

with this important piece of legislation, and urge its speedy approval.

Mr. YOUNG of Alaska. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. WAXMAN. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore (Mr. EWING). The question is on the motion offered by the gentleman from Florida [Mr. BILIRAKIS] that the House suspend the rules and pass the bill, H.R. 1747, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

TRINITY RIVER BASIN FISH AND WILDLIFE MANAGEMENT REAUTHORIZATION ACT OF 1995

Mr. YOUNG of Alaska. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2243) to amend the Trinity River Basin Fish and Wildlife Management Act of 1984, to extend for 3 years the availability of moneys for the restoration of fish and wildlife in the Trinity River, and for other purposes, as amended.

The Clerk read, as follows:

H.R. 2243

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Trinity River Basin Fish and Wildlife Management Reauthorization Act of 1995".

SEC. 2. CLARIFICATION OF FINDINGS.

Section 1 of the Act entitled "An Act to provide for the restoration of the fish and wildlife in the Trinity River Basin, California, and for other purposes", approved October 24, 1984 (98 Stat. 2721), as amended, is amended—

(1) by redesignating paragraphs (5) and (6) as paragraphs (6) and (7), respectively;

(2) by adding after paragraph (4) the following:

"(5) Trinity Basin fisheries restoration is to be measured not only by returning adult anadromous fish spawners, but by the ability of dependent tribal, commercial, and sport fisheries to participate fully, through enhanced in-river and ocean harvest opportunities, in the benefits of restoration;" and

(3) by amending paragraph (7), as so redesignated, to read as follows:

"(7) The Secretary requires additional authority to implement a management program, in conjunction with other appropriate agencies, to achieve the long-term goals of restoring fish and wildlife populations in the Trinity River Basin, and, to the extent these restored populations will contribute to ocean populations of adult salmon, steelhead, and other anadromous fish, such management program will aid in the resumption of commercial, including ocean harvest, and recreational fishing activities."

SEC. 3. CHANGES TO MANAGEMENT PROGRAM.

(a) OCEAN FISH LEVELS.—Section 2(a) of the Act entitled "An Act to provide for the restoration of the fish and wildlife in the Trinity River Basin, California, and for other purposes", approved October 24, 1984 (98 Stat. 2722), as amended, is amended—

(1) in the matter preceding paragraph (1)—

(A) by inserting "in consultation with the Secretary of Commerce where appropriate," after "Secretary"; and

(B) by adding the following after "such levels.": "To the extent these restored fish and wildlife populations will contribute to ocean populations of adult salmon, steelhead, and other anadromous fish, such management program is intended to aid in the resumption of commercial, including ocean harvest, and recreational fishing activities."

(b) FISH HABITATS IN THE KLAMATH RIVER.—Paragraph (1)(A) of such section (98 Stat. 2722) is amended by striking "Weitchpec;" and inserting "Weitchpec and in the Klamath River downstream of the confluence with the Trinity River;"

(c) TRINITY RIVER FISH HATCHERY.—Paragraph (1)(C) of such section (98 Stat. 2722) is amended by inserting before the period the following: "so that it can best serve its purpose of mitigation of fish habitat loss above Lewiston Dam while not impairing efforts to restore and maintain naturally reproducing anadromous fish stocks within the basin".

(d) ADDITION OF INDIAN TRIBES.—Section 2(b)(2) of such Act (98 Stat. 2722) is amended by striking "tribe" and inserting "tribes".

SEC. 4. ADDITIONS TO TASK FORCE.

(a) IN GENERAL.—Section 3(a) of the Act entitled "An Act to provide for the restoration of the fish and wildlife in the Trinity River Basin, California, and for other purposes", approved October 24, 1984 (98 Stat. 2722), as amended, is amended—

(1) by striking "fourteen" and inserting "nineteen";

(2) by striking "United States Soil Conservation Service" in paragraph (10) and inserting "Natural Resources Soil and Conservation Service"; and

(3) by inserting after paragraph (14) the following:

"(15) One individual to be appointed by the Yurok Tribe.

