The result of the vote was announced as above recorded.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Sherman Williams, one of his secretaries.

PROVIDING FOR CONSIDERATION OF H.R. 2209, LEGISLATIVE BRANCH APPROPRIATIONS ACT, 1998

Ms. PRYCE of Ohio, from the Committee on Rules, submitted a privileged report (Rept. No. 105–202) on the resolution (H. Res. 197) providing for consideration of the bill (H.R. 2209) making appropriations for the legislative branch for the fiscal year ending September 30, 1998, and for other purposes, which was referred to the House Calendar and ordered to be printed.

MOTION TO ADJOURN

Mr. BONIOR. Mr. Speaker, I move that the House do now adjourn.

The SPEAKER pro tempore (Mr. NUSSLE). The question is on the motion offered by the gentleman from Michigan [Mr. BONIOR].

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

RECORDED VOTE

Mr. BONIOR. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 96, noes 315, not voting 23, as follows:

[Roll No 323]

AYES—96

Abercrombie
Andrews
Barrett (WI)
Berry
Blumenauer
Bonior
Boucher
Brown (FL)
Brown (OH)
Capps
Carson
Clay
Clayton
Clyburn
Conyers
Coyne
Cubin
Davis (FL)
DeFazio
DeGette
Delahunt
DeLauro
Dellums
Dicks
Dingell
Doggett
Dooley
Farr
Fazio
Filner
Flake
Foglietta
Ford
Frank (MA)
Frost
Furse
Gejdenson
Gephardt
Gillmor
Hall (OH)
Hastings (FL)
Hinchey
Jackson (IL)
Jefferson
John
Johnson (WI)
Johnson, E. B.
Kennelly
Kilpatrick
LaFalce
Lampson
Lantos
Lewis (GA)
Lowey
Manton
Markey
Martinez
Matsui
McDermott
McGovern
McKinney
McNulty
Meek
Mink
Moakley
Nadler
Neal
Oberstar
Obey
Owens
Pallone
Pascrell
Payne
Pelosi
Peterson (MN)
Pomeroy
Rodriguez
Rush
Sabo
Sisisky
Skaggs
Smith, Adam
Spratt
Stokes
Strickland
Stupak
Tauscher
Thompson
Thurman
Torres
Vento
Waters
Watt (NC)
Waxman
Weygand
Woolsey

NOES—315

Ackerman
Aderholt
Allen
Archer
Armey
Bachus
Baesler
Baker
Ballenger
Barcia
Barr
Barrett (NE)
Bartlett
Barton
Bass
Becerra
Bentsen
Bereuter
Berman
Bilbray
Bilirakis
Bishop
Blagojevich
Bliley
Blunt
Boehlert
Boehner
Bonilla
Bono
Borski
Boswell
Boyd
Brady
Brown (CA)
Bryant
Bunning
Burr
Burton
Buyer
Callahan
Calvert
Camp
Campbell
Canady
Cardin
Castle
Chabot
Chambliss
Chenoweth
Christensen
Clement
Coble
Coburn
Collins
Combest
Condit
Cook
Cooksey
Costello
Cox
Cramer
Crane
Crapo
Cummings
Cunningham
Danner
Davis (IL)
Davis (VA)
Deal
DeLay
Deutsch
Diaz-Balart
Dickey
Dixon
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Emerson
Engel
English
Ensign
Eshoo
Etheridge
Evans
Everett
Ewing
Fattah
Fawell
Foley
Forbes
Fox
Franks (NJ)
Frelinghuysen
Gallegly
Ganske
Gekas
Gibbons
Gilchrest
Gilman
Goode
Goodlatte
Goodling
Gordon
Goss
Graham
Granger
Green
Greenwood
Gutierrez
Gutknecht
Hall (TX)
Hamilton
Hansen
Hastert
Hastings (WA)
Hayworth
Hefley
Herger
Hill
Hilliard
Hinojosa
Hobson
Hoekstra
Holden
Hooley
Horn
Hostettler
Houghton
Hulshof
Hunter
Hutchinson
Hyde
Inglis
Istook
Jackson-Lee (TX)
Jenkins
Johnson (CT)
Johnson, Sam
Jones
Kanjorski
Kaptur
Kasich
Kelly
Kennedy (MA)
Kennedy (RI)
Kildee
Kim
Kind (WI)
King (NY)
Kingston
Klink
Klug
Knollenberg
Kolbe
Kucinich
LaHood
Largent
Latham
LaTourette
Lazio
Leach
Levin
Lewis (CA)
Lewis (KY)
Lipinski
Livingston
LoBiondo
Lofgren
Lucas
Luther
Maloney (CT)
Maloney (NY)
Manzullo
Mascara
McCarthy (MO)
McCarthy (NY)
McCollum
McCrery
McDade
McHale
McHugh
McInnis
McIntosh
McIntyre
McKeon
Meehan
Menendez
Metcalf
Mica
Millender-McDonald
Miller (CA)
Miller (FL)
Minge
Mollohan
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Nethercutt
Neumann
Ney
Northup
Norwood
Nussle
Ortiz
Oxley
Packard
Pappas
Parker
Pastor
Paul
Paxon
Pease
Peterson (PA)
Petri
Pickering
Pickett
Pitts
Pombo
Porter
Portman
Poshard
Price (NC)
Pryce (OH)
Quinn
Rahall
Ramstad
Rangel
Redmond
Regula
Reyes
Riggs
Riley
Rivers
Roemer
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Rothman
Roukema
Roybal-Allard
Royce
Ryun
Salmon
Sanchez
Sanders
Sandlin
Sanford
Sawyer
Saxton
Schaefer, Dan
Schaffer, Bob
Schumer
Scott
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays
Sherman
Shimkus
Shuster
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (OR)
Smith (TX)
Smith, Linda
Snowbarger
Snyder
Solomon
Souder
Stabenow
Stearns
Stenholm
Stump
Sununu
Talent
Tanner
Tauzin
Taylor (MS)
Taylor (NC)
Thomas
Thornberry
Thune
Tiahrt
Tierney
Towns
Traficant
Turner
Upton
Visclosky
Walsh
Wamp
Watkins
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
White
Whitfield
Wicker
Wise
Wolf
Wynn
Young (FL)

NOT VOTING—23

Baldacci
Bateman
Cannon
Ehrlich
Fowler
Gonzalez
Harman
Hefner
Hilleary
Hoyer
Kleczka
Linder
Molinari
Olver
Radanovich
Scarborough
Schiff
Spence
Stark
Velazquez
Wexler
Yates
Young (AK)

☐ 2029

Mr. KENNEDY of Rhode Island and Mr. GREENWOOD changed their vote from ''aye'' to ''no''.

So the motion to adjourn was rejected.

The result of the vote was announced as above recorded.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 695

Mr. ROTHMAN. Mr. Speaker, I ask unanimous consent that my name be removed as a cosponsor of H.R. 695.

The SPEAKER pro tempore (Mr. NUSSLE). Is there objection to the request of the gentleman from New Jersey?

There was no objection.

PROVIDING FOR CONSIDERATION OF H.R. 2203, ENERGY AND WATER DEVELOPMENT APPROPRIATIONS ACT, 1998

Mr. HASTINGS of Washington. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 194 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 194

Resolved, That at anytime after the adoption of this resolution the Speaker may, pursuant to clause 1(b) of rule XXIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 2203) making appropriations for energy and water development for the fiscal year ending September 30, 1998, and for other purposes. The first reading of the bill shall be dispensed with. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chairman and ranking minority member of the Committee on Appropriations. After general debate the bill shall be considered for amendment under the five-minute rule. Points of order against provisions in the bill for failure to comply with clause 2 or 6 of rule XXI are waived. During consideration of the bill for amendment, the Chairman of the Committee of the Whole may accord priority in recognition on the basis of whether the Member offering an amendment has caused it to be printed in the portion of the Congressional Record designated for that purpose in clause 6 of rule XXIII. Amendments so printed shall be considered as read. The Chairman of the Committee of the Whole may: (1) postpone until a time during further consideration in the Committee of the Whole a request for a recorded vote on any amendment; and (2) reduce to five minutes the minimum time for electronic voting on any postponed question that follows another electronic vote without intervening business, provided that the minimum time for electronic voting on the first

in any series of questions shall be fifteen minutes. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

The SPEAKER pro tempore. The gentleman from Washington [Mr. HASTINGS] is recognized for 1 hour.

Mr. HASTINGS of Washington. Mr. Speaker, for purposes of debate only, I yield the customary 30 minutes to the gentleman from Massachusetts [Mr. MOAKLEY], the distinguished ranking member of the Committee on Rules, pending which I yield myself as much time as I may consume. During consideration of this resolution, all time is yielded for purpose of debate only.

(Mr. HASTINGS of Washington asked and was given permission to revise and extend his remarks.)

Mr. HASTINGS of Washington. Mr. Speaker, House Resolution 194 is an open rule providing for the consideration of H.R. 2203, a bill making appropriations for energy and water development for fiscal year 1998. The rule provides for 1 hour of general debate, equally divided between the chairman and ranking member of the Committee on Appropriations.

The rule waives clause 2 and clause 6 of rule XXI, prohibiting unauthorized appropriations, legislative provisions in general appropriations bills, and reappropriations in appropriations bills.

Mr. Speaker, these waivers are necessary because so many programs funded by this bill have not been reauthorized. The measure also includes transfers of certain funds and contains minor legislative provisions on which the committee has consulted closely with the appropriate authorizing committees.

In addition, the rule permits the Chair to accord priority in recognition to Members who have preprinted their amendments in the CONGRESSIONAL RECORD. The rule also allows the Chair to postpone recorded votes and reduce to 5 minutes the minimum time for electronic voting on any postponed votes, provided voting time on the first in a series of questions shall be not less than 15 minutes. Finally, the rule provides one motion to recommit, with or without instructions.

Mr. Speaker, the gentleman from Pennsylvania [Mr. MCDADE], the chairman, and the gentleman from California [Mr. FAZIO], the ranking member, are to be commended for their outstanding effort on this legislation. Together, they have worked hard to provide adequate funding for a number of important programs, while contributing significantly to the vitally important task of deficit reduction.

H.R. 2203 appropriates $20 billion in new budget authority for fiscal year 1998 for the Department of Energy and related programs. I am pleased to report that that amount is $573 million less than last year and $2.6 billion less than the President's request. The subcommittee has essentially met its 602(b) allocation for discretionary spending.

The vast majority of the bill's funding, some $15.3 billion, goes to various programs run by the Department of Energy, including the cleanup of nuclear wastes on a variety of Federal facilities, including the Hanford Nuclear Reservation in my own district.

The bill also allocates $4 billion to the Army Corps of Engineers, $910 million to the Department of Interior, mainly for its Bureau of Reclamation, and $194 million for related independent agencies.

Mr. Speaker, the funding provided in this bill is necessary to protect important investments in our Nation's water and energy infrastructure and to maintain and operate facilities and programs within the subcommittee's jurisdiction.

In closing, Mr. Speaker, I commend the Committee on Appropriations and its Subcommittee on Energy and Water for seeking an open rule on H.R. 2203 so that the House may work its will on this important legislation without unnecessary restrictions. I urge my colleagues to support this open rule.

Mr. Speaker, I reserve the balance of my time.

Mr. MOAKLEY. Mr. Speaker, I yield myself such time as I may consume; and I thank my colleague, the gentleman from Washington [Mr. HASTINGS], for yielding me the customary half hour.

