NAYS—146

Archer	Goodlatte	Obey
Baird	Graham	Olver
Baldwin	Gutierrez	Owens
Barr	Gutknecht	Paul
Barrett (WI)	Hall (OH)	Payne
Bereuter	Hansen	Pelosi
Berry	Hastings (FL)	Peterson (MN)
Blagojevich	Hefley	Petri
Blumenauer	Hill (IN)	Phelps
Boswell	Hill (MT)	Pitts
Brady (PA)	Hinchey	Porter
Brady (TX)	Hoekstra	Ramstad
Brown (OH)	Holden	Rivers
Campbell	Holt	Roemer
Cannon	Hooley	Rohrabacher
Capuano	Hulshof	Royce
Castle	Inslee	Ryan (WI)
Chabot	Jackson (IL)	Sabo
Clay	Johnson, Sam	Salmon
Coburn	Jones (OH)	Sanders
Collins	Kaptur	Sanford
Combest	Kilpatrick	Schaffer
Conyers	Kind (WI)	Schakowsky
Cook	Kleczka	Sensenbrenner
Costello	Kucinich	Serrano
Cox	LaHood	Sessions
Coyne	LaTourette	Shadegg
Crowley	Lazio	Shays
Cubin	Leach	Simpson
Danner	Lee	Slaughter
Davis (FL)	Lewis (GA)	Stark
Davis (IL)	Lipinski	Stearns
Deal	Lofgren	Stupak
DeFazio	Luther	Sununu
DeGette	Maloney (NY)	Tancredo
Delahunt	Manzullo	Terry
DeMint	Markey	Thurman
Doggett	McDermott	Tierney
Doolittle	McInnis	Towns
Duncan	McKinney	Udall (CO)
Dunn	Meehan	Udall (NM)
Ehlers	Miller, George	Upton
Eshoo	Minge	Velazquez
Fattah	Mink	Visclosky
Filner	Moore	Waters
Fossella	Moran (KS)	Waxman
Frank (MA)	Nadler	Woolsey
Ganske	Nussle	Wu
Gekas	Oberstar	

NOT VOTING—26

Barton	Everett	Rogan
Becerra	Ewing	Ros-Lehtinen
Bilbray	Franks (NJ)	Rush
Brown (FL)	Granger	Spence
Burr	Klink	Thompson (MS)
Chambliss	Largent	Vento
Chenoweth-Hage	McIntosh	Walsh
Crane	McNulty	Weiner
Diaz-Balart	Quinn	

1429

Mr. BLAGOJEVICH changed his vote from ''aye'' to ''no.''

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. DIAZ-BALART. Mr. Speaker, on rollcall No. 95, I was inadvertently detained. Had I been present, I would have voted ''yes.''

Mr. BILBRAY. Mr. Speaker, on rollcall No. 95, had I been present, I would have voted ''yes.''

Mr. ROGAN. Mr. Speaker, on rollcall No. 95, I was unavoidably detained. Had I been present, I would have voted ''yes.''

Mr. CHAMBLISS. Mr. Speaker, on rollcall No. 95, I was unavoidably detained. Had I been present, I would have voted ''aye.''

Mr. BURR of North Carolina. Mr. Speaker, I regret that I was unable to be present for the vote on final passage of H.R. 3908. Had I been present I would have, albeit reluctantly, voted in favor of the bill.

Stated against:

Mr. BARTON of Texas. Mr. Speaker, on rollcall No. 95, supplemental final passage, had I been present, I would have voted ''no.''

PERSONAL EXPLANATION

Ms. ROS-LEHTINEN. Mr. Speaker, on rollcall numbers 91, 92, 93, 94, 95, I was unavoidably detained. Had I been present, I would have voted ''nay'' on rollcall numbers 91, 92, 93, 94, and ''aye'' on rollcall number 95.

APPOINTMENT OF CONFEREES ON H.R. 2559, AGRICULTURAL RISK PROTECTION ACT OF 1999

Mr. COMBEST. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 2559) to amend the Federal Crop Insurance Act to strengthen the safety net for agricultural producers by providing greater access to more affordable risk management tools and improved protection from production and income loss, to improve the efficiency and integrity of the Federal crop insurance program, and for other purposes, with a Senate amendment thereto, disagree to the Senate amendment, and agree to the conference asked by the Senate.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas? The Chair hears none and, without objection, appoints the following conferees: Messrs. COMBEST, BARRETT of Nebraska, BOEHNER, EWING, POMBO, STENHOLM, CONDIT, PETERSON of Minnesota, and DOOLEY of California.

