

Allard
Archer
Armey
Bachus
Baesler
Baker (CA)
Baker (LA)

Baldacci
Ballenger
Barcia
Barr
Barrett (NE)
Bartlett
Bass

Bliley
Blute
Boehlert
Boehner
Bonilla
Brewster
Browder
Brownback
Bryant (TN)
Bryant (TX)
Bunn
Bunning
Burr
Burton
Buyer
Callahan
Calvert
Camp
Canady
Castle
Chabot
Chambliss
Chapman
Chenoweth
Christensen
Chrysler
Clayton
Clement
Clinger
Clyburn
Coble
Coburn
Coleman
Collins (GA)
Combest
Condit
Cooley
Cox
Cramer
Crane
Crapo
Cremeans
Cubin
Cunningham
Danner
Davis
de la Garza
Deal
DeLay
Diaz-Balart
Dickey
Dooley
Doolittle
Dornan
Doyle
Dreier
Duncan
Durbin
Edwards
Ehlers
Ehrlich
Emerson
English
Ensign
Everett
Ewing
Fawell
Fazio
Fields (TX)
Flanagan
Foley
Fowler
Fox
Frank (MA)
Franks (CT)
Franks (NJ)
Frelinghuysen
Frost
Funderburk
Gallegly
Ganske
Gekas
Geren
Gilchrest
Gillmor
Gilman
Goodlatte
Goodling
Gordon

Goss
Graham
Greenwood
Gunderson
Gutknecht
Hall (OH)
Hall (TX)
Hamilton
Hansen
Hastert
Hastings (WA)
Hayes
Hayworth
Hefley
Hefner
Heineman
Herger
Hilleary
Hilliard
Hobson
Hoekstra
Holden
Horn
Hostettler
Houghton
Hoyer
Hunter
Hutchinson
Hyde
Inglis
Istook
Jackson-Lee
Jacobs
Johnson (SD)
Johnson, Sam
Jones
Kasich
Kelly
Kim
King
Kingston
Klink
Knollenberg
Kolbe
LaHood
Largent
Latham
LaTourrette
Laughlin
Lazio
Leach
Lewis (CA)
Lewis (KY)
Lightfoot
Lincoln
Linder
Livingston
LoBiondo
Longley
Lucas
Manzullo
Martini
Mascara
McCarthy
McCollum
McCrery
McDade
McHugh
McInnis
McIntosh
McKeon
McNulty
Metcalf
Meyers
Mica
Miller (FL)
Minge
Molinaro
Mollohan
Montgomery
Moorhead
Morella
Murtha
Myers
Myrick
Nethercutt
Neumann
Ney

NOT VOTING—22

Barton
Bono
Boucher
Collins (IL)
Collins (MI)
Dunn
Frisa
Hancock

Meek
Miller (CA)
Moakley
Ortiz
Pastor
Peterson (FL)
Richardson
Rogers

Schumer
Tanner
Torres
Waldholtz
Watts (OK)
Young (FL)

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

¶64.23 RECORDED VOTE

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

Page 81, after line 1, insert the following:

(a) FINDING WITH RESPECT TO HARM CAUSED BY VIOLATIONS.—Section 101 (33 U.S.C. 1251) is further amended by adding at the end the following:

“(i) FINDING WITH RESPECT TO HARM CAUSED BY VIOLATIONS.—Congress finds that a discharge which results in a violation of this Act or a regulation, standard, limitation, requirement, or order issued pursuant to this Act interferes with the restoration and maintenance of the chemical, physical, and biological integrity of any waters into which the discharge flows (either directly or through a publicly owned treatment works), including any waters into which the receiving waters flow, and, therefore, harms those who use or enjoy such waters and those who use or enjoy nearby lands or aquatic resources associated with those waters.

“(j) FINDING WITH RESPECT TO CITIZEN SUITS.—Congress finds that citizen suits are a valuable means of enforcement of this Act and urges the Administrator to take actions to encourage such suits, including providing information concerning violators to citizen groups to assist them in bringing suits, providing expert witnesses and other evidence with respect to such suits, and filing amicus curiae briefs on important issues related to such suits.”.

(b) VIOLATIONS OF REQUIREMENTS OF LOCAL CONTROL AUTHORITIES.—Section 307(d) (33 U.S.C. 1317(d)) is amended by striking the first sentence and inserting the following: “After the date on which (1) any effluent standard or prohibition or pretreatment standard or requirement takes effect under this section or any requirement imposed in a pretreatment program under section 402(a)(3) or 402(b)(8) of this Act takes effect, it shall be unlawful for any owner or operator of any source to operate such source in violation of the effluent standard, prohibition, pretreatment standard, or requirement.”.

(c) INSPECTIONS, MONITORING, AND PROVIDING INFORMATION.—

(1) APPLICABILITY OF REQUIREMENTS.—Section 308(a) (33 U.S.C. 1318(a)) is amended by striking “the owner or operator of any point source” and inserting “a person subject to a requirement of this Act”.

(2) PUBLIC ACCESS TO INFORMATION.—The first sentence of section 308(b) is amended—

(A) by inserting “(including information contained in the Permit Compliance System of the Environmental Protection Agency)” after “obtained under this section”;

(B) by inserting “made” after “shall be”;

(C) by inserting “by computer telecommunication and other means” after “public” the first place it appears.

(3) PUBLIC INFORMATION.—Section 308 is further amended by adding at the end the following:

“(e) PUBLIC INFORMATION.—

“(1) POSTING OF NOTICE OF POLLUTED WATERS.—At each major point of public access (including, at a minimum, beaches, parks, recreation areas, marinas, and boat launching areas) to a body of navigable water that does not meet an applicable water quality standard or that is subject to a fishing and shell fishing ban, advisory, or consumption restriction (issued by a Federal, State, or local authority) due to fish or shellfish contamination, the State within which boundaries all or any part of such body of water

lies shall, either directly or through local authorities, post and maintain a clearly visible sign which—

“(A) indicates the water quality standard that is being violated or the nature and extent of the restriction on fish or shellfish consumption, as the case may be;

“(B) includes (i) information on the environmental and health effects associated with the failure to meet such standard or with the consumption of fish or shellfish subject to the restriction, and (ii) a phone number for obtaining additional information relating to the violation and restriction; and

“(C) will be maintained until the body of water is in compliance with the water quality standard or until all fish and shellfish consumption restrictions are terminated with respect to the body of water, as the case may be.

“(2) NOTICE OF DISCHARGES TO NAVIGABLE WATERS.—Except for permits issued to municipalities for discharges composed entirely of stormwater under section 402 of this Act, each permit issued under section 402 by the Administrator or by a State shall ensure compliance with the following requirements:

“(A) Every permittee shall conspicuously maintain at all public entrances to the facility a clearly visible sign which indicates that the facility discharges pollutants into navigable waters and the location of such discharges; the name, business address, and phone number of the permittee; the permit number; and a location at which a copy of the permit and public information required by this paragraph is maintained and made available for inspection or a phone number for obtaining such information.

“(B) Each permittee which is a publicly owned treatment works shall include in each quarterly mailing of a bill to each customer of the treatment works information which indicates that the treatment works discharges pollutants into the navigable waters and the location of each of such discharges; the name, business address and phone number of the permittee; the permit number; a location at which a copy of the permit and public information required by this paragraph is maintained and made available for inspection or a phone number for obtaining such information; and a list of all violations of the requirements of the permit by the treatment works over the preceding 12-month period.

“(3) REGULATIONS.—

“(A) ISSUANCE.—The Administrator—

“(i) not later than 6 months after the date of the enactment of this subsection, shall propose regulations to carry out this subsection; and

“(ii) not later than 18 months after such date of enactment, shall issue such regulations.

“(B) CONTENT.—The regulations issued to carry out this subsection shall establish—

“(i) uniform requirements and procedures for identifying and posting bodies of water under paragraph (1);

“(ii) minimum information to be included in signs posted and notices issued pursuant to this subsection;

“(iii) uniform requirements and procedures for fish and shellfish sampling and analysis;

“(iv) uniform requirements for determining the nature and extent of fish and shellfish bans, advisories, and consumption restrictions which—

“(I) address cancer and noncancer human health risks;

“(II) take into account the effects of all fish and shellfish contaminants, including the cumulative and synergistic effects;

“(III) assure the protection of subpopulations who consume higher than average amounts of fish and shellfish or are particu-

larly susceptible to the effects of such contamination;

“(IV) address race, gender, ethnic composition, or social and economic factors, based on the latest available studies of national or regional consumption by and impacts on such subpopulations unless more reliable site-specific data is available;

“(V) are based on a margin of safety that takes into account the uncertainties in human health impacts from such contamination; and

“(VI) evaluate assessments of health risks of contaminated fish and shellfish that are used in pollution control programs developed by the Administrator under this Act.”.

(4) STATE REPORTS.—Section 305(b)(1) (33 U.S.C. 1315(b)(1)) is amended—

(A) by striking “and” at the end of subparagraph (D);

(B) by striking the period at the end of subparagraph (E) and inserting “; and”; and

(C) by adding at the end the following: “(F) a list identifying bodies of water for which signs were posted under section 308(e)(1) in the preceding year.”.

(d) CIVIL PENALTIES.—

(1) ENFORCEMENT OF LOCAL PRETREATMENT REQUIREMENTS.—

(A) COMPLIANCE ORDERS.—

(i) INITIAL ACTION.—Section 309(a)(1) (33 U.S.C. 1319(a)(1)) is amended by inserting after “of this Act,” the following: “or is in violation of any requirement imposed in a pretreatment program approved under section 402(a)(3) or 402(b)(8) of this Act,”.

(ii) ISSUANCE OF ORDERS.—Section 309(a)(3) is amended by inserting before “he shall” the following: “or is in violation of any requirement imposed in a pretreatment program approved under section 402(a)(3) or 402(b)(8) of this Act,”.

