HOUSE OF REPRESENTATIVES—*Tuesday, June 14, 1994*

The House met at 10:30 a.m. and was called to order by the Speaker.

MESSAGE FROM THE PRESIDENT

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

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Hallen, one of its clerks, announced that the Senate had passed without amendment a bill of the House of the following title:

H.R. 1758. An act to revise, codify, and enact without substantive change certain general and permanent laws, related to transportation, as subtitles II, III, and V–X of title 49, United States Code, "Transportation", and to make other technical improvements in the Code.

The message also announced that the Senate had passed bills of the following titles, in which the concurrence of the House is requested:

S. 1066. An act to restore Federal services to the Pokagon Band of Potawatomi Indians; and

S. 1587. An act to revise and streamline the acquisition laws of the Federal Government, and for other purposes.

MORNING BUSINESS

The SPEAKER. Pursuant to the order of the House of February 11, 1994, and June 10, 1994, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning hour debates. The Chair will alternate recognition between the parties, with each party limited to not exceed 30 minutes, and each Member, other than the majority and minority leaders, limited to 5 minutes.

The Chair recognizes the gentleman from New Mexico [Mr. RICHARDSON].

THE THREAT FROM NORTH KOREA

Mr. RICHARDSON. Mr. Speaker, in this country we have politicized the Bosnia issue, we have politicized Somalia, we have politicized the Haiti issue. But, Mr. Speaker, let us not politicize the North Korean issue. Here is an opportunity where the Congress and the President can act in concert along with the international community.

Mr. Speaker, yesterday North Korea moved a step closer to disastrous confrontation with the rest of the world by announcing its withdrawal from the International Atomic Energy Agency and by banning IAEA inspectors from its territory. Although they have not yet carried out their threat, this is a very, very serious provocation that could fatally compromise the administration's efforts to resolve the nuclear dispute peacefully.

Mr. Speaker, the Clinton administration has tried to keep diplomacy alive with our Asian allies, but we must not flinch. We should proceed now with a plan to ask the U.N. Security Council to enact a series of phased sanctions.

Mr. Speaker, as the world moves toward sanctions, it cannot afford to abandon diplomacy. In this connection we have to act in concert with Japan. We have to act in concert with South Korea. And we have to ask our friends in China to help. The President has gone out on a limb and said that he wants to extend MFN to China in light of China's miserable human rights record. He has gambled and said that he is ready to proceed with that relationship. Now it is up to China to show that it is a responsible member of the international community and work with the West in order to help Asia and to moderate North Korea's behavior.

Mr. Speaker, North Korea has been lying. They have been playing games with, not just the IAEA, but with their allies in Asia, with the United Nations, and with the United States, all of whom have acted in good faith. Mr. Speaker, even though Pyongyang continues to assert that its nuclear program is peaceful and that the whole crisis can be resolved by the direct talks with the United States, the United States should be careful to engage in an effort that does not include our allies in Asia. It is very important that we proceed with negotiations, but these negotiations should be multilateral. They should involve our Japanese friends. They should involve South Korea. And I think the Congress is going to be watching to see what China's role is on this issue.

But, Mr. Speaker, the reason that I have taken the floor this morning is to say, "Let's not politicize the North Korea issue. U.S. vital interests are at stake. The lives of American troops are at stake. The stability of Asia is at stake. The future of Japan and South Korea is at stake. The relationship the outside world has with China is at stake. North Korea has sent a provocation, and we must not blink, but at the same time we should pursue every diplomatic and other initiative to ensure that we don't end up in a conflagration in that part of the world. We don't have vital interests as strong in Bosnia, or Haiti, or Somalia. But there is no question that we do in North Korea."

Mr. Speaker, North Korea is courting confrontation. While we must not blink, it is critically important that the Congress in a bipartisan fashion support the good, sensible policy that the administration is following.

Mr. Speaker, this morning our Nation and our allies face a very real threat from North Korea. As we all know, North Korea recently announced that it planned to withdraw from the International Atomic Energy Agency, the IAEA. The Pyongyang government also announced that it was banning IAEA inspectors from its territory.

This move is a very dangerous one that moves North Korea a step closer to a dangerous confrontation with the rest of the world. Our dispute with North Korea is very deep and longstanding. North Korea appears to be systematically working to develop and sell both nuclear weapons and missiles that carry those nuclear warheads.

I don't believe that we, as a nation, are overreacting. In fact, I believe that North Korea's actions over the last 10 years demonstrate the seriousness of this issue. These are the facts. North Korea is building larger nuclear reactors and plutonium separators that have only military capabilities. If all goes as they plan, North Korea will most likely have the ability to produce enough plutonium to build 10 bombs a year by the turn of the century.

Mr. Speaker, President Clinton is currently involved in a diplomatic effort to resolve this dispute with North Korea peacefully. Obviously, the stakes are very high and the recent actions by North Korea make that effort much more difficult. Nonetheless, he is on the right track. In a nonpartisan, well-concocted effort, President Clinton is attempting to resolve the conflict diplomatically. He is leading the world and, last week, the IAEA announced that it would suspend most international technical assistance to Pyongyang. China did not oppose that move and now we must continue to encourage the U.N. Security Council to impose sanctions on North Korea. In addition, President Clinton has dispatched former President Jimmy Carter to South and North Korea. President Carter will meet with Kim Il-song, North Korea's leader, to lay out what the North has to gain from participating in the IAEA and abandoning its nuclear program.

Mr. Speaker, without a diplomatic solution, North Korea poses a grave threat to South Korea, Asia, the Middle East, Europe, and the United States. President Clinton's efforts are on target and will, hopefully, bear fruit.

THE NORTH KOREAN SITUATION

The SPEAKER pro tempore (Ms. MARGOLIES-MEZVINSKY). Under the Speaker's announced policy of February 11, 1994, and June 10, 1994, the gentleman from Florida [Mr. MCCOLLUM] is recognized during morning business for 5 minutes.

Mr. MCCOLLUM. Madam Speaker, I rise today to note that we are approaching an auspicious anniversary, one that is taking on a terrifying relevance. On June 25, 1950, 60,000 troops from North Korea crossed the 38th parallel, invaded South Korea and began the Korean war. It was a war that involved over 20 nations and cost millions of lives, including almost 34,000 Americans killed. Some have called the Korean war of 1950–53 the forgotten war, but Madam Speaker, the memories are now beginning to recur.

We face on the Korean Peninsula the most ominous developments. The unstable dictator Kim Il-sung, the very man who launched the 1950 conflict, is passing the baton to this equally unstable son. Against this backdrop, North Korea is developing nuclear weapons, and indeed, as a Republican terrorism task force report that I am submitting to the record will show, may already have several weapons and the means to deliver them.

In addition to all of this, the Pyongyang regime is playing a diplomatic cat and mouse game. First North Korea signs the nuclear nonproliferation treaty, then it threatens to withdraw from that very same treaty. First Pyongyang agrees to allow its nuclear facilities to be inspected, then it threatens to expel the inspectors already in North Korea and indeed it goes so far as to quit the International Atomic Energy Agency.

Madam Speaker, this is the most dangerous game, and it pains me to say that the danger has increased because of the actions of this Government and this administration. We have, as Churchill said, decided to be indecisive and to be resolute in our irresolution. First, we proclaimed that we would not allow North Korea to become a nuclear state, then we declared that we would permit the north to have a few weapons. We make threats and then back down with compromises and soothing words. And this follows a foreign policy pattern of vacillation and confusion by the Clinton administration all around the world. How can we expect the North Koreans to believe the President when he does talk tough?

Madam Speaker, American men, 30,000 strong, of the United States 2d infantry division, are sitting on the most precarious border in the world, and President Clinton vacillates and dithers, confusing our friends and encouraging our foes. My colleagues, this is not foreign policy, it is confusion and it must come to an end before it gets us into an unnecessary war.

At the present time, the North Korean Armed Forces are on their highest war footing in 20 years. The Pyongyang regime has threatened that if we impose economic sanctions there will be war, and that Seoul, South Korea's Capital, will be turned into a sea of fire. Against this, the President has taken few concrete steps, and predictably, our allies, without our leadership, have been left in total and utter confusion. They are, and not without reason, unsure of our leadership and consequently the whole of Northwest Asia is in crisis.

The President and the American people must review the facts. We have mutual security treaties with Japan and South Korea, as binding as those we have with our NATO allies. If either state is attacked, it must be considered, by this government, as an attack upon the United States. Madam Speaker, the President and public must know, this is not an option, we are committed.

Thus, we must insist that our allies adopt a course of action that is consistent with both their security needs and our treaty obligations. South Korea must be assured of our support and end its own diplomatic dance. The Seoul regime has tried appeasement and then a resolute stand. Now South Korea must be assured of our support and then encouraged to take a firm position. the concessions to North Korea must end and the Pyongyang regime warned that its threats will not go unanswered.

We must also turn to our allies in Japan. We must tell them that the time for diplomatic sweet talk is over and that no amount of pacifism will protect them should North Korea gain a credible nuclear force. To that end, they must join with us in tough economic sanctions against the North and bring full diplomatic pressure to bear on the People's Republic of China to follow suit.

I must also digress, at this moment, to make one more point.

We face at this moment with our friends in Japan a great irony. As the Japanese Constitution now stands, the Japanese military, unless directly attacked, cannot support the United States in any action other than peacekeeping. This is absurd. Thus it is time for Japan to amend her Constitution, which was our handiwork, to allow her to join with us in defending the security of the Far East. I am mindful that this cannot be done overnight, that the pacifism of the Japanese people is deeply rooted in the memories of Hiroshima and Nagasaki, and I am mindful of the security implications of what I suggest.

Nonetheless, it is time the other nations of the Far East realize that Japan is a great power and that she must play a role in the world equal to her economic might. We must assure them that a rearmed Japan—a nation that already is the sixth largest military spender in the world—is no threat to their security. What is more, it is time that the Japanese people recognize that while we in the United States will always be their friend, it is their first obligation, and not ours, to defend their own country, or at least to stand beside us while we help defend them.

In any case, that is for the future, for the moment we must deal with the crisis at hand. thus, we must begin to deploy stronger forces to South Korea. In the Persian Gulf war it took us nearly 6 months to deploy our forces. If North Korea should attack, particularly if she has nuclear weapons, we may not get that breathing space. Thus, we must move quickly to bolster our forces and organize our supply networks both so that our deterrent is credible and so that lives may be saved if it should come to war. Indeed, I would go so far as to say that we must prepare the American people for the possible use of tactical nuclear weapons by U.S. forces, though, of course, I hope it does not come to that.

We must then warn North Korea that if she attacks, her forces will be defeated and her regime will not be allowed to survive. From that point on we must begin to demand that North Korea accept the regimen of the Nuclear NonProliferation Treaty or face the consequences of a slowly strangulating economy and ever tougher sanctions.

Madam Speaker, I quoted Winston Churchill once and I should like to do so again. That Great British statesman once said, "We shall see how the counsels of prudence and restraints may become the prime agents of mortal danger; how the middle course adopted from desires for safety and a quiet life may be found to lead right to the bull's eye of disaster." It is time that our allies, and most of all our President, remember that terrible lesson, paid for with the blood of thousands of Americans, and begin, at last, to recognize the reality of the danger facing us in northwest Asia.

Now I must add the footnote that we would not be in this terrible position if the Democrat leadership in Congress had not killed the Strategic Defense Initiatives of Presidents Reagan and Bush. With SDI we would have been able to shoot down nuclear missiles launched anywhere in the world, but we have no SDI and must look down the barrel of direct nuclear confrontation.

NORTH KOREA'S NEW BALLISTIC MISSILES

A close examination of the North Korean involvement in the ballistic missile development program in Iran, as well as the record of the joint missile development effort between the DPRK and the PRC, provides strong evidence that North Korean ballistic missile technology is far more advanced than the recent reports suggest. The following

paper will briefly outline the latest developments regarding North Korea's missile program, placing an emphasis on the Chinese-North Korean connection.

The current DPRK ballistic missile program has four distinct operational components (not counting the brief Sino-North Korean development of the DF-61 in 1975-76):

1. Reverse engineering and modest modification of the basic Soviet R-17E (SCUD-B)—the NK-SCUD-B and NK-SCUD-C.

2. Major up-grading and improvement of the basic Soviet design principles and technologies in medium-range SSMs—the NoDong-1, NoDong-1 up-grade, and NoDong-2.

3. A new generation of two-stage intermediate range ballistic missiles largely based on integration of relatively advanced, though fully proven, Chinese technology—the TaepoDong-1 and TaepoDong-2, and;

4. A new generation of multiple-stage long range ballistic missiles based on the latest Russian and Chinese technologies—the NoDong-X.

MISSILE DESIGNS

The NoDong family of SSMs represent a very straightforward form of engineering technology. The NoDong-1 itself is a direct outgrowth of basic NK-SCUD-C technology and has a range of 1,000 km with an 800-1,000 kg warhead. Additionally, the NoDong-1 was modified, mainly for use by Iran, to reach a 1,300 km range and to be equipped with a nuclear warhead.

The NoDong-2 is the product of a several-phased development of the NoDong-1. The current NoDong-2 is the result of subsequent refinements of the basic model designed in order to strengthen the missile-cone and increase the payload. Consequently, the NoDong-2 has a range of over 1,500 km with a 800-1,000 kg warhead, reaching up to 2,000 km with a smaller warhead of 500-800 kg.

By contrast, the TaepoDong family of SSMs are the first of a new generation of two-stage SSMs that rely heavily on the integration of relatively advanced Chinese technology. The most significant components of this weapon are mainly pumps for the clustered rocket engines and stage separation technology. That said, the TaepoDong SSMs nevertheless include largely test proven components of previous SSMs, both Chinese and North Korean.

The TaepoDong-1 has a range of over 2,000 km with a 1,000 kg warhead. According to JANE's, it is a combination of a NoDong-1 [first stage] and a NK-SCUD-B/NK-SCUD-C [second stage]. In comparison, the TaepoDong-2 has a range of over 3,500 km, and can carry a 1,000 kg warhead. According to JANE's, the TaepoDong-2 is a 32m long SSM, and is a composite derivative of the PRC's DF-3/CSS-2 missile and the NoDong-1, but with a rounded nosecone. Given this technology, the TaepoDong-2 with a small warhead of around 500 kg, can attain ranges of up to 9,600 km, which puts it in the class of an ICBM.

Indeed, the TaepoDong family of SSMs are actually far more sophisticated and lethal than is generally understood. This stems from the fact that the TaepoDong is a by-product of the Iranian ballistic missile development program which has been run jointly with North Korea and the People's Republic of China since 1990 and is based in the city of Isfahan. In fact, based on comparative analysis and judging from its overall dimensions and estimated performance, the TaepoDong-1 appears to be a North Korean version of the Iranian Tondar-68.

The Tondar-68 is based on Chinese and North Korean technology, and is of two versions: The first with a range of 1,200-1,500 km, is capable of reaching Israel from launchers inside Iran. The second, with a range of some 2,000 km, is for wider theater use. The Tondar-68 is a two-stage weapon based on a Chinese M-11 ballistic missile installed on top of an Iran-700 missile, the latter itself being a derivative of the North Korean NoDong-1

In March 1991, Iran undertook two test launchings of the Tondar-68 system over the Semnan desert. In the first test launch the missile flew over 700 km, and in the second over 1,000 km. These two tests are believed, respectively, to have been launches of prototypes of both the basic system (Iran-700), as well as the complete multiple-stage weapon—a Tondar-68 made of the Iran-700 and the M-11.

Subsequently, in 1992, the PRC provided Iran technology for the development of an intermediate-range ballistic missile, including the production of an Iranian version of the M-11 in Isfahan. Later, in January, 1994, a high level North Korean military delegation visiting Iran reaffirmed the DPRK's commitment to provide Iran with the latest missile technologies.

THE CHINESE CONNECTION

The integration of the Chinese M-11 weapon into the TaepoDong family of SSMs is of crucial significance. The M-11, classified as the DF-11 in the Chinese arsenal, is a new ballistic missile introduced into operational service in the late 1980s. Originally developed for tactical nuclear warheads in the mid-1980s, the M-11 was fitted with both High Explosive and Chemical warheads soon after its initial introduction in order to make it marketable for export. The first model of the M-11, with a 135 km range, was introduced in 1988 and was soon modified into a "SCUD substitute" with a range of 290-320 kms and a 500-800 kg warhead.

The M-11 is a single stage SSM fueled with solid propellant, 9 meters long with a 1 meter diameter and a rounded-up top cone rather than a cylinder and cone as found with the SCUD. This modified cone provides improved aerodynamics and ballistic qualities. Additionally, the original model M-11 has terminal guidance, including an inertial mid-course guidance system, which insures vastly improved accuracy. The integration of modern Global Positioning System (GPS) technology known to have been purchased by the DPRK and the PRC and installed in the NoDong-1, should not be ruled out.