Mr. Speaker, I want to congratulate my colleagues, the gentleman from California [Mr. FAZIO] and the gentleman from Pennsylvania [Mr. MCDADE], for their very hard work on this very difficult bill. The energy and water development appropriations bill represents the culmination of long hours on the part of all the members of that subcommittee, and we owe them a debt of thanks.

Mr. Speaker, this is an open rule which, like the rules for most other appropriation bills, waives points of order against legislating on an appropriations bill. But I am told this waiver is not a cause for objection on the part of the authorizing committees.

The bill we will soon consider contains funding for some very good water resource infrastructure projects. It contains over $4 billion for the water resource programs of the Army Corps of Engineers, which is actually an increase over the President's request.

Mr. Speaker, it also contains funding for the Department of Energy, which is unfortunately below the President's request. The Energy Department, in addition to atomic defense activities, conducts basic science and energy research, which I think is tremendously important, especially in today's high-tech world. So I regret to see, Mr. Speaker, that my colleagues did not appropriate as much money as the Energy Department needs. But, all in all, this is a very good bill.

On the more controversial side, this bill eliminates the Tennessee Valley Authority's subsidies for non-power functions, like flood control and navigation. And it also transfers some of the Energy Department's environmental cleanup projects to the Army Corps of Engineers.

Some other concerns are the $60 million cut in solar and renewable energy research and development. I am sorry to see my Republican colleagues decided to cut this R&D money. These energy sources are both economic and environmentally very sound. We should be running as fast as we can toward solar and renewable energy, not turning the other way.

Mr. Speaker, this bill also contains cuts in nuclear nonproliferation programs, which is going to have some unfortunate consequences. These cuts are going to delay the sensors that detect nuclear, chemical, and biological weapons. And I, for one, think we need those now more than ever.

The $30 million cut in civilian radioactive waste program could jeopardize the completion of the Energy Department's viability assessment of Yucca Mountain. And this bill also eliminates $25 million for the next generation Internet, which was created to help universities and national laboratories implement advanced, high-speed connections.

But, Mr. Speaker, fortunate for those who object to these provisions in the bill, it is coming to the floor with an open rule, which means that any Member with a germane amendment to this bill can offer their amendment on the floor.

Once again, Mr. Speaker, I congratulate my colleagues, the gentleman from California [Mr. FAZIO] and the gentleman from Pennsylvania [Mr. MCDADE] for their very hard work. I urge my colleagues to support the rule.

Mr. Speaker, I reserve the balance of my time.

Mr. HASTINGS of Washington. Mr. Speaker, I yield 2 minutes to the gentleman from Illinois [Mr. WELLER].

(Mr. WELLER asked and was given permission to revise and extend his remarks.)

Mr. WELLER. Mr. Speaker, I particularly want to thank my friend from Washington State [Mr. HASTINGS] for yielding me this time. I do want to rise in support of this rule and also in support of this bill.

I particularly want to congratulate the gentleman from Pennsylvania [Mr. MCDADE], the chairman, and the gentleman from California [Mr. FAZIO], the ranking member, for their hard work in bringing an important piece of legislation, a bill that deserves bipartisan support, before this House.

When I am back home talking with the folks who pay the bills, they always ask the questions: ''What does this legislation mean to our communities?'' ''What does this legislation mean right here in our neighborhoods?''

Clearly, this is an important bill, a bill that funds energy research, flood control, environmental initiatives, as well as sewer and water facilities for many communities. Particularly, I think it is important to emphasize some critical U.S. Army Corps of Engineers initiatives that will benefit the people of the 11th Congressional District: flood control, environmental initiatives, and also projects that will create jobs back home.

We currently have three initiatives in this bill I would like to point out. One is important to the entire south suburban region, serving the south side of Chicago, as well as the south suburbs in Cook and eastern Will Counties. That is the Thornton Reservoir project.

And, of course, I appreciate the subcommittee's initiative to help this important initiative, which will help 131,000 homeowners to address flood control problems in the south suburbs. I also want to note the funding for initiatives to help clean up and address flood control problems affecting the Kankakee River. I have enjoyed working with my colleagues, the gentleman from Illinois [Mr. EWING] and the gentleman from Indiana [Mr. BUYER], to address the need to bring better flood control and also to address the siltation problem in the Kankakee River, an important environmental initiative. And I appreciate the subcommittee's support.

I also want to note that unlock 14 on the Illinois and Michigan Canal is addressed with an initiative that is also funded in this appropriations bill, an initiative that provides an opportunity to create 110 acres of new wetlands; a new environmental initiative right next to LaSalle County also will create new jobs.

This bill means something to the folks back in Illinois. It deserves bipartisan support. I urge bipartisan support for the rule.

Mr. MOAKLEY. Mr. Speaker, I yield 3 minutes to the gentleman from Wisconsin [Mr. OBEY], the ranking minority member of the Committee on Appropriations.

□ 2045

Mr. OBEY. Mr. Speaker, I do not think I will take the 3 minutes, but I thank the gentleman for yielding me the time. I would simply say this is the kind of rule that I think we should have. This rule will allow the resolution of virtually every difference that I know of in the bill. The administration has some concerns with the number of items. I will insert in the RECORD at the proper time the Statement of Administration Policy which indicates that there is still a way that this bill has to go before it can receive the blessing of the White House. But I would not expect that in the end that will be a problem.

I would simply say that I would hope that we can have the kind of cooperation on other rules that are brought to the House floor that we have had on this one. If we can, we can get our work done a whole lot faster and in a whole lot more pleasant fashion and we will all eventually get to the August recess in a whole lot less tired shape than we will otherwise reach that week. Let me at this point simply thank the Committee on Rules for doing what they needed to do.

Mr. Speaker, I include for the RECORD the Statement of Administration Policy, as follows:

STATEMENT OF ADMINISTRATION POLICY

H.R. 2203—ENERGY AND WATER DEVELOPMENT APPROPRIATIONS BILL FISCAL YEAR 1998

Sponsors: Livingston (R), Louisiana; McDade (R), Pennsylvania.

This Statement of Administration Policy provides the Administration's views on H.R. 2203, the Energy and Water Development Appropriations Bill, FY 1998, as reported by the House Appropriations Committee. Your consideration of the Administration's views would be appreciated.

The Committee has developed a bill that provides requested funding for many of the Administration's priorities. However, the Administration strongly objects to the Committee's reallocation of national defense funds from Department of Energy programs to Department of Defense programs. These funds are needed for key environmental privatization projects and to provide full funding for Atomic Energy Defense Activities, as requested, which is consistent with fixed asset funding practices in the Government's other defense programs. We believe that this action is an unacceptable deviation from our understanding of the Bipartisan Budget Agreement.

As discussed below, the Administration will seek restoration of certain of the Committee's reductions. We recognize that it will not be possible in all cases to attain the Administration's full request and will work with the House toward achieving acceptable funding levels. We urge the House to reduce funding for lower priority programs, or for programs that would be adequately funded at the requested level, and to redirect funding to programs of higher priority.

Department of Energy

The Administration objects to the Committee's providing only $102 million of the $1.006 billion requested for environmental management privatization projects. Based on this mark, several environmental privatization projects would not be funded at all, and it is questionable whether the expected outyear funding would allow support for higher priority cleanup privatization projects at this funding level. Failure to invest in competitive privatization contracts for cleanup activities would force the Department of Energy (DOE) to continue using more costly, traditional contracting approaches, which the Committee Report has strongly criticized. This would result in a substantial increase to DOE's cleanup costs in future years and could jeopardize the Department's ability to comply with cleanup agreements.

The Administration strongly opposes the cuts to DOE's Federal staff and management accounts, including Departmental Administration and the Office of the Inspector General. Cuts in Federal staff and support service contractors of this magnitude would make it nearly impossible for the Department to improve contractor oversight or to develop, award, and manage more competitive fixed-price contracts, which are some of the Committee's own recommendations in the accompanying report.

The Administration also opposes the Committee's attempt to micromanage the Department, limit its ability to exercise good business judgment, overly restrict its ability to implement sound innovative contracting practices, and limit its ability to participate in procurement reinvention. It would do this by: (1) requiring special reports and notification prior to the start of any FY 1998 approved construction and special congressional permission to make procurement decisions currently authorized by other statutes; (2) inhibiting market research; (3) further restricting the Department's ability to outsource beyond that required in OMB Circular No. A–76; (4) unnecessarily restricting the Department's ability to deviate from the Federal Acquisition Regulation; and, (5) inappropriately limiting the Department's ability to use current statutory exemptions from competition. Additional reporting requirements combined with the proposed staffing reductions would erode DOE's ability to gain better control over its operations and improve management of its complex mission.

The Administration also strongly opposes the transfer of the Formerly Used Sites Remedial Action Program (FUSRAP) from DOE to the Corps of Engineers. In recent years, the Department has placed nearly half of this program under competitive, fixed-price contracts and developed a plan to accelerate cleanup by 12 years. DOE has established an open, interactive dialogue with communities and regulators, through which the Department has developed cleanup standards commensurate with land use plans and proceeded with early removal of contamination at many sites. DOE has completed cleanup at 52 percent of the main sites and 56 percent of the vicinity properties. Between FYs 1996 and 1997, DOE has reduced support costs for this program by 23 percent. Transferring this well-managed program that is nearly complete to another agency would be disruptive and would most likely delay completion and increase costs.

The Administration objects to the program cuts in the requests for nuclear nonproliferation programs. For example, the reductions in verification research and development would delay the completion of next generation land-based and satellite-borne sensors for the detection of nuclear, chemical and biological weapons programs.

The Administration also opposes the $29 million reduction to the Uranium Enrichment Decontamination and Decommissioning (D&D) program. DOE is about to enter into a large contract for D&D and re-industrialization of the large gaseous diffusion plant in Oak Ridge, Tennessee, using an approach that will expedite cleanup, reduce costs, and create new jobs. The Committee's funding cuts in this program would make it difficult to proceed with this effort, comply with environmental requirements, and provide reimbursements to radium and thorium licensees.

The Administration opposes the Committee's elimination of $25 million requested for the Next Generation Internet. While the Administration acknowledges that the private sector has shown the capability and willingness to fund considerable technology development for the Internet, the Next Generation Internet funds requested in the President's budget are necessary to assist universities and national laboratories in implementing advanced, high-speed connections that will not be financed by industry, and to accelerate research in areas where DOE laboratories have particular expertise.

The Committee's overall reduction of $30 million from the request for the civilian radioactive waste management program would threaten satisfactory completion of the Department of Energy's viability assessment of Yucca Mountain. Both the Nuclear Waste

Technical Review Board and independent expert advisers have urged DOE to build and study an ''east-west tunnel'' or ''drift'' through the repository block at Yucca Mountain in order to reduce uncertainty about water moving downward through the site. The $14 million (16 percent) reduction to the request for the core science program would virtually eliminate any scientific input from this important research to the viability assessment. Additionally, the 416 million reduction in support services and personnel costs would severely constrain, if not eliminate, an independent review of critical elements of the viability assessment, including a validation of repository design concepts and operating strategies, as well as refined cost estimates of these designs.

The Administration strongly objects to the Committee's $60 million reduction to the Solar and Renewable Energy R&D request (calculated on a comparable basis). The overall funding cuts, particularly in biofuels and solar thermal energy, would seriously set back environmentally promising and increasingly economic sources of energy. Research programs such as these are also the least burdensome way for the Nation to respond to global climate change.