"(16) One individual to be appointed by the Karuk Tribe.

"(17) One individual to represent commercial fishing interests, to be appointed by the Secretary after consultation with the Board of Directors of the Pacific Coast Federation of Fishermen's Associations.

"(18) One individual to represent sport fishing interests, to be appointed by the Secretary after consultation with the Board of Directors of the California Advisory Committee on Salmon and Steelhead Trout.

"(19) One individual to be appointed by the Secretary, in consultation with the Secretary of Agriculture, to represent the timber industry."

(b) COORDINATION.—Section 3 of such Act (98 Stat. 2722) is further amended by adding at the end thereof the following new subsection:

"(d) Task Force actions or management on the Klamath River from Weitchpec downstream to the Pacific Ocean shall be coordinated with, and conducted with the full knowledge of, the Klamath River Basin Fisheries Task Force and the Klamath Fishery Management Council, as established under Public Law 99-552. The Secretary shall appoint a designated representative to ensure such coordination and the exchange of information between the Trinity River Task Force and these two entities."

(c) REIMBURSEMENT.—Section 3(c)(2) of such Act (98 Stat. 2723) is amended by adding at the end the following: "Members of the Task Force who are not full-time officers or employees of the United States, the State of California (or a political subdivision thereof), or an Indian tribe, may be reimbursed for such expenses as may be incurred by reason of their service on the Task Force, as consistent with applicable laws and regulations."

(d) EFFECTIVE DATE.—The amendments made by subsection (a) shall apply with respect to actions taken by the Trinity River Basin Fish and Wildlife Task Force on and after 120 days after the date of the enactment of this Act.

SEC. 5. APPROPRIATIONS.

(a) EXTENSION OF AUTHORIZATION.—Section 4(a) of the Act entitled "An Act to provide for

the restoration of the fish and wildlife in the Trinity River Basin, California, and for other purposes", approved October 24, 1984 (98 Stat. 2723), as amended, is amended—

(1) in paragraph (1), by striking "October 1, 1995" and inserting in lieu thereof "October 1, 1998"; and

(2) in paragraph (2), by striking "ten-year" and inserting in lieu thereof "13-year".

(b) IN-KIND SERVICES; OVERHEAD; AND FINANCIAL AND AUDIT REPORTS.—Section 4 of such Act (98 Stat. 2724) is amended—

(1) by designating subsection (d) as subsection (h); and

(2) by inserting after subsection (c) the following new subsections:

"(d) The Secretary is authorized to accept in-kind services as payment for obligations incurred under subsection (b)(1).

"(e) Not more than 20 percent of the amounts appropriated under subsection (a) may be used for overhead and indirect costs. For the purposes of this subsection, the term 'overhead and indirect costs' means costs incurred in support of accomplishing specific work activities and jobs. Such costs are primarily administrative in nature and are such that they cannot be practically identified and charged directly to a project or activity and must be distributed to all jobs on an equitable basis. Such costs include compensation for administrative staff, general staff training, rent, travel expenses, communications, utility charges, miscellaneous materials and supplies, janitorial services, depreciation and replacement expenses on capitalized equipment. Such costs do not include inspection and design of construction projects and environmental compliance activities, including (but not limited to) preparation of documents in compliance with the National Environmental Policy Act of 1969.

"(f) Not later than December 31 of each year, the Secretary shall prepare reports documenting and detailing all expenditures incurred under this Act for the fiscal year ending on September 30 of that same year. Such reports shall contain information adequate for the public to determine how such funds were used to carry out the purposes of this Act. Copies of such reports shall be submitted to the Committee on Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate.

"(g) The Secretary shall periodically conduct a programmatic audit of the in-river fishery monitoring and enforcement programs under this Act and submit a report concerning such audit to the Committee on Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate."