Further, as it is solid fueled, the M-11 relies on fully mobile Transporter Erector Launcher [TEL] vehicles, specifically the Russian MAZ-543 TEL vehicle, and can be reloaded and readied for launching in about 45 minues by a crew of less than 10 troops. The PRC itself is also using the M-11 as the upper stage in its development of a theater ballistic missile called the M-11. Fully mobile, the M-11 is a "stretched M-11" with two stages of solid fuel.

The installation of the M-11 as the upper stage of the TaepoDong family of SSMs drastically changes the capabilities of the TaepoDong without altering its external appearance of dimensions. This is significant because solid fuel missiles, like the M-11, are easy to handle as upper stage components since they are relatively simple to store, do not require fueling, and are relatively insensitive to separation by explosive-bolts.

Furthermore, by using the M-11 rather than the NoDong-1 for its upper stage, the TaepoDong gains dramatically increased accuracy and range. (It is noteworthy that, according to JANE's, the TaepoDong-2's upper stage is a NoDong-1 with a rounded nosecone, a characteristic also of the M-11.)

Further, the TaepoDong-1 is made of an M-11 missile installed on top of a booster-derivative of the NoDong-1. With this configuration, the TaepoDong-1's range of over 2,000 km with a 1,000 kg warhead remains unchanged, but the accuracy improves markedly. Similarly, the TaepoDong-2 is an M-11 installed on top of a booster-derivative of the DF-3/CSS-2. Again, the basic range of over 3,500 km with a 1,000 kg warhead remains unchanged. As discussed above, with the TaepoDong-2's DF-3-based booster, the TaepoDong-2 can reach a range of 9,600 km.

SOME HISTORY

In assessing the likelihood of the availability of such advanced Chinese strategic technologies to North Korea, it should be emphasized that both countries have been cooperating in missile production and development since the early 1970s. Moreover, the DPRK and the PRC now closely cooperate on the development of new missiles as a result of a series of agreements reached in 1988 (and October 1991) for the joint development of a new generation of weapons.

Indeed, in 1988, the first delegation of 90 North Korean ballistic missile experts was dispatched, pursuant to the aforementioned agreement, to the PRC to work on these joint missile projects. Most important among these projects was the development of a MRV-equipped Medium Range Ballistic Missile (MRBM), optimized for nuclear warheads, with a range of 800 km. A prototype of this MRBM was successfully test launched in Yinchuan, China, in the Fall of 1991.

Furthermore, in 1989-90, the DPRK dispatched some 230 additional military experts from its ground forces, navy and air force to the Dalian base, on the Liaodong peninsula, for study and cooperation in the development of various advanced missile technologies, mainly ship-to-ship missiles, various surface-to-surface missiles (ballistic and cruise), and surface-to-air missiles. Later, in October 1991, during Kin Il-Song's visit to China, the DPRK and the PRC reiterated their commitment to the joint development of a ballistic missile technology uniquely applicable for nuclear warheads, especially MRVs and MIRVs.

A major component of the 1991 agreement was Pyongyang's decision to shop for advance missile technologies to up-grade ballistic missiles in the USSR/CIS and share them with the PRC. Further, in the late-1980s, USSR-DPRK cooperation arrangements were expanded to include advanced SSMs. Consequently, in June 1991, the USSR transferred at least 10 KY-3s [SCUD-Cs] to North Korea for use as samples in the reverse engineering research that is crucial to facilitating the production of advanced models of ballistic missiles.

Unlike the basic R-17 [SCUD-B], the KY-3 has a longer range, solid fuel, and most importantly, a completely new guidance system with "pinpoint accuracy" that can be adapted to all types of SCUDs and their derivatives. The availability of these technologies significantly enhances the scientific-technological basis of the ballistic missile industry of both North Korea and China. Indeed, the KY-3 technologies are ideal for integration into the M-11-type ballistic missiles and would vastly improve their performance.

Thus, at present, with the Sino-Korean MRBM as an upper stage, the PRC is developing a mobile intercontinental ballistic missile capable of striking at the continental US. This ICBM relies heavily on Soviet

technology, mainly that of the rail-based SS-24 and the vehicle-based SS-25 ICBMs. Although the original range of the Soviet ICBMs is around 10,000 kms, the Chinese ICBM may have a shorter range and be capable of carrying 8-10 MRVs. (It should also be added that the October 1993 testing at the Lop Nor test site involved a warhead, estimated at 70-90 kt, for the MRV.)

The North Korean version of this Chinese strategic missile, the NoDong-X, is a vast technological improvement over the NoDong and TaepoDong SSMs. Indeed, in its development, the DPRK also utilized the latest Russian technology obtained from numerous Russian engineers and technicians working in North Korea. Consequently, through miniaturization of the warhead and adaptation of solid fuel, the NoDong-X, in its initial form, may be capable of achieving a range of over 6,000 km. This would allow it to hit parts of the continental US. Indeed, the Russian assessment is that the NoDong-X is "a long-range assault weapon." ROK's Deputy Prime Minister Yi Yong-Tok also called the NoDong-X "a strategic weapon."

Considering the intensity of the development work in the PRC and the DPRK, the NoDong-X may be operational by 1996-97.

Thus, any assessment of the TaepoDong family of SSMs must be based on the premise that the upper stage is a derivative of the M-11. It therefore appears quite likely that North Korea possesses a weapon with far greater accuracy and reliability than anything previously available to it.

□ 1040

RECOGNITION OF MEN'S HEALTH WEEK AND CHILD SUPPORT ENFORCEMENT ACT

The SPEAKER pro tempore (Ms. MARGOLIES-MEZVINSKY). Under the Speaker's announced policy of February 11, 1994, the gentlewoman from Colorado [Mrs. SCHROEDER] is recognized during morning business for 5 minutes.

Mrs. SCHROEDER. Madam Speaker, let me first quickly answer the gentleman's statement.

I chair Research and Development in the Committee on Armed Services. I want to tell the gentleman that nobody killed SDI. We are still funding it. It has not gotten as far as we had hoped it would because we just have not had the breakthroughs in laser technologies and other such things. But it is absolutely wrong to say that it is not being funded and funded in a very healthy, robust manner, which some people think is much too robust in this day and age. It is just that we cannot push science where science is not ready to go.

Madam Speaker, that is not what I came to the well to talk about. I came to the well to talk about my role as cochair of the Congressional Caucus on Women's Issues, and what we want to talk about this week going into Father's Day.

First of all, we are very pleased that this week is known as Men's Health Week. It is very, very critical. Usually the caucus is in here talking about Women's Health Week, so this is something a little different. But whether we look at adult women or adult men, there is something we all have in common. Even the toughest, meanest of us all kind of turn to putty when somebody says, "It is time to go get your physical." Yet I hope at every dinner table in America this Father's Day, they are all looking at each other saying, "Did you get your physical?" Because we are seeing many, too many people my age with this gray hair in their fifties coming down with breast cancer or prostate cancer or colon cancer or whatever, and those lives would have been saved had they gone to get their physical. So let us have part of Father's Day being beefing each other up to all march in to the doctor's office together. The poll I have always wanted them to run is to see whether adults my age are more fearful of dentists or doctors.

It probably will not make much difference. I think we are equally fearful of all of them, and to those who say they are terribly afraid to fund these preventive services in health care bills because we will all be down there every day getting prostate checks or mammograms or whatever, they do not understand human nature. It is not about paying, it is about the fact that we really do not want to go. We ought to be funding it in health care, we ought to be encouraging prevention in every way, but it takes more than just funding and covering. We have to keep nagging to make sure that our loved ones get there.

Madam Speaker, I hope everyone in this country really takes Men's Health Week very seriously. As they talk about the men in their family that they really respect and revere, make sure they are healthy and they stay with us, because we really see many, too many men in this country dying much too early and much of it did not have to happen. I think that is important.

Madam Speaker, the other thing the caucus is doing this week is that we have put in our Child Support Enforcement Act. It is the toughest, meanest thing we have seen yet. Yes, the President is doing welfare reform today and that is very important, but this is welfare prevention. There is over $34 billion a year in child support orders that are not paid in this country. That is criminal. That is totally unfair to the parents who are paying for their kids, because what they are doing is not only paying for their kids but paying for other people's kids who decided they did not want to accept the responsibility, thank you very much.

It is not just men; women do this, too. Many people have learned how to use State lines to play economic hide and seek from the families they are trying to get away from and from the family responsibility they are trying to get away from. We changed this in other areas; we are going to work very hard to change it here.

Madam Speaker, I encourage everyone, all the responsible fathers and all the responsible mothers and parents in the country to get behind this legislation and once and for all say parenting is a very serious responsibility and that people should not be allowed to duck it and just throw it off on the American taxpayer, because children need both of those parents. That is why we celebrate Father's Day and that is why we really want to get this legislation done.

Let us all celebrate Men's Health Week and let us get the Child Support Enforcement Act passed, and I think we will be a long way toward solving a lot of problems that American families have been dealing with.

TIME FOR A CHANGE

The SPEAKER pro tempore. Under the Speaker's announced policy of February 11, 1994, the gentleman from Wyoming [Mr. THOMAS] is recognized during morning business for 5 minutes.

Mr. THOMAS of Wyoming. Madam Speaker, I rise today to talk about change, to talk about change here in the Congress. It is time that we change the way Congress does business.

□ 1050

I am a supporter of that. We need procedural changes that will bring about changes in results. Nearly everyone here goes home and talks to their constituents about the debt, talks to their constituents about the deficit. We talk about too much regulation and too much control. And, yet, in order to bring about some changes, we have to make some procedural changes here and come back, and they are not willing to do that. They are not willing to do that.

Our constituents and voters, for a good reason, talk about the things that happen here that ought to be changed. They talk about the results that are not the kind of results that you and I want: Too much taxes; too much government; too much regulation.

But we do not bring about the changes to that, because, indeed, there need to be some structural changes in order to do it. You cannot expect different results by continuing to do the same thing. And we have an opportunity to do that.

I guess my point is, we talk and talk and talk about it, but it is right here. We can do it. It is on the floor. The bills are here to make the changes.

I am talking about changes that make the Congress serve under the same laws that apply to everyone else. I am talking about term limits. I am talking about balanced budgets. I am talking about budgetary reforms, procedural reforms that will allow the results to be different.

Let us talk a little bit about limiting the terms of Members. A number of States have taken the initiative to do this. Of course, it is not going to come from the Congress. The Congress will never endorse that issue, until forced by the States and by the voters. And I will admit, it is not an easy issue. Intellectually, I was opposed to that issue for a long time. I thought that is not the right thing to do. Why should we limit the voting privileges of you and I as voters, when we have in the House every 2 years a chance to do that? But having been here a while, I have noticed that doesn't happen. It is a peculiar type of thing.

A high percentage of the Members of the House have been here a relatively short time, but some have been here forever. And we see the arrogance of longevity. We see it last week. We see it next week. We see people have been here so long and been in control of this House for 40 years, and have been led to believe that the rules do not apply to them. And I know of no other way to do it than to have a nationwide term limitation. I think it has merit and that we can do that. We can move forward on that.

Line item veto. Almost everyone in this place would agree with line item veto. They talk about line item veto. President Clinton talked about line item veto in his campaign. He came here, and the leadership of the House and Senate said, oh, no, we are not going to do that. We will come up with sort of a wimpy little thing that says you can override it by a majority vote. That is not a line item veto. Veto means two-thirds. We could have a line item veto right away, if we wanted to do that.

Talk about deficit reduction. There are bills here that would say that if you reduce spending in one category, instead of shifting it to another category, that it would reduce the deficit. It would be dedicated to deficit and debt reduction. What is wrong with that? President Clinton talked about all the cuts in his budget last year. The fact is, it was a $30 billion increase. It wasn't cuts at all. It was transfers of spending from one category to another. If you are going to cut, we ought to dedicate that to deficit reduction.

The balanced budget amendment. Some call it a gimmick. The fact is that we have not had a balanced budget for years and years and years in this House. The fact is we do not do it without a balanced budget amendment. The fact is you do need the discipline of a balanced budget amendment, to say here is the amount of money we have, here is revenue, and you have to balance revenue with income. We do it in my State of Wyoming. Of course, it is painful from time to time. But what it does is it calls us to take account of benefits versus costs. And if it is worth having, if it is worth paying for, you have it. If it isn't, you don't. You cannot simply max out your credit card, as we have been doing in the past.

We need structural changes, we need procedural changes. They can be done. They can be done, if the majority will stop opposing the changes in the procedure that will bring about changes in the results.

WORLD WAR II COINS

The SPEAKER pro tempore (Ms. MARGOLIES-MEZVINSKY). Under the Speaker's announced policy of February 11, 1994, and June 10, 1994, the gentlewoman from Ohio [Ms. KAPTUR], is recognized for 5 minutes.

Ms. KAPTUR. Madam Speaker, just a few days ago the world was focused on the coast of Northern Europe as we watched the reenactment of ceremonies that honored those who fought in our Nation's defense with several other allied nations and preserved the freedoms that we enjoy today as citizens of the United States.

Here in Washington, the World War II Memorial that has been authorized by Congress will be built here and will give us a timeless remembrance of that allied victory.

This memorial is intended to be built with proceeds obtained from the sale of three World War II commemorative coins that have been minted by our U.S. Mint and are on sale through the Mint through June 30 of this year.

The coins' designs were selected through a national competition, and all five winning artists are veterans of our Armed Forces, including two who served our country during World War II.

Each coin symbolizes an important story of the allied victory. The gold $5 coin depicts an American serviceman with his rifle raised, celebrating victory, with the reverse featuring a V for victory and then with that spelled out in Morse Code. The gold coin, which can be purchased separately, is the most expensive.

The silver dollar coin, which is my favorite and probably I think costs around $11 if it is purchased individually, commemorates the Battle of Normandy, which we watched celebrated last week, and it features an American soldier advancing on the Normandy Beach, with a quote from General Eisenhower on the reverse side, along with the Atlantic Campaign button. And it reads, "I have full confidence in your courage, devotion to duty, and skill in battle. We will accept nothing less than full victory."

This is simply a beautiful coin, and on the front of the coin it has the entire World War II commemorative period that we are honoring in our country, 1991 through 1995, and it also has for a lot of our D-day veterans that are interested, the date June 6, 1944. That is emblazoned across the top of the coin.

The third coin is a clad half dollar coin, and it depicts the various branches of the service, all five of them, and on the front it has the individual branches. You can see the various members of the Armed Forces here that have their own uniforms on, and it has a V for victory in the background.

Again, it commemorates the 1991 through 1995 period, and it says "In God we trust." Then the back of the coin, and this is of particular interest to our Pacific war veterans who may have felt that the country had not noticed that they participated in World War II, but of course those commemorative ceremonies will be held over the next year, the back of the coin indicates the Pacific Campaign, and it portrays an American soldier moving up on one of the islands in the Pacific with landing craft, a ship, and a fighter plane appearing in the background.

One of my own uncles fought in that campaign, and this is a beautiful coin, and certainly affordable to any family in America.

So I would encourage all Americans to do something of value, to remember the Americans who served overseas and on the home front and preserved the freedoms that we enjoy here today that give us the right to speak out here in the well of this Chamber on many topics of interest to the American people.

The Mint will be selling these coins, again, through June 30 of this year, and for further information, citizens can just call the U.S. Mint here in Washington. It has an 800 toll free number, 1-800-533-8888. That is 1-800-533-8888. You can obtain additional information. These are only on sale through the end of the month. All proceeds from the sale of these coins will go to fund a World War II Memorial here in our Nation's Capital.

Under the legislation we passed, some of those funds have already been taken over to Europe because these coins have been sold over the past year, and they have gone to build a peace garden in Normandy in back of the Museum of Peace in Caen, which is very close to the Utah Beach and Omaha Beach areas where we saw the President of our country and many Members of Congress and thousands of American's veterans travel a week ago.

So for those Americans who have already purchased their commemorative coins, that peace garden has been built. It is already being visited by thousands and thousands of people from around the world, and we are just waiting for the day when the World War II Memorial can be built here in our Nation's capital along the Mall.

RETROACTIVE TAXES

The SPEAKER pro tempore (Ms. MARGOLIES-MEZVINSKY). Under the Speaker's announced policy of February 11, 1994, and June 10, 1994, the

gentleman from Minnesota [Mr. RAMSTAD] is recognized during morning business for 3 minutes.

Mr. RAMSTAD. Madam Speaker, sports fans, concerned taxpayers of America, the ball is back in our court. Yesterday the Supreme Court threw the ball on retroactive taxes squarely back into the court of Congress.

The Court, while barely affirming the authority of Congress to pass retroactive taxes, said clearly, and I am quoting now, "The wisdom of such legislation remains within the exclusive province of the legislative and executive branches."

Are retroactive taxes wise? That is the question the Congress must now answer. Are retroactive taxes fair? That is the question that Congress must now answer. Are they good economics? Of course not.

Are they fair? Of course not.