(B) CRIMINAL PENALTIES.—Section 309(c)(3)(A) is amended by inserting before “and who knows” the following: “or knowingly violates any requirement imposed in a pretreatment program approved under section 402(a)(3) or 402(b)(8) of this Act,”.

(C) ADMINISTRATIVE PENALTIES.—Section 309(g)(1) is amended by inserting after “or by a State,” the following: “or has violated any requirement imposed in a pretreatment program approved under section 402(a)(3) or 402(b)(8) of this Act or an order issued by the Administrator under subsection (a) of this section.”.

(2) TREATMENT OF SINGLE OPERATIONAL UPSETS.—

(A) CRIMINAL PENALTIES.—Section 309(c) is amended by striking paragraph (5) and redesignating paragraphs (6) and (7) as paragraphs (5) and (6), respectively.

(B) CIVIL PENALTIES.—Section 309(d) is amended by striking the last sentence.

(C) ADMINISTRATIVE PENALTIES.—Section 309(g)(3) is amended by striking the last sentence.

(3) USE OF CIVIL PENALTIES FOR MITIGATION PROJECTS.—

(A) IN GENERAL.—Section 309(d) is amended by inserting after the second sentence the following: “The court may, in the court’s discretion, order that a civil penalty be used for carrying out mitigation projects which are consistent with the purposes of this Act and which enhance the public health or environment.”.

(B) CONFORMING AMENDMENT.—Section 505(a) (33 U.S.C. 1365(a)) is amended by inserting before the period at the end of the last sentence the following: “, including ordering the use of a civil penalty for carrying out mitigation projects”.

(4) DETERMINATION OF AMOUNT OF PENALTIES.—

(A) CIVIL PENALTIES.—Section 309(d) (33 U.S.C. 1319(d)) is amended by inserting “the amount of any penalty previously imposed on the violator by a court or administrative

agency for the same violation or violations," after "economic impact of the penalty on the violator."

(B) ADMINISTRATIVE PENALTIES.—Section 309(g)(3) is amended—

(i) by striking "or savings"; or

(ii) by inserting "the amount of any penalty previously imposed on the violator by a court or administrative agency for the same violation or violations," after "resulting from the violation,".

(5) LIMITATION ON DEFENSES.—Section 309(g)(1) is amended by adding at the end the following: "In a proceeding to assess or review a penalty under this subsection, the adequacy of consultation between the Administrator or the Secretary, as the case may be, and the State shall not be a defense to assessment or enforcement of such penalty."

(6) AMOUNTS OF ADMINISTRATIVE CIVIL PENALTIES.—

(A) GENERAL RULE.—Section 309(g)(2) is amended to read as follows:

"(2) AMOUNT OF PENALTIES; NOTICE; HEARING.—

"(A) MAXIMUM AMOUNT OF PENALTIES.—The amount of a civil penalty under paragraph (1) may not exceed \$25,000 per violation per day for each day during which the violation continues.

"(B) WRITTEN NOTICE.—Before issuing an order assessing a civil penalty under this subsection, the Administrator shall give to the person to be assessed the penalty written notice of the Administrator's proposal to issue the order and the opportunity to request, within 30 days of the date the notice is received by such person, a hearing on the proposed order.

"(C) HEARINGS NOT ON THE RECORD.—If the proposed penalty does not exceed \$25,000, the hearing shall not be subject to section 554 or 556 of title 5, United States Code, but shall provide a reasonable opportunity to be heard and to present evidence.

"(D) HEARINGS ON THE RECORD.—If the proposed penalty exceeds \$25,000, the hearing shall be on the record in accordance with section 554 of title 5, United States Code. The Administrator may issue rules for discovery procedures for hearings under this subparagraph."

(B) CONFORMING AMENDMENTS.—Section 309(g) is amended—

(i) in paragraph (1) by striking "class I civil penalty or a class II";

(ii) in the second sentence of paragraph (4)(C) by striking "(2)(A) in the case of a class I civil penalty and paragraph (2)(B) in the case of a class II civil penalty" and inserting "(2)"; and

(iii) in the first sentence of paragraph (8) by striking "assessment—" and all that follows through "by filing" and inserting "assessment in the United States District Court for the District of Columbia or in the district in which the violation is alleged to have occurred by filing".

(7) STATE ENFORCEMENT ACTIONS AS BAR TO FEDERAL ENFORCEMENT ACTIONS.—Section 309(g)(6)(A) is amended—

(A) by inserting "or" after the comma at the end of clause (i);

(B) by striking clause (ii); and

(C) in clause (iii)—

(i) by striking "or the State"; and

(ii) by striking "or such comparable State law, as the case may be,".

(8) RECOVERY OF ECONOMIC BENEFIT.—Section 309 is amended by adding at the end the following:

"(h) RECOVERY OF ECONOMIC BENEFIT.—

"(1) GENERAL RULE.—Notwithstanding any other provision of this section, any civil penalty assessed and collected under this section must be in an amount which is not less than the amount of the economic benefit (if

any) resulting from the violation for which the penalty is assessed.

"(2) REGULATIONS.—Not later than 2 years after the date of the enactment of this subsection, the Administrator shall issue regulations establishing a methodology for calculating the economic benefits or savings resulting from violations of this Act. Pending issuance of such regulations, this subsection shall be in effect and economic benefits shall be calculated for purposes of paragraph (1) on a case-by-case basis."

(9) LIMITATION ON COMPROMISES.—Section 309 is further amended by adding at the end the following:

"(i) LIMITATION ON COMPROMISES OF CIVIL PENALTIES.—Notwithstanding any other provision of this section, the amount of a civil penalty assessed under this section may not be compromised below the amount determined by adding—

"(1) the minimum amount required for recovery of economic benefit under subsection (h), to

"(2) 50 percent of the difference between the amount of the civil penalty assessed and such minimum amount."

(10) MINIMUM AMOUNT FOR SERIOUS VIOLATIONS.—Section 309 is further amended by adding at the end the following:

"(j) MINIMUM CIVIL PENALTIES FOR SERIOUS VIOLATIONS AND SIGNIFICANT NONCOMPLIERS.—

"(1) SERIOUS VIOLATIONS.—Notwithstanding any other provision of this section (other than paragraph (2)), the minimum civil penalty which shall be assessed and collected under this section from a person—

"(A) for a discharge from a point source of a hazardous pollutant which exceeds or otherwise violates any applicable effluent limitation established by or under this Act by 20 percent or more, or

"(B) for a discharge from a point source of a pollutant (other than a hazardous pollutant) which exceeds or otherwise violates any applicable effluent limitation established by or under this Act by 40 percent or more,

shall be \$1,000 for the first such violation in a 180-day period.

"(2) SIGNIFICANT NONCOMPLIERS.—Notwithstanding any other provision of this section, the minimum civil penalty which shall be assessed and collected under this section from a person—

"(A) for the second or more discharge in a 180-day period from a point source of a hazardous pollutant which exceeds or otherwise violates any applicable effluent limitation established by or under this Act by 20 percent or more,

"(B) for the second or more discharge in a 180-day period from a point source of a pollutant (other than a hazardous pollutant) which exceeds or otherwise violates any applicable effluent limitation established by or under this Act by 40 percent or more,

"(C) for the fourth or more discharge in a 180-day period from a point source of any pollutant which exceeds or otherwise violates the same effluent limitation, or

"(D) for not filing in a 180-day period 2 or more reports in accordance with section 402(r)(1),

shall be \$5,000 for each of such violations.

"(3) MANDATORY INSPECTIONS FOR SIGNIFICANT NONCOMPLIERS.—The Administrator shall identify any person described in paragraph (2) as a significant noncomplier and shall conduct an inspection described in section 402(q) of this Act of the facility at which the violations were committed. Such inspections shall be conducted at least once in the 180-day period following the date of the most recent violation which resulted in such person being identified as a significant noncomplier.

"(4) ANNUAL REPORTING.—The Administrator shall transmit to Congress and to the Governors of the States, and shall publish in the Federal Register, on an annual basis a list of all persons identified as significant noncompliers under paragraph (3) in the preceding calendar year and the violations which resulted in such classifications.

"(5) HAZARDOUS POLLUTANT DEFINED.—For purposes of this subsection, the term 'hazardous pollutant' has the meaning the term 'hazardous substance' has under subsection (c)(7) of this section."

(11) STATE PROGRAM.—Section 402(b)(7) (33 U.S.C. 1342(b)(7)) is amended to read as follows:

"(7) To abate violations of the permit or the permit program which shall include, beginning on the last day of the 2-year period beginning on the date of the enactment of the Clean Water Compliance and Enforcement Improvement Amendments Act of 1995, a penalty program comparable to the Federal penalty program under section 309 of this Act and which shall include at a minimum criminal, civil, and civil administrative penalties, and may include other ways and means of enforcement, which the State demonstrates to the satisfaction of the Administrator are equally effective as the Federal penalty program."

(12) FEDERAL PROCUREMENT COMPLIANCE INCENTIVE.—Section 508(a) (33 U.S.C. 1368(a)) is amended by inserting after the second comma "or who is identified under section 309(j)(3) of this Act,".

(e) NATIONAL POLLUTANT DISCHARGE ELIMINATION PERMITS.—

(1) WITHDRAWAL OF STATE PROGRAM APPROVAL.—Section 402(b) (33 U.S.C. 1342(b)) is amended by striking "unless he determines that adequate authority does not exist:" and inserting the following: "only when he determines that adequate authority exists and shall withdraw program approval whenever he determines that adequate authority no longer exists:".

(2) JUDICIAL REVIEW OF RULINGS ON APPLICATIONS FOR STATE PERMITS.—Section 402(b)(3) is amended by inserting "and to ensure that any interested person who participated in the public comment process and any other person who could obtain judicial review of that action under any other applicable law has the right to judicial review of such ruling" before the semicolon at the end.