(c) AUTHORITY TO SEEK APPROPRIATIONS.—Section 4 of such Act, as amended by subsection (b) of this section, is further amended by inserting after subsection (h) the following new subsection:

"(i) Beginning in the fiscal year immediately following the year the restoration effort is completed and annually thereafter, the Secretary is authorized to seek appropriations as necessary to monitor, evaluate, and maintain program investments and fish and wildlife populations in the Trinity River Basin for the purpose of achieving long-term fish and wildlife restoration goals."

SEC. 6. NO RIGHTS AFFECTED.

The Act entitled "An Act to provide for the restoration of the fish and wildlife in the Trinity River Basin, California, and for other purposes", approved October 24, 1984 (98 Stat. 2721), as amended, is further amended by inserting at the end thereof the following:

"PRESERVATION OF RIGHTS

"SEC. 5. Nothing in this Act shall be construed as establishing or affecting any past, present, or future rights of any Indian or Indian tribe or any other individual or entity."

SEC. 7. SHORT TITLE OF 1984 ACT.

The Act entitled "An Act to provide for the restoration of the fish and wildlife in the Trinity River Basin, California, and for other purposes"; approved October 24, 1984 (98 Stat. 2721), as amended by section 6 of this Act, is further amended by adding at the end the following:

"SHORT TITLE

"SEC. 6. This Act may be cited as the 'Trinity River Basin Fish and Wildlife Management Act of 1984'."

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Alaska [Mr. YOUNG] will be recognized for 20 minutes, and the gentleman from California [Mr. MILLER] will be recognized for 20 minutes.

The Chair recognizes the gentleman from Alaska [Mr. YOUNG].

Mr. YOUNG of Alaska. Mr. Speaker, I yield myself such time as I may consume.

(Mr. YOUNG of Alaska asked and was given permission to revise and extend his remarks.)

Mr. YOUNG of Alaska. Mr. Speaker, I strongly support H.R. 2243, to extend the Trinity River Basin Fish and Wildlife Act of 1984.

This bill, introduced by our distinguished colleague from California, FRANK RIGGS, will build upon the successes of the past decade and continue the important work of rebuilding valuable fish and wildlife populations in the Trinity River Basin.

Furthermore, the legislation will expand the membership of the Trinity River task force to include representatives from commercial, recreational, and tribal fishing interests. By broadening the membership of the task force, I am confident that the Secretary of the Interior will receive new and valuable advice on innovative ways to improve the Trinity River Basin in the future.

I urge the adoption of H.R. 2243, and I compliment FRANK RIGGS for his tireless work on behalf of his constituents.

Mr. MILLER of California. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I join my colleague from Alaska in supporting the enactment of H.R. 2243, the Trinity River Basin Fish and Wildlife Management Reauthorization Act of 1995.

Mr. Speaker, a little over 30 years ago, Federal dams on the Trinity River in northern California began taking up to 90 percent of the river's flow and sending it west through the mountains to the Sacramento Valley. From there, Trinity River water flowed south, ultimately to irrigate cotton and tomato fields in the San Joaquin Valley. Unfortunately, diversions from the Trinity River Basin have devastated fish populations.

The health of the Trinity River is crucial to the well-being of Indian communities and to the commercial and recreational fishing economies. H.R. 2243 will help ensure that future decisions that affect flows in the Trinity River will be based on good science and an understanding of the hydrology and biology of this complex river system.

This bill will clarify the goals of the Trinity River Fish and Wildlife Restoration Program and will extend the authorization of the Trinity River Fish and Wildlife task force.

The restoration program and the task force are strongly supported by commercial fishing interests, including the Pacific Coast Federation of Fishermen's Associations; sport fishing interests; native Americans who depend on the river and its fishery; environmentalists; and other stakeholders in the Trinity River Basin. The restoration program enjoys broad support because it is based on good science and because it is producing results.