Taxpayers simply cannot plan their household finances, if the rules can be changed after the game starts. Small business owners who create 85 percent of the jobs cannot make business plans if Congress passes taxes after the games starts?

Retroactive taxes are clearly unfair, unwise, and bad economics.

Madam Speaker, as I see it, we now have two choices: One, we could view the decision, and I am sure some will, as a green light to raise retroactive taxes retroactively whenever the money gets tight. Of course, the way Congress spends money, that means all the time. That is a frightening prospect around here. So I think the better alternative is to take steps to ensure that Congress never again raises taxes retroactively.

That is why I introduced House Resolution 247, to amend the House rules to prevent this body from ever again passing retroactive taxes.

In light of the Carlton decision yesterday, it is now more important than ever for all Members to join 160 of our colleagues already on both sides of the aisle who already support this bill that I have introduced which would outlaw future application of retroactive taxes.

But to get the ball into play, we must sign Discharge Petition No. 11.

Madam Speaker, it is now up to us to protect the American taxpayers. It is now up to us to say no to retroactive taxes ever again. The voters and the taxpayers of America are watching all of us. They are watching to see if we will sign Discharge Petition No. 11 as we do not fumble the ball on retroactive taxes.

COL. CHARLES BECKWITH REMEMBERED

The SPEAKER pro tempore. Under the Speaker's announced policy of February 11, 1994, and June 10, 1994, the gentleman from Florida [Mr. HUTTO] is recognized during morning business for 3 minutes.

Mr. HUTTO. Madam Speaker, yesterday, June 13, Col. Charles Beckwith died at home in Austin, TX. Many will not remember Colonel Beckwith for his 30 years of dedicated Army service or for the many successes, most of which the public will never know of, as a commander of the Army's elite antiterrorist Delta Force. Many will only remember Colonel Beckwith as the commander of the ill-fated mission to rescue 52 American hostages from Iran in 1980.

It is true the mission code-named "Eagle Claw," or as some will remember, "Desert One," was not one of the Army's or our Special Forces finer hours. However, Madam Speaker, there was a very significant victory achieved by Colonel Beckwith and the other valiant members of the rescue effort.

The failure of this mission was, in my view, preordained. Some of the official conclusions investigators established as causes for the failure was that the Army, Air Force, Marine personnel participating in the operation had not trained together prior to the actual mission and that the operation lacked a clear chain of command.

The failures experienced at Desert One was a wake-up call for the American public and, indeed, for Congress. Led by the efforts of the late Representative Dan Daniel of Virginia, and many other interested Members of Congress, the entire structure of Special Operations has been changed. Command and control, funding, and other necessary adjustments have been accomplished. The whole approach to joint operations has been changed due to the establishment of the U.S. Special Operations Command through the Goldwater-Nichols Act.

Colonel Beckwith's victory at Desert One was to dramatically illustrate to the American public that changes were needed. Those needed changes have been made and the successes of our Special Operations Forces since that time are a tribute to Colonel Beckwith.

I join with all my colleagues in offering our condolences to Colonel Beckwith's wife Katherine and his entire family. Colonel Beckwith was truly a great American and soldier. We shall miss him.

OSHA REFORM—H.R. 1280

The SPEAKER pro tempore. Under the Speaker's announced policy of February 11, 1994, and June 10, 1994, the gentleman from Illinois [Mr. EWING] is recognized during morning business for 5 minutes.

Mr. EWING. Madam Speaker, I want to take this time today to discuss the OSHA reform legislation that is proceeding through this Congress. I would start out by stating the premise that I believe labor and management agree that work place safety is of paramount importance. Unfortunately, that is about the extent of where agreement exists on the OSHA reform legislation.

I think we are on the wrong track with the legislation that is moving through Congress. It is known as the Proposed Comprehensive Occupational Safety and Health Act, COSHA, H.R. 1280.

While creating lots of new regulations and rules, I think it will do very little to improve work place safety.

The Employment Policy Foundation estimates that the Ford-Kennedy OSHA proposal will cost the private sector $63 billion. Members, the private sector is you and I.

The impact on small business and family farms of COSHA will cost small business and farmers approximately $40 billion per year.

The bill establishes broad new argicultural safety and health standards. The bill will result, I believe, in de facto union organization of farm workers throughout this country, because it mandates safety and health committees be formed.

The bill will require that farm employees be provided lifetime medical monitoring and health evaluation for their work force.

Members, it is has been the policy of many administrations to have cheap and reasonable food for the American people. We cannot add enormous costs in the billions of dollars on agriculture and expect to continue to have a reasonable, cheap food policy. It is more legislative interference, I am afraid, the bottom line of all this legislation is more legislative interference in labor-management relations.

I really resent when Members come to Congress, such as the sponsors or the promoters of this legislation do, to get through legislation what they cannot get at the bargaining table.

My colleagues, I would just talk a little bit about the excessive regulation in government. Probably nothing infuriates the American people more. Recently, though, as far as environmental issues, we had a 6-year-old Robyn Lerman of Highland Park, IL. This young lady had to go to the dentist to have a couple of teeth extracted. She was terrified at the prospect of this, but was reassured that the tooth fairy would visit her and she could put these teeth under her pillow and that made her feel better.

Well, she went to the dentist and the teeth were taken out. And she survived, of course. But the dentist would not give her parents the teeth. The teeth had been classified by OSHA as on a list of potentially biologically hazardous material and were taken from the family and the young lady went home without her teeth and without the opportunity to put those under her pillow for the tooth fairy.

□ 1110

We can carry regulation, government bureaucracy, much too far. The OSHA

reform bill does that. I hope that this Congress will look closely at it, and that we will listen to our constituents and to the business community as we examine this legislation so that we can achieve the goal we do agree on: workplace safety for every American workers, in a way that we can afford, and one that will not increase government interference in business and in our lives.

RECESS

The SPEAKER pro tempore (Ms. MARGOLIES-MEZVINSKY). Pursuant to clause 12, rule I, the Chair declares the House in recess until 12 noon.

Accordingly (at 11 o'clock and 10 minutes a.m.) the House stood in recess until 12 noon.

□ 1200

AFTER RECESS

The recess having expired, the House was called to order by the Speaker at 12 noon.

PRAYER

The Chaplain, Rev. James David Ford, D.D., offered the following prayer:

Of all the emotions that flood the human heart, we pray, O gracious God, that our hearts and minds and souls will be filled with gratitude and praise as we think of the mighty acts of Your spirit. For peace in our lives we offer thanks; for deeds of justice and acts of charity, we offer praise; for the gifts of reconciliation between peoples and for new understanding between adversaries, we laud Your name. May we be worthy of all Your gifts to us, O God, and ever be aware of the needs of others. Amen.

THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER. The Chair will ask the gentleman from Florida [Mr. JOHNSTON] if he would kindly come forward and lead the House in the Pledge of Allegiance.

Mr. JOHNSTON of Florida led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

STAND UNITED AGAINST NORTH KOREA

(Mr. RICHARDSON asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. RICHARDSON. Mr. Speaker, now that North Korea has pushed the United States to the brink of confrontation by refusing nuclear inspections, it is critically important that we back the President and not politicize the North Korea issue here in the Congress, as we have Bosnia, Haiti, and Somalia. American vital interests are at stake here, and we cannot appear divided to Kim Il-Song.

Mr. Speaker, one reason why things are politicized around here is that nobody wants to talk about the fact that the projected deficit is down for 3 years in a row for the first time since Truman was in the White House; the fact that our deficit as a percentage of national income is now the lowest of any major economy in the world; and the fact that after the first 16 months of President Clinton's administration, we have created more than 3.1 million private sector jobs, nearly 1 million more jobs than those created in the 4 years of the Bush administration.

FLAG DAY, JUNE 14, 1994

(Mrs. BENTLEY asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. BENTLEY. Mr. Speaker, today is Flag Day. It also is the 180th anniversary of the Star Spangled Banner, as well as the 15th anniversary of the Pause for the Pledge. At 7 p.m., by joint resolution of the Congress, the entire Nation should pause to pledge allegiance to the flag. It is an act of patriotism which was begun in Maryland by one person, Louis Koerber, chairman of the National Flag Day Foundation. Supported by the Congress, it encourages all Americans to think of what that Star Spangled Banner has meant to generations of persons, from every nation and every walk of life, who recognize the freedoms the Stars and Stripes represent.

Maryland's long history of proprietary interest in the Stars and Stripes include Mary Pickersgill's needlework, which gave us the flag which flew over Fort McHenry and inspired Francis Scott Key to write about the flag's still "gleaming in the dawn's early light," while on a boat out in Chesapeake Bay during the War of 1812.

The history includes Barbara Fritchie's heroic stance, protecting the flag from southern troops at Frederick during the Civil War. Our flag is called Old Glory, as a symbol of our sovereignty.

It is an honor to pledge allegiance to this flag tonight, to rededicate ourselves to the glory that is America.

HEALTH CARE REFORM

(Ms. DELAURO asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. DELAURO. Mr. Speaker, this Congress is very close to passing one of the most significant pieces of legislation in our history—health care reform. The American people are demanding action on this issue. But, even in the face of overwhelming public sentiment, there are some members of the Republican party who cling to the old traditions of gridlock and politics as usual.

Opponents of health care reform will try to tell the American people that health care reform is dangerous. And, if it sounds like a familiar theme, it should.

It is the exact same argument Republicans used to try to torpedo the President's budget package. They said the budget agreement was dangerous too, and that it would hurt our economy. But, now that the dust has settled, we can see clearly through their overblown political rhetoric to the truth. The budget package has created jobs, lowered the deficit and boosted consumer confidence: What is dangerous is the use of overblown rhetoric and parliamentary procedure to thwart the public will. It hurts our people and our country and it is time to set partisan rhetoric aside and work together to pass health care reform. That is what the public wants.

BROKEN PROMISES AND UNACCEPTABLE LEGISLATION BY DEMOCRATS

(Mr. ARMEY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ARMEY. Mr. Speaker, there they go again. The President of the United States has come to the American people with a legacy of unfounded promises, broken promises, unacceptable legislation on health care, mythical legislation on welfare reform. The President and his party cannot get anything done because they cannot get together with the American people.

Now the Democrats, with their control of the White House, their control of the House sufficient to pass any bill they wanted, plus an extra 40 votes, their control of the Senate, with ability to pass any bill they wanted, plus 6 extra votes, are screaming and hollering about Republican guardians of gridlock.

Mr. Speaker, when we watch our beloved Dallas Cowboys once again come to Washington and beat the Redskins, people in this town will look at the Cowboys defense and talk about the guardians of gridlock. But, Mr. Speaker, what America will see is fine Christian young men doing the Lord's work against a wicked force in an evil city.

Democrats need to understand, they cannot come to the American people

with broken promises, false promises, and failed ability, and blame it on the Republican minority. They got to go to work.

□ 1210

CHINA

(Mr. TRAFICANT asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. TRAFICANT. Madam Speaker, China enjoys a $20 billion trade surplus with America, second only to Japan. Year after year, Congress gives carte blanche, red carpet, most favored nation trade status to China, average wage 17 cents an hour.

But right now the question is, where is China?

In a moment of need, will China support Uncle Sam or will China support another Communist dictatorship in North Korea that not only has nuclear weapons but may be willing to sell them to our enemies. And to make it even worse, North Korea looks right in our face and says, shove your sanctions, Uncle Sam, up your Chinese trade deficit, because we are not going to budge.

I think it is time, my colleagues, to look at our trade policies that not only are killing American jobs but may be financing the next world war. Think about it.

ALL THE KING'S MEN

(Mr. EVERETT asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. EVERETT. Madam Speaker, like Humpty-Dumpty, all the President's men have been trying to put our welfare system back together again. Not change as we know it, but put it back together again.

But, Madam Speaker, all the king's men could not make our welfare system work well. The President needs to do what he promised and to replace our welfare system with something that works for all Americans. We need to stop tinkering and start working to end welfare as we know it.

The people should ask themselves if the Clinton plan meets these standards:

Would it save the American taxpayers money? Would it get people off of the government dole and onto real jobs? Will it shrink the size of government? Will it encourage people to take responsibility for themselves?

Madam Speaker, if the President's plan does not meet these criteria, it is not welfare reform. Certainly, it is not ending welfare as we know it.

D-DAY

(Mr. ROWLAND asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ROWLAND. Madam Speaker, 50 years and 1 week ago yesterday, the greatest sea-launched invasion in the history of the world took place on the beaches of Normandy. Many young men, some only 18 or 19 years of age, from the United States of America, Britain, Canada, and other allied countries, stormed the beaches and dropped from the skies, and many thousands lost their lives.

One week ago yesterday, many of those who survived that horror returned to observe the 50th anniversary of that event.

I had the opportunity to be there and I was greatly honored to be in the presence of those who were a part of that magnificent victory.

I was pleased that many of the leaders of the free nations that were part of it were there to acknowledge the sacrifice that had been made by those who gave their lives and those who still live.

I especially appreciate our President Bill Clinton, and the words he spoke, which brought a sustained standing ovation from those veterans present at the American National Cemetery at Colleville-Sur-Mer.

As one who fought in Europe after D-day, I believe his words touched the hearts of those brave and dedicated men.

THE PRESIDENT'S WELFARE PLAN

(Ms. DUNN asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. DUNN. Madam Speaker, today the President will unveil his welfare reform plan. If it is anything like his health care plan, we can all expect to be on welfare by the end of the century. I urge my colleagues and the American people to look closely at the President's welfare plan with some of these questions in mind.

Will it save the taxpayers money? Will it end the cycle of dependency? Will it stop giving handouts and begin giving a hand up? Will it solve the problem of teen-age illegitimacy? Will it cut down on bureaucracy or will it create more bureaucrats?

Madam Speaker, these are the questions we all must ask of the President's plan. When the President promised to end welfare as we know it, he acknowledged the essential failure of our Nation's welfare system. Now is the time for him to live up to his promise.

Tinkering is not enough. We need to find a new way. I am very troubled that the President's plan is simply more of the same way.

THE CLINTON WELFARE REFORM PROPOSALS

(Mr. EWING asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. EWING. Madam Speaker, this afternoon President Clinton will unveil his welfare reform proposals. I am anxious to see his legislation and hope the congressional leadership will proceed with hearings this summer.

Congress should look carefully at the President's welfare reform plan, and be sure it meets some basic, common sense objectives.

First, welfare reform should result in less Government bureaucracy, not more. Social welfare programs should not simply redistribute wealth, that has been tried for many years and has failed miserably. We do not need new expensive spending ideas to help people in poverty, just some good old fashioned common sense on how to beat poverty.

Second, welfare reform should provide incentives for those who are out of work to find work. A 2-year limit on welfare recipients is absolutely essential. There should be no loopholes which allow recipients to stay on welfare for generations.

Finally, welfare reform should restore the confidence of the taxpayers who are financing this system. The American people are demanding it. The taxpayers should believe that their money is being spent wisely and should not be asked to pay higher taxes to finance more welfare as we know it.

JOBS

(Mr. HASTERT asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HASTERT. Madam Speaker, jobs. That is the reason that commonsense people oppose employer mandates.

The President's health care reform plan will kill millions of jobs, close thousands of small businesses and raise the costs of hiring new employees. The President has made the employer mandate the cornerstone of his entire health care plan. But that cornerstone cannot withstand the weight of reason and the pressure of reality.

Any reasonable person knows that sacrificing a million jobs in any health reform process is not worth the effort. And in reality, the President's employer mandate will kill a million jobs.

Madam Speaker, to reform our health care system, we need a stronger cornerstone than employer mandates. We need to fix the problems that plague our current system without killing jobs and hurting quality. That is why the common sense approach is to oppose employer mandates.

WELFARE REFORM

(Mr. HOKE asked and was given permission to address the House for 1 minute.)

Mr. HOKE. Madam Speaker, saying the right thing but doing the wrong thing. That just about sums up the Bill Clinton Presidency.

Today the President will unveil his welfare reform plan. He is going to give a terrific speech about how we need to end welfare as we know it. But then in a couple of weeks he is going to introduce a bill which will preserve welfare as we know it.

This is not unusual for Bill Clinton. Remember when he talked so tough on crime and then supported quotas for the death penalty. How about when he promised us that middle-class tax cut and then gave us a middle-class tax hike. Just another example of saying the right thing but doing the wrong thing.

Madam Speaker, it is very effective to say what the people want to hear. It makes for great applause lines and popular speeches. But the great Presidents actually meant what they said, and we could count on them to do the right thing all of the time.

So far, Bill Clinton has fallen far short of that standard.

LET ME COUNT THE WAYS

(Mr. HEFLEY asked and was given permission to address the House for 1 minute.)

Mr. HEFLEY. Madam Speaker, employer mandates: Why do Republicans loathe these? Let me count the ways.

We loathe these with depth and breadth and height. To protect the jobs they will kill, we are willing to fight.

We loathe these with foreboding and fear. It is a huge payroll tax, that much is clear.

We loathe these because the small businesses they will close. And that will only be the start of our economic woes.