(3) INSPECTIONS FOR MAJOR INDUSTRIAL AND MUNICIPAL DISCHARGERS.—Section 402(b) is amended—

(A) by striking "and" at the end of paragraph (8);

(B) by striking the period at the end of paragraph (9) and inserting a semicolon; and

(C) by adding at the end the following:

"(10) To ensure that any permit for a discharge from a major industrial or municipal facility, as defined by the Administrator by regulation, includes conditions under which such facility will be subject to at least annual inspections by the State in accordance with subsection (q) of this section;".

(4) MONTHLY REPORTS FOR SIGNIFICANT INDUSTRIAL USERS OF POTWS.—Section 402(b) is further amended by adding at the end the following:

"(11) To ensure that any permit for a discharge from a publicly owned treatment works in the State includes conditions under which the treatment works will require any significant industrial user of the treatment works, as defined by the Administrator by regulation, to prepare and submit to the Administrator, the State, and the treatment works a monthly discharge monitoring report as a condition to using the treatment works;".

(5) PERMITS REQUIRED FOR INTRODUCTION OF POLLUTANTS INTO POTWS.—Section 402(b) is

further amended by adding at the end the following:

“(12) To ensure that, after the last day of the 2-year period beginning on the date of the enactment of this paragraph, any significant industrial user, or other source designated by the Administrator, introducing a pollutant into a publicly owned treatment works has, and operates in accordance with, a permit issued by the treatment works or the State for introduction of such pollutant; and”.

(6) GRANTING OF AUTHORITY TO POTWS FOR INSPECTIONS AND PENALTIES.—Section 402(b) is further amended by adding at the end the following:

“(13) To ensure that the State will grant to publicly owned treatment works in the State, not later than 3 years after the date of the enactment of this paragraph, authority, power, and responsibility to conduct inspections under subsection (g) of this section and to assess and collect civil penalties and civil administrative penalties under paragraph (7) of this subsection.”.

(7) INSPECTION.—Section 402 is amended by adding at the end the following:

“(r) INSPECTION.—

“(1) GENERAL RULE.—Each permit for a discharge into the navigable waters or introduction of pollutants into a publicly owned treatment works issued under this section shall include conditions under which the effluent being discharged will be subject to random inspections in accordance with this subsection by the Administrator or the State, in the case of a State permit program under this section.

“(2) MINIMUM STANDARDS.—The Administrator shall establish minimum standards for inspections under this subsection. Such standards shall require, at a minimum, the following:

“(A) An annual representative sampling by the Administrator or the State, in the case of a State permit program under this section, of the effluent being discharged; except that if the discharge is not from a major industrial or municipal facility such sampling shall be conducted at least once every 3 years.

“(B) An analysis of all samples collected under subparagraph (A) by a Federal or State owned and operated laboratory or a State approved laboratory, other than one that is being used by the permittee or that is directly or indirectly owned, operated, or managed by the permittee.

“(C) An evaluation of the maintenance record of any treatment equipment of the permittee.

“(D) An evaluation of the sampling techniques used by the permittee.

“(E) A random check of discharge monitoring reports of the permittee for each 12-month period for the purpose of determining whether or not such reports are consistent with the applicable analyses conducted under subparagraph (B).

“(F) An inspection of the sample storage facilities and techniques of the permittee.”.

(8) REPORTING.—Section 402 is further amended by adding at the end the following:

“(s) REPORTING.—

“(1) GENERAL RULE.—Each person holding a permit issued under this section which is determined by the Administrator to be a major industrial or municipal discharger of pollutants into the navigable waters shall prepare and submit to the Administrator a monthly discharge monitoring report. Any other person holding a permit issued under this section shall prepare and submit to the Administrator quarterly discharge monitoring reports or more frequent discharge monitoring reports if the Administrator requires. Such reports shall contain, at a minimum, such information as the Administrator shall require by regulation.

“(2) REPORTING OF HAZARDOUS DISCHARGES.—

“(A) GENERAL RULE.—If a discharge from a point source for which a permit is issued under this section exceeds an effluent limitation contained in such permit which is based on an acute water quality standard or any other discharge which may cause an exceedance of an acute water quality standard or otherwise is likely to cause injury to persons or damage to the environment or to pose a threat to human health and the environment, the person holding such permit shall notify the Administrator, in writing, of such discharge not later than 2 hours after the later of the time at which such discharge commenced or the time at which the permittee knew or had reason to know of such discharge.

“(B) SPECIAL RULE FOR HAZARDOUS POLLUTANTS.—If a discharge described in subparagraph (A) is of a hazardous pollutant (as defined in section 309(j) of this Act), the person holding such permit shall provide the Administrator with such additional information on the discharge as may be required by the Administrator. Such additional information shall be provided to the Administrator within 24 hours after the later of the time at which such discharge commenced or the time at which the permittee became aware of such discharge. Such additional information shall include, at a minimum, an estimate of the danger posed by the discharge to the environment, whether the discharge is continuing, and the measures taken or being taken (i) to remediate the problem caused by the discharge and any damage to the environment, and (ii) to avoid a repetition of the discharge.

“(3) SIGNATURE.—All reports filed under paragraph (1) must be signed by the highest ranking official having day-to-day managerial and operational responsibility for the facility at which the discharge occurs or, in the absence of such person, by another responsible high ranking official at such facility. Such highest ranking official shall be responsible for the accuracy of all information contained in such reports; except that such highest ranking official may file with the Administrator amendments to any such report if the report was signed in the absence of the highest ranking official by another high ranking official and if such amendments are filed within 7 days of the return of the highest ranking official.”.

(9) LIMITATION ON ISSUANCE OF PERMITS TO SIGNIFICANT NONCOMPLIERS.—Section 402 is further amended by adding at the end the following:

“(t) SIGNIFICANT NONCOMPLIERS.—No permit may be issued under this section to any person (other than a publicly owned treatment works) identified under section 309(j)(3) of this Act or to any other person owned or controlled by the identified person, owning or controlling the identified person, or under common control with the identified person, until the Administrator or the State or States in which the violation or violations occur determines that the condition or conditions giving rise to such violation or violations have been corrected. No permit application submitted after the date of the enactment of this subsection may be approved unless the application includes a list of all violations of this Act by a person identified under section 309(j) of this Act during the 3-year period preceding the date of submission of the application and evidence indicating whether the underlying cause of each such violation has been corrected.”.

(10) APPLICABILITY.—The amendments made by this subsection shall apply to permits issued before, on, or after the date of the enactment of this Act; except that—

(A) with respect to permits issued before such date of enactment to a major industrial

or municipal discharger, such amendments shall take effect on the last day of the 1-year period beginning on such date of enactment; and

(B) with respect to all other permits issued before such date of enactment, such amendments shall take effect on the last day of the 2-year period beginning on such date of enactment.

(f) EXPIRED STATE PERMITS.—Section 402(d) (33 U.S.C. 1342(d)) is amended by adding at the end the following:

“(5) EXPIRED STATE PERMITS.—In any case in which—

“(A) a permit issued by a State for a discharge has expired,

“(B) the permittee has submitted an application to the State for a new permit for the discharge, and

“(C) the State has not acted on the application before the last day of the 18-month period beginning on the date the permit expired,

the Administrator may issue a permit for the discharge under subsection (a).”.

(g) COMPLIANCE SCHEDULE.—Section 302(b)(2)(B) (33 U.S.C. 1312(b)(2)(B)) is amended by adding at the end the following: “The Administrator may only issue a permit pursuant to this subparagraph for a period exceeding 2 years if the Administrator makes the findings described in clauses (i) and (ii) of this subparagraph on the basis of a public hearing.”.

(h) EMERGENCY POWERS.—Section 504 (33 U.S.C. 1364) is amended to read as follows:

“SEC. 504. COMMUNITY PROTECTION.

“(a) ISSUANCE OF ORDERS; COURT ACTION.—Notwithstanding any other provision of this Act, whenever the Administrator finds that, because of an actual or threatened direct or indirect discharge of a pollutant, there may be an imminent and substantial endangerment to the public health or welfare (including the livelihood of persons) or the environment, the Administrator may issue such orders or take such action as may be necessary to protect public health or welfare or the environment and commence a suit (or cause it to be commenced) in the United States district court for the district where the discharge or threat occurs. Such court may grant such relief to abate the threat and to protect against the endangerment as the public interest and the equities require, enforce, and adjudge penalties for disobedience to orders of the Administrator issued under this section, and grant other relief according to the public interest and the equities of the case.

“(b) ENFORCEMENT OF ORDERS.—Any person who, without sufficient cause, violates or fails to comply with an order of the Administrator issued under this section, shall be liable for civil penalties to the United States in an amount not to exceed \$25,000 per day for each day on which such violation or failure occurs or continues.”.

(i) CITIZEN SUITS.—

(1) SUITS FOR PAST VIOLATIONS.—Section 505 (33 U.S.C. 1365) is amended—

(A) in subsection (a)(1) by inserting “to have violated or” after “who is alleged”;

(B) in subsection (b)(1)(A)(ii) by striking “occurs” and inserting “has occurred or is occurring”; and

(C) in subsection (f)(6) by inserting “has been or” after “which”.

(2) TIME LIMIT.—Section 505(b)(1)(A) is amended by striking “60 days” and inserting “30 days”.

(3) EFFECT OF JUDGMENTS ON CITIZEN SUITS.—Section 505(b) is further amended—

(A) in paragraph (1)(B)—

(i) by striking “, or a State”; and

(ii) by striking “right.” and inserting “right and may obtain costs of litigation under subsection (d), or”; and

(B) by adding at the end the following: "The notice under paragraph (1)(A) need set forth only violations which have been specifically identified in the discharge monitoring reports of the alleged violator. An action by a State under subsection (a)(1) may be brought at any time. No judicial action by the Administrator or a State shall bar an action for the same violation under subsection (a)(1) unless the action is by the Administrator and meets the requirements of this paragraph. No administrative action by the Administrator or a State shall bar a pending action commenced after February 4, 1987, for the same violation under subsection (a)(1) unless the action by the Administrator or a State meets the requirements of section 309(g)(6) of this Act."

