

I urge my colleagues to support this rule and to support passage of the underlying Energy and Water Appropriations bill.

The material previously referred to by Ms. MATSUI is as follows:

PREVIOUS QUESTION H. RES. 291—RULE FOR H.R. 2419, FY06 ENERGY AND WATER APPROPRIATIONS

At the end of the resolution, add the following new sections:

SEC. 2. Notwithstanding any other provision of this resolution, the amendment printed in section 3 shall be in order without intervention of any point of order and before any other amendment if offered by Representative Schwartz of Pennsylvania or a designee. The amendment is not subject to amendment except for pro forma amendments or to a demand for a division of the question in the committee of the whole or in the House.

SEC. 3. The amendment referred to in section 2 is as follows:

AMENDMENT TO H.R. 2419, AS REPORTED OFFERED BY MS. SCHWARTZ OF PENNSYLVANIA  
Page 19, line 5, insert “(increased by \$250,000,000)” after “\$1,762,888,000”.

Page 45, after line 8, insert the following:

SEC. 503. In the case of any taxpayer with adjusted gross income in excess of \$1,000,000 for the taxable year ending in calendar year 2006, the amount of tax reduction for the taxpayer for such year resulting from enactment of the Economic Growth and Tax Relief Reconciliation Act of 2001 (Pub. L. 107-16) and the Jobs and Growth Tax Relief Reconciliation Act of 2003 (Pub. L. 108-27) shall be reduced by 0.78 percent.

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

The SPEAKER pro tempore. The question is on ordering the previous question.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Ms. MATSUI. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

Pursuant to clause 9 of rule XX, the Chair will reduce to 5 minutes the minimum time for electronic voting, if ordered, on the question of adoption of the resolution.

The vote was taken by electronic device, and there were—yeas 219, nays 190, not voting 24, as follows:

[Roll No. 203]

YEAS—219

Aderholt	Boehner	Cantor
Akin	Bonilla	Capito
Alexander	Bonner	Carter
Bachus	Bono	Castle
Baker	Boozman	Chabot
Barrett (SC)	Boustany	Chocola
Bartlett (MD)	Bradley (NH)	Coble
Barton (TX)	Brown (SC)	Cole (OK)
Bass	Brown-Waite,	Conaway
Beauprez	Ginny	Cox
Biggart	Burgess	Crenshaw
Bilirakis	Buyer	Cubin
Bishop (UT)	Calvert	Culberson
Blackburn	Camp	Cunningham
Blunt	Cannon	Davis (KY)

