

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.

This will be a 15-minute vote.

The vote was taken by electronic device, and there were—yeas 235, nays 181, not voting 18, as follows:

[Roll No. 331]

YEAS—235

Allard	Ganske	Nethercutt
Archer	Gekas	Neumann
Army	Gilchrest	Ney
Bachus	Gillmor	Norwood
Baker (CA)	Gilman	Nussle
Baker (LA)	Goodlatte	Oxley
Ballenger	Goodling	Packard
Barr	Goss	Parker
Barrett (NE)	Graham	Paxon
Bartlett	Greenwood	Petri
Barton	Gunderson	Pombo
Bass	Gutknecht	Portman
Bateman	Hall (TX)	Pryce
Bereuter	Hancock	Quillen
Bilbray	Hansen	Quinn
Bilirakis	Hastert	Radanovich
Bliley	Hastings (WA)	Ramstad
Blute	Hayes	Regula
Boehlert	Hayworth	Riggs
Boehner	Hefley	Roberts
Bonilla	Heineman	Rogers
Bono	Herger	Rohrabacher
Brownback	Hilleary	Ros-Lehtinen
Bryant (TN)	Hobson	Roth
Bunn	Hoekstra	Roukema
Bunning	Hoke	Royce
Burr	Horn	Salmon
Burton	Hostettler	Sanford
Buyer	Houghton	Saxton
Callahan	Hunter	Scarborough
Calvert	Hutchinson	Schaefer
Camp	Hyde	Schiff
Canady	Inglis	Seastrand
Castle	Jacobs	Sensenbrenner
Chabot	Johnson (CT)	Sensenbrenner
Chambliss	Johnson, Sam	Shadegg
Chenoweth	Jones	Shaw
Christensen	Kasich	Shays
Chrysler	Kelly	Shuster
Clinger	Kim	Skeen
Coble	King	Smith (MI)
Coburn	Kingston	Smith (NJ)
Collins (GA)	Klug	Smith (TX)
Combest	Knollenberg	Smith (WA)
Condit	Kolbe	Solomon
Crane	LaHood	Souder
Crapo	Largent	Spence
Cremins	Latham	Stearns
Cubin	LaTourette	Stockman
Cunningham	Laughlin	Stump
Davis	Lazio	Talent
Deal	Leach	Tate
DeLay	Lewis (CA)	Tauzin
Diaz-Balart	Lewis (KY)	Taylor (NC)
Dickey	Lightfoot	Thomas
Doolittle	Linder	Thornberry
Dornan	Livingston	Tiahrt
Dreier	LoBiondo	Torkildsen
Duncan	Longley	Traficant
Dunn	Lucas	Upton
Ehlers	Manzullo	Vucanovich
Ehrlich	Martini	Waldholtz
Emerson	McCollum	Walker
English	McCreery	Walsh
Ensign	McDade	Wamp
Everett	McHugh	Watts (OK)
Ewing	McInnis	Weldon (FL)
Fawell	McIntosh	Weldon (PA)
Fields (TX)	McKeon	Weller
Flanagan	Metcalfe	White
Foley	Meyers	Whitfield
Forbes	Mica	Wicker
Fowler	Miller (FL)	Wilson
Fox	Molinari	Wolf
Franks (CT)	Montgomery	Young (AK)
Frelinghuysen	Moorhead	Young (FL)
Frisa	Morella	Zeliff
Funderburk	Myers	Zimmer
Galleghy	Myrick	

NAYS—181

Abercrombie	Gonzalez	Owens
Andrews	Gordon	Pallone
Bailes	Green	Pastor
Baldacci	Gutierrez	Payne (NJ)
Barcia	Hall (OH)	Payne (VA)
Barrett (WI)	Hamilton	Pelosi
Becerra	Harman	Peterson (MN)
Beilenson	Hastings (FL)	Pickett
Bentsen	Hefner	Pomeroy
Bevill	Hilliard	Poshard
Bishop	Hinche	Rahall
Bonior	Holden	Rangel
Borski	Jackson-Lee	Reed
Brewster	Jefferson	Reynolds
Browder	Johnson (SD)	Richardson
Brown (CA)	Johnson, E. B.	Rivers
Brown (FL)	Kanjorski	Roemer
Brown (OH)	Kaptur	Rose
Bryant (TX)	Kennedy (MA)	Roybal-Allard
Cardin	Kennedy (RI)	Rush
Chapman	Kennelly	Sabo
Clay	Kildee	Sanders
Clayton	Klink	Sawyer
Clement	LaFalce	Schroeder
Clyburn	Lantos	Schumer
Coleman	Levin	Scott
Collins (MI)	Lewis (GA)	Serrano
Conyers	Lincoln	Sisisky
Costello	Lofgren	Skaggs
Cramer	Lowe	Skelton
Danner	Luther	Slaughter
de la Garza	Maloney	Spratt
DeFazio	Manton	Stark
DeLauro	Markey	Stenholm
Dellums	Martinez	Stokes
Deutsch	Mascara	Studds
Dicks	Matsui	Stupak
Dingell	McCarthy	Tanner
Dixon	McDermott	Taylor (MS)
Doggett	McHale	Tejeda
Dooley	McKinney	Thompson
Doyle	McNulty	Thornton
Durbin	Meehan	Thurman
Edwards	Meek	Torres
Engel	Menendez	Towns
Eshoo	Mfume	Velazquez
Farr	Miller (CA)	Vento
Fattah	Mineta	Visclosky
Fazio	Minge	Volkmer
Fields (LA)	Mink	Ward
Filner	Moakley	Waters
Flake	Mollohan	Watt (NC)
Foglietta	Moran	Waxman
Ford	Murtha	Williams
Frank (MA)	Nadler	Wise
Frost	Neal	Woolsey
Furse	Oberstar	Wyden
Gejdenson	Obey	Wynn
Gephardt	Olver	Yates
Geren	Ortiz	
Gibbons	Orton	