Army Corps of Engineers

The Administration urges the House to reduce the number of unrequested Corps of Engineers' projects and programs and to restore funds that the Administration has requested for priority Corps projects, including the Columbia and Snake Rivers Juvenile Fish Mitigation Program for salmon run restoration and for construction of an emergency outlet for Devils Lake, North Dakota. The Administration urges the House to use the $540 million in unrequested funds that the Committee has provided for the Corps of Engineers construction, studies, and operation and maintenance programs to restore reductions made in other priority Corps and DOE programs.

The Administration appreciates the Committee's full funding of the Administration's request for the Corps' regulatory program. This will allow the Corps to implement its administrative appeals process fully and to continue to process wetlands permits in a timely manner. The Administration urges the House to include the Administration's requested regulatory permit fee, which would allow the Corps to recover its costs for processing permit applications for commercial uses.

Bureau of Reclamation

The Administration appreciates the Committee's support for funding to restore the California Bay-Delta ecosystem. However, we urge the House to provide the full $143 million that Congress authorized for this program and that was requested by the President in the FY 1998 Budget. This important program plays a central role in resolving long-standing water conflicts that have plagued the State of California. In addition, we oppose the reduction of $14 million in requested Central Valley Project funding, which is an important component of the effort to restore this critical ecosystem.

The Administration objects to the Committee's decision to fund a number of Reclamation projects and activities not requested in the FY 1998 Budget, some of which could result in demands for additional funding in the out-years. The Administration supports the Committee's decision to provide funds to cover the estimated authorized Federal share of costs for the purchase of water associated with variable flood control operations at Folsom Dam during FY 1997.

Tennessee Valley Authority

The Administration objects to the Committee's elimination of all appropriations for the Tennessee Valley Authority in FY 1998. We believe that an abrupt and total elimination of funding for the agency in FY 1998 is premature. The Administration has proposed continued funding in FY 1998 while TVA completes its consultations on potential alternate funding arrangements for future years for its appropriated program.

Nuclear Regulatory Commission

The Administration urges restoration of the Committee's $4 million reduction to the request for the Nuclear Regulatory Commission's (NRC's) High-level Waste Program. This 24-percent reduction would adversely affect the NRC's ability to maintain a strong scientific capability, independent of DOE, to review high-level waste activities. This reduction could jeopardize the NRC's ability to complete timely reviews of DOE's viability assessment. Timely resolution of the high-level waste issue is important to the Nation as well as to the nuclear industry.

Mr. HASTINGS of Washington. Mr. Speaker, I yield 2 minutes to the gentleman from California [Mr. CALVERT].

Mr. CALVERT. Mr. Speaker, I rise in support of this rule on H.R. 2203. I thank the gentleman from Pennsylvania [Mr. MCDADE] for crafting a fiscally responsible bill which will ensure that the United States remains on the forefront in energy research for years to come.

As chairman of the subcommittee that authorizes many of the Department of Energy programs addressed in this legislation, I am encouraged that the chairman fully funded the Large Hadron Collider. There had been some concerns among some members of the Committee on Science that U.S. scientists would not be guaranteed a formal role in managing the operation. Thanks to the work of the gentleman from Pennsylvania [Mr. MCDADE] and the gentleman from Wisconsin [Mr. SENSENBRENNER], the chairman of the Committee on Science, these concerns have been addressed.

Second, although the Committee on Science authorized the fusion program at a level slightly higher than this bill, I am encouraged to see a stabilization in funding for this crucial research effort. The fusion community has responded well to congressional calls to restructure their program, and I look forward to seeing the results of their research.

Finally, just as the Committee on Science authorization bill had, this legislation substantially increases funding for renewable energy. I applaud that move, hoping this money will be used primarily for basic research and that the Department of Energy will not involve itself in corporate welfare and subsidies.

Finally, once again, I look forward back home to the Santa Ana Mainstem project to start construction soon. My friends in Orange County need to be protected from future floods potentially. The Norco Bluffs Project in Norco, CA, is moving ahead. Wetlands protection in Lake Elsinore, CA; the Gunderson project and flood control at Murritta Creek. Again I thank the gentleman from Pennsylvania [Mr. MCDADE] for this legislation.

Mr. MOAKLEY. Mr. Speaker, I yield 3 minutes to the gentlewoman from Connecticut [Mrs. KENNELLY].

Mrs. KENNELLY of Connecticut. Mr. Speaker, I rise to express on this rule my opposition to the funding level in the bill for the Formerly Utilized Site Remedial Action Program, FUSRAP, as it is called.

Mr. Speaker, I have one of those sites in my district. Radioactive material from it has now leaked into a tributary of the Farmington River. The Farmington River is a wild and scenic river, one of our Nation's treasures. For this reason, I wrote to the Committee on Appropriations, strongly supporting funding at the administration's requested level of $182 million for FUSRAP. According to the Department of Energy, that level of funding would permit cleanup of all the existing sites by 2002 rather than what we are talking about now, 2016. An accelerated cleanup program would limit both environmental damage and cost, including the costs associated with maintenance and management of these sites.

Unfortunately, the committee was unable to accommodate this request and now, to make matters worse, has included in this bill a provision to transfer the jurisdiction of FUSRAP from the Department of Energy to the Army Corps of Engineers. Further, the bill directs the Corps of Engineers to evaluate the cost and timetable for the cleanup.

Mr. Speaker, this transfer will serve only to slow critical cleanup of these sites further, endangering the natural resources of the communities near them. Mr. Speaker, these communities have already made sacrifices for national security. The least we could do would be to move expediently to clean up these sites and to protect the health and safety of these communities. I would hope we could work together to make this thing much better than what we are looking at tonight.

Mr. HASTINGS of Washington. Mr. Speaker, I yield such time as he may consume to the gentleman from Florida [Mr. GOSS], a member of the Committee on Rules.

Mr. GOSS. Mr. Speaker, I thank the distinguished gentleman from Washington, my friend and a highly valued member of the Committee on Rules, for yielding me this time.

I rise in support of what is very clearly a fair and open rule. This rule balances the interests of the authorizing committee as well as the appropriators in what is often a contentious area. For all those involved, I think it is a breakthrough and I congratulate them.

Mr. Speaker, the bill we will consider shortly is an extremely important piece of legislation for the people of Florida, and I will speak parochially about it for a moment. In recent years, the Clinton administration seems to have engaged in an all-out assault on Federal support for beach renourishment, a subject of great interest in our

State. First, the President suggested that the Federal Government had no role in assisting State and local governments to protect our Nation's beaches, beaches that I would say are used by all citizens of our Nation as well as the many, many visitors who come to our country, and especially to Florida.

In response, last year's Congress passed the Shore Protection Act which revises the Army Corps of Engineers' mission to specifically include beach renourishment. As evidenced by his budget request this year, the President is continuing his assault on beach programs by not requesting adequate funds for these vital projects. The report accompanying this year's Energy and Water bill admonishes the President, ''In the area of shore protection, the committee is extremely disappointed that the administration has once again failed to request funds to continue several ongoing construction projects and studies or to initiate new studies or projects. As the committee stated last year, shore protection projects serve the same function as other flood control projects. They protect lives and property from the impacts of flooding.''

I think that says it all and it certainly brings back the recent tragedy of the floods and the flood victims. I think if we understand that we are going to provide relief for flood victims in one part of the Nation, we should do it for flood victims in all parts of the Nation. I hope the administration understands that.

I commend the gentleman from Pennsylvania [Mr. MCDADE] and the Committee on Appropriations for their work on this bill. I am particularly pleased with the committee's attention to the shore protection projects and I am sure all Members from States with shoreline that need protection will share that view, as well as all Members from States with people who go to the beach, and that is most of us.

This is a fair rule and a good bill, and I strongly urge my colleagues to support both the bill and the rule.

Mr. MOAKLEY. Mr. Speaker, I yield 6 minutes to the gentleman from California [Mr. BROWN].

(Mr. BROWN of California asked and was given permission to revise and extend his remarks.)

Mr. BROWN of California. I thank the gentleman for yielding me this time.

Mr. Speaker, I am not totally dissatisfied with this rule although the love fest that is developing here would indicate that it is close to perfection, and I do find a few minor flaws in it. I would like to just indicate those very briefly.

I observe that in title III of the bill there are a number of waivers of authorizing legislation on an appropriations bill. I have consistently over the years objected to having authorizing legislation on appropriations bills. I am becoming a little mellower in my old age that I am not condemning the Committee on Appropriations for doing this, or at least I am not condemning them as much as I used to condemn them. But I would like to point out, and I hope that this can be resolved either by colloquy during the processing of this bill or by further action with the Members of the other body in conference, there are certain problems with regard to some of these titles which are going to give us some headaches unless we do something about them.

For example, the requirement contained in section 301 for the competition of maintenance and operating contracts by the laboratories of the Department of Energy is something that I thoroughly approve of, nevertheless requires some transitional language. There are several major contracts in the final stages of renegotiation at the present time, and there is no clear direction as to how these should be handled. I have indicated this to the chairman of the subcommittee, who I know is concerned and who is a dear friend who will do what is right, but I commend to his attention the need to do something about this particular problem.

I might say that the contracts in the process of renegotiation include several of the major Department of Energy facilities, such as Los Alamos, Livermore, Berkeley, Stanford Linear Accelerator and Pacific Northwest Laboratories. These represent multibillion dollar accounts. They have proceeded to renegotiate existing contracts in good faith, and to now stop that and renegotiate and recompete would require months, if not years of time and considerably more expense. I hope that the chairman will consider this problem and see if it can be resolved in some reasonable way.

Some of the other provisions which constitute legislation I think could have been written much better by the authorizing committee. This is maybe pure ego, but I think we will find that the ambiguities and uncertainties contained in the language here, which could have been resolved if there had been a hearing process in the authorizing committee, will need considerable improvement. I urge the committee to seek for ways to improve this language as the bill moves forward.

Let me say that the rule itself, as the gentleman from Wisconsin [Mr. OBEY] has indicated, is not a totally bad rule although I think he has so exhausted himself that he has not been able to probe into the finer details of what might be wrong with it. We have a situation now where the Committee on Rules will not waive the rule with regard to authorizing language on an appropriations bill if the chairman of the authorizing committee objects. In this case there are 3 separate authorizing committees whose rights are being infringed upon, and none of the chairmen objected. The procedures do not allow a ranking minority member this same right. If it had, I would have objected to the language here, and I might still try and do something about it, but it does not rise to the level of importance that I am going to waste too much of my energies trying to do that. I hope that will console the gentleman from Pennsylvania [Mr. MCDADE]. If I have his assurances that he will try and remedy some of these things, I will rest a little more easily tonight.

One final thing. Last year I took the floor to ask the cooperation of the then chairman, the distinguished gentleman Mr. Myers, to help provide a little funding to do research on the Salton Sea. He did that. The Bureau of Reclamation had not asked for it. This year they asked for it, and the gentleman kindly granted them the $400,000 that they requested. What happened to last year's $400,000?

They have had several very high level conferences with regard to what makes birds die. I know what makes birds die. They eat rotten fish and the hot weather kills them and a lot of other things like that, and I appreciate all of these conferences. As I say, they have had at least 3 of them and there is another one scheduled next month and they are bringing people from all over the United States down there to look at the Salton Sea to find out something that I could have told them anyway and that the gentlemen from California [Mr. BONO] and the gentleman from California [Mr. HUNTER] and some others could have told them.

I do not want to see too many more conferences. I want to see some action on what is developing to be the largest ecological catastrophe in California, or maybe the United States. I will make this point over and over again until we see something productive coming out of this situation.

□ 2100

It is already costing hundreds of millions of dollars, and it threatens to go much higher.