We loathe these for those who won't be hired. And the economic slump for which we soon will all be mired.

We loathe these for reasons few can doubt. We know we're better off going a different route.

Let me say to the President as we proceed to the health care debate: If you want Republican support, take out your employer mandate.

□ 1220

URGING A PROMPT CONSENSUS ON CRIME LEGISLATION IN CONFERENCE

(Mr. ROMERO-BARCELÓ asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ROMERO-BARCELÓ. Madam Speaker, I rise today to urge our colleagues in both Chambers to seek a prompt consensus in the ongoing conference committee dealing with the crime bill. The crime bill is not a magic solution that will eradicate crime from our streets.

Nevertheless, we must pass this landmark legislation and let our fellow Americans know that we, along with the President, care deeply about the crime wave ravaging our communities, and that we are providing much needed tools and resources that are needed in this crusade against crime.

Just a week ago my district, Puerto Rico, lost a great public servant in a senseless act of violence. Jose Jaime Pierluisi, a 28-year-old model citizen, succumbed to the bullets of an assassin during a carjacking. Jose, known by countless friends and relatives as "Pilu," was an exemplary role model to America's youth. A member of a family of public servants, his father is a former Secretary of Housing in Puerto Rico, and his brother, Pedro, is currently Secretary of Justice in Puerto Rico.

Pilu, an affable young man, serious in his work and always willing to assist in commendable causes, had dedicated himself to forge a better Puerto Rico. In his latest role as the Governor's Economic Adviser, he sought to create better jobs and education opportunities for his fellow citizens.

Pilu, we render tribute to you in this Chamber. On behalf of your 3.6 million brothers and sisters in Puerto Rico, we thank you for your service and dedication.

THE REAL CONSEQUENCES OF VOTES CAST ON THE HOUSE FLOOR

(Mr. WALKER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WALKER. Madam Speaker pro tempore, the fact is that the votes we cast here often do have consequences. Last week the Democratic leadership lined their people up to vote against the Goss amendment to the defense appropriations bill, an amendment that was designed to keep us from committing troops to Haiti.

Madam Speaker, now we find out that in the Commerce-State-Justice appropriation bill, there is $25 million for peacekeeping activities in Haiti. What do peacekeeping activities in Haiti mean? That means a commitment of U.S. troops to that island.

Madam Speaker, we are on the verge of having a vote we cast the other day give a signal to this administration that they can put troops into Haiti and then have that confirmed with $25 million of moneys that will be voted on by this Congress to sustain those troops in Haiti. This is a disaster as a policy and it is a true sign that the votes that we cast in this Congress have consequences, real consequences.

IMPORTANCE OF SCREENING AND EARLY DETECTION OF PROSTATE CANCER

(Mrs. MORELLA asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. MORELLA. Madam Speaker, I join a number of my colleagues today in urging men over the age of 40 to schedule regular screening for prostate cancer. In 1993, an estimated 35,000 men died from prostate cancer, and the disease will affect 1 out of 10 men by the time they reach age 85. However, with early detection, the survival rates improve significantly; in the past 30 years, they have increased from 50 to 78 percent. It is critical that we get the message out that regular screening can save lives. This has been the mission of US–TOO, an organization working for increased funding for prostate cancer research and prevention efforts.

Father's Day is Sunday, June 19, and this week also has been designated "Men's Health Week." Let us take this occasion to support our fathers, sons, brothers, and friends in seeking regular prostate cancer screening. Early detection will save lives; we need to invest more in public education and research funding for this disease.

SETTING THE RECORD STRAIGHT ON MISSILE DEFENSE

(Mr. STEARNS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. STEARNS. Madam Speaker, I would like to commend to my colleagues' attention an article in this week's Defense News concerning a critical missile defense test in 1984 that some Members of Congress have alleged was faked by the Department of Defense.

I bring this up this morning because in view of what we saw in the gulf war and the situation we are facing today in Korea, you would think every Member of this body would want to move forward aggressively in missile defense research, testing, and deployment. However, allegations of this faked test have been cited on the House floor as a major reason why we have cut funding for these programs.

Today's report states that the GAO's investigation completely supports the Pentagon. There was no cheating by DOD on these critical tests. Instead, the tests proved that missile defense can work; that is, SDI.

We are cutting defense too much too quickly, and in recent years, we have cut vital research into missile defense technology by too much. During the recent D-day commemoration, it was often said that our greatest responsibility is to hand down a safer world to our children. I strongly agree. One way we can do that is through making missile defense a reality.

NEW TAXES AREN'T THE ANSWER

Mr. KNOLLENBERG. Madam Speaker, we have all heard the heart-wrenching stories from our constituents about the problems with our present health care delivery system, but I have yet to hear from a majority of people from my district or across America who want to pay more in taxes.

On both sides of Capitol Hill, the Democrat leadership is at it again—asking hard working Americans to dig even deeper into their pockets for yet another big Government proposal.

And when I say deep, numbers upward of $190 billion cannot help but strike fear into the hearts of the American public.

The people who elected us do not want unfunded mandates. They do not want new taxes. And they certainly do not favor increasing Government bureaucracy for a system that would be costly, untested, and unretractable.

Our friends and neighbors on Main Street, U.S.A., want a common sense approach that not only fixes those parts of our health care delivery sector that are broken, but also saves the best of our present system.

Madam Speaker, the American people want health care reform, and I wholeheartedly agree, but I refuse to place yet another burden on their backs, just to relieve another. This is non-negotiable with the American people. The American public is taxed too much not too little. I know it, and the Members of this House know it.

WELFARE REFORM PROGRAM WILL CONTINUE TO ENSLAVE ANOTHER GENERATION

Mr. MICA. Madam Speaker, today, the administration is announcing its welfare reform proposal. If Members are holding their breath that it will end welfare as we know it, they should not hold their breath. If they are hoping it will cut spending on welfare, think again. If they are hoping it will create more jobs in the private sector, they are about to be disappointed.

Here is what it does, Madam Speaker. It spends billions more for Government programs. It proposes to take welfare recipients, and, I might add, a small percent, and it takes them off of one Government program and it puts them on another Government program. The Clinton welfare reform program is another Government-based program to continue the enslavement of another generation.

Why not create real full-time jobs in the private sector? Why not promote investment, capital expansion, and real opportunity? Why continue to extinguish the American dream with more Government-based solutions, with more make-work jobs, with more shell games for the taxpayers' hard-earned dollars?

Only when we look at realistic solutions will we really end welfare as we, unfortunately, know it.

REMEMBERING JOHN H. BRADLEY ON FLAG DAY

Mr. ROTH. Madam Speaker, today is Flag Day, a very important day for all of us. Last Saturday, the largest Flag Day parade in America was conducted in Appleton, WI.

It is only appropriate that that city, Appleton, WI, dedicated the Flag Day to John Bradley. John Bradley was the last of the six servicemen who placed the flag on Mt. Suribachi after the Battle of Iwo Jima. Mr. Bradley in that photo was unforgettable, along with the other five, because of the Pulitzer Prize winning photo of 1945.

Mr. Bradley was a 21-year-old pharmacist's mate, second class. Mr. Bradley is one of the real heroes of our country. Mr. Bradley was greatly loved and respected in his hometown of Appleton, WI, and he was greatly loved and respected in Antigo, WI, where he lived and worked.

Consequently, with what has taken place on January 11, the Bradley family and the people of northeast Wisconsin and the American people lost a great patriot. However, as Admiral Nimitz said at that time, for those men and women in uniform, "uncommon valor was a common virtue."

AMERICA'S RETREAT FROM ITS COMMITMENT TO THE PRINCIPLE OF FREEDOM

Mr. ROHRABACHER. Madam Speaker, with the cold war over, one would have expected America to emerge as an even more aggressive champion of human rights and democracy. Instead, in recent days we have seen a retreat from America's commitment to freedom as a fundamental principle.

Madam Speaker, this administration not only supports most-favored-nation status for Communist China, in spite of massive human rights violations and cultural genocide in Tibet, but the administration also has decoupled, totally decoupled, the discussion of trade and human rights with this monstrous violator or of human liberty. It was the most destructive setback for human liberty in decades.

Madam Speaker, this administration has rushed ahead to lift the embargo, the economic embargo on Vietnam, without demanding any democratic reform or any new respect for human rights.

□ 1230

Now word comes that President Li of the Republic of China returning back to the Republic of China from a diplomatic mission in Latin America asked to spend the evening in Hawaii instead of just having to refuel for a few moments. He was denied permission to do so. It is an insult to democracy. He deserves an apology. The American people deserve better leadership.

WAIVING CERTAIN POINTS OF ORDER AGAINST H.R. 4506, ENERGY AND WATER DEVELOPMENT APPROPRIATIONS ACT, 1995

Mr. HALL of Ohio. Madam Speaker, by direction of the Committee on Rules, I call up House Resolution 449 and ask for its immediate consideration.

H. RES. 449

Resolved, That during consideration in the Committee of the Whole House on the state of the Union of the bill (H.R. 4506) making appropriations for energy and water development for the fiscal year ending September 30, 1995, and for other purposes, all points of order against provisions in the bill for failure to comply with clause 2 or 6 or rule XXI are waived. The amendment printed in section 2 of this resolution may be offered only by Representative Bevill of Alabama or his designee, may amend portions of the bill not yet read for amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole.

SEC. 2. The amendment that may be offered only by Representative Bevill of Alabama or his designee is as follows:

Page 21, line 24, strike "$3,164,369,000" and insert "$3,201,369,000".

Page 23, line 10, strike "$1,879,204,000" and insert "$1,842,204,000".

The SPEAKER pro tempore (Ms. DELAURO). The gentleman from Ohio [Mr. HALL] is recognized for 1 hour.

Mr. HALL of Ohio. Madam Speaker, for purposes of debate only, I yield the customary 30 minutes to the gentleman from Florida [Mr. GOSS], pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

Madam Speaker, House Resolution 449 is an open rule waiving points of order against provisions of the bill, H.R. 4506, the Energy and Water Development Appropriations for Fiscal Year 1993. Since general appropriations bills are privileged under the rules of the House, the rule does not provide for any special guidelines for the consideration of the bill. Provisions related to time for general debate are not included in the rule. Customarily, Madam Speaker, general debate time is limited by a unanimous-consent request by the chairman of the Appropriations Subcommittee prior to the consideration of the bill.

The rule waives clause 2 of rule XXI against all provisions of H.R. 4506. Clause 2 of rule XXI prohibits unauthorized appropriations or legislative provisions in general appropriations bills. The waiver is necessary because the annual authorizing legislation for many of the bill's agencies and programs is not in place. In addition, it is

necessary because of provisions in the bill affecting the Corps of Engineers and Bureau of Reclamation's important work affecting their ongoing responsibilities for water resources. The rule also waives clause 6 of rule XXI prohibiting reappropriations in a general appropriation bill against all provisions in the bill. This is necessary to allow the transfer of prior year unspent funds.

Finally, Madam Speaker, this rule provides that the Bevill amendment printed in section 2 of the rule may amend portions of the bill not yet read for amendment, if offered by Representative BEVILL or his designee. The Bevill amendment is not subject to a demand for a division of the question. This is an amendment which reflects the administration's amended budget request for the Department of Energy's national security programs and allows the transfer of funds between accounts within the Atomic Energy Defense Activities. It will not affect the total budget authority or outlays in the bill.

Madam Speaker, this is a carefully crafted bill which funds many activities of the Department of Energy and other agencies which are vital to our environment and national security. The bill, along with the Bevill amendment, are critically needed for the Energy Department's Mound Plant, in Miamisburg, OH, which I have the privilege of representing.

Madam Speaker, under the normal rules of the House, any amendment which does not violate any House Rules could be offered to H.R. 4506. The rule received unanimous support in the House Rules Committee, and I urge my colleagues to adopt it.

Mr. GOSS: Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, I am pleased that this rule allows for an open rule, an open amendment process whereby any Member can come to the Chamber under the normal procedures of the House and present an amendment to cut funding levels in this bill. That is a breath of fresh air and I congratulate those involved for allowing it to happen.

As a fiscal conservative myself, deeply concerned about the enormous Federal debt and the track record of this House to spend beyond our means, I am encouraged that Members will have a chance to debate the merits of the individual spending proposals in this $20 billion bill. Of course, Members should be reminded that appropriations bills are, in fact, privileged, meaning that they do not even need to go through the Committee on Rules to come to the floor and be subject to the open amendment process. That is always an option open. As the late Chairman Natcher believed, the standard operating procedure for appropriations bills should be, in fact, to bypass the Committee on Rules and take their chances under the normal procedure of the House rules coming to this floor. But lately the exception has become the rule as the appropriators keep running into little pesky problems on points of order which seem to be triggered by repeated violations of the standing House rules. If today's energy and water appropriations bill had come straight to the floor, for example, in normal fashion, it would have been vulnerable to a series of points of order against unauthorized projects and legislating on an appropriations bill. If Members turn to the actual report that we have from pages 133 to 136 for any Members who are interested, they will see under the title changes in application of existing law several areas that needed to be protected under the points of order. Likewise, we do not speak to the unauthorized projects which, of course, are not listed in the report specifically that way. That means any Member will have to go through the whole bill to figure out those things.

Madam Speaker, the Committee on Rules has tried to guard against that. In this case I feel we have got a good bill and a good rule because I do not think there is anything particularly serious in there that is going to cause any Member any trouble, but I urge them to look if they wish.

Rather than risk any kind of a floor fight on it, the chairman and the ranking member sought and received waivers from the Committee on Rules. As I say, this was a relatively straightforward process, it was not contentious. There was not a lot of disagreement. I think we have got a good product in this case and again I congratulate all those involved for doing the best job possible, carrying on the different challenges that we all have to get this legislation to the floor in an appropriate way.

Madam Speaker, judging by the frequency with which this type of end run problem of having to waive these points of order occurs, it is clear that we have a problem in our legislative process that needs to be changed. We seem to spend an awful lot of time these days waiving rules rather than complying with them and as we come up against one example after another on the need for reform, I urge the majority leadership, and I really mean this, to allow changes in the committee structure and the budget process. Right now we have got a bunch of recommendations from the Joint Committee on the Reform of Congress that are just sort of laying waiting. I hope they do not become permanent shelf items. There is an opportunity to change the way we do business. I think it would be a big improvement, and I think that the trend that I have outlined that as good as this rule is and as well intentioned and as well crafted as it is as my friend the gentleman from Ohio has said, we could have a better process and we have some recommendations that we at least ought to deliberate about. This is just an opportunity to remind us of that.

In the meantime, Madam Speaker, while we do not oppose this rule, I would like my colleagues to know that the minority members of the Committee on Rules did seek to improve it and ultimately impose greater fiscal discipline by leaving the unauthorized provisions in this bill vulnerable to points of order. Not surprisingly, that effort failed. As I say, I do not think any real damage was done except perhaps to the principle. We can only hope that eventually the majority too will tire of the cumbersome and inefficient way of doing business we have with the waiving of points of order. Then at last reform may finally come, and I think it is time that it did. An awful lot of energy has been put into the question of reform and we have not seen anything come out yet in the way of result.

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

Mr. HALL of Ohio. Madam Speaker, I have no requests for time, 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.

□ 1240

GENERAL LEAVE

Mr. BEVILL. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on H.R. 4506, the bill now under consideration, making appropriations for energy and water development for 1995, and that I be permitted to include extraneous material.

The SPEAKER pro tempore (Ms. DELAURO). Is there objection to the request of the gentleman from Alabama?

There was no objection.

ANNUAL REPORT OF THE FEDERAL PREVAILING RATE ADVISORY COMMITTEE—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES

The SPEAKER pro tempore laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, without objection, referred to the Committee on Post Office and Civil Service:

To the Congress of the United States:

In accordance with section 5347(e) of title 5 of the United States Code, I transmit herewith the 1993 annual report of the Federal Prevailing Rate Advisory Committee.

WILLIAM J. CLINTON.

THE WHITE HOUSE, *June 14, 1994.*

ENERGY AND WATER DEVELOPMENT APPROPRIATIONS ACT, 1995

Mr. BEVILL. Madam Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 4506) making appropriations for energy and water development for the fiscal year ending September 30, 1995, and for other purposes, and pending that motion, Madam Speaker, I ask unanimous consent that general debate be limited to not to exceed 1 hour, the time to be equally divided and controlled by the gentleman from Indiana [Mr. MYERS] and myself.

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

Thee was no objection.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Alabama [Mr. BEVILL].

The motion was agreed to.

The SPEAKER pro tempore. The Chair designates the gentleman from New Jersey [Mr. HUGHES] as Chairman of the Committee of the Whole, and requests the gentleman from Mississippi [Mr. MONTGOMERY] to assume the chair temporarily.

□ 1241

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 4506) making appropriations for energy and water development for the fiscal year ending September 30, 1995, and for other purposes, with Mr. MONTGOMERY, Chairman pro tempore, in the chair.

The Clerk read the title of the bill.