While I strongly support the work of the restoration program and the task force, I remain concerned that agricultural interests in the Sacramento and San Joaquin Valleys are still interested in diverting as much water as they can away from the Trinity River Basin. In particular, H.R. 2738, Mr. DOOLITTLE's bill to rewrite the 1992 Central Valley Project Improvement Act, includes provisions that will undermine and perhaps nullify efforts to restore the Trinity, and perhaps even open the way for more water conflicts throughout California. California's Constitution and State laws are clearly designed to protect areas of origin such as the Trinity River Basin, and these concepts were incorporated by Congress into the 1955 law that authorized construction of the Trinity River division of the Central Valley project. I will strongly oppose proposals that violate these precepts, and I caution my colleagues to be aware of plans for further assault on these critical fishery resources.

Mr. Speaker, I have no further requests for time, and I reserve the balance of my time.

Mr. YOUNG of Alaska. Mr. Speaker, I yield 3 minutes to the gentleman from California [Mr. HERGER].

Mr. HERGER. Mr. Speaker, I rise in strong support of H.R. 2243, the Trinity River Basin Fish and Wildlife Management Reauthorization Act of 1995. I wish to acknowledge and thank my colleague, FRANK RIGGS, and his staff for their efforts to bring this legislation to the floor. I also wish to thank Chairman SAXTON, Chairman DOOLITTLE, Chairman YOUNG, and their staff for their help and cooperation moving H.R. 2243 through committee.

Mr. Speaker, the reauthorization of the Trinity River restoration program enjoys broad support from the residents of Trinity County in northern California. Congress authorized the restoration program in 1984 to study the effect of increased stream flow and watershed rehabilitation within the Trinity River system. The primary purpose of the program is to restore fish habitat that was lost due to the construction of Lewiston and Trinity Dams. The program gives priority to rehabilitating spawning areas for winter and spring-run chinook salmon.

Mr. Speaker, H.R. 2243 extends the Trinity River program for 3 years. This

will authorize completion of an environmental impact statement that the Secretary of the Interior will use to establish an adequate stream flow for salmon populations. It will also authorize additional river bank restoration projects intended to maximize the effectiveness of streamflow modifications.

As members of the California delegation can attest, our State's water supply, particularly within the Central Valley project, is used for a variety of important purposes and is constantly stretched to the limit. Efficient water use is therefore, essential to meeting the demands of the future.

H.R. 2243 will maximize water use within the Trinity River system by helping to establish an appropriate balance between riverbank restoration and stream flow. The benefits of this balance will be rejuvenated fisheries and a more stable long-term supply of water for counties of origin, recreation, agriculture, wildlife habitat, industry, and a host of other important water uses.

Mr. Speaker, this is a good bill, and I urge my colleagues to vote in favor of its passage.

Mr. YOUNG of Alaska. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. MILLER of California. Mr. Speaker, I urge the support of this legislation.

Mr. SAXTON. Mr. Speaker, I am pleased to present to the House of Representatives H.R. 2243, a bill introduced by our colleague from California, FRANK RIGGS, to reauthorize the Trinity River Basin Fish and Wildlife Act of 1984.

During the past 10 years, nearly \$60 million has been spent on trying to restore the habitat of the Trinity River Basin in an effort to rebuild the populations of various fish and wildlife species, including chinook and coho salmon and steelhead trout.

Among the accomplishments of the Trinity River Basin Fish and Wildlife Act are the construction of the Buckhorn Debris Dam, the modernization of the Lewiston Hatchery, and the purchase and rehabilitation of 17,000 acres of highly erodible lands along Grass Valley Creek.

H.R. 2243, which was the subject to a hearing before the Subcommittee on Fisheries, Wildlife and Oceans on November 2, will extend the Trinity River Basin Fish and Wildlife Management Program for another 3 years; expand the membership of the task force to include representatives from the timber industry and commercial, recreational, and tribal fishing interests; and will specify that stocking the Trinity River with hatchery fish should not impair efforts to restore naturally reproducing stocks.

At that subcommittee hearing, every witness testified in support of the reauthorization of the act; and there was a consensus that the Trinity River is the principal natural asset of this broad geographic region and crucial component of the economy.