With that, let me thank my good friends on the Committee on Appropriations for the fine work that they have otherwise done.

Mr. HASTINGS of Washington. Mr. Speaker, I yield 2 minutes to the gentleman from Florida [Mr. WELDON].

Mr. WELDON of Florida. Mr. Speaker, I thank the gentleman from Washington for yielding this time to me, and I rise in strong support of the rule before us and in strong support of the bill, H.R. 2203, the fiscal year 1998 energy and water appropriation.

Mr. Speaker, my colleague, the gentleman from Pennsylvania [Mr. MCDADE] had a very difficult task before him of balancing all of the many meritorious and various requests with the very limited budget, and I commend him, his work as well as the other members of the committee and the ranking member. I would like to take this opportunity to express my particular support for the chairman's commitment to continuing to place an

emphasis on coastal storm damage prevention projects, and in particular where there is an obvious and clear Federal responsibility and culpability.

Mr. Speaker, we have experienced considerable erosion problems along our beaches in Florida and along the beaches in Brevard and Indian River Counties in my district in particular. In particular in Brevard County, there is a very obvious Federal responsibility in that much of the erosion began after the creation of a Federal inlet at Port Canaveral. The committee has chosen to continue to place a priority in these projects, and in particular they recognize the fairness and honesty and are continuing to pursue this. And I am hopeful, hopeful that the administration may soon realize the error of their ways in opposing such projects and begin to once again request funding for these very, very critical programs.

We have seen the increasing devastation caused by hurricanes in recent years, and it is important that we pursue policies that protect our citizens and our property from these storms. Much like levees and dikes protect our citizens and property from floods along lakes, rivers and streams, storm damage prevention projects in the form of beach renourishment projects offer the same protection to our coastal citizens and properties from the high seas and the damage that accompanies these storms.

I again commend the gentleman from Pennsylvania [Mr. MCDADE] and I urge all my colleagues to support this rule and the underlying bill.

Mr. MOAKLEY. Mr. Speaker, I yield 2 minutes to the gentleman from Arizona [Mr. PASTOR].

(Mr. PASTOR asked and was given permission to revise and extend his remarks.)

Mr. PASTOR. Mr. Speaker, I thank the gentleman for yielding the time.

Mr. Speaker, I rise today in support of this rule and congratulate our chairman, the gentleman from Pennsylvania [Mr. MCDADE] and our ranking member, the gentleman from California [Mr. FAZIO] for the strong bipartisan manner in which they bring this bill to the floor. Both gentlemen have led this committee in a spirit of great cooperation, listening to all parties and, I believe, producing a bill that is a fair balance between critical needs and limited resources.

Foremost to me and to many of my colleagues are the programs funded in this bill that ensure the safety of our constituents and the protection of our communities from flooding and other related damages. I am pleased that the committee recognized the necessity to ensure adequate funding for the Corps of Engineers and the Bureau of Reclamation to carry out their missions in an effective manner. Although more funding is needed, the committee has done an excellent job in allocating funds to those projects that need them the most.

Mr. Speaker, I am particularly pleased that the committee has rejected the administration request for total up-front funding for all new Corps of Engineer construction projects. The number of projects, the number of years to complete them and the limited funds available would make this a disastrous approach to maintaining the integrity and safety of our Nation's water resources. I encourage my chairman and ranking member and my fellow committee members to continue to oppose this ill-advised plan.

Mr. Speaker, I ask my fellow colleagues to support this rule and the underlying bill.

Mr. HASTINGS of Washington. Mr. Speaker, I yield 1 minute to the gentleman from Nebraska [Mr. BEREUTER].

(Mr. BEREUTER asked and was given permission to revise and extend his remarks.)

Mr. BEREUTER. Mr. Speaker, this Member would like to commend the distinguished gentleman from Pennsylvania [Mr. MCDADE], the chairman, and the distinguished gentleman from California [Mr. FAZIO], the ranking member of the subcommittee, for their exceptional work in bringing this bill to the floor. This Member recognizes that extremely tight budgetary constraints made the job of the subcommittee much more difficult this year. Therefore the subcommittee, I think, is to be particularly commended for its diligence in creating such a fiscally responsible bill. In light of the budgetary pressures, this Member would like to express his appreciation to the subcommittee for a number of actions that are important to a four-State region where I carried a bi-State region and some various projects like that one in Pender, NE, which is extraordinarily important for flood control purposes.

So I do thank the subcommittee for their work and appreciate their effort once again.

Mr. Speaker, in light of these budgetary pressures, this Member would like to express his appreciation to the subcommittee and formally recognize that the energy and water development appropriations bill for fiscal year 1998 includes funding for several water projects that are of great importance to Nebraska.

First, this Member is very pleased, for example, that the bill includes $3,741,000 for construction of the Pender, NE, section 205 Logan Creek flood control project. There is an urgent need for this funding and this Member is particularly grateful to the subcommittee for agreeing to this appropriations item during a time when the restrictions on available funding are exceedingly tight.

The community of Pender, a small municipality, and the Lower Elkhorn Natural Resources District have expended approximately $160,000 of their own funds to date. The municipality has expended an additional approximate amount of $25,000 on the costs of engineering, project coordination, and other related costs. Without the flood control project the community will remain at risk and will be stymied from undertaking future developments in their community due to FEMA flood plain development restrictions; 60 percent of Pender is in the floodplain and 40 percent is in the floodway.

The plan calls for right bank levees and flood walls with a retention pond for internal storm water during flood periods. The project will remove the entire community from the FEMA 100-year flood plain. This project is needed to protect life and property, eliminate or greatly reduce flood insurance costs, and allow community and housing development.

Mr. Speaker, quite simply, at great expense the State and local entities involved in the project have held up their end of the agreement. If Federal-local partnerships are to work, Federal commitments need to be met; therefore, this Member is pleased that this legislation will greatly facilitate the completion of this project.

In addition, this bill provides additional funding for other flood-related projects of tremendous importance to residents of Nebraska's First Congressional District. Mr. Chairman, flooding in 1993 temporarily closed Interstate 80 and seriously threatened the Lincoln municipal water system which is located along the Platte River near Ashland, NE. Therefore, this Member is extremely pleased the committee agreed to continue funding for the Lower Platte River and Tributaries Flood Control Study. This study should help formulate and develop feasible solutions which will alleviate future flood problems along the Lower Platte River and tributaries.

Mr. Speaker, this Member would like to take this opportunity to thank the subcommittee and the full committee for providing $300,000 in funding for the Lower Platte River and Tributaries Flood Control Study. In addition, a related study was authorized by section 503(d)(11) of the Water Resources Development Act of 1996. This Member would request that the chairman of the Appropriations Subcommittee on Energy and Water into a colloquy on this matter.

Mr. Speaker, additionally, the bill provides $90,000 in continued funding for an ongoing floodplain study of the Antelope Creek which runs through the heart of Nebraska's capital city, Lincoln. The purpose of the study is to find a solution to multifaceted problems involving the flood control and drainage problems in Antelope Creek as well as existing transportation and safety problems all within the context of broad land-use issues. This Member continues to have a strong interest in this project since this Member was responsible for stimulating the city of Lincoln, the Lower Platte South Natural Resources District, and the University of Nebraska-Lincoln to work jointly and cooperatively with the Army Corps of Engineers to identify an effective flood control system for downtown Lincoln.

Antelope Creek, which was originally a small meandering stream, became a straightened urban drainage channel as Lincoln grew and urbanized. Resulting erosion has deepened and widened the channel and created an unstable situation. A 10-foot by 20-foot—height and width—closed underground

conduit that was constructed between 1911 and 1916 now requires significant maintenance and major rehabilitation. A dangerous flood threat to adjacent public and private facilities exists.

The goals of the study are to anticipate and provide for the control of flooding of Antelope Creek, map the floodway, evaluate the condition of the underground conduit, make recommendations for any necessary repair, suggest the appropriate limitations of neighborhood and UN-L city campus development within current defined boundaries, eliminate fragmentation of the city campus, minimize vehicle-pedestrian-bicycle conflicts while providing adequate capacity, and improve bikeway and pedestrian systems.

This Member is also pleased that the bill includes $150,000 for a study of flooding problems in Ponca, NE. This funding is needed to initiate and complete a study to determine the feasibility of a solution to the flooding problems on Aowa and South Creeks at Ponca, NE. The city of Ponca is located on the north side of the junction of South Creek and Aowa Creek. During the flood of July 16–17, 1996, water left the banks and covered Ponca from the west end to the east, causing extensive damage throughout the area. In addition to extensive private property losses, damage to public property reached nearly $100,000. For example, both of the city's wells were damaged and all the pumps and motors in the sewage treatment plant had to be removed and repaired. The flood also caused considerable damage to city streets and park. Future flooding poses a significant risk to life and property. Clearly, action must be taken to prevent a reoccurrence of the flooding disaster of last year.

This Member is also pleased that the bill provides $200,000 for operation and maintenance and $150,000 for construction of the Missouri National Recreational River Project. This project addresses a serious problem by protecting the river banks from the extraordinary and excessive erosion rates caused by the sporadic and varying releases from the Gavins Point Dam. These erosion rates are a result of previous work on the river by the Federal Government.

In addition, this Member appreciates the funding provided for the Missouri River Mitigation Project. This funding is needed to restore fish and wildlife habitat lost due to the federally sponsored channelization and stabilization projects of the Pick-Sloan era. The Islands, wetlands, and flat floodplains needed to support the wildlife and waterfowl that once lived along the river are gone. An estimated 475,000 acres of habitat in Iowa, Nebraska, Missouri, and Kansas have been lost. Today's fishery resources are estimated to be only one-fifth of those which existed in predevelopment days.

The Missouri River Mitigation Project addresses fish and wildlife habitat concerns much more effectively than the Corps' overwhelmingly unpopular and ill-conceived proposed changes to the Missouri River Master Manual. Although the Corps' proposed plan was designed to improve fish and wildlife habitat, these environmental issues are already being addressed by the Missouri River Mitigation Project. In 1986 the Congress authorized over $50 million to fund the Missouri River Mitigation Project to restore fish and wildlife habitat lost due to the construction of structures to implement the Pick-Sloan plan.

This Member is also pleased that the legislation includes full funding for the section 22 planning assistance for States and tribes program as well as significant funding in excess of the budget request for the section 205 small flood control projects program, and the section 14 emergency streambank and shoreline protection program of the Corps of Engineers.

Finally, Mr. Speaker, this Member recognizes that H.R. 2203 also provides funding for a Bureau of Reclamation assessment of Nebraska's water supply, $88,000, and an assessment of the Nebraska Rainwater Basin, $133,000, as well as funding for Army Corps projects in Nebraska at the following sites: Harlan County Lake; Papillion Creek and Tributaries; Gavins Point Dam, Lewis and Clark Lake; Salt Creek and Tributaries; and Wood River.

Again Mr. Speaker, this Member commends the distinguished gentleman from Pennsylvania [Mr. MCDADE], the chairman of the Energy and Water Development Appropriations Subcommittee, and the distinguished gentleman from California [Mr. FAZIO], the ranking member of the subcommittee for their support of projects which are important to Nebraska and the First Congressional District, as well as to the people living in the Missouri River Basin.

Mr. MOAKLEY. Mr. Speaker, I yield 1½ minutes to the gentleman from California [Mr. CAPPS].

Mr. CAPPS. Mr. Speaker, I rise in support of the rule, and I would like to take this opportunity to personally thank the subcommittee chairman, the gentleman from Pennsylvania [Mr. MCDADE], and the ranking member, my colleague from California [Mr. FAZIO] for the help and support they have given me on an issue of paramount concern to many of my constituents.