(4) CONSENT JUDGMENTS.—Section 505(c)(3) is amended by adding at the end the following: "Consent judgments entered under this section may provide that the civil penalties included in the consent judgment be used for carrying out mitigation projects in accordance with section 309(d)."

(5) PRETREATMENT REQUIREMENTS.—Section 505(f)(4) is amended by striking "or pretreatment standards" and inserting "or pretreatment standard or requirement described in section 307(d)".

(6) EFFLUENT STANDARD DEFINITION.—Section 505(f)(6) is amended by inserting "narrative or mathematical" before "condition".

(7) DEFINITION OF CITIZEN.—Section 505(g) is amended to read as follows:

"(g) CITIZEN DEFINED.—For purposes of this section, the term 'citizen' means a person or persons having an interest (including a recreational, aesthetic, environmental, health, or economic interest) which is, has been, or may be adversely affected and includes a person who uses or enjoys the waters into which the discharge flows (either directly or through a publicly owned treatment works), who uses or enjoys aquatic resources or nearby lands associated with the waters, or who would use or enjoy the waters, aquatic resources, or nearby lands if they were less polluted."

(8) OFFERS OF JUDGMENT.—Section 505 is further amended by adding at the end the following:

"(i) APPLICABILITY OF OFFERS OF JUDGMENT.—Offers of judgment pursuant to Rule 68 of the Federal Rules of Civil Procedure shall not be applicable to actions brought under subsection (a)(1) of this section."

(j) ISSUANCE OF SUBPOENAS.—Section 509(a)(1) (33 U.S.C. 1369(a)(1)) is amended by striking "obtaining information under section 305 of this Act, or carrying out section 507(e) of this Act," and inserting "carrying out this Act."

(k) JUDICIAL REVIEW OF EPA ACTIONS.—Section 509(b)(1) (33 U.S.C. 1369(b)(1)) is amended—

(1) by inserting after the comma at the end of clause (D) "including a decision to deny a petition by interested person to veto an individual permit issued by a State,";

(2) by inserting after the comma at the end of clause (E) "including a decision not to include any pollutant in such effluent limitation or other limitation if the Administrator has or is made aware of information indicating that such pollutant is present in any discharge subject to such limitation,"; and

(3) by striking "and (G)" and inserting the following: "(G) in issuing or approving any water quality standard under section 303(c) or 303(d), (H) in issuing any water quality criterion under section 304(a), including a decision not to address any effect of the pollutant subject to such criterion if the Administrator has or is made aware of information indicating that such effect may occur, and (J)".

(l) NATIONAL CLEAN WATER TRUST FUND.—

(1) IN GENERAL.—Title V (33 U.S.C. 1361-1377) is amended by redesignating section 519 as section 522 and by inserting after section 518 the following new section:

"SEC. 519. NATIONAL CLEAN WATER TRUST FUND.

"(a) CREATION OF TRUST FUND.—There is established in the Treasury of the United States a trust fund to be known as the 'Clean Water Trust Fund'.

"(b) TRANSFERS TO TRUST FUND.—There are hereby appropriated to the Clean Water Trust Fund amounts equivalent to the penalties collected under section 309 of this Act and the penalties collected under section 505(a) of this Act (excluding any amounts ordered to be used to carry out mitigation projects under section 309 or 505(a), as the case may be).

"(c) ADMINISTRATION OF TRUST FUND.—The Administrator shall administer the Clean Water Trust Fund. The Administrator may use moneys in the Fund to carry out inspections and enforcement activities pursuant to this Act. In addition, the Administrator may make such amounts of money in the Fund as the Administrator determines appropriate available to carry out title VI of this Act."

(2) CONFORMING AMENDMENT TO STATE REVOLVING FUND PROGRAM.—Section 607 (33 U.S.C. 1387) is amended—

(A) by inserting "(a) IN GENERAL.—" before "There is"; and

(B) by adding at the end the following:

"(b) TREATMENT OF TRANSFERS FROM CLEAN WATER TRUST FUND.—For purposes of this title, amounts made available from the Clean Water Trust Fund under section 519 of this Act to carry out this title shall be treated as funds authorized to be appropriated to carry out this title and as funds made available under this title."

(m) APPLICABILITY.—Sections 101(h), 309(g)(6)(A), 505(a)(1), 505(b), 505(g), and 505(i) of the Federal Water Pollution Control Act, as inserted or amended by this section, shall be applicable to all cases pending under such Act on the date of the enactment of this Act and all cases brought on or after such date of enactment relating to violations which occurred before such date of amendment.

Redesignate subsequent subsections of section 313 of the bill accordingly.

Page 81, line 4, strike "(h)" and insert "(k)".

Page 131, line 5, strike "(r)" and insert "(u)".

Page 188, line 21 strike "(s)" and insert "(v)".

Page 192, line 6, strike "(t)" and insert "(w)".

Page 216, line 11, strike "by" and all that follows through "518" on line 13 and insert "by inserting after section 519".

Page 216, line 14, strike "519" and insert "520".

Page 217, line 7, strike "before" and all that follows through the comma on line 8 and insert "after section 520".

Page 217, line 9, strike "520" and insert "521".

Page 321, line 3, strike "(8)" and insert "(7)".

It was decided in the { Yeas ..... 106 negative ..... } Nays ..... 299

- Frank (MA) Martinez Serrano
Frost McDermott Shays
Furse McHale Slaughter
Gejdenson McKinney Smith (NJ)
Gephardt Menendez Stark
Gibbons Mineta Stokes
Gonzalez Moran Studds
Green Nadler Thompson
Gutierrez Oberstar Thornton
Hastings (FL) Olver Torricelli
Hinchev Owens Towns
Jackson-Lee Pallone Tucker
Johnson, E. B. Payne (NJ) Velazquez
Johnston Pelosi Vento
Kaptur Rahall Visclosky
Kennedy (MA) Reynolds Ward
Kennedy (RI) Rivers Waters
Kildee Roukema Watt (NC)
Lantos Roybal-Allard Waxman
Lewis (GA) Rush Woolsey
Lofgren Sabo Wyden
Lowey Sanders Wynn
Luther Saxton Yates
Maloney Schroeder
Markey Scott

NOES—299

- Allard Dooley Jones
Archer Doolittle Kanjorski
Army Dornan Kasich
Bachus Doyle Kelly
Baesler Dreier Kennelly
Baker (CA) Duncan Kim
Baker (LA) Edwards King
Baldacci Ehlers Kingston
Ballenger Ehrlich Klink
Barcia Emerson Klug
Barr English Knollenberg
Barrett (NE) Ensign Kolbe
Barrett (WI) Everett LaFalce
Bartlett Ewing LaHood
Bass Farr Largent
Bateman Fawell Latham
Bentsen Fazio LaTourette
Bereuter Fields (TX) Laughlin
Bevill Flanagan Lazio
Bilbray Foley Leach
Bilirakis Fowler Levin
Bishop Franks (CT) Lewis (CA)
Bliley Franks (NJ) Lewis (KY)
Blute Frelinghuysen Lightfoot
Boehlert Funderburk Lincoln
Boehner Gallegly Linder
Bonilla Ganske Lipinski
Brewster Gekas Livingston
Browder Geren LoBiondo
Brown (FL) Gilchrest Longley
Brownback Gillmor Lucas
Bryant (TN) Gilman Manton
Bunn Goodlatte Manzullo
Bunning Goodling Mascara
Burr Gordon Matsui
Burton Goss McCarthy
Buyer Graham McCollum
Callahan Greenwood McCrery
Calvert Gundersen McDade
Camp Gutknecht McHugh
Canady Hall (OH) McInnis
Cardin Hall (TX) McIntosh
Castle Hamilton McKeon
Chabot Hansen McNulty
Chambliss Harman Meehan
Chapman Hastert Metcalf
Chenoweth Hastings (WA) Meyers
Christensen Hayes Mfume
Chrysler Hayworth Mica
Clement Hefley Miller (FL)
Clinger Hefner Minge
Coble Heineman Molinari
Coburn Herger Mollohan
Collins (GA) Hillery Montgomery
Combest Hilliard Moorhead
Condit Hobson Morella
Cooley Hoekstra Murtha
Costello Hoke Myers
Cox Holden Myrick
Cramer Horn Neal
Crane Hostettler Nethercutt
Crapo Houghton Neumann
Creameans Hoyer Ney
Cubin Hunter Norwood
Cunningham Hutchinson Obey
Danner Hyde Orton
Davis Inglis Oxley
de la Garza Istook Packard
Deal Jacobs Parker
DeLay Jefferson Paxon
Diaz-Balart Johnson (CT) Payne (VA)
Dickey Johnson (SD) Peterson (MN)
Dingell Johnson, Sam Petri

[Roll No. 324]

AYES—106

- Ackerman Clayton Durbin
Andrews Clyburn Engel
Becerra Coleman Eshoo
Beilenson Conyers Evans
Berman Coyne Fields (LA)
Bonior DeFazio Filner
Borski DeLauro Flake
Brown (CA) Dellums Foglietta
Brown (OH) Deutsch Forbes
Bryant (TX) Dixon Ford
Clay Doggett Fox

Pickett	Seastrand	Thomas
Pombo	Sensenbrenner	Thornberry
Pomeroy	Shadegg	Thurman
Porter	Shaw	Tiahrt
Portman	Shuster	Torkildsen
Poshard	Sisisky	Trafciant
Pryce	Skaggs	Upton
Quillen	Skeen	Volkmer
Quinn	Skelton	Vucanovich
Radanovich	Smith (MI)	Waldholtz
Ramstad	Smith (TX)	Walker
Reed	Smith (WA)	Walsh
Regula	Solomon	Wamp
Riggs	Souder	Weldon (FL)
Roberts	Spence	Weldon (PA)
Roemer	Spratt	Weller
Rohrabacher	Stearns	White
Ros-Lehtinen	Stenholm	Whitfield
Rose	Stockman	Wicker
Roth	Stump	Williams
Royce	Stupak	Wilson
Salmon	Talent	Wise
Sanford	Tate	Wolf
Sawyer	Tauzin	Young (AK)
Scarborough	Taylor (MS)	Zeliff
Schaefer	Taylor (NC)	Zimmer
Schiff	Tejeda	

NOT VOTING—29

Abercrombie	Hancock	Peterson (FL)
Barton	Kleccka	Rangel
Bono	Martini	Richardson
Boucher	MEEK	Rogers
Collins (IL)	Miller (CA)	Schumer
Collins (MI)	Mink	Tanner
Dicks	Moakley	Torres
Dunn	Nussle	Watts (OK)
Fattah	Ortiz	Young (FL)
Frisa	Pastor	

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

64.25 RECORDED VOTE

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

Page 82, after line 21, insert the following:  
(c) NATIONAL CLEAN WATER TRUST FUND.—Section 309 (33 U.S.C. 1319) is further amended by adding at the end the following:

“(i) NATIONAL CLEAN WATER TRUST FUND.—“(1) ESTABLISHMENT.—There is established in the Treasury a National Clean Water Trust Fund (hereinafter in this subsection referred to as the ‘Fund’) consisting of amounts transferred to the Fund under paragraph (2) and amounts credited to the Fund under paragraph (3).