By unanimous consent, the bill was considered as having been read the first time.

The CHAIRMAN pro tempore. Under the unanimous-consent agreement, the gentleman from Alabama [Mr. BEVILL] will be recognized for 30 minutes, and the gentleman from Indiana [Mr. MYERS] will be recognized for 30 minutes.

The Chair recognizes the gentleman from Alabama [Mr. BEVILL].

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

Mr. Chairman, we bring to you today for your favorable consideration the bill H.R. 4506 making appropriations for energy and water development for the fiscal year 1995. I am joined in this effort by my colleagues on the Energy and Water Development Subcommittee who have worked long and hard to bring this legislation to the floor. Let me express my special appreciation to our ranking minority member, the gentleman from Indiana [Mr. MYERS]. As in years past, he and I have worked together with the subcommittee without any trace of partisanship to fashion a bill that meets the present and future needs of our entire country. I also want to express my appreciation and thanks to the members of the subcommittee, the gentleman from California [Mr. FAZIO], the gentleman from Texas [Mr. CHAPMAN], the gentleman from Florida [Mr. PETERSON], the gentleman from Arizona [Mr. PASTOR], the gentlewoman from Florida [Mrs. MEEK], the gentleman from New Jersey [Mr. GALLO], and the gentleman from Kentucky [Mr. ROGERS]. I want to also thank Chairman OBEY, a member of the subcommittee, and Mr. MCDADE for their assistance. All of these members worked very hard in a bipartisan manner to bring this bill to the House floor for your consideration.

Mr. Chairman, at the outset, I want to point out to Members of the House that this bill is within the section 602(b) allocation for both new budget authority and outlays. It is right at the 602(b) allocation for outlays, and $17,378,000 below the 602(b) allocation for budget authority. I caution Members that any amendments offered to increase appropriations for any programs in this bill will put it over our allocation amount as we are right at our ceiling for outlays.

Mr. Chairman, the committee believes that this is the best bill that could be developed within the severe budget constraints that we faced. The bill before the committee today would provide $20,355,622,000 to the Army Corps of Engineers, the Department of the Interior, the Department of Energy, and nine independent agencies and commissions. This amount is $157,128,000 lower than the President's budget and $1,333,725,000 lower than the fiscal year 1994 appropriation.

I would like to note that the total amount recommended in the bill is $20,525,510,000 in budget authority. However, the Congressional Budget Office has scored the bill at a total amount of $20,355,622,000 due to various adjustments needed to compensate for $169,888,000 of excess revenues and other adjustments credited to accounts in this bill. The $20,355,622,000 is less than the subcommittee's 602(b) allocation for budget authority.

TITLES I AND II—WATER RESOURCE DEVELOPMENT

Mr. Chairman, the committee is committed to a policy of development of the vital navigation, flood control, shore protection, water supply, irrigation, environmental restoration, and hydroelectric projects that are necessary to the well-being and economic growth of the entire Nation. No part of this country is immune from the problems of water—too little or too much—and all States of the Union must join together cooperatively to foster a truly national water policy which responds to the unique needs of each State and region.

Title I includes $3,452,434,000 for the Corps of Engineers which provides for 528 water resource projects in the planning or construction phases. This is $524,696,000 less than last year's appropriation.

Title II includes $883,620,000 for the Department of the Interior and the Bureau of Reclamation which provides for 93 water resources projects in the planning or construction phases. This is $16,824,000 less than last year's appropriation.

Titles I and II also provide for research and development activities, other studies which are not project specific, and projects in the operation and maintenance category.

TITLE III—DEPARTMENT OF ENERGY

In title III, for the Department of Energy, the recommendation provides a total of $15,820,065,000. This is $1,144,775,000 less than last year's appropriation. The recommendations for energy programs include many changes in the request which are summarized in the report. I will mention a few items.

For solar and renewable energy programs, we are recommending $402,050,000, an increase of $54,666,000 over last year's funding level.

The magnetic fusion program was funded at $376,563,000, an increase of $28,968,000 over last year's funding level.

For environmental restoration and cleanup activities at Department of Energy defense and nondefense facilities, the committee recommendation is $6,173,579,000, which is $12,074,000 below the fiscal year 1994 appropriation.

For nuclear energy R&D, the recommendation is $259,628,000, a decrease of $81,736,000 from the fiscal year 1994 level. The committee has agreed to the administration's request to terminate the Advanced Liquid Metal Reactor Research Program, but has continued limited funding of the gas turbine-modular helium reactor.

For General Science and Research, the committee recommendation provides a total of $989,031,000, a decrease of $626,083,000 from the fiscal year 1994 appropriation. The committee recommendation provides $44,000,000, the same as the budget request, to construct an asymmetric B-meson production facility—B-Factory, and also provides additional funding to increase the use of existing facilities.

The recommendation for defense programs of $10,301,214,000 is $559,594,000 below the fiscal year 1994 appropriation and $244,218,000 below the budget request. The recommended level includes increased funds for defense waste cleanup as I noted previously.

At the appropriate time, I will be offering an amendment to this bill. On June 8, 1994, the President submitted

an amended budget request for the national security programs of the Department of Energy. The committee has reported H.R. 4506 before the President's request was received, but we felt it was important to consider this request when the bill was brought before the House. Working with the Armed Services Committee, we reviewed this budget amendment and identified those portions which are critical to meet the near-term national security requirements of the Department.

My amendment would increase the weapons activities appropriation by $37,000,000 and decrease the materials support and other defense programs appropriation by $37,000,000. This will not affect the total budget authority or outlays in this bill. This amendment was made in order by the Rules Committee and has been approved by the Armed Services Committee. I have included a table summarizing the specific funding adjustments.

TITLE IV—INDEPENDENT AGENCIES

Title IV of the bill includes $369,391,000 for nine independent agencies. This is the same as the budget request, and $63,727,000 below last year's appropriation.

We have provided $187,000,000 for the Appalachian Regional Commission; $136,856,000 for the Tennessee Valley Authority; $17,933,000 for the Defense Nuclear Facilities Safety Board; $2,664,000 for the Nuclear Waste Technical Review Board; $1,000,000 for the Office of the Nuclear Waste Negotiator, and $1,938,000 for the three river basin commissions.

The committee recommendation provides $540,501,000 for the Nuclear Regulatory Commission, which is offset by revenues of $518,501,000, resulting in a net appropriation of $22,000,000 which is financed from the Nuclear Waste Fund.

COMMITTEE REPORT

The report accompanying the bill provides a good explanation of the recommendations reflected in the bill. I would encourage the Members to look through it.

I would like to include a table showing the total funding in the bill by program.

This is a good bill. I recommend its adoption.

FY 1995 ENERGY AND WATER DEVELOPMENT APPROPRIATIONS BILL (H.R. 4506)

	FY 1994 Enacted	FY 1995 Estimate	Bill	Bill compared with Enacted	Bill compared with Estimate
TITLE I - DEPARTMENT OF DEFENSE - CIVIL					
DEPARTMENT OF THE ARMY					
Corps of Engineers - Civil					
General investigations	207,540,000	147,850,000	179,062,000	-28,478,000	+31,212,000
Construction, general	1,400,875,000	956,147,000	1,023,595,000	-377,280,000	+67,448,000
Flood control, Mississippi River and tributaries, Arkansas, Illinois, Kentucky, Louisiana, Mississippi, Missouri, and Tennessee	348,875,000	319,918,000	334,138,000	-14,737,000	+14,220,000
Operation and maintenance, general	1,888,990,000	1,906,184,000	1,846,535,000	-42,455,000	+38,351,000
Regulatory program	92,000,000	109,916,000	101,000,000	+9,000,000	-8,916,000
Flood control and coastal emergencies	20,000,000	14,979,000	14,978,000	-5,021,000	.....
Emergency supplemental appropriations	70,000,000	.....	.....	-70,000,000	.....
General expenses	148,500,000	156,255,000	152,500,000	+4,000,000	-3,755,000
Oil spill research	350,000	625,000	625,000	+275,000	.....
Total, title I, Department of Defense - Civil	3,977,130,000	3,313,874,000	3,452,434,000	-524,696,000	+138,560,000
TITLE II - DEPARTMENT OF THE INTERIOR					
Central Utah Project Completion Account					
Central Utah project construction	14,920,000	22,839,000	22,839,000	+7,919,000	.....
Fish, wildlife, and recreation mitigation and conservation	4,850,000	11,133,000	11,133,000	+6,283,000	.....
Utah reclamation mitigation and conservation account	5,000,000	5,000,000	5,000,000	.....	.....
Program oversight and administration	1,000,000	1,191,000	1,191,000	+191,000	.....
Total, Central Utah project completion account	25,770,000	40,163,000	40,163,000	+14,393,000	.....
Bureau of Reclamation					
General investigations	13,819,000	12,600,000	14,190,000	+371,000	+1,590,000
Construction program	464,423,000	380,906,000	432,727,000	-31,696,000	+51,821,000
Operation and maintenance	282,668,000	284,165,000	286,521,000	+3,823,000	+2,356,000
Loan program	13,500,000	3,600,000	9,600,000	-3,900,000	+6,000,000
(Limitation on direct loans)	(21,000,000)	(10,915,000)	(23,000,000)	(+2,000,000)	(+12,085,000)
General administrative expenses	54,034,000	54,191,000	54,034,000	.....	-157,000
Emergency fund	1,000,000	1,000,000	1,000,000	.....	.....
Colorado River Dam fund (by transfer, permanent authority)	(-7,168,000)	(-7,472,000)	(-7,472,000)	(-304,000)	.....
Central Valley project restoration fund	45,000,000	46,385,000	45,385,000	+385,000	.....
Total, Bureau of Reclamation	874,674,000	781,847,000	843,457,000	-31,217,000	+61,610,000
Total, title II, Department of the Interior	900,444,000	822,010,000	883,620,000	-16,824,000	+61,610,000
(By transfer)	(-7,168,000)	(-7,472,000)	(-7,472,000)	(-304,000)	.....
TITLE III - DEPARTMENT OF ENERGY					
Energy Supply, Research and Development Activities:					
Operating expenses	2,812,840,000	2,864,932,000	2,869,527,000	+56,687,000	+4,595,000
Plant and capital equipment	411,070,000	452,343,000	432,643,000	+21,573,000	-19,700,000
Total	3,223,910,000	3,317,275,000	3,302,170,000	+78,260,000	-15,105,000
Uranium Supply and Enrichment Activities:					
Operating expenses	246,992,000	72,210,000	72,210,000	-174,782,000	.....
Plant and capital equipment	100,000	1,000,000	1,000,000	+900,000	.....
Subtotal	247,092,000	73,210,000	73,210,000	-173,882,000	.....
Gross revenues	-70,000,000	-9,900,000	-9,900,000	+60,100,000	.....
Net appropriation	177,092,000	63,310,000	63,310,000	-113,782,000	.....
Uranium enrichment decontamination and decommissioning fund	286,320,000	301,327,000	301,327,000	+15,007,000	.....
General Science and Research Activities:					
Operating expenses	1,329,785,000	834,870,000	713,570,000	-616,215,000	-121,100,000
Plant and capital equipment	285,329,000	275,461,000	275,461,000	-9,868,000	.....
Total	1,615,114,000	1,110,131,000	989,031,000	-626,083,000	-121,100,000
Nuclear Waste Disposal Fund	260,000,000	254,800,000	304,800,000	+44,800,000	+50,000,000
Isotope production and distribution fund	3,910,000	7,300,000	11,600,000	+7,690,000	+4,300,000
Environmental Restoration and Waste Management:					
Defense function	(5,181,855,000)	(5,217,424,000)	(5,128,211,000)	(-53,644,000)	(-89,213,000)
Non-defense function	(1,003,798,000)	(1,045,368,000)	(1,045,368,000)	(+41,570,000)	.....
Total	(6,185,653,000)	(6,262,792,000)	(6,173,579,000)	(-12,074,000)	(-89,213,000)
Atomic Energy Defense Activities					
Weapons Activities:					
Operating expenses	3,248,856,000	2,936,916,000	2,863,717,000	-384,939,000	-73,199,000
Plant and capital equipment	346,542,000	323,752,000	300,652,000	-45,890,000	-23,100,000
Total	3,595,198,000	3,260,668,000	3,164,369,000	-430,829,000	-96,299,000
Defense Environmental Restoration & Waste Management:					
Operating expenses	4,552,278,000	4,560,010,000	4,530,547,000	-21,731,000	-29,463,000
Plant and capital equipment	629,577,000	657,414,000	597,664,000	-31,913,000	-59,750,000
Total	5,181,855,000	5,217,424,000	5,128,211,000	-53,644,000	-89,213,000

FY 1995 ENERGY AND WATER DEVELOPMENT APPROPRIATIONS BILL (H.R. 4506)—Continued

	FY 1994 Enacted	FY 1995 Estimate	Bill	Bill compared with Enacted	Bill compared with Estimate
Materials Support and Other Defense Programs:					
Operating expenses	1,654,246,000	1,742,015,000	1,714,309,000	+60,063,000	-27,706,000
Plant and capital equipment	309,509,000	195,895,000	164,895,000	-144,614,000	-31,000,000
Total	1,963,755,000	1,937,910,000	1,879,204,000	-84,551,000	-58,706,000
Defense Nuclear Waste Disposal	120,000,000	129,430,000	129,430,000	+9,430,000	
Total, Atomic Energy Defense Activities	10,860,808,000	10,545,432,000	10,301,214,000	-559,594,000	-244,218,000
Departmental Administration:					
Operating expenses	393,458,000	389,792,000	400,417,000	+6,959,000	+10,625,000
Plant and capital equipment	7,780,000	6,895,000	6,895,000	-885,000	
Subtotal	401,238,000	396,687,000	407,312,000	+6,074,000	+10,625,000
Miscellaneous revenues	-239,209,000	-161,490,000	-161,490,000	+77,719,000	
Net appropriation	162,029,000	235,197,000	245,822,000	+83,793,000	+10,625,000
Office of the Inspector General	30,362,000	26,465,000	26,465,000	-3,897,000	
Power Marketing Administrations					
Operation and maintenance, Alaska Power Administration	4,010,000	6,494,000	6,494,000	+2,484,000	
Operation and maintenance, Southeastern Power Administration	29,742,000	22,431,000	22,431,000	-7,311,000	
Operation and maintenance, Southwestern Power Administration	33,587,000	21,316,000	21,316,000	-12,271,000	
Construction, rehabilitation, operation and maintenance, Western Area Power Administration	277,956,000	265,885,000	224,085,000	-53,871,000	-41,800,000
(By transfer, permanent authority)	(7,166,000)	(7,472,000)	(7,472,000)	(+304,000)	
Total, Power Marketing Administrations	345,295,000	316,126,000	274,326,000	-70,969,000	-41,800,000
Federal Energy Regulatory Commission					
Salaries and expenses	165,375,000	166,173,000	166,173,000	+798,000	
Revenues Applied	-165,375,000	-166,173,000	-166,173,000	-798,000	
Total, title III, Department of Energy	16,964,840,000	16,177,363,000	15,820,065,000	-1,144,775,000	-357,298,000
(By transfer)	(7,166,000)	(7,472,000)	(7,472,000)	(+304,000)	
TITLE IV - INDEPENDENT AGENCIES					
Appalachian Regional Commission	249,000,000	187,000,000	187,000,000	-62,000,000	
Defense Nuclear Facilities Safety Board	16,560,000	17,933,000	17,933,000	+1,373,000	
Delaware River Basin Commission:					
Salaries and expenses	333,000	343,000	343,000	+10,000	
Contribution to Delaware River Basin Commission	488,000	478,000	478,000	-10,000	
Total	821,000	821,000	821,000		
Interstate Commission on the Potomac River Basin:					
Contribution to Interstate Commission on the Potomac River Basin	498,000	511,000	511,000	+13,000	
Nuclear Regulatory Commission:					
Salaries and expenses	542,900,000	540,501,000	540,501,000	-2,399,000	
Revenues	-520,900,000	-518,501,000	-518,501,000	+2,399,000	
Subtotal	22,000,000	22,000,000	22,000,000		
Office of Inspector General	4,800,000	5,080,000	5,080,000	+280,000	
Revenues	-4,800,000	-5,080,000	-5,080,000	-280,000	
Subtotal					
Total	22,000,000	22,000,000	22,000,000		
Susquehanna River Basin Commission:					
Salaries and expenses	308,000	318,000	318,000	+10,000	
Contribution to Susquehanna River Basin Commission	298,000	288,000	288,000	-10,000	
Total	606,000	606,000	606,000		
Tennessee Valley Authority: Tennessee Valley Authority Fund	140,473,000	136,856,000	136,856,000	-3,617,000	
Nuclear Waste Technical Review Board	2,160,000	2,664,000	2,664,000	+504,000	
Office of the Nuclear Waste Negotiator	1,000,000	1,000,000	1,000,000		
Total, title IV, Independent agencies	433,118,000	369,391,000	369,391,000	-63,727,000	
Scorekeeping adjustments	-586,185,000	-169,888,000	-169,888,000	+416,297,000	
Grand total:					
New budget (obligational) authority	21,889,347,000	20,512,750,000	20,355,622,000	-1,333,725,000	-157,128,000
(By transfer)					

AMENDMENT SUMMARY		
Program	Request	Recommendation
WEAPONS ACTIVITIES		
Weapons Stockpile Support		
Additional stockpile support activities at the Kansas City Plant, Missouri	$31,000,000	$31,000,000
Assure safety and environmental compliance during shutdown of the Mound Plant, Ohio ($28,000,000 total with $13,000,000 reallocated from within the program)	15,000,000	15,000,000
Additional stockpile activities at the Y-12 Plant, Tennessee	30,000,000	30,000,000
Assure safety and environmental compliance during shutdown of the Pinellas Plant, Florida	12,000,000	12,000,000
Capital equipment to implement nonnuclear reconfiguration at Sandia National Laboratory, New Mexico	3,000,000	3,000,000
Replace Aviation Facility, Albuquerque, New Mexico	2,000,000	0
Total, Stockpile Support	93,000,000	91,000,000
Use of Prior Year Balances	(54,000,000)	(54,000,000)
TOTAL, WEAPONS ACTIVITIES	39,000,000	37,000,000
MATERIALS SUPPORT AND OTHER DEFENSE PROGRAMS		
Fissile Materials Control and Disposition		
National Resource Center for Plutonium, Amarillo, Texas	9,000,000	9,000,000
Materials Support		
Disassembly Basin Upgrades, Savannah River, South Carolina	13,000,000	0
Capital Equipment	(13,000,000)	0
Use of Prior Year Balances	(48,000,000)	(46,000,000)
TOTAL, MATERIALS SUPPORT AND OTHER DEFENSE PROGRAMS	(39,000,000)	(37,000,000)

□ 1250

Mr. MYERS of Indiana. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman and members of the committee, first I want to thank our chairman, the gentlemen from Alabama [Mr. BEVILL], for the kind remarks that he made about the work of this committee, and I also want to thank the staff who worked so hard, who do the best job we could with the limited resources we had.