Among its many critical provisions, the bill contains $3.2 million to continue the dredging of Morro Bay Harbor in the 22d district of California. Without this critical dredging project, a vibrant community on the central coast of California would be greatly imperiled. Morro Bay Harbor supports approximately 250 home-ported fishing vessels and related marine-dependent businesses which earn $53 million a year and employ over 700 people.

Mr. Speaker, I am very pleased that the committee could include this funding and ensure the viability of this important community.

Mr. Speaker, I rise in support of this legislation. I am pleased that the bill before us contains critical funding for a number of important projects in my district, in particular the continuation of the much needed $3.2 million dredging project for Morro Bay Harbor.

I want to convey my deep appreciation to Chairman MCDADE and the subcommittee's ranking member, my colleague and good friend from California, Mr. FAZIO, for their unwavering support of my request for this funding. I cannot express how important this funding is to this thriving coastal community of the 22d district of California.

Morro Bay Harbor, the only commercial harbor between Santa Barbara and Monterey, supports approximately 250 home-ported fishing vessels and related marine-dependent businesses. Businesses that depend on the harbor generate $53 million a year and employ over 700 people. The Army Corps of Engineers has maintained the harbor since it was initially constructed by the Federal Government as an emergency naval base during World War II, and the dredging project keeps the channel depth between 30 and 40 feet to allow safe passage for the harbor's commercial and recreational traffic.

In fiscal year 1995, the Corps completed construction of the Morro Bay Harbor Entrance Improvement Project to enhance commerce, fishing and navigation safety. Prior to the improvements, the harbor mouth and its giant sea swells were particularly dangerous, as evidenced by the history of serious boating accidents. This project was funded 80 percent by the Federal Government and 20 percent by the city, and has greatly reduced the danger to vessels leaving and entering the harbor.

This year, only 3 years after the Corps completed the enhancement project at Morro Bay Harbor, the President's budget request failed to include the $3.2 million funding necessary to maintain the harbor. Due to the fact that the harbor has limited recreational facilities to generate revenues, there is no local sponsor to assist with dredging costs should the Federal Government cease or reduce maintenance dredging support. For economic and safety reasons, it is critical that the harbor dredging project continue. I am very pleased that the committee has granted my request to include funding for this important project.

This bill also contains $100,000 for an Army Corps reconnaissance study of Morro Bay estuary. The estuary is part of the National Estuary Program administered by the Environmental Protection Agency and is experiencing tidal circulation restrictions and sedimentation, and shoaling of sensitive environmental habitat areas. This funding will allow for Army Corps to perform an analysis of the estuary's present and future conditions and to define problems, needs and potential solutions. At my request earlier this year, the Transportation and Infrastructure Committee authorized funding for this project and I am grateful that the Appropriations Committee could act so quickly in response to this development.

I am also grateful to the committee for including in this bill two projects that were requested by the administration in this year's budget. The bill provides $1.492 million for operations and maintenance work for Santa Barbara Harbor. The harbor accumulates approximately 400,000 cubic yards of sand every winter. In years of severe storms, the accumulated sand can close the channel, bringing local fishing and other businesses in the harbor to a standstill. This funding will allow the harbor to remain clear for both commercial and recreational use.

Finally, the bill includes $380,000 to complete a feasibility study for the Santa Barbara County Streams, Mission Creek Flood Control project. The proposed project, which runs through downtown Santa Barbara, would construct a natural bottom channel with vegetated stabilized sides.

All of these projects are important public works actions that will increase the quality of life on the central coast. I thank the chairman and the members of the committee for their assistance and I look forward to working with you as this legislation moves forward.

Mr. HASTINGS of Washington. Mr. Speaker, I reserve the balance of my time.

Mr. MOAKLEY. Mr. Speaker, I yield 2 minutes to the gentleman from New Jersey [Mr. PALLONE].

Mr. PALLONE. Mr. Speaker, I rise in support of the rule and also in support of the fiscal 1998 energy and water appropriations bill. As co-chairman of the bipartisan House Coastal Coalition, I would like to thank the gentleman from Pennsylvania [Mr. MCDADE], the gentleman from California [Mr. FAZIO], the gentleman from New Jersey [Mr. FRELINGHUYSEN], and all the members of the Committee on Appropriations for once again rejecting the administration's anti-shore protection policy.

Mr. Speaker, for several years now, despite congressional opposition, the administration has been clinging to an ill-conceived and unjustified policy that attempts to eliminate Federal involvement in the protection of our Nation's coastal residents from the impacts of flooding, and, as the committee report states, shore protection projects serve the same function as other flood control projects. They protect lives and property from the impacts of flooding.

There are only two differences really between shore protection projects and other flood control projects. Unlike other flood control projects in which structural remedies are the only solution, the best remedy for protecting our coastal flooding is often beach nourishment. The other difference is that shore protection projects have added recreational benefits.

Mr. Speaker, I just want to point out that 28.3 million jobs and billions of dollars in economic contributions come from coastal tourism. Coastal tourism-related businesses serve 180 million Americans annually. Recent polls in my home State of New Jersey show that 82 percent of State residents, and that is State residents not just coastal residents, favor beach restoration projects. Those opposed to a Federal role in shore protection point out that it is a source of revenue for local and State economies. But currently all levels of government, local, State and Federal, participate in funding these shore protection projects and all levels of government benefit economically as a result. So who exactly is losing by maintaining a Federal role in shore protection? I say nobody is losing, it is a good thing.

I just want to say again on behalf of the House Coastal Coalition, which is bipartisan, and coastal residents around the country, I thank the committee for its rejection of this policy and I applaud committee members for seeing shore protection for what it is: a wise investment.

Mr. HASTINGS of Washington. Mr. Speaker, I yield such time as he may consume to the distinguished gentleman from Pennsylvania [Mr. MCDADE].

(Mr. McDade asked and was given permission to revise and extend his remarks.)

Mr. MCDADE. Mr. Speaker, I want to inform my colleagues that I am taking this time because we have agreements with 17 of our colleagues to engage in pre-decided colloquies which we negotiated. We are going to try to do that under the rule, thanks to the Committee on Rules, using time on both sides of the aisle to get through as many of them as we can so we can expedite the business of the House.

Mr. Speaker, I yield to the gentleman from Washington [Mr. HASTINGS].

Mr. HASTINGS of Washington. Mr. Speaker, let me start by saying to the gentleman from Pennsylvania [Mr. MCDADE] I appreciate the work that he has done on my behalf. My district is home to nearly two-thirds of the Nation's nuclear waste. This is a legacy of World War II and the Cold War and a testimony to the role that the Hanford Nuclear Reservation played in producing much of the Nation's plutonium over the past 40 years.

As a result, I am concerned by the committee's decision to reduce funding for the department's cleanup privatization program. We all agree that the Department of Energy has a poor track record in managing large-scale cleanup projects. As a result, the gentleman from Washington [Mr. DICKS] and I introduced legislation in the 104th Congress to require that the department utilize the expertise of private sector experts in solving these complex problems.

Unfortunately, the department has not done an adequate job explaining their new way of doing business and the committee has reduced the privatization program from a $1 billion request to only $70 million. These are significant reductions in a critical environmental program. As a result, I would seek an assurance from the subcommittee chairman that this year's action does not indicate the committee's intent to abandon the Hanford tank waste cleanup program in future years. When final contracts are submitted next year, Congress needs to be willing to support an aggressive cleanup program.

Mr. MCDADE. Mr. Speaker, reclaiming my time, I appreciate the gentleman from Washington's continued interest in this issue. As he and I have discussed on several occasions this year, the committee realizes that while we have certainly been critical of the Department of Energy, the nuclear and hazardous waste stored in the Hanford tanks must be remediated.

We understand in less than 6 months, two private companies will submit their proposals to try to deal with the waste problem. The committee is not prejudging this process, and we look forward to reviewing the proposals when they are presented to the Congress in 1998. We believe the committee has provided adequate funding to ensure the bid process is fully supported, and we will commit to working with the gentleman from Washington to ensure that a responsible cleanup program for the Hanford tanks is funded by the committee.

Mr. HASTINGS of Washington. I thank the gentleman.

Mr. MCDADE. Mr. Speaker, I yield to the gentleman from Florida [Mr. GOSS].

Mr. GOSS. I thank the chairman of the subcommittee, the gentleman from the Commonwealth of Pennsylvania [Mr. MCDADE] and congratulate him for his work on this.

I have discussed previously with the chairman that the corps has failed to accomplish projects they have promised or to provide repayment for costs incurred for projects with public sponsors in the southwest Florida area. I understand this bill has funds that will now allow the corps to honor its commitments in southwest Florida for these shore protection issues.

I wish to receive some assurance that the corps will actually use these funds for the Lee County GRR and reimbursement of the Matanzas Pass as intended. Additionally I wish to receive some assurances that the corps will undertake no further dredging of Boca Grande Pass in the future until the corps' outstanding obligations to Lee County have been satisfied, and then only if the dredging and spoilage plan for Boca Grande Pass is agreed to by the State of Florida, the County of Lee and the local community of Gasparilla Island.

The chairman notes from photographs I have showed him and the material I have provided how badly the corps has botched their recent dredging of Boca Grande Pass, and over the last decade taxpayers have spent 10 million for the dredging of this pass, and it is time to reassess justification before any further expenditure.

Mr. MCDADE. Reclaiming my time, Mr. Speaker, I appreciate the very extensive briefing the gentleman from Florida [Mr. GOSS] accorded me on the problem that exists here, and I want to assure him that I am going to look into what assurances may be appropriate, but I agree it is critical that the corps has a strong relationship with the local governments that sponsor these projects and put up their own money. They are very much partners in the projects, and the corps' actions ought to reflect that.

I, too, may I say to my colleague, am concerned about the corps' actions with regard to the Boca Grande Pass project. I believe it raises some serious questions deserving the committee's attention, which I will be mindful of in conference.

Mr. MCDADE. Mr. Speaker, I yield to the gentleman from California [Mr. CALVERT].

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Mr. CALVERT. Mr. Speaker, I thank the chairman.

First, I would like to thank the distinguished subcommittee chair and his staff for their assistance in addressing the needs of my district. Their fine work is very much appreciated. I am grateful for the $300,000 listed in the

committee report accompanying the bill to initiate a feasibility study for the Santa Margarita River project.

However, I believe the flooding issues surrounding Murietta Creek which are mentioned in the Santa Margarita project are serious enough to deserve a separate study. Mr. Speaker, I ask my colleague for his assistance in conference to make this clarification, and indicate that a separate feasibility study should proceed for Murietta Creek. The community has suffered back-to-back flooding and deserves a resolution to their problems.

Mr. MCDADE. Mr. Speaker, I want to indicate to my colleague my appreciation of his bringing this matter to my attention. I want say that I look forward to working on this issue as this bill moves through the process and into conference. We are going to try to do everything we can to help the gentleman from California.

Mr. CALVERT. I thank the chairman for his attention to this matter.

MR. MCDADE. Mr. Speaker, I yield to my good friend, the gentleman from Colorado, [Mr. DAN SCHAEFER], chairman of the Subcommittee on Energy and Power of the Committee on Commerce.

Mr. DAN SCHAEFER of Colorado. Mr. Speaker, I thank the gentleman for yielding to me, and I would like to engage the gentleman from Pennsylvania in a colloquy.

