

done with the spirit of anything except trying to do something for the American people because this is an opportunity that we have today to start working on a very positive idea.

There is no reason for us to put this off. If we put this on this legislation today, this idea will move forward, and a lot of work will be done on this, and we will move toward this goal.

If this amendment fails, what we have done is condemn the American people to tens of billions of dollars of expense that could have been taken up by foreign manufacturers who are importing their goods into our ports and putting their goods onto our market and undercutting our domestic manufacturers.

Earlier the gentleman from Alaska (Chairman YOUNG) suggested that perhaps the ports already have this authority, thus this amendment is redundant. Let me say if that is the analysis, why not pass it then? There is no reason then, if the ports already have this authority, why are we so hesitant about passing this? The reason we are so hesitant is that there are powerful interests at play. We should be interested in what is the effect on the American people.

We face, in these next 12 months, a horrendous, an astronomic expense in our ports, making them safe, making them more secure and more efficient. We should start working right now, and this is how we can do it, finding a new revenue source, a source for manufacturers overseas that will help us accomplish this mission. OMB will go along. The ports will go along. The American people will applaud us if we provide the leadership today, and that is what I am suggesting.

I would ask my colleagues who are listening to this debate to join me, siding with the American people, the American manufacturer and let us not tax billions of dollars from them when we could have a fee paid by foreign manufacturers that would provide us the revenues necessary to make our ports secure and to upgrade their infrastructure.

Mr. Chairman, I appreciate the good work that those people who have worked on this legislation have done, and I intend to support this one way or the other.

Mr. OSE. Mr. Chairman, today, I rise to discuss Mr. ROHRABACHER's Amendment (No. 1) to the Water Resources Development Act of 2003 (H.R. 2557). This amendment is well intended since it seeks to find a way to provide additional funds for needed port security improvements. It permits seaports to impose fees to be collected on a per container basis to be used for port security.

On May 21, 2003, after holding a hearing on port security, with my Government Reform Subcommittee Ranking Member JOHN TIERNEY, I introduced a bi-partisan bill, entitled the "Port Security Improvements Act of 2003" (H.R. 2193). Our bill takes a different approach. To date, Congress has provided extensive Federal funding to fully ensure air security. In contrast, Congress has not provided

sufficient Federal funding to fully ensure port security. Currently, the U.S. Customs Bureau collects \$15.6 billion in duties on commodities entering the U.S. through marine transportation. Our bill dedicates a portion of these duties for five years toward port security enhancements. In addition, our bill reflects other recommendations from our witnesses. It sets deadlines for issuance of regulations governing transportation security cards, and requires regulations that include a national minimum set of standard security requirements for ports, facilities, and vessels.

Since America's ports are crucial to our economic well being, it is essential that we find the right balance between increasing port security while not impeding the flow of commerce and trade. As a Republican, I am sensitive to the costs of excessive government regulation. But, in a post-September 11 world, I realize that we must take additional precautions to protect our fellow citizens and our economy. We need to make sure that our ports are safe. I am not convinced that they are safe today.

H.R. 2193 currently has 31 co-sponsors. This summer, both the American Association of Port Authorities (AAPA) and I requested that Transportation and Infrastructure Subcommittee Chairman FRANK LOBIONDO hold a hearing on this bill. Today, I ask for additional co-sponsors for H.R. 2193 and for Chairman LOBIONDO to schedule the requested hearing.

Mr. ROHRABACHER. Mr. Chairman, I yield back the balance of my time.

Mr. DUNCAN. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. HEFLEY) having assumed the chair, Mr. HASTINGS of Washington, Chairman pro tempore of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 2557) to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes, had come to no resolution thereon.

MAKING IN ORDER CONSIDERATION OF KIND AMENDMENT DURING FURTHER CONSIDERATION OF H.R. 2557, WATER RESOURCES DEVELOPMENT ACT OF 2003

Mr. DUNCAN. Mr. Speaker, I ask unanimous consent that the Kind amendment be made in order immediately after the disposition of the Rohrabacher amendment.

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

There was no objection.

WATER RESOURCES DEVELOPMENT ACT OF 2003

The SPEAKER pro tempore. Pursuant to House Resolution 375 and rule XVIII, 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. 2557.

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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. 2557) to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes, with Mr. HASTINGS (Chairman pro tempore) in the chair.

The Clerk read the title of the bill.

The CHAIRMAN pro tempore. When the Committee of the Whole rose earlier today, amendment No. 3 printed in House Report 108-282 offered by the gentleman from California (Mr. ROHRABACHER) had been debated.

The question is on the amendment offered by the gentleman from California (Mr. ROHRABACHER).

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

RECORDED VOTE

Mr. ROHRABACHER. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 65, noes 359, not voting 10, as follows:

[Roll No. 518]

AYES—65

Abercrombie	Holden	Pence
Akin	Hostettler	Petri
Bartlett (MD)	Hunter	Pitts
Barton (TX)	Johnson (CT)	Pombo
Burr	Johnson, Sam	Radanovich
Burton (IN)	Jones (NC)	Renzi
DeFazio	Jones (OH)	Rohrabacher
DeLauro	Kanjorski	Royce
Doolittle	Kaptur	Ryan (WI)
Emerson	Kennedy (RI)	Sabo
Farr	Kilpatrick	Sanders
Foley	King (IA)	Sensenbrenner
Franks (AZ)	Kucinich	Shays
Gingrey	Langevin	Sherman
Green (WI)	Lantos	Slaughter
Gutknecht	Larson (CT)	Smith (MI)
Hall	McNulty	Stark
Hart	Musgrave	Tancredo
Hastings (FL)	Nadler	Taylor (MS)
Hayworth	Neugebauer	Taylor (NC)
Hefley	Olver	Wamp
Hobson	Otter	

NOES—359

Ackerman	Bishop (GA)	Burns
Aderholt	Bishop (NY)	Buyer
Alexander	Blackburn	Calvert
Allen	Blumenauer	Camp
Andrews	Blunt	Cannon
Baca	Boehlert	Cantor
Bachus	Boehner	Capito
Baird	Bonilla	Capps
Baker	Bonner	Capuano
Baldwin	Bono	Cardin
Ballance	Boozman	Cardoza
Ballenger	Boswell	Carson (IN)
Barrett (SC)	Boucher	Carson (OK)
Bass	Boyd	Carter
Beauprez	Bradley (NH)	Case
Becerra	Brady (PA)	Castle
Bell	Brady (TX)	Chabot
Bereuter	Brown (OH)	Chocola
Berkley	Brown (SC)	Clay
Berman	Brown, Corrine	Clyburn
Berry	Brown-Waite,	Coble
Biggert	Ginny	Cole
Bilirakis	Burgess	Collins