“(2) TRANSFER OF AMOUNTS.—For fiscal year 1996, and each fiscal year thereafter, the Secretary of the Treasury shall transfer, to the extent provided in advance in appropriations Acts, to the fund an amount determined by the Secretary to be equal to the total amount deposited in the general fund of the Treasury in the preceding fiscal year from fines, penalties, and other moneys obtained through enforcement actions conducted pursuant to this section and section 505(a)(1), including moneys obtained under consent decrees and excluding any amounts ordered to be used to carry out mitigation projects under this section or section 505(a), as the case may be.

“(3) INVESTMENT OF AMOUNTS.—The Secretary of the Treasury shall invest in interest-bearing obligations of the United States such portion of the Fund as is not, in the Secretary’s judgment, required to meet current withdrawals. Such obligations shall be acquired and sold and interest on, and the proceeds from the date of redemption of, such obligations shall be credited to the Fund in accordance with the requirements of section 9602 of the Internal Revenue Code of 1986.

“(4) USE OF AMOUNTS FOR REMEDIAL PROJECTS.—Amounts in the Fund shall be available, as provided in appropriations Acts, to the Administrator to carry out projects to restore and recover waters of the United

States from damages resulting from violations of this Act which are subject to enforcement actions under this section and similar damages resulting from the discharge of pollutants into the waters of the United States.

“(5) SELECTION OF PROJECTS.—

“(A) PRIORITY.—In selecting projects to carry out under this subsection, the Administrator shall give priority to a project to restore and recover waters of the United States from damages described in paragraph (4), if an enforcement action conducted pursuant to this section or section 505(a)(1) against such violation, or another violation in the same administrative region of the Environmental Protection Agency as such violation, resulted in amounts being deposited in the general fund of the Treasury.

“(B) CONSULTATION WITH STATES.—In selecting projects to carry out under this section, the Administrator shall consult with States in which the Administrator is considering carrying out a project.

“(C) ALLOCATION OF AMOUNTS.—In determining an amount to allocate to carry out a project to restore and recover waters of the United States from damages described in paragraph (4), the Administrator shall, in the case of a priority project under subparagraph (A), take into account the total amount deposited in the general fund of the Treasury as a result of enforcement actions conducted with respect to such violation pursuant to this section or section 505(a)(1).

“(6) IMPLEMENTATION.—The Administrator may carry out a project under this subsection either directly or by making grants to, or entering into contracts with, the Secretary of the Army or any other public or private entity.

“(7) REPORT TO CONGRESS.—Not later than 1 year after the date of the enactment of this subsection, and every 2 years thereafter, the Administrator shall transmit to Congress a report on implementation of this subsection.”.

“(d) USE OF CIVIL PENALTIES FOR MITIGATION PROJECTS.—

“(1) IN GENERAL.—Section 309(d) (33 U.S.C. 1319(d)) is amended by inserting after the second sentence the following: ‘The court may, in the court’s discretion, order that a civil penalty be used for carrying out mitigation projects which are consistent with the purposes of this Act and which enhance the public health or environment.’.

“(2) CONFORMING AMENDMENT.—Section 505(a) (33 U.S.C. 1365(a)) is amended by inserting before the period at the end of the last sentence the following: ‘, including ordering the use of a civil penalty for carrying out mitigation projects in accordance with section 309(d)’.”.

It was decided in the { Yeas ..... 156  
negative ..... } Nays ..... 247

64.26 [Roll No. 325]  
AYES—156

Abercrombie	DeLauro	Forbes
Andrews	Dellums	Ford
Barcia	Deutsch	Fox
Becerra	Dicks	Frank (MA)
Beilenson	Dingell	Frost
Berman	Dixon	Furse
Boehlert	Doggett	Gejdenson
Bonior	Dooley	Gephardt
Borski	Durbin	Gibbons
Brown (CA)	Ehlers	Gilchrest
Brown (OH)	Engel	Gilman
Burr	Ensign	Gonzalez
Castle	Eshoo	Gordon
Clay	Evans	Green
Clement	Farr	Greenwood
Clyburn	Fawell	Gunderson
Condit	Fazio	Gutierrez
Conyers	Fields (LA)	Hall (OH)
Costello	Filner	Hastings (FL)
Coyne	Flake	Heineman
DeFazio	Foglietta	Hinche

Horn	Mineta	Serrano
Hoyer	Mink	Sisisky
Jackson-Lee	Moran	Skaggs
Jacobs	Morella	Slaughter
Jefferson	Nadler	Smith (NJ)
Johnson (CT)	Neal	Souder
Johnson (SD)	Oberstar	Spratt
Johnson, E. B.	Obey	Stark
Kaptur	Olver	Stokes
Kennedy (MA)	Owens	Studds
Kennedy (RI)	Pallone	Stupak
Kennelly	Payne (NJ)	Thompson
Kildee	Payne (VA)	Torricelli
Klink	Pelosi	Towns
Lantos	Peterson (MN)	Trafciant
Lewis (GA)	Pomeroy	Tucker
Lincoln	Porter	Upton
Lipinski	Portman	Velazquez
LoBiondo	Poshard	Vento
Lowey	Rahall	Visclosky
Luther	Ramstad	Ward
Maloney	Rangel	Waters
Manton	Reed	Watt (NC)
Markey	Reynolds	Waxman
Martinez	Richardson	Weldon (PA)
McDermott	Roybal-Allard	Wise
McHale	Rush	Woolsey
McKinney	Sabo	Wyden
Meehan	Sawyer	Wynn
Menendez	Saxton	Yates
Metcalf	Schroeder	Zimmer

NOES—247

Allard	Dornan	Laughlin
Archer	Doyle	Lazio
Armey	Dreier	Leach
Bachus	Duncan	Levin
Baesler	Edwards	Lewis (CA)
Baker (CA)	Ehrlich	Lewis (KY)
Baker (LA)	Emerson	Lightfoot
Baldacci	English	Linder
Barr	Everett	Livingston
Barrett (NE)	Ewing	Lofgren
Barrett (WI)	Fields (TX)	Longley
Bartlett	Flanagan	Lucas
Bass	Foley	Manzullo
Bateman	Fowler	Martini
Bentsen	Franks (CT)	Mascara
Bereuter	Franks (NJ)	Matsui
Bevill	Frelinghuysen	McCarthy
Bilbray	Funderburk	McColumm
Bilirakis	Galleghy	McCrary
Bishop	Ganske	McDade
Bliley	Gekas	McHugh
Blute	Geren	McInnis
Boehner	Gillmor	McIntosh
Bonilla	Goodlatte	McKeon
Brewster	Goodling	Meyers
Browder	Goss	Mica
Brownback	Graham	Miller (FL)
Bryant (TN)	Gutknecht	Minge
Bryant (TX)	Hall (TX)	Molinari
Bunn	Hamilton	Mollohan
Bunning	Hansen	Montgomery
Burton	Hastert	Moorhead
Buyer	Hastings (WA)	Murtha
Callahan	Hayes	Myers
Calvert	Hayworth	Myrick
Camp	Hefley	Nethercutt
Canady	Hefner	Neumann
Cardin	Herger	Ney
Chabot	Hilleary	Norwood
Chambliss	Hilliard	Nussle
Chapman	Hobson	Orton
Chenoweth	Hoekstra	Oxley
Christensen	Hoke	Packard
Chrysler	Holden	Parker
Clayton	Hostettler	Paxon
Clinger	Houghton	Petri
Coble	Hunter	Pickett
Coburn	Hutchinson	Pombo
Coleman	Hyde	Pryce
Collins (GA)	Inglis	Quillen
Combest	Johnson, Sam	Quinn
Cooley	Jones	Radanovich
Cox	Kanjorski	Regula
Cramer	Kasich	Rivers
Crane	Kelly	Roberts
Crapo	Kim	Roemer
Creameans	King	Rohrabacher
Cubin	Kingston	Ros-Lehtinen
Cunningham	Kleccka	Rose
Danner	Klug	Roth
Davis	Knollenberg	Royce
de la Garza	Kolbe	Salmon
Deal	LaFalce	Sanford
DeLay	LaHood	Scarborough
Diaz-Balart	Largent	Schaefer
Dickey	Latham	Schiff
Doolittle	LaTourette	

Scott	Stockman	Waldholtz
Seastrand	Stump	Walker
Sensenbrenner	Talent	Walsh
Shadegg	Tate	Wamp
Shaw	Tauzin	Weldon (FL)
Shays	Taylor (MS)	Weller
Shuster	Taylor (NC)	White
Skeen	Tejeda	Whitfield
Skelton	Thomas	Wicker
Smith (MI)	Thornberry	Williams
Smith (TX)	Thornton	Wilson
Smith (WA)	Thurman	Wolf
Solomon	Tiaht	Young (AK)
Spence	Torkildsen	Zeliff
Stearns	Volkmer	
Stenholm	Vucanovich	

NOT VOTING—31

Ackerman	Hancock	Peterson (FL)
Ballegger	Harman	Rogers
Barton	Istook	Roukema
Bono	Johnston	Sanders
Boucher	McNulty	Schumer
Brown (FL)	Meek	Tanner
Collins (IL)	Mfume	Torres
Collins (MI)	Miller (CA)	Watts (OK)
Dunn	Moakley	Young (FL)
Fattah	Ortiz	
Frisa	Pastor	

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

¶64.27 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following substitute amendment submitted by Mr. LAUGHLIN for the amendment submitted by Mr. EMERSON: Amendment submitted by Mr. LAUGHLIN:

Page 213, after line 5, insert the following: SEC. 507. DISPUTE RESOLUTION.