As the gentleman is aware, title I of this bill would transfer funding from the management of the Formerly Utilized Sites Remedial Action Program, or as we call it, FUSRAP, from the Department of Energy to the U.S. Corps of Engineers. As the gentleman knows, the Committee on Commerce has the responsibility of the management of nuclear waste disposal, including remediation of these nondefense sites.

It has been our goal to ensure that FUSRAP sites are cleaned up in a very effective and efficient manner, and I must admit that I have some concerns about whether transferring funding to the Corps of Engineers is the best way to ensure that these sites are cleaned up.

At the same time, however, I would simply like to confirm my understanding that this transfer of funding from the Department of Energy to the U.S. Corps of Engineers is not intended to and in fact would not affect the Committee on Commerce's jurisdiction over the management of these facilities.

Mr. Speaker, could the gentleman confirm my understanding of this?

Mr. MCDADE. Mr. Speaker, may I say the gentleman is correct. It is not our intention to have any effect on the jurisdiction of the authorizing committee by providing funding to the Corps to conduct the cleanup activities. It is my understanding the committee jurisdiction over these FUSRAP sites is not affected in any way regardless of which governmental agency is involved in managing the cleanup.

Mr. DAN SCHAEFER of Colorado. If the gentleman will continue to yield, Mr. Speaker, I would like to commend the chairman again for a very excellent bill, and would like to clarify one provision regarding renewable energy in the fiscal year 1998 energy and water development appropriation bill.

That is, the report language with regard to wind energy research development and demonstration projects appears to restrict ongoing and future cost-shared partnership efforts between the Department of Energy and the wind energy industry. Is it the intention of the House that these and other cost-shared programs should not be continued as appropriate in collaboration with DOE, the National Laboratories and U.S. industries?

Mr. MCDADE. Mr. Speaker, may I say to my colleague that the energy and water development appropriations bill has no intention, nor do its members, to impede appropriate current or future research, development, and demonstration projects involving competitively awarded cost-shared partnerships between the Department of Energy, the National Laboratories, and the U.S. wind industry.

Mr. DAN SCHAEFER of Colorado. Mr. Speaker, I very much appreciate the gentleman yielding to me.

Mr. MCDADE. Mr. Speaker, I yield to the distinguished gentleman from Nevada [Mr. GIBBONS].

Mr. GIBBONS. Mr. Speaker, I rise to engage the distinguished chairman of the subcommittee, the gentleman from Pennsylvania [Mr. MCDADE], in a colloquy.

As the distinguished gentleman is well aware, the issue of how to best deal with high level nuclear waste is of grave concern to me, to my respected colleague, the gentleman from Nevada [Mr. ENSIGN], and to all Nevadans. Currently the Department of Energy is in the process of determining whether the Yucca Mountain site in Nevada meets the scientific standards necessary to become a permanent repository for thousands of metric tons of high-level defense and more particularly civilian nuclear waste generated at 109 locations across America.

The bill under consideration by the House appropriates $160 million from the Nuclear Waste Disposal Fund in fiscal year 1998. In addition to the $190 million recommended from the Defense Nuclear Waste Disposal Fund, the total amount available for disposal activities authorized under current law is $350 million. Moreover, $85 million in fiscal 1996 funds have not been obligated simply because the release of those funds is subject to the enactment of legislation directing the Department of Energy to establish an interim storage site while permanent site characterization at Yucca Mountain continues.

The gentleman from Nevada [Mr. ENSIGN] and I would like to make sure that it is the gentleman's intent and the intent of the committee that the $350 million appropriation from the Nuclear Waste Disposal Fund is to support ongoing permanent site characterization activities.

Our concern and reason for engaging the chairman in a colloquy is to correct the perception which may exist among Members in the House that the appropriation in question has been reserved for site-specific interim storage activities. Simply put, site-specific interim storage activities are not authorized under current and existing law.

At this time my colleague, the gentleman from Nevada [Mr. ENSIGN] and I would like to respectfully ask the assurance and clarification of the gentleman from Pennsylvania [Mr. MCDADE] that the $350 million appropriation recommended in the bill is directly for use only on those program activities associated with the permanent, and not interim, storage of high-level nuclear waste.

Mr. MCDADE. Mr. Speaker, I want to assure the gentleman that all of the money appropriated in this bill is only for permanent and not site-specific interim storage of high-level nuclear waste at Yucca Mountain.

Mr. GIBBONS. I thank the distinguished gentleman for his understanding and willingness to work with us on this critically important issue.

Mr. Speaker, I would also like to discuss the ability of the State of Nevada and all affected local governments to carry out oversight authority of Yucca Mountain, Nevada, granted to them under the Nuclear Waste Policy Act of 1982.

Currently, the Department of Energy is conducting tests to determine if Yucca Mountain will be a permanent repository site for nuclear waste. When the Nuclear Waste Policy Act of 1982 was created, Members of this body felt it was imperative for the State of Nevada and all affected local governments adversely affected by the storage of nuclear waste to have the necessary monies to properly oversee tests that the Department of Energy was carrying out to determine whether or not Yucca Mountain is suitable as a permanent nuclear waste site.

This was a very critical part of the 1982 Act, because it allowed for the education of Nevada residents as to the scientific validity of the tests that the Department of Energy was conducting, and these resources allowed for State and local governments to perform their own independent tests to ensure that the best science available is used for the site suitability. It has been my experience that the local scientists have been non-biased and have produced needed assurances that only the best scientific data is used to determine the hydrologic and geologic character of Yucca Mountain.

We have nearly 1.8 million people in Nevada, and their safety and quality of life should not be ignored in this debate, making it imperative that we provide for the financial resources to ensure that State and affected local

governments are able to monitor and report this activity.

I am hopeful that the gentleman will work with me in conference to appropriate up to $1,500,000 for the State of Nevada and $6,175,200 for the affected local governments. These appropriation amounts are consistent with the monies appropriated in the Senate fiscal year 1998 Energy and Water Appropriations Act. As the legislation moves closer and closer to designating Yucca Mountain as a permanent nuclear waste repository, it becomes imperative that we address the safety and concerns of the citizens of Nevada.

Mr. McDADE. Mr. Speaker, we know how important this issue is to our friends in the State of Nevada, and I want to assure the gentleman that I will be pleased to work with him as the issue moves along.

Mr. GIBBONS. I thank the gentleman, and I appreciate his willingness to work with me on this very important issue.

Mr. Chairman, I include for the RECORD an editorial from the Las Vegas Sun.

The document referred to is as follows:

LET STATE NUKE OFFICE DO ITS JOB

The Legislature should not overreact to criticism of the state Office of Nuclear Projects or it may unwittingly become a pawn of the nuclear power industry.

Lawmakers last week debated whether to impose tight fiscal controls on the agency, which monitors the federal nuclear waste dump study at Yucca Mountain. State and federal audits last year criticized the office headed by Bob Loux for sloppy bookkeeping and possibly spending more than it should have on private contracts.

Senate Majority Leader Bill Raggio, R-Reno, wants the Legislature to oversee the organization, placing its budget in reserve and meting out funds every three months. Raggio's assumption is that 90-day reports to the Interim Finance Committee will produce better accountability.

But alloting funds for only three months would destroy long-range planning. Contracts with highly technical organizations could not be continued, wrecking the state's ability to ensure the federal study is scientifically sound.

Nevada needs all the technical ammunition it can muster to watch over the politically motivated study at Yucca Mountain. That site was selected by Congress—not scientists—as the most suitable location in the nation to bury about 70,000 tons of highly radioactive waste. Nevadans have long suspected that the study would be railroaded—ignoring or doctoring negative data—in an effort to soothe public opinion about the safety of the site.

That's why the Nevada office is important. It provides an essential balance to a one-sided information flow from the nuclear industry and the Department of Energy.

Raggio's contention that the office needs closer oversight makes no sense, especially after all deficiencies found in the audits were corrected shortly afterward.

And some of the so-called deficiencies were exaggerated. The General Accounting Office criticized Loux's organization for spending $125 an hour to clip newspaper stories, a report which delighted proponents of the dump and industry hacks. What wasn't said was that the office managed to convince the management of seven major daily newspapers that the dump was a threat to public health and they published editorials to that effect. They included USA Today, the St. Louis Post-Dispatch and the San Francisco Chronicle.

We fear that overreacting to the audit reports will play into the hands of the well-funded industry lobbyists who want the office shut down altogether. They would be delighted if Nevada could not challenge any of the data promoted by the nuclear industry and would quietly accept the dump.

The better course is to require full financial reports during each legislative session, but let the office do its job in the meantime. For more than a year, there have been increasing indications the dump cannot pass scientific muster as a safe site and Nevadans need an alert watchdog to ensure no games are played in these waning days of the study.

Mr. McDADE. Mr. Speaker, I yield to the distinguished gentleman from Nebraska [Mr. BEREUTER].

Mr. BEREUTER. Mr. Speaker, I thank the distinguished chairman for yielding.

Mr. Speaker, I have a simple colloquy, one question, really: Is it the committee's intention that the appropriations made for the Lower Platte River and Tributaries Nebraska study may also be used to conduct studies authorized by section 503(d)(11) of the Water Resources Development Act of 1996 watershed management, restoration, development of the Lower Platte River watershed, Nebraska?

Mr. McDADE. May I say to my colleague, Mr. Speaker, that we have looked at it with great seriousness. We appreciate the briefings he has given us. I want to tell the gentleman that his comments are absolutely correct.

Mr. BEREUTER. I thank the gentleman very much for his statement of intent and clarification.

Mr. HASTINGS of Washington. Mr. Speaker, I reserve the balance of my time.

Mr. MOAKLEY. Mr. Speaker, I yield such time as he may consume to the gentleman from California [Mr. MILLER].

Mr. MILLER of California. Mr. Speaker, I rise in support of H.R. 2203, making appropriations for energy and water development for fiscal year 1998.

Mr. Speaker, I rise in support of H.R. 2203, making appropriations for energy and water development for fiscal year 1998.

This bill provides funds for critical flood control and navigation projects in Contra Costa County and the San Francisco Bay Area of California. I appreciate the committee's continued support for these projects.

I am particularly pleased that the committee's bill will assist in funding the initial share of Federal participation in the Bay-Delta Environmental Enhancement and Water Security Act.

Funding the Bay-Delta programs will allow us to begin a comprehensive effort to restore the many components of this huge area that have been damaged by human activity. The California Bay-Delta Environmental Enhancement and Water Security Act went into effect when California votes approved proposition 204, which sets aside nearly a billion dollars for Bay-Delta water programs and guarantees that the State of California will pay a fair share of its costs.

The Bay-Delta initiative is one of the boldest ecosystem restoration programs ever conceived. Funding for Bay-Delta programs in fiscal year 1998 has the full bipartisan support of the entire California congressional delegation, and I believe this initial appropriation deserves the full support of the Congress.

The committee bill raises a new problem with the Central Valley Project Restoration Fund. According to the committee report, the restoration fund is to be cut $14 million in fiscal year 1998 to eliminate funding for the Water Acquisition Reserve. I believe this reduction, apparently suggested by the General Accounting Office, is misguided, and I hope there will be an opportunity to reconsider this matter in conference. Specifically, I believe the Water Acquisition Reserve is a sensible approach to water management needs in California, and that it is well within the authorities granted by the Central Valley Project Improvement Act. I will be pleased to work with the committee to resolve this matter prior to conference.

Lastly, the bill includes funding to study the removal of rock hazards near Alcatraz Island that threaten oil tankers and risk a devastating oil spill in San Francisco Bay. This funding is an important first step in determining how to remove these navigation hazards in a cost-effective and environmentally sound way.