The goal of H.R. 2243 is simple: to restore fish and wildlife populations in the Trinity River Basin. While working with the sponsor of this bill and other interested Members, it has become very clear that this legislation attempts

to walk through a mine field of other issues that are not so simple. At the subcommittee markup, the bill was refined to address most of the recommended changes. I hope that we will continue to walk carefully through that mine field without attempting to refight the California water wars of the past.

Mr. Speaker, proponents of this legislation have persuasively argued that restoration of the Trinity River Basin is of paramount importance to the economy and culture of northwestern California. Reauthorization will allow this program to march forward and to complete a number of high priority efforts including the restoration of the Grass Valley Creek watershed, the South Fork fish habitat and watershed, and to implement a wildlife management program.

I strongly support H.R. 2243 and I want to compliment Congressman FRANK RIGGS for his effective leadership in this matter. I urge the adoption of H.R. 2243.

This bill to extend the authorization of the Trinity River Restoration Act for 3 years is extremely important to Northern California, and I ask my colleagues to vote in favor of passage.

I want to thank the managers of this bill—the Chairman [Mr. SAXTON] and Ranking Minority Member [Mr. STUDDS] of the Fisheries Subcommittee, as well as the Chairman [Mr. YOUNG] and Ranking Minority Member [Mr. MILLER] of the full Resources Committee. They gave this measure their priority attention.

I ask unanimous consent that my statement in support of the bill be included in the RECORD with the debate on H.R. 2243.

Mr. RIGGS. Mr. Speaker, I strongly recommend that the House approve H.R. 2243, legislation that my colleague from California [Mr. HERGER] and I introduced on August 4th of this year to reauthorize of the Trinity River Restoration Act.

Trinity River water began to be diverted into the Sacramento River basin in 1963. Average annual runoff of 1.2 million acre-feet declined to 120,000 acre-feet. This had a devastating impact on fisheries that historically had produced total spawning escapements of 100,000 Chinook and Coho salmon and steelhead.

Correcting the problem required action in three areas; Stream flow, harvest management, and watershed stabilization. The Secretary of the Interior administratively increased stream flow to 340,000 acre-feet, action subsequently ratified by Congress an amendment I offered to the Central Valley Project Improvement Act. In 1984, Congress passed the Trinity River Basin Fish and Wildlife Act, authorizing appropriations of \$57 million over a 10-year period. Another \$15 million was approved in 1993 for purchases of 17,000 acres in the Grass Valley Creek watershed and other program needs.

While I was able to include a temporary extension of the Restoration Act in the 1996 Energy and Water Development Appropriations Act, enactment of this legislation is important to continuation of the restoration program, reauthorization will set the stage for the 1996 release by the Secretary of the Interior of the Flow Study required by the 1984 Act.

A restored Trinity river will have an impact well beyond the immediate area. As the largest tributary of the Klamath River, a healthy Trinity will benefit the economy of a wide area of California and Oregon.

Success in our restoration efforts will also demonstrate that the Federal Government is

keeping its promise to correct environmental degradation which it has caused.

The bill being considered by the House today was drafted after the Water and Power Subcommittee held an oversight hearing on the Trinity River Restoration Act last July. At that hearing, concerned individuals suggested elements that should be included in any new legislation.

H.R. 2243 incorporates elements of a bill proposed by the Administration last March. It also reflects a consensus of the major Trinity River stakeholders that enhanced fish harvest opportunities both in-river and in the ocean are measures of a healthy Trinity. The fact that a consensus could be reached among such diverse groups as Indian Tribes, commercial fishermen, and environmental organizations is a tribute to their concern for the Trinity.

Mr. Speaker, key provisions of H.R. 2243 include the following.

The findings of the original Act are expanded to emphasize the importance of ocean harvest opportunities, recognizing, of course, that many factors contribute to the health of our ocean fisheries.

Restoration activity is authorized in the Klamath River, downstream from its intersection with the Trinity to the ocean.