There was no objection.

1430

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 3660

Mr. TANNER. Mr. Speaker, I ask unanimous consent that my name be removed as a cosponsor of H.R. 3660. Apparently, it was inadvertently added without my knowledge or that of my office.

The SPEAKER pro tempore (Mr. PEASE.) Is there objection to the request of the gentleman from Tennessee?

There was no objection.

LEGISLATIVE PROGRAM

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

Mr. BONIOR. Mr. Speaker, I ask for this time for the purposes of inquiring from the majority about the schedule for the remainder of this week and the following week.

Mr. Speaker, I yield to the gentleman from New York (Mr. LAZIO).

Mr. LAZIO. Mr. Speaker, I thank the gentleman from Michigan (Mr. BONIOR) for yielding.

Mr. Speaker, I am pleased to announce that the House has completed its legislative business for this week. The House will not be in session tomorrow. The House will meet next for legislative business on Monday, April 3 at 12:30 p.m. for morning hour, and 2 p.m. for legislative business. We will consider a number of bills under suspension of the rules, a list which will be distributed to Members' offices tomorrow.

On Monday, no recorded votes are expected before 6 p.m. On Tuesday and the balance of the week, the House will consider the following measures, all of which will be subject to rules:

H.R. 3671, the Wildlife and Sport Fish Restoration Improvement Act of 2000;

H.R. 2418, the Organ Procurement and Transplantation Network Amendments of 1999;

H.R. 3660, the Partial-Birth Abortion Ban Act of 2000; and

H.R. 1776, which, I might add, is a signature bill for the entire House of Representatives, the American Homeownership and Economic Opportunity Act.

Mr. BONIOR. Mr. Speaker, reclaiming my time, if I can ask my friend, the gentleman from New York (Mr. LAZIO) a couple of questions. Does the gentleman anticipate any late night sessions next week?

Mr. LAZIO. Mr. Speaker, if the gentleman will continue to yield, I say to the gentleman from Michigan that the only anticipation of a late night possibly would be on Thursday, and that would be as a result of 1776, the American Homeownership bill, which will be on the floor that afternoon and perhaps evening.

Mr. BONIOR. Mr. Speaker, what about next Friday?

Mr. LAZIO. Mr. Speaker, we are looking at a busy week, and we will know later next week if we will be in for sure for legislative business. Right now I think Members should expect to have business on Friday, but we will know by midweek whether we will actually have to be here for legislative business.

Mr. BONIOR. Mr. Speaker, will the Coverdell voucher bill be brought back to the floor next week? If it will be brought back, can we anticipate that the Rangel-Johnson substitute will be made in order on school modernization?

Mr. LAZIO. Mr. Speaker, if the gentleman will continue to yield, the gentleman is referring to the education savings accounts, which would bring opportunity through investments, public investments, in individual investment accounts that would become available. We are going to continue to have a dialogue about that.

We, obviously, ran out of time this week with the supplemental taking up so much time on the House floor, rightfully so. Of course, next week is very busy. I would suggest that we are not optimistic about it coming up next week, but it is not out of the question.

Mr. BONIOR. Mr. Speaker, will that give us the opportunity to offer a school modernization bill?

Mr. LAZIO. Mr. Speaker, I say to the gentleman, I hope the gentleman will be discussing this also with the gentleman from California (Mr. DREIER),

and the Committee on Rules certainly would come to the floor pursuant to a rule. I am sure it will be a fair and responsible rule.

At that point I am sure we will be in a dialogue and the gentleman will be in dialogue with the House leadership, Republican leadership to ensure that we have a means of addressing the gentleman's concerns.

Mr. BONIOR. Mr. Speaker, is the gentleman suggesting that we will have a means to address this issue on the floor if, in fact, you bring up the education opportunity savings act as the gentleman described it?

Mr. LAZIO. Mr. Speaker, if the gentleman would continue to yield, I am sure that the gentleman from Michigan and the gentleman from Missouri (Mr. GEPHARDT), the Democratic leader, will have a discussion with the Republican leadership and, in particular, the gentleman from California (Mr. DREIER) and the Committee on Rules is expected to, if we do have the time, to take up the education savings account, report out a full, fair, and responsible rule. I hope the gentleman will be satisfied with that outcome.