Davis, Jo Ann	Johnson, Sam	Porter	McGovern	Pelosi	Solis
Davis, Tom	Keller	Price (GA)	McIntyre	Pomeroy	Spratt
Deal (GA)	Kelly	Putnam	McKinney	Price (NC)	Stark
DeLay	Kennedy (MN)	Radanovich	McNulty	Rahall	Strickland
Dent	King (IA)	Ramstad	Meehan	Rangel	Stupac
Diaz-Balart, L.	King (NY)	Regula	Melancon	Reyes	Tanner
Diaz-Balart, M.	Kingston	Rehberg	Menendez	Ross	Tauscher
Doolittle	Kirk	Reichert	Michaud	Rothman	Taylor (MS)
Drake	Kline	Renzi	Miller (NC)	Roybal-Allard	Thompson (CA)
Dreier	Knollenberg	Rogers (AL)	Miller, George	Ruppersberger	Thompson (MS)
Duncan	Kolbe	Rogers (KY)	Mollohan	Ryan (OH)	Tierney
Ehlers	LaHood	Rogers (MI)	Moore (KS)	Sabo	Towns
Emerson	Latham	Rohrabacher	Moore (WI)	Salazar	Udall (CO)
English (PA)	LaTourette	Ros-Lehtinen	Moran (VA)	Sánchez, Linda	Udall (NM)
Everett	Leach	Royce	Murtha	T.	Van Hollen
Feeney	Lewis (CA)	Ryan (WI)	Nadler	Sanders	Velázquez
Ferguson	Lewis (KY)	Ryun (KS)	Napolitano	Schakowsky	Visclosky
Fitzpatrick (PA)	Linder	Saxton	Neal (MA)	Schiff	Wasserman
Flake	LoBiondo	Schwarz (MI)	Oberstar	Schwartz (PA)	Schultz
Foley	Lucas	Sensenbrenner	Obey	Scott (GA)	Waters
Forbes	Lungren, Daniel	Sessions	Olver	Scott (VA)	Watson
Fortenberry	E.	Shadegg	Ortiz	Serrano	Waxman
Fossella	Mack	Shaw	Owens	Sherman	Weiner
Fox	Manzullo	Shays	Pallone	Skelton	Woolsey
Franks (AZ)	Marchant	Sherwood	Pascrell	Slaughter	Wynn
Frelinghuysen	McCaul (TX)	Shimkus	Pastor	Smith (WA)	
Galleghy	McCotter	Shuster	Payne	Snyder	
Garrett (NJ)	McCrary	Simmons			
Gerlach	McHenry	Simpson			
Gibbons	McHugh	Smith (NJ)			
Gilchrest	McKeon	Smith (TX)			
Gillmor	McMorris	Sodrel			
Gingrey	Mica	Souder			
Good	Miller (FL)	Stearns			
Goodlatte	Miller (MI)	Sullivan			
Granger	Miller, Gary	Sweeney			
Graves	Moran (KS)	Tancredo			
Green (WI)	Murphy	Taylor (NC)			
Gutknecht	Musgrave	Terry			
Hall	Myrick	Thomas			
Harris	Neugebauer	Thornberry			
Hart	Ney	Tiahrt			
Hayes	Northup	Tiberi			
Hayworth	Norwood	Turner			
Hefley	Nunes	Upton			
Hensarling	Nussle	Walden (OR)			
Herger	Osborne	Wamp			
Hobson	Otter	Weldon (FL)			
Hoekstra	Oxley	Weldon (PA)			
Hostettler	Oxley	Weller			
Hulshof	Paul	Westmoreland			
Hunter	Pearce	Whitfield			
Hyde	Pence	Wicker			
Inglis (SC)	Peterson (MN)	Wilson (NM)			
Issa	Peterson (PA)	Wilson (SC)			
Jenkins	Petri	Wolf			
Jindal	Pickering	Young (AK)			
Johnson (CT)	Pitts	Young (FL)			
Johnson (IL)	Platts				
	Pombo				

NAYS—190

Abercrombie	Cramer	Holden
Ackerman	Crowley	Holt
Allen	Cuellar	Honda
Andrews	Cummings	Hooley
Baca	Davis (AL)	Hoyer
Baird	Davis (CA)	Inslie
Baldwin	Davis (FL)	Israel
Barrow	Davis (IL)	Jackson (IL)
Bean	Davis (TN)	Jackson-Lee
Becerra	DeFazio	(TX)
Berkley	DeGette	Jefferson
Berman	DeLauro	Johnson, E. B.
Berry	Dicks	Jones (OH)
Bishop (GA)	Doggett	Kanjorski
Bishop (NY)	Doyle	Kaptur
Blumenauer	Edwards	Kennedy (RI)
Boren	Emanuel	Kildee
Boswell	Engel	Kilpatrick (MI)
Boucher	Eshoo	Kind
Boyd	Etheridge	Kucinich
Brady (PA)	Evans	Langevin
Brown (OH)	Farr	Lantos
Brown, Corrine	Fattah	Larsen (WA)
Butterfield	Filner	Larson (CT)
Capps	Ford	Lee
Capuano	Frank (MA)	Levin
Cardin	Gonzalez	Lewis (GA)
Carnahan	Gordon	Lipinski
Case	Green, Al	Lofgren, Zoe
Chandler	Green, Gene	Lowey
Clay	Grijalva	Lynch
Cleaver	Gutierrez	Maloney
Clyburn	Harman	Markey
Conyers	Hastings (FL)	Marshall
Cooper	Herseth	Matheson
Costa	Higgins	Matsui
Costello	Hinchee	McCarthy
	Hinojosa	McCollum (MN)