The bill clarifies that the purpose of the Trinity River Fish Hatchery is mitigation of fish habitat loss above Lewiston Dam; it should not impair efforts to restore and maintain naturally reproducing fish stocks.

The Trinity River Task Force would be expanded to include representatives of the Yurok and Karuk Tribes, plus commercial fishing, sport fishing, and timber industry interests.

The restoration program is extended for three years under the existing authorization of appropriations. In-kind services can be accepted as match, and overhead and indirect costs are limited to 20 percent.

Mr. Speaker, I am pleased that reauthorization of the Trinity River Restoration Act has broad bipartisan support. I particularly want to thank the Chairman [Mr. SAXTON] and Ranking Minority Member [Mr. STUDDS] of the Fisheries Subcommittee, as well as the Chairman [Mr. YOUNG] and Ranking Minority Member [Mr. MILLER] of the full Resources Committee, for giving this measure their priority attention.

I urge my colleagues to vote in favor of H.R. 2243.

Mr. MILLER. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Alaska [Mr. YOUNG] that the House suspend the rules and pass the bill, H.R. 2243, as amended.

The question was taken.

Mr. YOUNG of Alaska. 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. Pursuant to clause 5 of rule I and the Chair's prior announcement, further proceedings on this motion will be postponed.

The point of no quorum is considered withdrawn.

DON EDWARDS SAN FRANCISCO BAY NATIONAL WILDLIFE REFUGE

Mr. YOUNG of Alaska. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1253) to rename the San Francisco Bay National Wildlife Refuge as the Don Edwards San Francisco Bay National Wildlife Refuge.

The Clerk read as follows:

H.R. 1253

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SAN FRANCISCO BAY NATIONAL WILDLIFE REFUGE RENAMED AS DON EDWARDS SAN FRANCISCO BAY NATIONAL WILDLIFE REFUGE.

(a) REFUGE RENAMED.—The San Francisco Bay National Wildlife Refuge (established by the Act entitled "An Act to provide for the establishment of the San Francisco Bay National Wildlife Refuge", approved June 30, 1972 (86 Stat. 399 et seq.)), is hereby renamed and shall be known as "the Don Edwards San Francisco Bay National Wildlife Refuge".

(b) REFERENCES.—Any reference in any statute, rule, regulation, Executive order, publication, map, or paper or other document of the United States to the San Francisco Bay National Wildlife Refuge is deemed to refer to the Don Edwards San Francisco Bay National Wildlife Refuge.

(c) CONFORMING AMENDMENT.—The Act entitled "An act to provide for the establishment of the San Francisco Bay National Wildlife Refuge", approved June 30, 1972 (86 Stat. 399 et seq.), is amended by striking "San Francisco Bay National Wildlife Refuge" each place it appears and inserting "Don Edwards San Francisco Bay National Wildlife Refuge".

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Alaska [Mr. YOUNG] will be recognized for 20 minutes, and the gentleman from California [Mr. MILLER] will be recognized for 20 minutes.

The Chair recognizes the gentleman from Alaska [Mr. YOUNG].

Mr. YOUNG of Alaska. Mr. Speaker, I yield myself such time as I may consume.

(Mr. YOUNG of Alaska asked and was given permission to revise and extend his remarks.)

Mr. YOUNG of Alaska. Mr. Speaker, as I watch my California colleagues come to the floor, I do hope that they will recognize the greatest compliment we can give to Mr. Edwards is to make this short. I support H.R. 1253, introduced by the distinguished gentleman and our former colleague from California, Norm Mineta.

H.R. 1253 is a simple, noncontroversial bill that renames the San Francisco Bay National Wildlife Refuge after former Congressman Don Edwards.

Don Edwards served in the House of Representatives with distinction for 32 years. During that time, he was successful in convincing the Congress to authorize the San Francisco Bay National Wildlife Refuge, to expand its boundaries, and to appropriate the necessary funds to acquire the more than 22,000 acres that now comprise this unit.

The San Francisco Bay National Wildlife Refuge is the largest urban