Mr. BONIOR. Mr. Speaker, that is encouraging to hear that we will have a full, fair, and responsible rule; and we look forward to seeing that.

Finally, as the gentleman from New York knows on March 31, tomorrow, the Strategic Petroleum Reserve authorization expires, and given the success of Secretary Richardson, who is talking with many of our friends and allies around the world to increase production of oil so that we can bring down the price of gasoline at the pump and the heating oil prices, given his great success and the announcements that have been made over the last couple of days, why would we not want to reauthorize that before we left here?

It seems to me that the reserve is a very important piece in this whole energy battle that we are engaged in. I would like an explanation from the gentleman on why we have failed to bring this up for reauthorization before we left here.

Mr. LAZIO. Mr. Speaker, I say to the gentleman that the subcommittee chairman, the gentleman from Texas (Mr. BARTON), has been working with committee Democrats to try and find a common solution, resolve mutual problems. I think it is fully the intention of the gentleman from Texas (Mr. BARTON) and the House to try and find a resolution of these concerns so that we could reauthorize the Strategic Petroleum Oil Reserve, and at the same time address the high price of oil which, the gentleman correctly notes, has caused a great amount of discomfort or worse for people through home fuel oil and also at the gasoline pumps.

I guess we are going to continue to see that Members will work together in a bipartisan fashion at the committee level. If those issues are resolved, I think we can be much more optimistic about seeing a reauthorization on the floor.

Mr. BONIOR. Mr. Speaker, I just wanted to ask my friend, the gentleman from New York (Mr. LAZIO) or my friend from California (Mr. DREIER), is it Glendale?

Mr. DREIER. Mr. Speaker, no.

Mr. BONIOR. Is it Pasadena?

Mr. DREIER. Mr. Speaker, no.

Mr. BONIOR. Mr. Speaker, what is it? Will the gentleman tell me?

Mr. DREIER. Mr. Speaker, it is San Dimas.

Mr. BONIOR. It is right next door, either one of those places.

Mr. DREIER. It is not Mount Clements either.

Mr. BONIOR. Mr. Speaker, would either the gentleman from New York (Mr. LAZIO) or the gentleman from California (Mr. DREIER) apprise me if my colleagues are familiar with the bill H.R. 1649 that was introduced by the gentleman from Ohio (Mr. KASICH) and the gentleman from Texas (Mr. ARMEY) and the gentleman from Texas (Mr. DELAY)?

Mr. LAZIO. Mr. Speaker, I cannot say.

Mr. DREIER. Mr. Speaker, what is the bill?

Mr. BONIOR. Mr. Speaker, it was an act that was introduced to abolish the Department of Energy. I guess the reason I raise it, and I raised it in connection with the failure to reauthorize the Strategic Petroleum Reserve, is that when we look at both of those issues side by side running away from a very important issue that the American people are concerned with right now and then not wanting to authorize the Department of Energy, if actually wanting to abolish it, I just want to try to figure out what is happening on your side with regard to the energy policy.

Mr. LAZIO. Mr. Speaker, if the gentleman would yield, as the gentleman knows, over the last year, the prices per gallon increased from about $10 per barrel to over $30 per barrel before there was any decisive, even comment or any action by the administration.

Now we are beginning to see some of the supply interruption. Perhaps we have some more relief as a result of some of the oil-producing nations agreeing to increase their output. That will probably have more of an effect by increasing output and using our influence, our diplomatic efforts to ensure that our allies and friends increase oil production, than anything particularly we might do with the Strategic Petroleum Reserve. But I also would say to the gentleman that I think it is the intention of working through some of the common interests in a bipartisan way and actually reauthorizing the Strategic Petroleum Reserve.

Mr. BONIOR. Can we expect that to maybe come to the floor soon?

Mr. LAZIO. I would say to the gentleman that I think that probably depends on whether both Democratic and Republican Members can find common ground to allow that to come to the floor. But there are people that have concerns obviously about both oil prices and with the reauthorization.

Mr. BONIOR. One of the ways we can find common ground is first to understand and agree upon the fact that we should not abolish the Department of Energy. Would the gentleman agree that that is probably a reasonable place to start, that we should not abolish the Department of Energy?