NOT VOTING—18

Ackerman	Coyne	Klecza
Berman	Evans	Lipinski
Boucher	Franks (NJ)	Peterson (FL)
Collins (IL)	Hoyer	Porter
Cooley	Istook	Torricelli
Cox	Johnston	Tucker

□ 1227

So the motion was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. GOSS. 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. 1590, the bill previously considered.

The SPEAKER pro tempore (Mr. BARRETT of Nebraska). Is there objection to the request of the gentleman from Florida?

There was no objection.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF S. 4, LINE-ITEM VETO ACT

Mr. GOSS, from the Committee on Rules, submitted a privileged report (Rept. No. 104-121) on the resolution (H. Res. 147) providing for consideration of the bill (S. 4) to grant the power to the President to reduce budget authority, and for other purposes, which was referred to the House Calendar and ordered to be printed.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF S. 219, REGULATORY TRANSITION ACT OF 1995

Mr. GOSS, from the Committee on Rules, submitted a privileged report (Rept. No. 104-122) on the resolution (H. Res. 148) providing for consideration of the bill (S. 219) to improve the economy and efficiency of Federal Government operations by establishing a moratorium on regulatory rulemaking actions, and for other purposes, which was referred to the House Calendar and ordered to be printed.

ESTABLISHING TIME LIMITATIONS FOR CONSIDERATION OF ADDITIONAL AMENDMENTS TO H.R. 961, CLEAN WATER AMENDMENTS OF 1995

Mr. SHUSTER. Mr. Speaker, I ask unanimous consent that on the clean water bill which we will be considering in the next few moments that we establish time limits as follows:

In title VIII on wetlands:

One hour on the Boehlert substitute to title VIII; 30 minutes on the Gilchrest amendment to delete wetland delineation; and 20 minutes on all other amendments which will be considered, excluding title X for which no time limit will be set, and specifically the amendments to which I refer, which will have 20-minute time limits, are as follows:

The Gilchrest-Dingell amendment on migratory waterfowl; the Frelinghuysen amendment on delegated programs; the Wyden amendment to prohibit compensation; the Minge amendment with regard to permits for the Department of Agriculture; the Riggs amendment on certain wastewater treatment facilities; the Taylor amendment to require consideration of beneficial uses of dredged material; the Pallone amendment, which will be two amendments en bloc; and the Franks amendment to limit changes in title IX, with the time to be equally divided by the proponent and opponent of the amendments.

□ 1230

The SPEAKER pro tempore (Mr. BARRETT of Nebraska). Is there objection to the request of the gentleman from Pennsylvania?

Mr. MINETA. Mr. Speaker, reserving the right to object, I would like to inquire of the chairman of the committee, as he has just outlined, from what I can garner on this, that takes us up to roughly 6 hours and 40 minutes, if we have votes on all of the 10 amendments being offered, plus the 1 hour on the Boehlert, 30 minutes on the Gilchrest and 20 minutes, altogether that takes us a total, including voting, of 6 hours 40 minutes. Even if we start right now that would take us to 7:10 this evening.

I am wondering, given the request being made here, my preference right now is to just agree to the 1 hour on the Boehlert substitute, or to then have a time agreement through completion of our work in the Committee on the Whole. That would then take us through the completion of title X as well.

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

Mr. MINETA. I yield to the gentleman from Pennsylvania.

Mr. SHUSTER. Mr. Speaker, I would say to my good friend that would be my preference also, but we have not been able to work out an agreement on title X at this point. We are still attempting to work out an agreement on title X, so at this point we only have agreement up to through title IX.

I would also point out to my friend that some of the amendments I believe will be accepted, so we should not have recorded votes and will not take a full 20 minutes. And I would hope that even on some of the contentious amendments, we will not use the full time.

Mr. MINETA. Mr. Speaker, further reserving my right to object, it seems to me that without some idea about what is happening, what is going to happen in title X, I would have some reservations on the time limitation that is being outlined here. I am wondering, pending our being able to complete that discussion, could we just agree to the 1 hour on the Boehlert substitute for the time being?

Mr. SHUSTER. Until the conclusion of the 1 hour consideration, I have no problem. What about Gilchrest as well, to include Boehlert and Gilchrest?