(a) IN GENERAL.—Section 401 of the Federal Water Pollution Control Act does not apply with respect to the licensing of a hydroelectric project under Part I of the Federal Power Act if the relevant federal agency makes the determination referred to in subsection (b) in accordance with the mechanism described in subsection (c).

(b) DETERMINATION.—The determination referred to in subsection (a) is a specific determination that a denial, condition, or requirement of a certification under section 401 of the Federal Water Pollution Control Act for such a project is inconsistent with the purposes and requirements of Part I of the Federal Power Act.

(c) MECHANISM.—The dispute resolution mechanism for purposes of subsection (a) shall be a mechanism established by the relevant federal agency in consultation with the Administrator and the States, for resolving any conflicts or unreasonable consequences resulting from actions taken under section 401 by a State, an interstate water pollution control agency or the Administrator relating to the issuance of a license (or to activities under such license) for a hydroelectric project under Part I of the Federal Power Act. Such mechanism shall include, at a minimum, a process whereby: (1) the relevant federal agency, in coordination with the State, the interstate agency or the Administrator (as the case may be) may determine whether any denial, condition or requirement under section 401 of the Federal Water Pollution Control Act relating to the issuance of such license or to activities under such license is inconsistent with the purposes and requirements of Part I of the Federal Power Act; (2) such denial, condition, or requirement shall be presumed to be consistent with the purposes and requirements of Part I of the Federal Power Act if based on temperature, turbidity or other objective water quality criteria regulating discharges of pollutants; and (3) any denial, condition, or requirement not based on such

criteria shall be presumed to be consistent with the purposes and requirements of Part I of the Federal Power Act unless the relevant federal agency, after attempting to resolve any inconsistency, makes a specific determination under subsection (b) and publishes such determination together with the basis for such determination in the license or other appropriate order.

Amendment submitted by Mr. EMERSON:

Insert the following new section into H.R. 961:

SEC. FEDERAL POWER ACT PART I PROJECTS.

Section 511(a) of the Federal Water Pollution Control Act (33 U.S.C. §1371) is amended by adding after "subject to section 10 of the Act of March 3, 1899," the following, and by renumbering the remaining paragraph accordingly:

"(3) applying to hydropower projects within the jurisdiction of the Federal Energy Regulatory Commission or its successors under the authority of Part I of the Federal Power Act (16 U.S.C. §§791 et seq.);".

It was decided in the affirmative } Yeas ..... 309 } Nays ..... 100 }

¶64.28 [Roll No. 326] AYES—309

Allard	Cramer	Hansen
Andrews	Crane	Hastert
Archer	Crapo	Hastings (WA)
Armye	Creameans	Hayes
Bachus	Cubin	Hayworth
Baessler	Cunningham	Hefley
Baker (CA)	Danner	Hefner
Baker (LA)	Davis	Heineman
Ballegger	de la Garza	Herger
Barcia	Deal	Hilleary
Barr	DeLay	Hilliard
Barrett (NE)	Diaz-Balart	Hobson
Bartlett	Dickey	Hoekstra
Bass	Dicks	Hoke
Bateman	Dingell	Holden
Bender	Doggett	Horn
Bereuter	Dooley	Hostettler
Bevill	Doolittle	Houghton
Bilbray	Dornan	Hoyer
Bilirakis	Doyle	Hunter
Bishop	Dreier	Hutchinson
Bliley	Duncan	Hyde
Blute	Edwards	Inglis
Boehlert	Ehlers	Jacobs
Boehner	Ehrlich	Johnson (SD)
Bonilla	Emerson	Johnson, E. B.
Borski	English	Johnson, Sam
Brewster	Everett	Jones
Browder	Ewing	Kanjorski
Brown (CA)	Farr	Kaptur
Brown (FL)	Fattah	Kasich
Brownback	Fawell	Kelly
Bryant (TN)	Fazio	Kennelly
Bryant (TX)	Fields (TX)	Kim
Bunn	Flanagan	King
Bunning	Foley	Kingston
Burr	Forbes	Kleczka
Burton	Fowler	Klink
Buyer	Fox	Klug
Callahan	Franks (CT)	Knollenberg
Calvert	Franks (NJ)	Kolbe
Camp	Frelinghuysen	LaFalce
Canady	Frost	LaHood
Cardin	Funderburk	Largent
Castle	Gallely	Latham
Chabot	Ganske	LaTourette
Chambless	Gekas	Laughlin
Chapman	Gephardt	Lazio
Chenoweth	Geren	Leach
Christensen	Gillmor	Lewis (CA)
Chrysler	Gilman	Lewis (KY)
Clayton	Gonzalez	Lightfoot
Clement	Goodlatte	Linder
Clinger	Goodling	LoBiondo
Clyburn	Gordon	Longley
Coble	Goss	Lucas
Coburn	Graham	Luther
Coleman	Green	Manton
Collins (GA)	Greenwood	Manzullo
Combest	Gunderson	Martinez
Condit	Gutknecht	Martini
Cooley	Hall (OH)	Mascara
Costello	Hall (TX)	Matsui
Cox	Hamilton	McCollum

McCrery	Quillen	Stearns
McDade	Quinn	Stenholm
McHale	Radanovich	Stockman
McHugh	Ramstad	Stump
McIntosh	Regula	Stupak
McKeon	Riggs	Talent
McNulty	Roberts	Tate
Metcalfe	Roemer	Tauzin
Mica	Rohrabacher	Taylor (MS)
Miller (FL)	Ros-Lehtinen	Taylor (NC)
Minge	Rose	Tejeda
Molinari	Roth	Thomas
Mollohan	Roukema	Thornberry
Montgomery	Royce	Thornton
Moorhead	Salmon	Thurman
Moran	Sanford	Tiaht
Morella	Sawyer	Torkildsen
Murtha	Saxton	Trafficant
Myers	Scarborough	Upton
Myrick	Schaefer	Visclosky
Nethercutt	Schiff	Volkmer
Neumann	Scott	Vucanovich
Ney	Seastrand	Waldholtz
Norwood	Sensenbrenner	Walker
Nussle	Shadegg	Walsh
Orton	Shaw	Wamp
Oxley	Shays	Ward
Packard	Shuster	Weldon (FL)
Parker	Siskiy	Weldon (PA)
Paxon	Skeen	Weller
Peterson (MN)	Skelton	White
Petri	Smith (MI)	Whitfield
Pickett	Smith (NJ)	Wicker
Pombo	Smith (TX)	Wilson
Pomeroy	Smith (WA)	Wise
Porter	Solomon	Wolf
Portman	Souder	Young (AK)
Poshard	Spence	Zeliff
Pryce	Spratt	Zimmer

NOES—100

Abercrombie	Hinchee	Payne (VA)
Ackerman	Jackson-Lee	Pelosi
Baldacci	Jefferson	Rahall
Barrett (WI)	Johnson (CT)	Rangel
Becerra	Johnston	Reed
Beilenson	Kennedy (MA)	Reynolds
Berman	Kennedy (RI)	Richardson
Bonior	Kildee	Rivers
Brown (OH)	Lantos	Roybal-Allard
Clay	Levin	Rush
Conyers	Lewis (GA)	Sabo
Coyne	Lincoln	Sanders
DeFazio	Lipinski	Schroeder
DeLauro	Lofgren	Serrano
Dellums	Lowey	Skaggs
Deutsch	Maloney	Slaughter
Dixon	Markey	Stokes
Durbin	McCarthy	Studds
Engel	McDermott	Thompson
Ensign	McInnis	Torricelli
Eshoo	McKinney	Towns
Evans	Meehan	Tucker
Fields (LA)	Menendez	Velazquez
Filner	Meyers	Vento
Flake	Mineta	Waters
Foglietta	Mink	Watt (NC)
Ford	Nadler	Waxman
Frank (MA)	Neal	Williams
Furse	Oberstar	Woolsey
Gejdenson	Obey	Wyden
Gibbons	Olver	Wynn
Gilchrest	Owens	Yates
Gutierrez	Pallone	
Hastings (FL)	Payne (NJ)	

NOT VOTING—25

Barton	Istook	Rogers
Bono	Livingston	Schumer
Boucher	Meek	Stark
Collins (IL)	Gallely	Tanner
Collins (MI)	Mfume	Torres
Dunn	Miller (CA)	Watts (OK)
Frisa	Moakley	Young (FL)
Hancock	Ortiz	
Harman	Pastor	
	Peterson (FL)	

So the amendment to the amendment was agreed to.

After some further time,

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

When Mr. McINNIS, Chairman, reported that the Committee, having had under consideration said bill, had come to no resolution thereon.



¶64.29 PROVIDING FOR THE  
CONSIDERATION OF H.R. 535

Mr. MCINNIS, by direction of the Committee on Rules, reported (Rept. No. 104-116) the resolution (H. Res. 144) providing for the consideration of the bill (H.R. 535) to direct the Secretary of the Interior to convey the Corning National Fish Hatchery to the State of Arkansas.

When said resolution and report were referred to the House Calendar and ordered printed.

¶64.30 PROVIDING FOR THE  
CONSIDERATION OF H.R. 584

Mr. MCINNIS, by direction of the Committee on Rules, reported (Rept. No. 104-117) the resolution (H. Res. 145) providing for the consideration of the bill (H.R. 584) to direct the Secretary of the Interior to convey a fish hatchery to the State of Iowa.