Mr. Chairman, as the gentleman from Alabama [Mr. BEVILL] has said, and he did an excellent job in presenting what is in the bill, it is a good bill, but it is a far cry from being an excellent bill.

I never thought, Mr. Chairman, that I would come to the floor and complain about a bill being too little and too short of adequate funding. As most of my colleagues have heard through the years, I have been trying to freeze all the appropriations at the previous year's level, but this bill goes way below the freeze.

Every appropriations bill is certainly important to our country, but this one particularly, years ago when the chairman and I first came to the committee, was called the all-American bill because it touches every community. These are investments in our future. If our children and grandchildren are to have an adequate source of electric energy for the future, if we are to have the ports that are capable of shipping our exports to foreign countries, giving jobs to Americans in the future, if we are to have the inland waterways which are now 25,000 miles, are going to be adequate and taken care of maintenance-wise, that came through this committee's work.

This year we had a difficult job, as the chairman has already stated. First, the President's budget was inadequate to fund some of the programs, particularly in energy research for the future, and then, when our 602(b) allocation, coming through from the Committee on Appropriations; once again it was a far cry from what is needed to adequately fund the research that is needed so badly if we are to have the energy resources for our future. The chairman has discussed these shortcomings, but the bill is $1.7 billion, a billion 750 million, below on budget authority from last year, a big cut.

Mr. Chairman, some of the cuts that have been made have already been described here; in general there was in research and advanced physics. We were 5 percent below last year. It was the other cuts that have been made here; the administration requested a 14-percent decrease in the medium-energy physics. We were able to restore some of this research, but, Mr. Chairman, really not enough to do an adequate job, and I want to speak to those who for the last several years voted to do away with the SSC, to eliminate that investment.

As my colleagues know this committee did not support eliminating the SSC, but the cry on the House floor here for years was, if we do not have that investment, the SSC, there will be money available for other research. Well, that has not happened. We take the research dollars out of the SSC, and we have cut other programs, too, so this year killing the SSC certainly did not provide extra money for the research that should be made.

In closing, Mr. Chairman, I will support this committee's work this year. I compliment our colleagues for doing a difficult job. But I am somewhat sorry that we did not adequately fund some of the programs that are so badly needed. It is a penny-wise-and-pound-foolish year. We just did not invest money in future research, particularly for the needed energy that our country is going to need for the future. We just did the best job we could with the limited resources. But this bill, if I described it, is a good bill, but it suffers from anemia. It is kind of weak.

So, Mr. Chairman, reluctantly I do support this bill, but I wish we could have done better.

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

Mr. BEVILL. Mr. Chairman, I yield 3 minutes to our distinguished colleague, the gentleman from Arizona [Mr. PASTOR], a member of this subcommittee.

Mr. PASTOR. Mr. Chairman, I rise in support of this appropriation bill.

As the gentleman from Alabama [Mr. BEVILL], our chairman, and our ranking member, the gentleman from Indiana [Mr. MYERS], have told us, this subcommittee, first of all, had to deal with reducing this bill by $1.3 billion from last year. As my colleagues heard, the subcommittee has dozens of volumes of testimony from people who are concerned about the future of America. Moneys from this bill help appropriate the Department of Energy, and to my colleagues, Mr. Chairman, I want to tell them that we are doing some good things in this appropriation.

One of the things that this subcommittee has done is appropriate moneys for initiatives in renewable fuels, which means additional money for the conversion of solar energy into power, a conversion of thermal energy into power, and also taking wind, that energy, and transforming that into power. This is in the hopes that the investment in renewable fuels will take us away from the dependence that we have on fossil fuels.

Mr. Chairman, this committee is also very much concerned with some of the waste that we have throughout this Nation, and so this bill does a lot to begin addressing the problem of nuclear waste and other waste that we have throughout this country and finding means to clean up our environment.

We also are investing a little, a little more, but very little, in basic research through the Department of Energy. We are now asking that the national labs work with community colleges and the private sector so that we can begin converting that technology that was based on defense to that technology that deals with nondefense.

We are also dealing with the Corps of Engineers. This bill is dealing with how we stabilize river banks, what do we do to ensure that communities who have had the problem of flooding in the past resolve that problem so that they will no longer feel the threat or the danger of flooding.

We also are funding the Bureau of Reclamation to ensure that we have the energy and the water systems that many areas of our country so desperately need.

□ 1300

Mr. Chairman, this is a good bill. It is a good bill because it took a reduction of $1.3 billion and began setting priorities through the testimony of various Members, State officials, and people who have an interest in the future of America. I would ask my colleagues to support this bill because it is a bill that aims to ensure a better future.

Mr. MYERS of Indiana. Mr. Chairman, I yield 3 minutes to the gentleman from Nebraska [Mr. BEREUTER].

Mr. BEREUTER. Mr. Chairman, I rise in strong support of this legislation. This Member would also like to direct commendations to the distinguished gentleman from Alabama [Mr. BEVILL], the chairman of the Energy and Water Development Subcommittee, and the distinguished gentleman from Indiana [Mr. MYERS], the ranking member of the subcommittee, and all the subcommittee members, for their exceptional work in bringing this bill to the floor.

It is obvious that extremely tight budgetary constraints have made the chairman and the ranking members' task more difficult by forcing this subcommittee to recommend a 7-percent reduction in spending for the Department of Energy, a 13-percent reduction for the Army Corps, and a 4-percent reduction for the Bureau of Reclamation. Therefore, in light of these budgetary constraints, 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 1995 includes funding for several related water projects that are important to Nebraska.

Importantly, the bill provides funding for two Missouri River projects which are designed to remedy problems of erosion, loss of fish and wildlife habitat, and sedimentation. First, the bill provides $10.1 million for the Missouri River mitigation project for a four-State area. 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 largely 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.

Second, the bill provides $100,000 for operation and maintenance and $100,000 for construction of the Missouri National Recreation River Project. This project addresses a serious problem in 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, the bill provides funding for flood-related projects of tremendous importance to residents of Nebraska's First Congressional District. Mr. Chairman, last year's flooding 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 provide funding for the Lower Platte River and tributaries flood control study. This study should help to formulate and develop feasible solutions which will alleviate future flood problems along the Lower Platte River and tributaries. Additionally, the bill provides continued funding for a floodplain study of the Antelope Creek which runs through the heart of Nebraska's capital city, Lincoln, and it enables the completion of a flood control study of the Burt Water Drainage District in Burt and Washington Counties.

Finally, Mr. Chairman, this Member recognizes that the bill also provides operation and maintenance funding for the Missouri River Water Control Manual as well as funding for Army Corps and Bureau of Reclamation projects in Nebraska's other two congressional districts at the following sites.

Again Mr. Chairman, this Member commends the distinguished gentleman from Alabama [Mr. BEVILL], the chairman of the subcommittee, and the distinguished gentleman from Indiana [Mr. MYERS], the ranking member of the subcommittee for their continued support of these projects which are important to Nebraska and the First Congressional District, as well as to the people living in the Missouri River basin.

Mr. BEVILL. Mr. Chairman, I yield 2 minutes to the gentlewoman from Florida [Mrs. MEEK], a very distinguished member of this subcommittee.

Mrs. MEEK of Florida. Mr. Chairman, I thank the gentleman very much for yielding time to me, and I rise in support of the fiscal year 1995 appropriation bill for energy and water development.

Mr. Chairman, I would like to say to the Members of the House that this particular bill is certainly worthy of the support of the Members and worthy of their vote. The subcommittee chairman, the gentleman from Alabama [Mr. BEVILL] and our ranking member, the gentleman from Indiana [Mr. MYERS], have worked together, and we work as a unit in this committee, not on partisan levels, but we work together as Members working for the good of the American public.

Mr. Chairman, the subcommittee had a difficult time bringing forward this bill, but it is a good bill that deserves the support of the Members. It is about $1.74 billion under the fiscal year 1994 appropriation.

This bill is good for the environment. Funds are provided for environmental restoration activities throughout each section of the bill and throughout the Nation.

The development of vital transportation infrastructure is continued through funding for port development and improvements in the inland waterway system. The fact of the matter is that the United States operates in a global economy and without an efficient transportation system, our workers and companies will not be able to compete.

Efforts to address the complex problems of flood control are continued. Some may look upon this as an inappropriate activity for the Federal Government, but when one part of our Nation suffers the rest is negatively impacted. Let us not forget the negative impacts of the mid-western floods on the unemployment rate and other economic activity. Those floods shut down a vital inland waterway transportation artery for weeks. Ships had to wait at ports for cargo with the resulting increase in charges.

This bill continues the efforts to increase research in solar and renewable energy technologies. This legislation addresses the energy needs of the next century. If we do not do it today, we will have destroyed the economic future of our grandchildren.

Your subcommittee has increased the funds for the Nuclear Waste Disposal Fund by $44 million over last year's appropriation. This is commonly called the Yucca Mountain project. About 75 percent of the States have civilian nuclear power plants which are storing, on site, spent nuclear fuel. The buildup is approaching a crisis stage. This program has received much attention from your subcommittee and we seek to move it as quickly as possible, but I want to caution that it will be some years before this facility is ready assuming that all the site characterization efforts do not discover insurmountable problems. The boring machine is on site and the test tunnel is designed so that it can be used as part of the permanent facility if the site characterization studies prove positive.

The magnetic fusion program is continued. There have been breakthroughs in this program over the past year. This Nation cannot afford to turn its back upon the advancement of science.

In the budget resolution conference report, Congress decided to reducing spending $13 billion below the President's requested level. This resulted in some difficult choices being made.

This bill deserves the Members' support. It is a good bill.

Mr. MYERS of Indiana. Mr. Chairman, I yield such time as he may consume to the gentleman from New Jersey [Mr. GALLO], a long-time, hard-working member of this subcommittee.

Mr. GALLO. Mr. Chairman, I rise today in support of H.R. 4506 making appropriations for energy and water development for fiscal year 1995. As a member of this subcommittee, I would like to thank Chairman BEVILL and ranking member JOHN MYERS for their leadership. I would also like to thank the subcommittee and minority staff for their expertise and knowledge on these important issues.

Again this year we had a difficult task balancing our Nation's energy and water needs due to the fact of the tight budget restraints. Even though this is not a perfect bill, it is one that will continue to move this country toward energy independence and help to provide the technology base that the United States has enjoyed in the past.

This bill is $1.3 billion below last year's appropriation and is $157 million below the President's request.

With this bill, we have made a significant long-term commitment to the development of new energy sources for our future needs. Oftentimes we find it very difficult to look to the future for our energy needs. However, we must make the commitment now. We must provide the economic opportunities today. Without this investment we are dooming our future generations to a lower standard of living.

I believe this bill takes that necessary step. Within this bill we have funded programs that will make this country less dependent on foreign sources of energy. We have funded scientific research that will give us the capability to take this country into the 21st century. We have also funded cleanup programs that will continue to address the environmental concerns surrounding our defense programs waste.

I am also pleased that the committee fully funded the fusion energy program and the renewable energy research program. The investment in these technologies will allow our country to become the leader in this field.

In addition, this bill provides funding for a number of critical flood control projects throughout the United States.

The projects contained in this bill will help to prevent property damage and loss of life. But even more important, this report includes projects that will prevent floods from occurring. The proper planning done by the Army Corps of Engineers has proven to be very effective. The Army Corps is to be commended for their dedication and hard work.

Preparing for our future needs is never easy, but H.R. 4506 provides the insight and programs that will make it a little easier. I urge the adoption of this important bill.

□ 1310

Mr. BEVILL. Mr. Chairman, I yield 3½ minutes to the distinguished gentleman from California [Mr. MILLER].

Mr. MILLER of California. Mr. Chairman, I rise in support of H.R. 4506, making appropriations for Energy and Water Development for fiscal year 1995.

I thank the chairman of the Subcommittee on Energy and Water Development, Mr. BEVILL, and the chairman of the full Committee on Appropriations, Mr. OBEY, for their leadership and hard work in moving this bill to the floor.

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 also appreciate the continued support for the long-term management strategy to resolve dredging problems in San Francisco Bay.

I also thank the chairman and the committee for responding positively to my request that you not provide Western Area Power Administration funding of the Navajo transmission project.

H.R. 4506 and the accompanying committee report also raise several issues which I will address in my capacity as chairman of the Committee on Natural Resources.

First, H.R. 4506 will fund important individual projects and program activities of the Bureau of Reclamation. The principles of the administration's Reinventing Government initiative are demonstrated for the first time in this bill, which incorporates many significant reforms to the Bureau of Reclamation's programs.

As chairman of the Committee on Natural Resources, I will continue to support those aspects of the Bureau of Reclamation Program that reflect an accelerated transition from a water resources development agency to a contemporary water resources management and protection agency. I specifically note that H.R. 4506 properly reflects reductions in funding for certain construction activities and the reevaluation of the loan program. The new initiatives in water conservation and reuse, environmental restoration, and water supply needs included in H.R. 4506 indicate a sound new direction for the Bureau's programs.

Second, H.R. 4506 includes significant funding to implement various programs authorized by Public Law 102-575, the Reclamation Projects Authorization and Adjustment Act of 1992. This law affects dozens of Bureau of Reclamation projects and establishes many new policies for managing water resources in the Western United States. At the same time, the law presents many challenges and opportunities for our committees, for the Bureau of Reclamation, and for cities, environmentalists, and water users throughout the West. I will enthusiastically continue to support funding for programs authorized by Public Law 102-575. However, I must make clear my determination that all matters pertaining to implementation of this complex law be considered in consultation with the authorizing committee.

In particular, title 34 of the law, the Central Valley Project Improvement Act, includes many innovative measures to conserve water and restore fish and wildlife habitat that has been adversely affected by the development of water and power projects in California. Water marketing, changes in project operations and water allocations, incentives for conservation, and specific goals for fish and wildlife restoration are all included in this title. I wish to assure the chairman of the Committee on Appropriations and the Subcommittee on Energy and Water Development that they will have my full cooperation as implementation of this important law continues and particularly in the event further legislative authority is needed.

Third, with regard to the repayment of costs of cleaning up Kesterson Reservoir and conducting the San Joaquin Valley Drainage Study Program, I advised this committee of my concerns in a letter dated March 28, 1994. I include for the RECORD a copy of this letter at this point.

U.S. HOUSE OF REPRESENTATIVES,
COMMITTEE ON NATURAL RESOURCES,
Washington, DC, March 28, 1994.

Re FY 1995 Budget Request for Bureau of Reclamation.

Hon. TOM BEVILL,
Chairman, Subcommittee on Energy and Water Development, Committee on Appropriations, U.S. House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: During testimony before your subcommittee earlier this month, Commissioner of the Bureau of Reclamation Daniel P. Beard referred to a soon-to-be-released study by the Department of the Interior. This congressionally mandated study reviews the substantial costs associated with extensive studies and mitigation efforts designed to address severe environmental and wildlife damage at Kesterson Reservoir in California.