Mr. LAZIO. If the gentleman will yield further, I would say that the issue of the Strategic Petroleum Reserve and the success of the Department of Energy through the many difficulties that it has had over the last couple of years, especially given some of the national security issues that have risen are two different issues. So I would not want anyone to believe that the flow of oil, or the interruption of supply, would have anything to do with this legislation that the gentleman is referencing.

Mr. DREIER. Mr. Speaker, will the gentleman yield?

Mr. BONIOR. I yield to the gentleman from California.

Mr. DREIER. I thank my friend from Mt. Clemens for yielding. I would say that I do not see a correlation between the existence of the Federal Department of Energy and the need to bring about a diplomatic strategy to work with our friends in the Middle East and members of the Organization of Petroleum Exporting Countries to bring about some sort of stabilization and a lowering of price and an increase in the supply which obviously is something that we seek.

I will tell the gentleman personally, I do not see a correlation between the existence and the perpetuation of the Federal Department of Energy and the need for the administration using, as President Bush did in the early part of the last decade, putting together a 28-nation coalition to liberate the people of Kuwait. I do not think that it is necessary for a Federal Department of Energy to exist to pursue the goal that we all want to address right now, and that is to bring about a lowering of gasoline and fuel prices for the American people.

Mr. BONIOR. Is the gentleman suggesting that he would agree with H.R. 1649 and his colleagues, the gentleman from Texas (Mr. ARMEY) and the gentleman from Texas (Mr. DELAY) and the gentleman from Ohio (Mr. KASICH), to abolish the Department of Energy?

Mr. DREIER. If the gentleman will yield further, I will tell him that in the committee on which my friend used to sit, we are clearly more than willing to look at a wide range of legislative proposals that come forward; and we are happy to look at that one if a committee were to report it out and they would bring it up to our committee.

Mr. BONIOR. It is interesting, I might say, Mr. Speaker, and I will not belabor this, although I do want to yield to my friend from Massachusetts, that in the 5½ years that my colleagues have been in the majority here, they have failed to pass any legislation to protect our energy security and to

give consumers and commuters and truck drivers and Northeast homeowners and farmers any protection against these volatile oil prices.

Now we have got this bill that wants to abolish the Department of Energy right on top of what I think is a significant, positive effort on the part of the administration and Secretary Richardson of getting the OPEC countries, as the gentleman from California just mentioned, and the non-OPEC countries like Venezuela, Mexico, and Norway to increase production by almost 2.8 million barrels per day which will and has brought down already the price at the pump.

Mr. MARKEY. Mr. Speaker, will the gentleman yield?

Mr. BONIOR. I yield to the gentleman from Massachusetts.

Mr. MARKEY. I thank the gentleman for yielding.

Mr. Speaker, I think the point that the gentleman from Michigan is making is a very valid one. The Senate finished consideration of EPCA, the Energy Policy Conservation Act, last September. The Committee on Commerce in the House finished it last September. So it has been sitting somewhere between the House and the Senate languishing for 6 months right through this entire energy crisis. So the issue is why can we not, especially those of us in the Northeast who are very much dependent upon imported oil, know that the President as of midnight tomorrow night still has the authority to deploy the Strategic Petroleum Reserve that is our weapon against OPEC if he deems it to be necessary?

Why would we have allowed that authority to expire tomorrow? We could have passed it out of here this week, to give the President that authority. We deal with nations. These are the heads of governments that make these decisions. There is no free market in oil in the world. It is all done by governments acting as a cartel. If it happened in any industry in the United States, the Antitrust Division of the Justice Department would break it up. It is illegal. So our President has his own oil field, it is the Strategic Petroleum Reserve, to deploy, to use as a weapon, a bargaining tool with these other countries.

That has helped. That has helped a lot in terms of Secretary Richardson's ability to be able to use that as part of the leverage and getting the highest possible number of barrels as a concession from OPEC over the last couple of weeks. The President is saying, ''I won't deploy the Strategic Petroleum Reserve if you give us a million, a million and a half, two million barrels of oil a day.'' As of tomorrow night, the President's authority to use this expires and all we are asking is when on the schedule will that bill be brought up so that we can give back to the President this leverage he needs in any negotiations with OPEC?

1445

Mr. BONIOR. Mr. Speaker, I yield to the gentleman from Florida.