I thank the committee for its hard work on this legislation, and I urge my colleagues to support H.R. 2203.

Mr. MOAKLEY. Mr. Speaker, I yield such time as he may consume to the gentleman from Wisconsin [Mr. OBEY], the ranking member.

Mr. OBEY. Mr. Speaker, I ask unanimous consent to insert in the RECORD immediately after my remarks earlier this evening the text of the article to which I referred during the debate on the agriculture appropriations bill.

The SPEAKER pro tempore [Mr. NUSSLE]. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. MOAKLEY. Mr. Speaker, I yield 2 minutes to the gentleman from Texas [Mr. EDWARDS].

Mr. EDWARDS. Mr. Speaker, I thank the gentleman for yielding time to me.

Mr. Speaker, I rise in support of this rule and legislation. As a new member of the Subcommittee on Energy and Water Development of the Committee on Appropriations, I especially want to thank Chairman MCDADE for his fairness and bipartisanship in crafting this legislation.

Mr. Speaker, while most Americans only hear of the partisan battles in Congress, the work of Chairman MCDADE and the ranking member, the gentleman from California [Mr. VIC FAZIO], is an example of the Congress at its best: two leaders, along with an excellent staff, working hard and doing simply what they believe is best for the interests of this Nation.

This bill may not be tomorrow's national headlines because the work was done without rancor, but this bill makes an important commitment to

our Nation's future. Because of this legislation, there will be communities that will never face the tragedy of devastating floods.

By strengthening our Nation's infrastructure, ports, and waterways, this bill will make America more competitive in the world marketplace. That means more jobs and better jobs for American families.

By investing in the clean-up of nuclear waste and in renewable energy resources, this bill will make our environment cleaner and make America less dependent upon foreign energy sources.

Because of this legislation's commitment to stop the proliferation of nuclear, chemical, and biological weapons, my two small children will grow up in a safer world. For that, I am deeply grateful.

The efforts of Chairman MCDADE and the gentleman from California [Mr. FAZIO] may not make prime time news tonight, but millions of American families will be better off tomorrow because of their effective leadership and teamwork in crafting this legislation.

Mr. MOAKLEY. Mr. Speaker, I yield 2 minutes to the gentlewoman from Texas [Ms. JACKSON-LEE].

(Ms. JACKSON-LEE of Texas asked and was given permission to revise and extend her remarks.)

Ms. JACKSON-LEE of Texas. Mr. Speaker, what other piece of legislation can at the same time protect this Nation's environment, provide opportunity for energy, and yes, strike a chord for removal of flood danger all over America? This is a good, good piece of legislation. Mr. Speaker, I thank Chairman MCDADE for his generosity in spirit and cooperation in some very important issues. I thank the ranking Member, the gentleman from California [Mr. FAZIO], and we thank him as well for working in a cooperative spirit and for helping all of us, no matter where we might live, in an urban or rural community. I am gratified this bill gives $52 million more than the current fiscal year, and it gives $413 million to the Army Corps of Engineers.

Just for a moment imagine a community in inner city Houston, flooded in 1994, flooded in 1995, and yes, flooded again in 1997, bungalow homes without flood insurance, my constituents in the Cullen and McCullough area. Let me simply say to the Members, they are rejoicing tonight, not because we are taking taxpayers' dollars and moving them from one place to the next, but because this country cares about those citizens who live day-to-day, struggling to work and to survive.

This is a good bill. I look forward to working with the Army Corps of Engineers, as I said, which is getting $413 million more. Likewise, I look forward to working with them to move that date when this project will be completed beyond the 2006 to an earlier date. I look forward to working with the local community to ensure that happens.

□ 2130

This is an important piece of legislation, and I thank the committee for working with the chairman and ranking member to ensure that we protect this Nation's waterways, energy, and, yes, the environment.

Mr. MOAKLEY. Mr. Speaker, I yield 2 minutes to the gentleman from Texas [Mr. BENTSEN].

[Mr. BENTSEN asked and was given permission to revise and extend his remarks.]

Mr. BENTSEN. Mr. Speaker, I rise in support of the rule and H.R. 2203, the fiscal year 1998 Energy and Water Appropriations bill.

First of all, I would like to thank the gentleman from Pennsylvania [Mr. MCDADE] and the gentleman from California [Mr. FAZIO], ranking member, for their wisdom and foresight in crafting this bill, particularly as it relates to two projects in my district, Sims, Brays, and Greens Bayous and the Houston Ship Channel expansion.

Also I want to thank the gentleman from Texas [Mr. EDWARDS], my colleague, who is a new member of the committee, for the work he did on behalf of our State.

I am especially pleased by the support this legislation provides for addressing the chronic flooding problems in Harris County, Texas. This area has suffered numerous floods over the years as the gentlewoman from Texas [Ms. JACKSON-LEE] mentioned.

In particular, this bill provides funding for Sims, Brays, and Greens Bayous, and follows legislation that we passed in the Water Resources Development Act in the last Congress, including that authored by myself and the gentleman from Texas [Mr. DELAY] of the Houston area.

Mr. Speaker, I am grateful for the committee's decision to fully fund the Sims Bayou project at $13 million for fiscal year 1998. This is an ongoing project, which the Corps of Engineers initially asked for $13 million, but the administration's budget only provided $9.5 million.

The additional funding is what the corps asked for and will allow for two additional contracts to be funded and the project to remain on schedule, which is very important to the people that live along that watershed who have experienced a lot of flooding, and this will result in rapid completion of the project.

I also appreciate the fact that the bill includes funding for the expansion of the Houston Ship Channel. This is the first expansion of the ship channel in 30 years. The ship channel has the second largest amount of tonnage of any port in the United States, and it is a major player in the economy in our area.

I might also add that this ship channel modernization is considered the largest dredging project since the Panama Canal. But in particular, I appreciate the fact that the committee had the foresight to deal with this problem because the administration's original proposal would not have fully funded the project and created numerous legal problems. So the committee has done yeoman's work on this.

Mr. Speaker, I urge my colleagues to support the rule and support the bill.

Mr. MOAKLEY. Mr. Speaker, I would inquire of the amount of time remaining for both parties.

The Speaker pro tempore [Mr. NUSSLE]. The gentleman from Massachusetts [Mr. MOAKLEY] has 7 minutes remaining, and the gentleman from Washington [Mr. HASTINGS] has 2½ minutes remaining.

Mr. MOAKLEY. Mr. Speaker, I yield 2 minutes to the gentleman from New York [Mr. LAFALCE].

(Mr. LAFALCE asked and was given permission to revise and extend his remarks.]

Mr. LAFALCE. Mr. Speaker, I have five sites in my district, which are in the Formerly Utilized Sites Remedial Action Program, and that is why I am very concerned about the transfer of FUSRAP from the Department of Energy to the Corps of Engineers, which has been included as part of this appropriations bill. DOE has already completed cleanup in 24 of the 46 FUSRAP sites around the country, and is currently planning an accelerated cleanup of the remainder.

I have a great deal of respect for the Army Corps of Engineers, and I have no doubt that over time it can do a fine job with FUSRAP, but I do not think this is the time to switch horses in midstream.

The administration also opposes this transfer of authority over FUSRAP. In a letter to Chairman LIVINGSTON of the Committee on Appropriations dated July 16, Franklin Raines, the Director of OMB, states:

> The administration strongly opposes the transfer of the Formerly Utilized Sites Remedial Action Program from DOE to the Corps of Engineers. Transferring this well-managed program to another agency would be disruptive and would most likely delay completion and increase costs.

I hope this particular provision can be addressed and changed in conference with the Senate. I also hope the level of funding provided for FUSRAP would be significantly increased in conference to more closely reflect the administration's $182 million request for fiscal 1998 in order to clean up the remaining FUSRAP sites as quickly as possible.

Mr. Speaker, I have five sites in my district which are in the Formerly Utilized Sites Remedial Action Program, more than any other Member of Congress. The communities of Buffalo, Tonawanda, and Niagara Falls in my district made a disproportionate sacrifice for the Nation's nuclear successes in the Manhattan project and the cold war. Now, the radioactive legacy of those efforts must be cleaned up as efficiently, safely, and quickly as possible.

That is why I am very concerned about the transfer of FUSRAP from the Department of Energy to the Army Corps of Engineers which has been included as part of this Energy and

Water Development appropriations bill. DOE has already completed cleanup in 24 of the 46 FUSRAP sites around the country, and is currently planning an accelerated cleanup of the remainder. I have a great deal of respect for the Army Corps of Engineers and have no doubt that, over time, it could do a fine job with FUSRAP. But now is not the time to switch horses in midstream.

The administration also opposes this transfer of authority over FUSRAP. In a letter to Chairman LIVINGSTON of the Appropriations Committee dated July 16, Franklin D. Raines, the Director of OMB, states:

The administration also strongly opposes the transfer of the Formerly Utilized Sites Remedial Action Program [FUSRAP] from DOE to the Corps of Engineers—Transferring this well-managed program that is nearly complete to another agency would be disruptive and would most likely delay completion and increase costs.

Whatever problems existed in the past with the DOE's performance in FUSRAP cleanup, I believe the DOE is now making a genuine effort to correct them. Just yesterday, local citizens in one of my cities agreed to the Department of Energy's plan for the cleanup of two of these sites. In any case, the fencing language in the bill, which sets standards which must be met before funds can be expended, should be insurance enough that the DOE will properly conduct its FUSRAP cleanups. I am concerned that a transfer of this responsibility from the DOE to the Army Corps of Engineers at this point could delay the cleanups that are now underway and planned, and I hope this particular provision can be addressed and changed in conference with the Senate.

I also hope the level of funding provided for FUSRAP must be significantly increased in conference to more closely reflect the administration's $182 million request for fiscal year 1998 in order to clean up the remaining FUSRAP sites as quickly as possible.

Mr. MOAKLEY. Mr. Speaker, I yield 2 minutes to the gentleman from Texas [Mr. GREEN].

(Mr. GREEN asked and was given permission to revise and extend his remarks.)

Mr. GREEN. Mr. Speaker, I rise in support of a very important provision of the Energy and Water Appropriations bill that provides for the $23.8 million for the widening and deepening of the Port of Houston. This construction project is investment not only in Houston's future, but also in the economic viability of our Nation, and I am proud to represent a large portion of the Port of Houston. The port provides $5.5 billion in annual business revenue and creates 196,000 direct and indirect jobs in our community.

By generating $213 million annually in State and local taxes, this project will more than pay for itself over the next several years.

With last year's passage of the Water Resources Development Act, the Port of Houston was authorized to receive $240 million in Federal funds for the deepening and widening project. Additionally, in a 1989 bond election, Houston voters approved $130 million in local contributions.

Mr. Speaker, I would like to thank the gentleman from Pennsylvania [Mr. MCDADE] and the gentleman from California [Mr. FAZIO], the ranking member, and also the gentleman from Texas [Mr. EDWARDS], my friend and fellow Texan who serves on the subcommittee. The gentleman from Texas has been instrumental in working with us on this important project.

The expansion of the port is important to Houston on many levels. The Port of Houston, connected to the Gulf of Mexico with a 53-mile ship channel, is the busiest U.S. port in foreign tonnage, second in domestic tonnage, and the eighth busiest U.S. port overall. With more than 5,535 vessels navigating the channel annually, and anticipated increases over the next few years, the widening of the channel from 400 to 520 feet and its deepening from 40 to 45 feet is necessary to safeguard the economic viability of the port.

The Port of Houston generates $5.5 billion annually to the Nation's economy and the port generates over $200 million again in State and local taxes and nearly $300 million in customs fees, so there is no doubt that the Port of Houston continues to be a vital force in the commerce of the United States.