As you know, former Secretary of the Interior Donald Hodel acted in 1985 to close Kesterson Reservoir as a dumping ground for contaminated irrigation wastewater from the Westlands Water District following reports of bird malformations and other serious problems related to intake of selenium from the drainage water. The Department then initiated a program of studies to document drainage contamination problems in the San Joaquin Valley and throughout the Western United States, where additional examples of selenium contamination have been recorded.

The issue of the Kesterson contamination and mitigation has been the subject of extensive hearings and investigations by the Committee on Natural Resources and its subcommittees. We have been awaiting completion of the drainage study in order to determine whether any legislation need be considered by the Committee of jurisdiction. Since the study has not yet been released, we are not prepared to make any determination as to the need for additional legislation at this time.

The questions of the drainage program, including its repayment, are components of complex and ongoing investigations and studies by this Committee, and may not be considered in the absence of other related matters. Although it is my understanding that some efforts may be made to address the repayment obligations of Central Valley Project contractors in your forthcoming appropriations bill, such action would be inappropriate and premature. The disposition of any funding and financing recommendations associated with the cleanup of Kesterson Reservoir and the irrigation drainage study programs in California and elsewhere is wholly within the jurisdiction of the Committee on Natural Resources.

As always, I look forward to working cooperatively with you and the members of your subcommittee to assure that timely and comprehensive attention is paid to this subject. In the meantime, I request that you oppose any attempt to include in the FY 1995 Energy and Water Development Appropriations bill any provision that conflicts with the legislative jurisdiction under the purview of the Committee on Natural Resources, including the Kesterson repayment matter.

Thank you for your kind attention to this matter.

Sincerely yours,

GEORGE MILLER,
Chairman.

My colleagues will recall that significant costs have been incurred for the cleanup of Kesterson Reservoir, a series of ponds in the San Joaquin Valley that were built to contain subsurface irrigation drainage water collected from farms in the Bureau of Reclamation's San Luis Unit, part of the Central Valley Project. The Kesterson facility was closed in March 1985 by then-Secretary of the Interior Donald Hodel because the drainage water was so contaminated with selenium and other chemicals that many migratory birds using the Kesterson ponds were being killed in violation of the Migratory Bird Treaty Act. Other birds were hatched with grotesque deformities caused by selenium poisoning. Congress has appropriated tens of millions of dollars to clean up this mess on behalf of the project beneficiaries in the Westlands Water District, and we have also funded extensive multidisciplinary and multiagency studies to how to reduce or eliminate irrigation drainage contamination.

There is no legislative language in H.R. 4506 that would amend current law regarding repayment responsibilities for cleaning up Kesterson Reservoir and conducting the San Joaquin Valley Drainage Study Program. I am grateful to the committee for agreeing to my request that this legislative matter be left to the authorizing committee. The report accompanying H.R. 4506, however—House Report 103-533, refers to a forthcoming report from the Department of the Interior, and contains the following statement regarding the subject of Kesterson and drainage study repayment:

It was and is the intent of the Committee that the [forthcoming Interior Department] report be used as a resource to assist in the fair and just apportionment of Kesterson and other drainage related costs and not serve as a method of delaying indefinitely repayment obligations.

I am concerned that this statement in the committee report might incorrectly and inappropriately be interpreted as an indication that the Secretary of the Interior has not received any guidance from Congress regarding repayment of these costs. I am also concerned that the language incorrectly implies Congress is somehow required to pass a new law, amend an existing law, or take some other action in response to a report submitted by the administration. This, of course, is not the case.

The following facts are offered so that the record clearly shows the current situation and the applicability of current law to the repayment of these cost:

The costs of cleaning up Kesterson and conducting drainage studies now exceeds $110 million;

The solicitor of the Department of the Interior has determined that under the Reclamation Projects Act of 1939 and other Reclamation laws, the water users are responsible for most of the repayment costs, and the inspector general has agreed;

Because of the emergency nature of the Kerterson cleanup, repayment was not pursued as an issue until 1990, although it was discussed years earlier at hearings of the Committee on Natural Resources and the Committee on Appropriations;

Since fiscal year 1991, House Appropriations Committee report language has directed the Department specifically not to collect payments from water users pending completion of a report on how Kesterson and drainage costs and repayment are allocated. Four years later, that report still has not been submitted to Congress for review, although it is now in its final review stages and should be sent to the Hill very soon.

In summary, the Central Valley Project and San Luis Unit water users are accountable by current law for the money that has been spent on Kesterson cleanup and the San Joaquin Valley Drainage Program.

The authorizing committees and the full House and Senate and the President will have an opportunity to review information on cleanup costs and decide whether changes to current law are appropriate. However, as of October 1, 1994, the Secretary of the Interior is obligated to begin collecting payments from users liable for repayment under current law. Since the study has not yet been released, we are not prepared to make any determination as the need for addition legislation at this time.

The committee report accompanying H.R. 4506 also raises the subject of water spreading as it pertains to the Columbia Basin Project in the State of Washington. The report language apparently is an attempt to exempt certain nonirrigable lands in the Columbia Basin Project from the definition of "water spreading" if certain conditions are met.

It is well-known that class 6 lands and rights-of-way are being irrigated in the Columbia Basin Project, and probably in many other Bureau projects throughout the West although these lands are not eligible to receive water from the Bureau. Whether the term "water spreading" is applied to these lands or not is immaterial because the use of project water on such lands is illegal for the simple reason that the lands have not been classified as irrigable by the Bureau, as is required by law. The illegal irrigation of these lands means that these lands are probably not being counted toward project repayment and perhaps not even being included in calculations of operation and maintenance expenses or acreage limitations, as required by reclamation law. The illegally irrigated lands may also be using project water that might otherwise be used for a variety of purposes including instream fishery purposes. Reclamation Reform Act enforcement issues are also of concern with regard to the illegal uses of water on Bureau project lands. I wish to assure my colleagues that all information relevant to a prompt resolution of the water spreading issues and other matters pertaining to the illegal uses of project water will be considered by the Committee on Natural Resources at an oversight hearing next month. In the meantime, however, these practices are not legal and nothing in this bill can alter existing law that makes their irrigation illegal.

The scope of this problem will not be known, even to the Bureau of Reclamation, for quite some time. It is my intention to work closely with my colleagues whose constituents are served by Bureau of Reclamation irrigation facilities to understand fully the scope of this problem and to devise appropriate remedies. I also will encourage the Bureau of Reclamation to act aggressively in determining the scope of the water spreading problem, and to take appropriate steps, including land reclassifications, as may be needed to resolve the water spreading problems. The work of the Bureau's water spreading task force in the Pacific Northwest will be especially important as these investigations proceed.

I have several additional observations regarding this Columbia Basin Project report language:

This is committee report language, it is not legislative language. As such, the language is not enforceable, and it has no meaning in reclamation law;

The term "water spreading" is not yet formally defined in reclamation law. A working definition of the term is under consideration by the Bureau of Reclamation's water spreading task force, a cooperative effort in the Pacific Northwest involving the Bureau, Indian Tribes, States, water users, and environmental interests. The report of that task force will be released later this year, and will be useful to the Committee on Natural Resources in formulating congressional policies to address water spreading problems.

The Committee on Natural Resources is very much aware of the water spreading problem, and has scheduled an oversight hearing for July 19, 1994, to receive testimony from affected organizations and individuals. Any and all issues associated with water spreading and other illegal uses of water on Bureau of Reclamation projects will be considered by the committee at this hearing.

Again, I thank Chairman OBEY and Chairman BEVILL for their contributions to this bill, and I urge my colleagues to support H.R. 4506.

Mr. MYERS of Indiana. Mr. Chairman, I yield such time as he may consume to the gentleman from Kentucky [Mr. ROGERS], a member of the subcommittee that spent many hours receiving testimony.

Mr. ROGERS. Mr. Chairman, I thank the ranking member for this time.

Mr. Chairman, I urge the adoption of this bill, and I rise in strong support of the energy and water development appropriations bill. I want to thank the chairman of the subcommittee, the gentleman from Alabama [Mr. BEVILL], and the ranking member, the gentleman from Indiana [Mr. MYERS], for the very hard work that they and their staffs have put into this bill over the past several months in listening to the testimony and then allocating a very limited budget.

Clearly, Mr. Chairman, this is the most austere allocation for this subcommittee in memory. Yet the subcommittee listened intently to the interests of hundreds of local and State officials, and, of course, many colleagues here from this body, who were concerned about local projects to provide flood protection, improve waterways for commercial transportation,

and who were concerned with energy research that will keep our country competitive in the future, or for the very vital defense activities for which this subcommittee has enormous responsibility.

This subcommittee protects these interests, and, consequently, those of our country, Mr. Chairman, as they develop this bill each year. The collective experience of the chairman and ranking member and the other members of the subcommittee is one of the great assets, in my opinion, of this House.

This bill deserves the support of the Members for many reasons. I will mention very quickly a few. First, the bill is fiscally responsible.

As the gentleman from New Jersey [Mr. GALLO] mentioned, we are $157 million below the amount as proposed by the President, and $1.3 billion less than last year. That is $1.3 billion.

Second, the bill continues programs that we cannot do without, the Army Corps of Engineers programs, and particularly the flood control programs, which protect businesses and communities throughout the Nation. I am very pleased this bill provides for badly needed flood protection work in several eastern Kentucky communities. Taming the rivers in my region of the country is a major undertaking, and I am most grateful to the leadership of this subcommittee for supporting these efforts.

The bill provides for essential energy resource programs, promoting our ability to provide for long-term energy security. Both the civilian and defense sides of vital nuclear energy programs are contained in the bill, promoting both military and energy security.

Finally, I want to commend the panel for including funds which will continue work of the Appalachian Regional Commission, Mr. Chairman, an agency that helps needy areas in my district and throughout the Appalachian States of our country. ARC provides seed funds for basic infrastructure, educational projects, or any number of initiatives designed to give our poorest communities a chance to grow, a chance to develop, a chance to compete equally with those more privileged parts of the country.

Mr. Chairman, this bill does not meet every goal, as our panel would have preferred, but it has been developed responsibly, and, I might add, conservatively, and it deserves the solid support of all the Members of this body.

I urge the adoption of the bill, Mr. Chairman.

Mr. BEVILL. Mr. Chairman, I yield 2 minutes to the distinguished gentleman from Texas [Mr. STENHOLM].

□ 1320

Mr. STENHOLM. Mr. Chairman, I want to rise today to offer an amendment which would address a very serious, even life-threatening situation in San Angelo, TX, which is in my district as well as my colleague LAMAR SMITH. Twin Buttes Dam, which is a Bureau of Reclamation project, was built in the early 1960's. Due to poor design and construction of the dam, it seeps water. Although the Bureau has attempted to correct the problem, the seepage has grown worse over the years to the point where last December the water level of the reservoir was lowered well below conservation level to prevent a breach of the dam.

In fact, Twin Buttes Dam is rated the least safe dam subject to failure in the Bureau's inventory. As you can imagine, repairing Twin Buttes Dam is vitally important for several reasons, not the least of which is the fact that the lives and homes of the 40,000 people who live below the dam are endangered. Also, Twin Buttes Reservoir is the water source for 90,000 residents of San Angelo and the surrounding area. For these reasons, the dam must be fixed as quickly as possible. Furthermore, because it was faulty construction on the part of a Federal Government project, the expense of the repairs should also be the responsibility of the Federal Government.

I will not offer my amendment today because it will be held nongermane—correctly—as authorizing-type language to an appropriation bill. However, due to the life-and-death nature of this matter, I felt compelled to bring this to the attention of my colleagues so that this situation can be remedied as quickly as possible. We are asking the authorizing committee, which is the Committee on Natural Resources, and its chairman, my friend GEORGE MILLER to look at the rationale for action. I look forward to the continued input of these members as we seek to resolve this critical problem.

I do understand that my amendment would correctly be ruled nongermane to this appropriations bill because it is of an authorizing nature. I appreciate Chairman BEVILL and the committee for allowing me an opportunity to raise before this body the dangerous situation which exists in my district. My hope is that the other body and that Chairman BEVILL and Chairman MILLER will then take a compassionate position toward this cause in conference.

I am submitting for the RECORD on behalf of myself and LAMAR SMITH the amendment along with a brief history of the problems associated with Twin Buttes Dam, the recommended remedy, and rationale for why we believe that it is an equitable solution, and I appreciate the opportunity to bring this concern before the House of Representatives.

Amendment to H.R. 4506, as reported offered by Mr. STENHOLM of Texas: Page 13, line 4, strike "Act." and insert "Act: *Provided further*, That the costs relating to repairs correcting seepage problems at Twin Buttes Dam, Texas, shall be nonreimbursable under Federal reclamation laws (Act of June 17, 1902 (32 Stat. 388), and Acts supplementary thereto and amendatory thereof). Such repairs shall include the design and construction of a positive cut-off trench, foundation treatment, drainage, and instrumentation work.".

SAN ANGELO, TX,
February 24, 1994.

Mr. DANIEL BEARD,
Bureau of Reclamation, 1849 C Street NW., Washington, DC.

DEAR MR. BEARD, attached are summary positions held by the City of San Angelo regarding cost share requirements for any corrective action for Twin Buttes Dam.

I have included a memorandum from the city attorney which addresses some procedure points as well as legal aspects regarding the city position that it is not liable for any cost of correction work at Twin Buttes Dam.

In addition the city also contacted former U.S. Congressman, Tom Loeffler, who is associated with Arter & Hadden Law Firm.

Mr. Loeffler, an attorney, was San Angelo's congressional representative and drafted federal legislation that passed in 1984 and 1985 regarding Twin Buttes Reservoir corrective measures.

Mr. Loeffler also enlisted the services of Ron Newbury, an associate with his law firm, to do additional research regarding the legislative intent which exempted San Angelo from cost sharing of corrective measures at Twin Buttes then and now. Those conclusions are attached.

I have also included copies of appropriate laws, congressional committee reports, budgetary reports, as well as testimony before appropriate House and Senate committees which clearly show that is was the intent of Congress to have the federal government pay the cost of dam corrective action.

I appreciate the opportunity to provide this information which you requested and welcome the opportunity to discuss this further.

Sincerely,

STEPHEN BROWN,
City Manager.

Memorandum

Re: Summary of legal points with regard to Twin Buttes Dam.
To: Stephen Brown, city manager.
From: Mindy Ward, city attorney.
Date: February 24, 1994.

Please be advised that the following information is a summary only and does not address all procedures necessary to advance the City's claim. This is an outline of theories upon which our position is based.

On April 28, 1959, the United States, acting through the Secretary of the Interior (Government), and the San Angelo Water Supply Corporation (Corporation) entered into a contract for the construction of Twin Buttes Dam (Dam). The City of San Angelo (City) in turn contracted with the Corporation for water, agreeing to pay an amount identical to the Corporation's obligation to the Government and, as principal beneficiary of the Dam Project, guaranteeing Corporation's performance under the contract. The United States agreed to construct the Dam while the Corporation agreed to pay a portion of the construction costs and to operate and maintain the Dam upon completion of construction.

When the reservoir filled with water several years later, it was discovered that the Dam leaked. The seepage was attributed to the improper removal of soil from the reservoir, exposing a porous gravel strata, and to the government's failure to build a positive cut-off trench in the area of the Dam where the seepage was occurring. The City had protested these acts and omissions to no avail. Neither the City nor the Corporation had any significant control or input into the design or construction of the Dam.

The City's legal claims arise under contract and by virtue of the Reclamation Safety of Dams Act Amendments of 1984. As described above, the City is principal beneficiary and guarantor of Corporation's contract. Government agreed to build the Dam and by agreeing to undertake the project impliedly promised to build the Dam such that it would perform as expected. In fact, the Dam was not built correctly, and has never performed as expected. This constitutes a breach of the contract on the part of the Government, actionable under 28 USCS Section 1491, which provides remedies for injuries under express or implied contracts with the United States and allows the U.S. Claims Court to remand appropriate matters to government officials with directions that the Court deems proper and just.

It should be noted that there have been attempts to fix this problem but with little success. In the instance where grouting was tried, the City paid for some of the corrective work but was forgiven for the rest under the 1984 legislation which made work on Twin Buttes Dam nonreimbursable. This is important because while the Government has attempted to perform under the contract by fixing the seepage problem, it has not fully "healed the breach". In this case, it would seem logical that if a final solution satisfactory to the City both in cost allocation and method cannot be agreed upon, a lawsuit should be initiated under the above-referenced statute. With appropriate proof, it is feasible that the U.S. Claims Court could order the Bureau to remedy the original design flaw with a positive cut-off trench and order the Government to bear the entire cost.