When said resolution and report were referred to the House Calendar and ordered printed.

¶64.31 PROVIDING FOR THE  
CONSIDERATION OF H.R. 614

Mr. MCINNIS, by direction of the Committee on Rules, reported (Rept. No. 104-118) the resolution (H. Res. 146) providing for the consideration of the bill (H.R. 614) to direct the Secretary of the Interior to convey to the State of Minnesota the New London National Fish Hatchery production facility.

When said resolution and report were referred to the House Calendar and ordered printed.

¶64.32 COMMITTEES AND SUBCOMMITTEES  
TO SIT

On motion of Mr. HAYWORTH, by unanimous consent, the following committees and their subcommittees were granted permission to sit during the 5-minute rule on Friday, May 12, 1995: the Committee on Banking and Financial Services, the Committee on Commerce, the Committee on Economic and Educational Opportunities, the Committee on International Relations, and the Committee on Veterans' Affairs.

¶64.33 LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted—

To Mr. BONO, for today and May 12;  
To Ms. DUNN, for today after 3:30 p.m. and balance of the week;

To Mrs. MEEK, for today after 4:15 p.m.;

To Mr. PASTOR, for today after 5 p.m. and balance of the week; and

To Mr. TANNER, for today after 5 p.m. and balance of the week.

And then,

¶64.34 ADJOURNMENT

On motion of Ms. KAPTUR, at 9 o'clock and 5 minutes p.m., the House adjourned.

¶64.35 REPORTS OF COMMITTEES ON  
PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk

for printing and reference to the proper calendar, as follows:

Ms. PRYCE: Committee on Rules. House Resolution 144. Resolution providing for the consideration of the bill (H.R. 535) to direct the Secretary of the Interior to convey the Corning National Fish Hatchery to the State of Arkansas (Rept. No. 104-116). Referred to the House Calendar.

Mr. MCINNIS: Committee on Rules. House Resolution 145. Resolution providing for consideration of the bill (H.R. 584) to direct the Secretary of the Interior to convey a fish hatchery to the State of Iowa (Rept. No. 104-117). Referred to the House Calendar.

Mrs. WALDHOLTZ: Committee on Rules. House Resolution 146. Resolution providing for consideration of the bill (H.R. 614) to direct the Secretary of the Interior to convey to the State of Minnesota the New London National Fish Hatchery production facility (Rept. No. 104-118). Referred to the House Calendar.

¶64.36 PUBLIC BILLS AND RESOLUTIONS

Under clause 5 of rule X and clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. THOMAS (for himself, Mr. STARK, Mrs. JOHNSON of Connecticut, Mr. CARDIN, Mr. MCCREERY, Mr. McDERMOTT, Mr. ENSIGN, Mr. KLECZKA, Mr. CHRISTENSEN, Mr. LEWIS of Georgia, Mr. CRANE, Mr. HOUGHTON, and Mr. SAM JOHNSON):

H.R. 1610. A bill to amend the Internal Revenue Code of 1986 to require employer-provided group health plans to credit coverage under a prior group health plan against any preexisting condition limitation; to the Committee on Ways and Means.

By Mr. MONTGOMERY:

H.R. 1611. A bill to amend title 38, United States Code, to authorize the Secretary of Veterans Affairs to assist in alleviating housing shortages for active duty personnel through interest rate buy downs, and for other purposes; to the Committee on Veterans' Affairs, and in addition to the Committee on National Security, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BUNNING of Kentucky (for himself, Mr. JOHNSTON of Florida, Mr. OWENS, Mr. PARKER, Mr. MCKEON, and Mr. TRAFICANT):

H.R. 1612. A bill to require the general application of the antitrust laws to major league baseball, and for other purposes; to the Committee on the Judiciary.

By Mr. CONYERS:

H.R. 1613. A bill to amend the United States Housing Act of 1937 to require the Secretary of Housing and Urban Development to administer a program of construction and revitalization of public housing, and for other purposes; to the Committee on Banking and Financial Services.

By Mr. DURBIN (for himself, Mr. KLECZKA, Mrs. MEEK of Florida, Mr. PALLONE, Mr. ACKERMAN, Mr. WAXMAN, Mr. McDERMOTT, Ms. PELOSI, Mr. FROST, Mr. KENNEDY of Rhode Island, Ms. KAPTUR, Mr. STARK, Mr. OLVER, Mr. GENE GREEN of Texas, Mr. COLEMAN, Mr. GONZALEZ, Mr. OBERSTAR, Mr. YATES, and Mr. HILLIARD):

H.R. 1614. A bill to amend the provisions of title XVIII of the Social Security Act relating to medigap policies to eliminate age rating in premiums, and for other purposes; to the Committee on Commerce.

By Mr. GOODLATTE (for himself, Mr. INGLIS of South Carolina, Mr.

POSHARD, Mr. HANCOCK, Mr. FRANK of Massachusetts, and Mr. BARTLETT of Maryland):

H.R. 1615. A bill to require that a monthly statement of costs charged against the official mail allowance for persons entitled to use the congressional frank be kept and made available to the public, and to reduce the amount of that allowance for any Member of the House of Representatives; to the Committee on House Oversight.

By Mr. UPTON (for himself and Mr. BOUCHER):

H.R. 1616. A bill to amend the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 to provide a process for the allocation of liability among potentially responsible parties at Superfund sites; to the Committee on Commerce, and in addition to the Committee on Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MCKEON (for himself, Mr. GOODLING, Mr. CUNNINGHAM, Mr. GUNDERSON, Mr. RIGGS, Mr. DELAY, Mr. BOEHNER, Mr. KASICH, Mr. MCINTOSH, Mr. PETRI, Mrs. ROUKEMA, Mr. FUNDERBURK, Mr. SOUDER, Mr. FAWELL, Mr. BALLENGER, Mr. BARRETT of Nebraska, Mr. HOEKSTRA, Mr. CASTLE, Mrs. MEYERS of Kansas, Mr. SAM JOHNSON, Mr. TALENT, Mr. GREENWOOD, Mr. HUTCHINSON, Mr. KNOLLENBERG, Mr. GRAHAM, Mr. WELDON of Florida, Mr. NORWOOD, and Mr. DAVIS):

H.R. 1617. A bill to consolidate and reform workforce development and literacy programs, and for other purposes; to the Committee on Economic and Educational Opportunities.

By Mr. GUTKNECHT (for himself, Mr. METCALF, Mr. BROWNBACK, Mr. FOX, Mr. WAMP, Mr. RIGGS, Mr. NEUMANN, Mr. ENGLISH of Pennsylvania, Mr. SOUDER, Mr. DAVIS, Mr. SANFORD, Mr. KLUG, Mr. SMITH of Michigan, Mr. COBURN, Mr. CHRISTENSEN, Mr. SCARBOROUGH, Mr. SHADEGG, Mr. LOBIONDO, Mr. RADANOVICH, Mrs. SEASTRAND, Mr. HAYWORTH, Mrs. SMITH of Washington, and Mr. LARGENT):

H.R. 1618. A bill to amend title 5, United States Code, to impose certain limitations relating to participation by a Member of Congress in the Civil Service Retirement System or the Federal Employees' Retirement System; to the Committee on Government Reform and Oversight, and in addition to the Committee on House Oversight, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. MOLINARI (for herself, Mrs. MALONEY, Mr. WILSON, and Mr. PAXON):

H.R. 1619. A bill to amend section 227 of the Housing and Urban-Rural Recovery Act of 1983 to prohibit owners and managers of federally assisted rental housing from preventing elderly residents of such housing from owning or having household pets in such housing; to the Committee on Banking and Financial Services.

By Mr. REGULA (for himself, Mr. VISCLOSKEY, Mr. TRAFICANT, Mr. LIPINSKI, Mr. DOYLE, Mr. SERRANO, Mr. ACKERMAN, Mr. FOGLIETTA, Mr. KLINK, Ms. PELOSI, Mr. LATOURETTE, Mr. ENGLISH of Pennsylvania, and Mr. MURTHA):

H.R. 1620. A bill to authorize the Administrator of the Environmental Protection Agency to establish a pilot project providing

loans to States to establish revolving loan funds for the environmental cleanup of sites in distressed areas that have the potential to attract private investment and create local employment; to the Committee on Commerce, and in addition to the Committee on Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

H.R. 1621. A bill to require the Administrator of the Environmental Protection Agency to establish a program under which States may be certified to carry out voluntary environmental cleanup programs for low and medium priority sites; to the Committee on Commerce, and in addition to the Committee on Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. TOWNS:

H.R. 1622. A bill to require the Consumer Product Safety Commission to ban toys which in size, shape, or overall appearance resemble real handguns; to the Committee on Commerce.

By Mr. NEUMANN (for himself, Mr. SOLOMON, Mr. CHRYSLER, Mr. TIAHRT, Mrs. CUBIN, Mr. SOUDER, Mr. COBURN, Mr. DREIER, Mr. GOSS, Mr. ZELIFF, Mr. UPTON, Mr. BARTLETT of Maryland, Mr. GRAHAM, Mr. ROTH, Mr. HILLEARY, Mr. FRISA, Mrs. SMITH of Washington, Mr. STOCKMAN, Mr. COOLEY, Mr. BARTON of Texas, Mr. METCALF, Mr. SCARBOROUGH, Mr. BROWNBACK, Mr. DORNAN, Mr. SMITH of Michigan, Mr. CHRISTENSEN, Mr. SAM JOHNSON, Mr. GILCHREST, Mr. HOSTETTLER, Mr. COMBEST, and Mr. HORN):

H. Con. Res. 66. Concurrent resolution setting forth the congressional budget for the U.S. Government for the fiscal years 1996, 1997, 1998, 1999, 2000, 2001, and 2002; to the Committee on the Budget.

#### ¶64.37 MEMORIALS

Under clause 4 of rule XXII,

79. The SPEAKER presented a memorial of the Legislature of the State of Alaska, relative to medical savings account legislation; to the Committee on Economic and Educational Opportunities.