Mr. STEARNS. Mr. Speaker, let me just comment briefly, and I think the gentleman from Massachusetts will understand that last year, September 30, 1999, we passed and sent to the President our Energy Conservation Policy Act. It was on the day that it expired. So we, with great alacrity and interest, submitted it to the President; and I think the gentleman from Massachusetts realized what the President did, he did not sign it. In fact, he waited 5 days.

So the fact that this expires is not a major crisis, and I think he realizes that from the President himself not signing it when we gave it to him last year.

To answer the gentleman from Michigan as to the point about the Department of Energy, the Department of Energy had nothing to do with the cost per gallon of energy either going from 72 under the Carter administration, the Democrat administration, down to 25 and lower; and now it is going up, notwithstanding the fact we give billions and billions and billions of dollars every day. Even the Secretary of Energy, Mr. Richardson, said we were caught napping.

So after sending billions and billions of dollars year in and year out to this Department of Energy, there are people in Congress, including myself, who felt that perhaps this agency should be reformed. It is an institution that should be changed. It is an institution that is not meeting the demands. I think Secretary Richardson would probably agree today, since he admits that ''we were caught napping'' after all of this money we spent. I think most people in the House agree that the Department of Energy needs to be restructured.

So that is my comment. I thank the gentleman for yielding.

Mr. BONIOR. Mr. Speaker, I thank the gentleman for his comment. I would just say in response to his last comment, though, that I am glad the gentleman now on his side is moving away from the question of abolishing the Department of Energy, because as the gentleman knows, the act that I referred to, that I cited, is called the Department of Energy Abolishment Act. The gentleman says he just wants to reform it now. So it is good to see there is some movement away from abolishing the department, which has, among other things under its jurisdiction, oil conservation programs, research and renewable energy conservation and research programs; and I could just go on and on and on, and I will with the help of my friend from Massachusetts.

Mr. Speaker, I yield to the gentleman from Massachusetts (Mr. MARKEY).

Mr. MARKEY. Mr. Speaker, I again thank the gentleman for yielding.

I think people have to understand that part of the Contract with America is the pledge to abolish the Department of Energy. So the Department of Energy, in 1995, 1996, 1997, they were just fighting to exist, not to put together an energy policy that would make us independent of OPEC. Here we sit on the day before the President's authority expires, and we still have not produced a bill out here that we can vote on that can give him that authority to continue to keep that leverage strong against OPEC.

Mr. LAZIO. Mr. Speaker, will the gentleman yield?

Mr. BONIOR. I yield to the gentleman from New York.

Mr. LAZIO. Mr. Speaker, I thank the gentlemen for both of their comments, but I would not want the House to be left with the impression that somehow it is the House that conducts diplomatic efforts; it is the House that is involved in negotiating with oil ministers; that it is the House that has the discretion through Executive Order to release all or any part of the Strategic Petroleum Oil Reserve.

Let us see if we cannot work together in a bipartisan fashion to actually come to a solution on this reauthorization; and hopefully, jointly, we can keep the pressure on the administration to continue to use more diplomatic efforts to increase production, because in the end, I think that is the best solution for American consumers and for businesses.

Mr. BONIOR. Mr. Speaker, I think due to the spirit in which that was given we accept that, and we thank the gentleman for his constructive comments; and we look forward to working with him in the weeks ahead.

ANNOUNCEMENT REGARDING AMENDMENT PROCESS FOR H.R. 1776, AMERICAN HOMEOWNERSHIP AND ECONOMIC OPPORTUNITY ACT OF 2000

Mr. DREIER. Mr. Speaker, this afternoon a Dear Colleague letter was sent to all colleagues informing them that the Committee on Rules is expected to meet the week of April 3 to grant a rule which may restrict amendments for consideration of H.R. 1776, the American Homeownership and Economic Opportunity Act of 2000.

Any Member contemplating an amendment to H.R. 1776 should submit 55 copies of the amendment and one copy of a brief explanation to the Committee on Rules no later than 5 p.m. on Tuesday, April 4. The Committee on Rules office is located upstairs in H–312, as the presiding officer knows very well, here in the Capitol.

Members should use the Office of Legislative Counsel to ensure that their amendments are properly drafted and should check with the Office of the Parliamentarian to be certain that their amendments comply with the Rules of the House.