Boehlert	Jones (NC)	Reynolds
Brady (TX)	Kuhl (NY)	Rush
Burton (IN)	McDermott	Sánchez, Loretta
Cardoza	Meek (FL)	Walsh
Delahunt	Meeks (NY)	Watt
Dingell	Millender-	Wexler
Gohmert	McDonald	Wu
Hastings (WA)	Poe	
Istook	Pryce (OH)	

NOT VOTING—24

Boehlert	Jones (NC)	Reynolds
Brady (TX)	Kuhl (NY)	Rush
Burton (IN)	McDermott	Sánchez, Loretta
Cardoza	Meek (FL)	Walsh
Delahunt	Meeks (NY)	Watt
Dingell	Millender-	Wexler
Gohmert	McDonald	Wu
Hastings (WA)	Poe	
Istook	Pryce (OH)	

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE  
The SPEAKER pro tempore (Mr. KLINE) (during the vote). Members are advised that there are 2 minutes remaining in this vote.

□ 1115

Messrs. BISHOP of New York, ORTIZ, RUPPERSBERGER, BERMAN, GENE GREEN of Texas, Ms. WASSERMAN SCHULTZ and Ms. SOLIS changed their vote from “yea” to “nay.”

So the previous question was ordered. The result of the vote was announced as above recorded.

PERSONAL EXPLANATION

Mr. POE. Mr. Speaker, due to other obligations, I unfortunately missed the following vote on the House floor today, Tuesday, May 24, 2005.

Had I been able to vote, I would have voted “yes” on rollcall vote No. 203 (On Ordering the Previous Question—Providing for consideration of the bill (H.R. 2419) making appropriations for energy and water development for FY 2006).

The SPEAKER pro tempore (Mr. KLINE). The question is on the resolution.

The resolution was agreed to. A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. HOBSON. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on H.R. 2419 and that I may include tabular material on the same.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

**MAKING IN ORDER AMENDED  
VERSION OF H.R. 2419, ENERGY  
AND WATER DEVELOPMENT AP-  
PROPRIATIONS ACT, 2006**

Mr. HOBSON. Mr. Speaker, I ask unanimous consent that during consideration of H.R. 2419, pursuant to House Resolution 291, the amendment that I have placed at the desk be considered as adopted in the House and in the Committee of the Whole and considered as the original text for purpose of further amendment.

The SPEAKER pro tempore. The Clerk will report the amendment.

The Clerk read as follows:

Amendment to H.R. 2419 offered by Mr. HOBSON:

Add at the end the following:

This Act may be cited as the "Energy and Water Development Appropriations Act, 2006".

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

**ENERGY AND WATER DEVELOP-  
MENT APPROPRIATIONS ACT,  
2006**

The SPEAKER pro tempore. Pursuant to House Resolution 291 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the consideration of the bill, H.R. 2419.

□ 1120

**IN THE COMMITTEE OF THE WHOLE**

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 2419) making appropriations for energy and water development for the fiscal year ending September 30, 2006, and for other purposes, with Mr. GOODLATTE in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. Pursuant to the rule, the bill is considered as having been read the first time.

Under the rule, the gentleman from Ohio (Mr. HOBSON) and the gentleman from Indiana (Mr. VISCLOSKY) each will control 30 minutes.

The Chair recognizes the gentleman from Ohio (Mr. HOBSON).

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

Mr. Chairman, it is my pleasure to submit to the House for its consideration H.R. 2419, the Energy and Water Development Appropriations Bill for fiscal year 2006.

The Committee on Appropriations approved this bill unanimously on May 18, and I believe it is a good bill that merits the support of the entire House.

Mr. Chairman, this bill provides annual funding for a wide range of Federal programs including such diverse matters as flood control, navigation improvements, environmental restora-

tion, nuclear waste disposal, advanced scientific research, applied energy research, maintenance of our nuclear stockpile, and nuclear non-proliferation.