Mr. MOAKLEY. Mr. Speaker, I yield 1 minute to the gentlewoman from Oregon [Ms. FURSE].

Ms. FURSE. Mr. Speaker, I would like to engage in a colloquy with the gentleman from Pennsylvania [Mr. MCDADE].

Mr. Chairman, the Hanford Nuclear Reservation is heavily contaminated as a result of nuclear weapons-related activities that took place during the Cold War. The Fast Flux Test Facility was built there as part of the Clinch River Breeder Reactor Program, which was canceled in 1983.

Does the Chairman agree that nothing should be done with FFTF now that diverts resources from the primary mission of Hanford, which is cleanup?

Mr. McDADE. Mr. Speaker, will the gentlewoman yield?

Ms. FURSE. I yield to the gentleman from Pennsylvania.

Mr. McDADE. Mr. Speaker, I agree with the gentlewoman from Oregon [Ms. FURSE.] The gentlewoman is correct.

Ms. FURSE. Mr. Speaker, I would like to discuss the amendment I considered offering on the Energy and Water appropriations bill. It calls for beginning to permanently retire the Fast Flux Test Facility, known as FFTF, at the Hanford Nuclear Reservation in Washington State. It allows funds to be used only for deactivation and cleanup of the facility.

I believe it is time we stop wasting $40 million a year on this white elephant. It is time that we spend environmental cleanup money on real cleanup.

There are several reasons why we should deactivate FFTF.

First, we need to stop wasting taxpayer dollars on FFTF.

FFTF was part of the Clinch River Breeder Reactor Program, which Congress cancelled in 1983. It has been searching for a mission ever since, to the tune of some $40 million last year. In 1993, DOE announced it would begin the shutdown of FFTF. The sooner we begin deactivating FFTF, the sooner we can stop wasting money to maintain it.

Second, cleanup funds should be used for cleanup.

Early this year, FFTF was added to as a candidate to produce tritium, which is used to boost the power of nuclear weapons. Funding for FFTF currently comes from the Non-Defense Environmental Management account. The purpose of that account is for environmental restoration activities, waste management functions, and nuclear materials and facilities stabilization activities. Keeping FFTF on hot standby as a potential source of tritium is none of those things.

Third, Hanford's mission must remain cleanup.

Hanford is the most contaminated site in the Western Hemisphere. Its sole mission needs to be cleanup. Producing tritium there will create more contamination and divert resources.

Fourth, FFTF is expensive to operate.

If FFTF were to be used for producing tritium, it would require highly-enriched plutonium for fuel. That creates a waste stream that is very difficult to manage. FFTF was not designed to produce tritium and would have to undergo significant technical modifications first.

Fifth, FFTF is an unreliable type of reactor.

FFTF is a sodium-cooled reactor. Germany, Britain, and France have all cancelled this type of reactor due to safety and reliability concerns.

Finally, FFTF is not needed for producing medical isotopes.

I want to share with my colleagues the response to my questions regarding this issue at a House Commerce Subcommittee hearing in February. During that hearing, the Acting Secretary of Energy said those who propose to use FFTF as a medical isotope facility ''would have a very, very hard burden of persuasion at the Department that that makes sense.''

My amendment is endorsed by a number of taxpayer, environmental and arms control groups. They include the Council for Citizens Against Government Waste, Taxpayers for Common Sense, the Council for a Livable World, Friends of the Earth, Greenpeace, the Military Production Network, Peace Action, Physicians for Social Responsibility, Plutonium Challenge, 20/20 Vision, and the U.S. Public Interest Research Group.

I would like to submit to the RECORD the resolution adopted nearly unanimously by the Oregon Legislature last month. It says, in part, that the State of Oregon is unalterably opposed to the use of the Hanford Nuclear Reservation for operations that create more contamination, divert resources from cleanup and make Hanford cleanup more difficult.

My constituents want Hanford cleaned up. My amendment will assure that the necessary steps are taken to enable us to finally move in that direction with FFTF.

This bill passed 53–3 (with 4 excused) in the Oregon House of Representatives and 28–1 (with 1 excused in the Oregon Senate.

69TH OREGON LEGISLATIVE ASSEMBLY—1997 REGULAR SESSION

NOTE: Matter within {+braces and plus signs+} in an amended section is new. Matter within {−braces and minus signs−} is existing law to be omitted. New sections are within {+braces and plus signs+}.

LC 3730

A-Engrossed House Bill 3640

Ordered by the House June 5

Including House Amendments dated June 5

Sponsored by Representative SOWA; Representative ROBERTS, Senators DERFLER, TROW.

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure.

Makes findings regarding Hanford Nuclear Reservation {−and Idaho National Engineering Laboratory−}, importance of uncontaminated ecosystem and state's history regarding nuclear facilities. Declares state policy concerning processing of mixed oxide fuel at Hanford Nuclear Reservation {−and Idaho National Engineering Laboratory−}. Requests that federal officials clean up Hanford Nuclear Reservation.

{−Refers Act to people at next regular general election.−}

A BILL FOR AN ACT

Relating to nuclear facilities.

Be It Enacted by the People of the State of Oregon:

SECTION 1. {+The Legislative Assembly and the people of the State or Oregon find that:

(1) The maintenance of healthy, unpolluted river systems, airsheds and land are essential to the economic vitality and well-being of the citizens of the State of Oregon and the Pacific Northwest.

(2) Radioactive waste stored at the Hanford Nuclear Reservation is already leaking into and contaminating the water table and watershed of the Columbia River and radioactive materials and toxic compounds have been found in plants, animals and waters downstream from the Hanford Nuclear Reservation and constitute a present and potential threat to the health, safety and welfare of the people of the State of Oregon.

(3) The Hanford Nuclear Reservation is now one of the most radioactively contaminated sites in the world, according to government studies, and will require billions of dollars in costs for cleanup and the ongoing assessment of health effects.

(4) In November 1980, the people of the State of Oregon, by direct vote in a statewide election, enacted a moratorium on the construction of nuclear power plants, and no nuclear power plants are presently operating in the State of Oregon.

(5) In May 1987, the people of the State of Oregon, by direct vote in a statewide election, enacted Ballot Measure 1, opposing the disposal of highly radioactive spent fuel from commercial power plants at the Hanford Nuclear Reservation.

(6) In 1995, the Legislative Assembly resolved that Oregon should have all legal rights in matters affecting the Hanford Nuclear Reservation, including party status in the Hanford tri-party agreement that governs the cleanup of the reservation.

(7) Throughout the administrations of Presidents Ford, Carter, Reagan and Bush, the policy of the Federal Government banned the use of plutonium in commercial nuclear power plants due to the risk that the plutonium could be diverted to terrorists and to nations that have not renounced the use of nuclear weapons.

(8) The Federal Government has announced that it will process plutonium from weapons with uranium to produce mixed oxide fuel for commercial nuclear power plants and other nuclear facilities. The Hanford Nuclear Reservation, located on the Columbia River, is a primary candidate site being considered for the production facilities.

(9) The production of mixed oxide fuel will result in enormous new quantities of radioactive and chemical wastes that will present significant additional disposal problems and unknown costs.+}

SECTION 2. {+The Legislative Assembly and the people of the State of Oregon:

(1) Declare that the State of Oregon is unalterably opposed to the use of the Hanford Nuclear Reservation for operations that create more contamination at the Hanford Nuclear Reservation, divert resources from cleanup at the Hanford Nuclear Reservation and make the Hanford Nuclear Reservation cleanup more difficult, such as the processing of plutonium to fuel nuclear power plants, reactors or any other facilities, and further declare that vitrification in a safe manner is the preferred means to dispose of excess plutonium, in order to protect human health and the environment.

(2) Request that the President of the United States and the Secretary of the Department of Energy continue their previous policy of banning the use of plutonium to fuel commercial power plants and nuclear facilities.

(3) Request that the Federal Government honor the Federal Government's original mandate to implement and complete the cleanup and restoration of the Hanford Nuclear Reservation.+}

SECTION 3. {+Not more than 10 days after the effective date of this Act, the Secretary of State shall transmit copies of sections 1 and 2 of this Act to the President of the United States, the Secretary of the Department of Energy, the Majority Leader of the United States Senate, the Speaker of the United States House of Representatives, each member of the Oregon Congressional Delegation, the Governors of the other 49 states and the tribal councils of the federally recognized Indian tribes in Oregon, Washington and Idaho.+}

Mr. MOAKLEY. Mr. Speaker, I yield 1 minute to the gentleman from New Jersey, [Mr. ROTHMAN].

(Mr. ROTHMAN asked and was given permission to revise and extend his remarks.)

Mr. ROTHMAN. Mr. Speaker, I rise to engage in a colloquy with the gentleman from Pennsylvania [Mr. MCDADE].

Mr. Speaker, I have a FUSRAP site in my district in Maywood, NJ, and I am very concerned about the committee's proposal to transfer responsibility for this program from the Department of Energy to the Army Corps of Engineers.

Mr. Speaker, cleanup of this site has been in progress for 13 years, and it should be completed in another 4. I want to be able to assure the residents of Maywood that these actions will not jeopardize or slow down the cleanup of this site.

Mr. Speaker, I would be grateful if the gentleman from Pennsylvania could assure me that this transfer of responsibility from the DOE to the Army Corps will not stop or slow down the progress which is being made at the Maywood site and that existing contracts and agreements will be honored.

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

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

Mr. MCDADE. Mr. Speaker, I appreciate the concerns of my colleague, and I want to assure the gentleman that it is clearly the intention of the committee to expedite cleanup at these sites, complete ongoing activities and cleanups as quickly as possible, and to honor existing agreements.

Mr. MOAKLEY. Mr. Speaker, I yield 1 minute to the gentleman from Florida [Mr. HASTINGS].

Mr. HASTINGS of Florida. Mr. Speaker, I rise to engage the gentleman from Pennsylvania [Mr. MCDADE] in a colloquy.

Mr. Speaker, it is my understanding that the Section 107 program allows the Army Corps of Engineers to engage in small navigation construction projects absent a specific authorization. According to Section 107, the sand transfer plant project at Lake Worth Inlet, which requires just $354,000 in funding for preliminary design and engineering, is eligible for funding under this authority and indeed should be so funded with monies made available in this legislation.

Mr. Speaker, would the gentleman from Pennsylvania [Mr. MCDADE], THE CHAIRMAN, BE WILLING TO CONSIDER THIS IN CONFERENCE?

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

Mr. HASTINGS of Florida. I yield to the gentleman from Pennsylvania.

Mr. MCDADE. Mr. Speaker, I want to say that the gentleman from Florida [Mr. HASTINGS], my friend, has briefed me extensively on this project and we are very willing to work with the gentleman as this issue works toward conference.

Mr. HASTINGS of Florida. Mr. Speaker, reclaiming my time, I thank the gentleman in advance for his help.

Mr. MOAKLEY. Mr. Speaker, I yield back the balance of my time.

Mr. HASTINGS of Washington. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I urge my colleagues to support this rule. This is an open rule, and I think what it represents is what the Committee on Rules has been trying to do on many occasions, which is to have an open rule so we can have open discussion on any issues that the Members want to bring to the floor.

Mr. Speaker, I also want to commend the gentleman from Pennsylvania [Mr. MCDADE], the chairman, and the gentleman from California [Mr. FAZIO] for their work on this. It certainly shows that when there is a will, that we can get something done with bipartisan support on a bipartisan basis.

Mr. Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. MCDADE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within