#### ¶64.38 ADDITIONAL SPONSORS

Under clause 4 of rule XXII, sponsors were added to public bills and resolutions as follows:

H.R. 28: Mr. BRYANT of Tennessee.

H.R. 62: Mr. HOSTETTLER.

H.R. 123: Mr. SAXTON, Mr. KASICH, Mr. MCCREY, Mr. HOKE, Mr. EWING, Mr. RAHALL, Mr. MCCOLLUM, Mr. ZELIFF, Ms. DUNN of Washington, Mr. CHAMBLISS, Mr. CREMEANS, Mr. METCALF, Mr. RADANOVICH, Mrs. JOHNSON of Connecticut, Mr. SALMON, and Mr. WHITFIELD.

H.R. 373: Mr. HILLIARD and Mr. RADANOVICH.

H.R. 485: Mr. COYNE.

H.R. 499: Mr. NEY, Mr. BONO, and Mr. STEARNS.

H.R. 500: Mr. CALVERT and Mr. KIM.

H.R. 539: Mr. TAUZIN, Mr. SABO, Mr. WICKER, Mr. INGLIS of South Carolina, and Mr. MINGE.

H.R. 540: Mr. RAHALL, Mr. LEWIS of Georgia, Mr. BERMAN, Mr. CAMP, Mr. SAXTON, Mr. OWENS, Ms. MOLINARI, Mr. LIPINSKI, Mr. FOGLIETTA, Ms. SLAUGHTER, Mr. LAFALCE, Mr. FROST, Ms. LOWEY, and Mr. MOAKLEY.

H.R. 575: Mr. BROWNBACK, Mr. BROWN of Ohio, and Ms. FURSE.

H.R. 580: Mr. ABERCROMBIE and Mr. DIAZ-BALART.

H.R. 582: Mr. HUNTER and Mr. FILNER.

H.R. 659: Mr. REYNOLDS, Mr. FOLEY, Ms. FURSE, Mr. HANSEN, Mr. FATTAH, Mr. SENBRENNER, Mr. MARTINEZ, Mr. HANCOCK, and Mr. CLEMENT.

H.R. 719: Mr. RANGEL, Mr. MASCARA, Mr. JACOBS, Mrs. MEEK of Florida, Ms. LOWEY, and Mr. BROWN of Ohio.

H.R. 743: Mr. CUNNINGHAM, Mr. RIGGS, Mr. CASTLE, and Mr. HANCOCK.

H.R. 747: Mr. LAFALCE and Mr. LEWIS of Georgia.

H.R. 752: Mr. DURBIN, Mr. HEFLEY, Mr. LAUGHLIN, Mr. MCCOLLUM, Mr. ROTH, and Mr. VOLKMER.

H.R. 769: Mr. DAVIS.

H.R. 789: Mr. MANZULLO, Mr. INGLIS of South Carolina, Mr. BLUTE, and Mr. GANSKE.

H.R. 910: Mr. MINETA.

H.R. 928: Mr. CRANE.

H.R. 946: Mr. BUNN of Oregon.

H.R. 958: Mr. PALLONE, Mr. FOLEY, Mr. KENNEDY of Rhode Island, Mr. FRANK of Massachusetts, and Mr. QUINN.

H.R. 972: Mr. FOX.

H.R. 991: Mr. LEWIS of Georgia and Mr. WYDEN.

H.R. 994: Mr. LATHAM and Mr. WILSON.

H.R. 1020: Mr. OXLEY, Mr. TORKILDSEN, Mr. GOODLATTE, Mr. BARTLETT of Maryland, Mrs. JOHNSON of Connecticut, Mr. CREMEANS, Mr. GUTKNECHT, Mr. MCHALE, Mr. PETRI, Mr. QUILLEN, Mr. GUTIERREZ, Mr. BUNNING of Kentucky, Mr. YOUNG of Florida, Mr. MANZULLO, Mr. RAHALL, Mr. MCINTOSH, Mr. ROBERTS, Mr. SKEEN, Mr. DUNCAN, Mr. BARTON of Texas, Mrs. CLAYTON, Mr. CLINGER, Mr. FLANAGAN, Mr. DEUTSCH, Mr. PACKARD, and Miss COLLINS of Michigan.

H.R. 1085: Mr. HOEKSTRA.

H.R. 1103: Mr. EVERETT.

H.R. 1118: Mr. SCHAEFER.

H.R. 1173: Mr. BATEMAN.

H.R. 1202: Mr. FRANKS of New Jersey, Mr. ROMERO-BARCELO, Mr. DOYLE, Mr. FAWELL, Mr. JONES, and Ms. PRYCE.

H.R. 1242: Mr. MILLER of Florida, Mrs. WALDHOLTZ, and Mr. HASTINGS of Washington.

H.R. 1264: Mr. FRANK of Massachusetts and Mr. FRAZER.

H.R. 1278: Ms. VELAZQUEZ, Mr. TORRES, Mr. KANJORSKI, Mr. HILLIARD, and Mr. OLVER.

H.R. 1293: Mr. MINGE.

H.R. 1300: Mr. ENGLISH of Pennsylvania, Mr. BALLENGER, Mr. FOX, Mrs. MYRIK, Mr. ROSE, Mr. SCHAEFER, and Mr. HEFNER.

H.R. 1363: Mr. TANNER, Mr. HEFLEY, and Mr. INGLIS of South Carolina.

H.R. 1389: Mr. NADLER, Mr. EVANS, Mr. SERRANO, and Mr. GUTIERREZ.

H.R. 1406: Mr. MURTHA, Mr. FATTAH, and Mr. RAHALL.

H.R. 1448: Mr. CUNNINGHAM, Mr. SCHAEFER, Mr. ZELIFF, Mr. LIGHTFOOT, Mr. CREMEANS, Mr. HANSEN, Mr. GILCHREST, Mr. DORNAN, and Mr. TEJEDA.

H.R. 1559: Mr. EMERSON, Mr. GENE GREEN of Texas, Mr. HALL of Texas, Mr. HOBSON, Mr. KLINK, Mr. HILLIARD, Mr. JOHNSTON of Florida, Ms. LOFGREN, and Mr. LUTHER.

H.R. 1589: Mr. BARRETT of Nebraska.

H.R. 1594: Mr. CHABOT, Mr. FOLEY, and Mr. BALLENGER.

H.J. Res. 16: Mr. LEWIS OF KENTUCKY and Mr. DUNCAN.

H.J. Res. 70: Mr. ZIMMER, Mr. CUNNINGHAM, Mr. SHAYS, Ms. WOOLSEY, Mr. CARDIN, Mr. GEJDENSON, Mr. WALSH, Mr. MORAN, Ms. DELAURO, Mr. BARRETT of Wisconsin, Mr. BONIOR, Mr. MFUME, Mr. MEEHAN, Ms. LOWEY, Mr. BRYANT of Texas, Mr. FOGLIETTA, and Mr. QUINN.

H.J. Res. 79: Mrs. JOHNSON of Connecticut, Mr. SMITH of Michigan, Mr. DOOLEY, and Mrs. LINCOLN.

H. Con. Res. 47: Mr. FARR, Mr. FOX, Mr. HINCHEY, Mr. KENNEDY of Massachusetts, Mr. MCKEON, Mr. NORWOOD, and Mr. PALLONE.

H. Con. Res. 50: Mr. SOLOMON.

H. Con. Res. 63: Mr. BAKER of Louisiana.

H. Res. 39: Ms. WOOLSEY and Mr. GEJDENSON.

#### ¶64.39 DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, sponsors were deleted from public bills and resolutions as follows:

H.R. 357: Mr. LAHOOD.

H.R. 1143: Mr. BRYANT of Texas.

H.R. 1144: Mr. BRYANT of Texas.

H.R. 1145: Mr. BRYANT of Texas.

H.R. 1500: Ms. PELOSI.

### FRIDAY, MAY 12, 1995 (65)

#### ¶65.1 DESIGNATION OF SPEAKER PRO TEMPORE

The House was called to order by the SPEAKER pro tempore, Mr. LONGLEY, who laid before the House the following communication:

WASHINGTON, DC,

May 12, 1995.

I hereby designate the Honorable JAMES B. LONGLEY, Jr., to act as Speaker pro tempore on this day.

NEWT GINGRICH,

*Speaker of the House of Representatives.*

#### ¶65.2 APPROVAL OF THE JOURNAL

The SPEAKER pro tempore, Mr. LONGLEY, announced he had examined and approved the Journal of the proceedings of Thursday, May 11, 1995.

Pursuant to clause 1, rule I, the Journal was approved.

#### ¶65.3 COMMUNICATIONS

Executive and other communications, pursuant to clause 2, rule XXIV, were referred as follows:

864. A letter from the Deputy Secretary of Defense, transmitting a report and recommendations of the task force on discrimination and sexual harassment dated May 1995, Volume I, pursuant to Public Law 103-337, section 532; to the Committee on National Security.

865. A letter from the Secretary of Defense, transmitting certification that the detail of 58 DOD personnel to other Federal agencies, under the DOD Counterdrug Detail Program, are in the national security interest of the United States, pursuant to Public Law 103-337, section 1011; to the Committee on National Security.

866. A letter from the Director, Defense Security Assistance Agency, transmitting notification concerning the accession of Denmark to the project to establish an organization for CALS within NATO (Transmittal No. 6-95), pursuant to 22 U.S.C. 2767(f); to the Committee on International Relations.

867. A letter from the Director, Defense Security Assistance Agency, transmitting notification concerning a cooperative counterterrorism research and development effort with Canada (Transmittal No. 7-95), pursuant to 22 U.S.C. 2767(f); to the Committee on International Relations.

868. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting notification of a proposed license for the export of major defense equipment and services sold commercially to the United States Arab Emirates (Transmittal No. DTC-25-95), pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

869. A letter from the Assistant Secretary for Legislative Affairs, Department of State,