Mr. MINETA. Thirty minutes on the gentleman from Maryland [Mr. GILCHREST], that would be fine with me.

Mr. SHUSTER. Mr. Speaker, I revise my unanimous consent request to include only the first two amendments, the Boehlert amendment for 1 hour and the Gilchrest amendment for 30 minutes.

The SPEAKER pro tempore. Is it the Chair's understanding that would include other amendments thereto?

Mr. SHUSTER. Mr. Speaker, I would expect to make a unanimous-consent request on the remaining amendments at the conclusion of either Boehlert or Gilchrest, but my unanimous-consent request at this point is only for the Boehlert and the Gilchrest amendments and the amendments thereto.

Mr. MINETA. Further reserving the right to object, Mr. Speaker, let me

yield to our colleague, the gentleman from New Jersey [Mr. SAXTON].

Mr. SAXTON. Mr. Speaker, I thank the gentleman for yielding. It is my understanding that title X will in effect act as an amendment to a previous amendment brought to the floor and passed relative to the Coastal Zone Management Act.

If the new title is accepted and is voted affirmatively, I would like to reserve the right, if that is the necessary language, to offer a substitute to the bill, which would in effect amend title X. I understand that I have the right to do that under the current rule, and I would like to affirm that that is in fact the case and that nothing being done here would abridge that right.

Mr. SHUSTER. Mr. Speaker, if the gentleman will yield, I would say to my friend nothing would abridge that right. This does not deal with title X at all and my friend would be protected.

Mr. SAXTON. I thank the gentleman.

Mr. MINETA. Mr. Speaker, again, based on the 1 hour for the Boehlert substitute and the 30 minutes on the Gilchrest amendment, I have no objection.

Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER pro tempore. It is the understanding of the Chair the distinguished gentleman from Pennsylvania wants to pursue the unanimous consent request?

Mr. SHUSTER. The Chair is correct.

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

There was no objection.

CLEAN WATER AMENDMENTS OF 1995

The SPEAKER pro tempore. Pursuant to House Resolution 140 and rule XXIII the Chair declares the House in the Committee of the Whole House on the State of the Union for the further consideration of the bill H.R. 961.

□ 1235

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 further consideration of the bill (H.R. 961) to amend the Federal Water Pollution Control Act, with Mr. MCINNIS in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. When the Committee of the Whole rose on Monday, May 15, 1995, pending was the amendment offered by the gentleman from New York [Mr. BOEHLERT].

Under the order of the House of today, there is 1 hour of debate remaining on the amendment and any amendments thereto, equally divided between the gentleman from New York [Mr. BOEHLERT] and the gentleman from Pennsylvania [Mr. SHUSTER].

The chair recognizes the gentleman from New York [Mr. BOEHLERT].

Mr. BOEHLERT. Mr. Chairman, I yield 3 minutes to the gentleman from

Pennsylvania [Mr. BORSKI], the ranking member of the Subcommittee on Water Resources and the Environment.

Mr. BORSKI. Mr. Chairman, we have heard a lot about how the States know this program better than anyone else.

This amendment would strike title VIII of the bill and substitute the Wetlands and Watershed Management Act of 1995 proposed by the National Governors Association.

This is the proposal of the Nation's Governors on wetlands.

This amendment is similar to the amendment that I offered in committee and identical to the wetlands language in the Saxton substitute that was offered last week.

It is clear that the States do not like what this bill proposes for the wetlands program.

Here is why: The bill will eliminate protection for 60 to 80 percent of the existing wetlands.

In my State of Pennsylvania, 40 percent of all wetlands will be removed from protection, including more than 150,000 acres of floodplain wetlands that protect the Chesapeake Bay from polluted runoff.

In New Jersey, 35 to 50 percent of all wetlands would lose protection.

In Delaware, more than 50 percent of the wetlands would lose protection.

H.R. 961 decides, without regard to science, what wetlands will be protected and which will not.

There are serious problems with the administration of the wetlands permitting program, but H.R. 961, by eliminating protection for so many wetlands, does not solve them.

The National Governors Association has proposed a fast-track system for minor permits and an advisory committee from all levels of government to reduce duplication and overregulation.

On March 7, Mr. Chairman, the Association of State Wetland Managers pleaded with the Transportation and Infrastructure Committee not to adopt the language in title VIII.

Their testimony said H.R. 961 will create a program,

That will result in massive Federal budget requirements, lead to environmental degradation and result in bureaucratic quibbling. Please do not create a new wetland regulatory program that is not fundable, not implementable, and not acceptable to the States.

The State association predicted that the 2 States, New Jersey and Michigan, that currently have assumed the section 404 program and the 13 that issue programmatic general permits will give back their programs if title VIII is adopted as written.

This amendment also includes the same exemptions for agricultural uses and the same expanded role for the Department of Agriculture that were included in the Boehlert-Roemer-Saxton substitute that we considered on Wednesday.

The Agriculture Department would have the sole authority to perform delineation of agricultural lands.