Total funding for energy and water development in fiscal year 2006 is \$29,746,000,000. This funding amount represent a decrease of \$728,000 below the budget request and \$86.3 million below the current fiscal year. This bill is right at our subcommittee's 302(b) allocation and provides adequate funds to meet the priority needs of the House.

Title I of the bill provides for the Civil Works Program of the Army Corps of Engineers; the Formally Utilized Sites Remedial Action Program, which is executed by the corps; and the Office of the Assistant Secretary of the Army for Civil Works. The Committee recommends a total of \$4.746 billion for title I activities, \$294 million below the current year and \$414 million above the current budget request.

I want to explain a couple of things about the corps as we go through this and take a little time on this because some of this is a change.

For a number of years, the corps Civil Works Program has been oversubscribed where Congress kept giving the corps more and more projects to do but not enough money to do them. We took steps last year to put the corps on the road to fiscal recovery by eliminating the number of new starts and concentrating resources on the completion of ongoing construction projects. We also asked OMB to adopt a new approach to future corps budget requests so that we can use our limited resources to complete the most valuable projects efficiently, instead of spreading those resources very widely to make incremental progress across a large number of projects.

The fiscal year 2006 budget request adopts such a performance-based approach for the corps budget. Proposing to use the ratio of remaining costs to remaining benefits is the primary determinant of which construction projects should receive priority consideration for funding. While this ratio may not be a perfect measure of merit of all the projects, the budget request represents good faith from the OMB to concentrate the corps' limited resources on finishing the most worthwhile projects that are already under construction.

Until we begin to clear out the enormous backlog of ongoing work, we are reluctant to start new projects; therefore, we did not include any new starts again this year in this bill.

One consequence of adopting this new performance-based approach to the corps is that the funds available for member adds for corps projects are very limited this year. In part, this is because for the first time in years we received a budget request in which many congressional priorities are already at the funded level. I think this is an improvement. However, even with

that request as a good starting point, the total amount that we can provide for the corps is less than what the House passed in fiscal year 2005.

With a healthy base request and a lean 302(b) allocation, we did not add as much for Member projects as we have in previous years. We were harsh, but fair, in how we dealt with these Member projects.

Our fiscal year 2006 Energy and Water bill makes major strides to improving the corps' project execution reprogrammings and continuing contracts. For a workload of approximately 2,000 projects, the Chief of Engineers recently told me that the corps had 2,000 projects, but they had 20,000 reprogrammings. We think this is not good management, and we have done a lot in our bill to try to focus the corps on these continuing contracts.

The problem is that the corps has done a lot of reprogrammings. They have moved funds around. We believe this is a case management problem. We have taken extensive efforts to try to reform this program because we think that they may not have the money to restore what they should, and if there is a big plume in all of this, that they cannot really tell us what it is all about.

Another area that we have a problem with is in the continuing-contract area. Some people would like to get rid of continuing contracts. I do not happen to believe that. I think it is a tool that they need, but we need to make sure that they are not using them to excess and they are not using them to do things that either the administration did not want to fund, we did not want to fund, or the Senate did not want to fund; and that this money is not being shifted around or execution is being done that would inhibit our ability in future years to fund programs by the original funding by the corps.

The Department of Energy received a total of \$24.318 billion in the Energy and Water bill. That is an increase of \$105 million over the budget request, about \$101 million less than the fiscal year 2005 level. As with the corps, we asked the Department of Energy to begin preparing 5-year budget plans, first for individual programs and then an integrated plan for the Department. I think this is just good money management within these Departments. We need 5-year plans. We actually need longer visions in these programs so that we know what we are going to end up with in the waterways in the future and we know what the Department of Energy's plans are in the future.

The committee has several important new initiatives for the Department of Energy. DOE presently has significant quantities of weapons-usable special nuclear materials, plutonium and highly enriched uranium, scattered around its complexes. Unfortunately, even with the heightened attention to homeland security after the 9/11 attacks, the Department has done little to consolidate these high-risk materials. We