The second legal basis for our position is the Reclamation Safety of Dams Act Amendment of 1984. This legislation does not address the type of solution needed but does state that the work will be nonreimbursable. The question has arisen as to whether the legislation is applicable to the current proposed solution because of some admittedly ambiguous language in the final legislation. I believe Mr. Loeffler's response, which I understand will be attached to this memo, deftly turns aside any argument that the legislation would not apply to work done today. In addition, it is interesting to note that the sources quoted by Mr. Loeffler support our contractual argument that the required work is not in the nature of maintenance or repair, but rather correction of an original design flaw.

For the reasons stated above, it is my opinion that the City of San Angelo is not liable for the cost of correction work at Twin Buttes Dam. Additionally, it is feasible that, should it be necessary to litigate this matter, a Court would order the Bureau to use a positive cut-off trench to comply with its contractual obligation to build a safe, properly functioning, reliable dam.

Memorandum

Re: Background on Twin Buttes Dam.
To: Stephen Brown.
Through: Tom Loeffler.
From: Ron Newbury.
Date: February 18, 1994.

I delved into the matter we discussed and was able to generate the following information. The final legislative vehicle for the provision benefitting the Twin Buttes Dam was actually the Energy and Water Development Appropriations Act of 1985 (H.R. 5653/P.L. 98-360), and not H.R. 1652. H.R. 5653 was passed into law July 16, 1984. The language in H.R. 5653 differed slightly from that in H.R. 1652. Whereas H.R. 1652 stated, "* * * shall be nonreimbursable and nonreturnable under Federal reclamation law," H.R. 5653 states, "* * * shall be nonreimbursable under Federal reclamation laws."

Though H.R. 1652 was not the final vehicle for resolution of the Twin Buttes Dam problem, certainly the intent of the Congress was explicitly expressed in the bill and its attendant House Report No. 98-168, as follows: "Additionally, the cost of foundation treatment, drainage and instrumentation work planned or underway at Twin Buttes Dam in Texas would be made nonreimbursable under Federal reclamation law. Due to a construction deficiency, seepage at the base of the dam has endangered the stability of the Twin Buttes facility. Because the seepage is not attributed to age, normal deterioration or nonperformance of reasonable and normal maintenance of the structure, the committee believes that the cost of the repair work should be nonreimbursable. Since the act does not make reference to construction deficiencies, this provision will clarify the reimbursement status of this safety modification work."

Under the Congressional Budget Office-Cost Estimate of the same report, in paragraph 4, it is stated, "* * *; stipulates that the cost of safety modification work planned or underway on the Twin Buttes Dam, Tex., will be borne solely by the Federal Government; * * *"

In Reagan Administration testimony in the form of an April 25, 1983, letter to House Interior and Insular Affairs Committee Chairman Udall, Interior Department Assistant Secretary Garrey Carruthers calls for a change in existing law as an amendment to H.R. 1652 to specifically include the following; "The cost of foundation treatment, drainage and instrumentation work planned or underway at Twin Buttes, Texas, shall be nonreimbursable and nonreturnable under Federal reclamation law."

Senate Report 98-258, which followed H.R. 1652's companion, Senate bill 672, then said, "* * * 3. This Amendment strikes reference to Twin Buttes Dam in Texas as the related safety work included in the bill as introduced was authorized by the Energy and Water Appropriations Act of 1984." (It is believed they meant FY1985.)

Though introduced in the House and Senate in February and March of 1983, H.R. 1652, as amended, was actually passed in August of 1984.

Responsibility for certain repairs to Federal dams was addressed again early in 1984 by President Reagan and his appointees in response to queries from Senator Paul Laxalt of the Senate Appropriations Committee and in testimony before the House Appropriations Subcommittee on Energy and Water Development. In President Reagan's response to Senator Laxalt, dated January 24, 1984, the President states, "Safety problems at Federal dams should be corrected as expeditiously as possible. The cost of safety work should be borne by the Federal government. However, if additional economic benefit results from the modification, appropriate cost sharing among the beneficiaries shall be allocated by the appropriate Secretary. Criteria to determine dam safety designation shall be developed by an interagency technical team in consultation with non-Federal parties."

In testimony before the aforementioned House committee, Reagan Administration official Gianelli, in response to a question from Representative Myers, said, "* * * The President addressed himself to the problem of dam safety, and as I recall what the President said in his letter, that if there is truly a safety problem at a Federal dam, the Federal Government ought to repair it at Federal expenses." "* * * So this is a subject which I think the Administration has got to give considerable attention to. I think it intends to, as indicated by the President's letter, and I think I want to make it clear that where there is strictly a safety problem, and everyone agrees that there is a safety problem, and it is a Federal dam, we certainly don't want to compromise. We want to fix that at the earliest possible date."

I have enclosed a copy of all the supporting documents referenced here. If we can be of further assistance, please do not hesitate to call.

Memorandum

DEPARTMENT OF THE INTERIOR,
OFFICE OF THE SOLICITOR,
Billings, MT, May 16, 1994.

To: Regional Director, Great Plains Region; Attention: GP-430
From: Richard K. Aldrich, Field Solicitor, Pacific Northwest Region (Billings).
Subject: Reimbursement requirement for proposed safety of dams modifications at Twin Buttes Dam, San Angelo Project, Texas.

In your memorandum of May 6, 1994, you requested our opinion as to the legal basis for your position that the Project beneficiaries repay 15 percent of the cost of the proposed safety of dams work at Twin Buttes Dam in accordance with the 1978 Reclamation Safety of Dams Act as amended in 1984. We conclude that there is a legal basis for your position and provide the following opinion.

The 1984 amendments to the 1978 Safety of Dams Act specifically address Twin Buttes Dam. Section 205 of Public Law 98-360, the Energy and Water Development Appropriation Act of 1985, reads as follows: "The cost of foundation treatment, drainage, and instrumentation work planned or under way at Twin Buttes Dam, Texas, shall be nonreimbursable under Federal reclamation laws."

The question is whether the above amendment covers the currently proposed positive cut-off trench.

The first rule of statutory construction asks whether the proposed action is specifically mentioned in the statute. As one can see, a positive cut-off trench is not mentioned.

The next rule of statutory construction asks whether the statute lacks sufficient clarity as to what it covers, so that the reviewer must resort to background material to ascertain the statutes meaning (and hence its coverage). We believe that the key words in the above amendment are "foundation treatment" and "planned and underway". We conclude that neither term has the clarity needed to ascertain their meaning by merely reading the statute. Thus we are allowed to go behind that statute to determine its legislative intent.

Legal Counsel for the City of San Angelo did provide one document that we had not previously reviewed, House Report No. 98-168. The pertinent provision within that report is as follows: "Additionally, the cost of *foundation treatment*, drainage and instrumentation work *planned or underway* at Twin Buttes Dam in Texas would be made nonreimbursable under Federal reclamation law. Due to a construction deficiency, seepage at the base of the dam has endangered the stability of the Twin Buttes facility. Because

the seepage is not attributed to age, normal deterioration or nonperformance of reasonable and normal maintenance of the structure, the *committee* believes that the cost of the repair work should be nonreimbursable. Since the act does not make reference to construction deficiencies, this provision will clarify the reimbursement status of this safety modification work." (emphasis added)

We note, as did legal counsel, this report is not the report for the proposed legislation that eventually became law. However, it is contemporaneous and probably is applicable. We believe that within this report the major indication of intent is that "the committee believes that the cost of the repair work should be nonreimbursable." If this had been in the Report alone, it would be a major force in supporting the City's position. However, the above phrase is preceded by language similar to that found in the 1984 amendments "foundation treatment" and "planned or underway". We conclude that a reviewer must take these phrases into consideration to determine the full intent.

We conclude that the "committee" believed that foundation treatment planned or underway would solve the safety problem. From the facts as we understand them, the foundation treatment planned or underway was the pressure relief well system. We do not have any information that would indicate that a positive cut-off trench was planned, at this time.

Using the above Report as the indicator of legislative intent, we believe a good faith argument can be made that Congress did not intend for any and all subsequent safety of dam work at Twin Buttes Dam to be nonreimbursable. Therefore, the costs of construction of a positive cut-off trench would not be grandfathered back to the 1978 Act and would be reimbursable under the 1984 amendments.

Please contact this office if you have any other questions.

JOHN C. CHAFFIN,
For the Field Solicitor.

Mr. MYERS of Indiana. Mr. Chairman, I yield myself such time as I may consume.

I might respond to the gentleman from Texas [Mr. STENHOLM], the committee is aware of the problem. We will try to work with the gentleman from Texas [Mr. STENHOLM] and help. I speak for the committee.

Mr. BEVILL. Mr. Chairman, I yield 2 minutes to the distinguished gentleman from Indiana [Mr. SHARP].

Mr. SHARP. Mr. Chairman, I rise in support of the legislation.

I want to certainly thank the gentleman from Alabama for his extremely hard work and long commitment to making difficult choices with respect to energy policy in this country, with the assistance of our distinguished Member, the gentleman from Indiana [Mr. MYERS], the ranking member. Both deserve a great deal of credit from the country.

I particularly wanted to thank them for their continued effort to support renewable programs, which they have done well in this year's appropriations bill.

I do want to ask the gentleman from Alabama [Mr. BEVILL] one question about the liquid metal reactor program.

Am I correct in understanding that the funding provided in the bill by the committee is for termination of this program as described in the Department of Energy fiscal year 1995 congressional budget request issued in February 1994, which outlines spending for termination of this program which includes the Experimental Breeder Reactor II, the Integral Fast Reactor and the Actinide Recycle Program, and that funds provided are for termination activities only?

Mr. BEVILL. Mr. Chairman, will the gentleman yield?

Mr. SHARP. I yield to the gentleman from Alabama.

Mr. BEVILL. Mr. Chairman, the gentleman from Indiana is correct. It is the intention of the Committee to terminate this program as requested in the budget.

Mr. SHARP. Mr. Chairman, I thank the distinguished gentleman for his response.

Mr. MYERS of Indiana. Mr. Chairman, I yield myself such time as I may consume.

I want to respond to the gentleman from Indiana [Mr. SHARP]. This committee has always supported the advanced liquid metal reactor as well as the IFR program and believe that this is one of the ways that we can take some of the waste and recycle it into a usable product.

This administration has not favored continuation of this program. I personally think it is a mistake to drop these two programs, which I think are very vital to working out and helping to take care of some of our waste. Nevertheless, we had put the money in for termination. I would be pleased if somebody along the line changed our mind. It is going to cost just as much to terminate this program as it would to complete it. So it seems like it is kind of not the proper way to go, but the committee has supported the termination.

Mr. BEVILL. Mr. Chairman, I yield 30 seconds to the gentleman from Arizona [Mr. COPPERSMITH].

Mr. COPPERSMITH. Mr. Chairman, I rise in support of the Energy and Water Development Subcommittee's decision to join with the House to terminate funding for the continuation of the Department of Energy advanced liquid metal reactor program. I believe that decision is the wisest one for the budget, for the environment and for nonproliferation reasons, and I salute the subcommittee and its distinguished chairman for that decision.

Mr. Chairman, I rise in support of the Energy and Water Development Subcommittee's decision to terminate funding for continuation of the Department of Energy's Advanced Liquid Metal Reactor program and associated activities. As the distinguished chairman clarified in his colloquy with the gentleman from Indiana, funding provided in the bill for these programs is for termination only, in accordance with the administration's budget request for this year.

This House voted overwhelmingly to kill the ALMR on two occasions: First, on a specific vote on this bill last year, and second, as part of H.R. 3400, the "reinventing government" bill which passed the House last November. Despite those statements of the will of the House, the ALMR not only survived last year, but received even more funding than the previous year because the other body continued to provide funding despite all the economic, environmental, and proliferation problems which continued to plague this program.

Now the time has come to make sure our votes stick and to kill the ALMR once and for all. The case against this program has gotten even stronger since the House first voted to terminate it last June. From a policy perspective, even stronger evidence now exists that the ALMR makes no sense for any mission. Last year, knowing that the ALMR is not economic for energy production, proponents of the program argued that we should develop the system as an option for disposing of surplus weapons plutonium. Since then, though, the Office of Technology Assessment and the National Academy of Sciences both have seriously criticized this approach. The National Academy of Sciences was most explicit: its study on excess weapons plutonium firmly declared that the ALMR "should not be specifically developed or deployed for transforming weapons plutonium * * *, because that aim can be achieved more rapidly, less expensively, and more surely existing or evolutionary reactor types."

From a national security perspective, the alarming developments in North Korea have made the proliferation problems the ALMR poses even more urgent. As Secretary of Energy O'Leary noted in a speech this March, the administration has proposed to terminate the ALMR/IFR program because it is "inconsistent with the President's non-proliferation priorities." The ALMR/IFR requires both plutonium separation and use of plutonium for civilian energy production, both of which the administration is discouraging other countries around the world from doing. Most importantly, as Secretary O'Leary stated, the ALMR/IFR was designed to be a breeder reactor which could produce new supplies of plutonium. As the Secretary concluded, "continued support of the IFR would make it difficult, if not impossible, for the United States to help lead the world toward reducing the threat of plutonium proliferation.

From a budget perspective, too, the case against the ALMR/IFR has become clearer and stronger. The Department of Energy has confirmed that it has spent nearly $9 billion on liquid metal reactor technology since 1948, but the technology is still from commercial viability. DOE estimates that taxpayers will have to foot the bill for well over $3 billion more over the next 14 years before industry even will consider building ALMR for commercial use. And those estimates are low, because they do not include the money needed to close out the development facilities, whose termination costs will be substantial, no matter when the program ends.

This House had a thorough debate on this program last year and wisely decided to kill

the ALMR because of its serious economic, environmental, and national security problems. Since, then, the scientific and technical experts have added even more evidence to the arguments against the program, and the President and Secretary of Energy have agreed the ALMR must go. I thank my colleagues on the Appropriations Committee for agreeing to termination of the program. I urge them and the rest of my colleagues to stand firm until this misguided program is dead, for good.

Mr. SKAGGS. Mr. Chairman, I'd like to commend Chairman BEVILL, Representative MYERS, and the other members of the Energy and Water Subcommittee for their work on this bill. As a former member of the subcommittee, I know that it was an extremely difficult task for them to make the choices they had to make under such tight budget constraints.

I'd like to thank the committee for a few items of particular interest to me. First, the subcommittee has included report language directing the Department of Energy to allocate $11.415 million, which the administration requested, to protect the public drinking water supplies from the towns of Westminster, Thornton, Northglenn, and Broomfield from possible contaminated runoff from the Rocky Flats Plant.

This will be the fifth and final year of Federal funding for this important project. Fiscal year 1994 was to be the final year of Federal funding, however, due to fiscal constraints, it was agreed that project funding would be extended for 1 more year. I'm grateful that the committee was able to accommodate this project in past years and has also been able to commit the resources necessary to complete the Federal Government's obligation this year.

Second, I want to point out that the committee has included $5.1 billion included for DOE's Environmental Restoration and Waste Management Program. While this is less than the administration requested, and less than I would have like to have provided, the tight budget we have to live with required that this program receive less than last year. This is the first time in several years that we've had to reduce funding in this important account, and I am, of course, concerned that this not set a trend. With the shift from production to cleanup now well underway, it is critical that DOE have the resources necessary to fully make this transition. DOE's budget should reflect the fact that cleanup is now the primary mission in its nuclear weapons programs. While we couldn't fulfill the administration's entire request, I believe that the committee has done all that it can under the circumstances.

It is noteworthy that the new administration has placed a premium on performing all of the requirements under the various agreements with States and other entities for environmental cleanup at its nuclear weapons facilities. DOE's environmental management request was, according to DOE, adequate to fulfill those requirements. The committee's action is consistent with meeting our obligations under these agreements, including those made by the Department in the Federal Facility Agreement and Consent Order, entered into by DOE, the Environmental Protection Agency, and the Colorado Department of Health on January 22, 1991, and the Agreement in Principle, entered into by DOE and the State of Colorado on June 28, 1989, for independent monitoring and oversight of activities taking place at Rocky Flats. For this, I want to thank the committee for ensuring that DOE has the resources necessary to meet the commitments it's made to clean up the mess at these facilities.

Third, I wish to express my appreciation to the committee for funding—at $402 million—that goes beyond the administration's fiscal year 1995 budget request for DOE's solar and renewable energy programs. These programs are a critical part of an investment in our future. They hold substantial benefits for our economy and the environment by helping to reduce our dependence on imported oil, to create jobs, to increase trade, and to decrease the emission of greenhouse gases. Most of the increase is aimed at cost-shared initiatives with industry, a step that is vital for helping mature renewable technologies prove themselves under actual conditions in the market.

Finally, I am pleased with the committee's support for the administration's request for Bureau of Reclamation programs and activities within and affecting Colorado, including funds for Colorado River Basin salinity control and for recovery of endangered fish species in the Colorado River Basin.

Again, I'd like to commend and thank the members of the subcommittee, and I urge all of my colleagues to support this bill.

Mr. KOLBE. Mr. Chairman, I rise in strong support of the fiscal year 1995 energy and water appropriations bill. Facing severe budget constraints, the subcommittee has produced a good and responsible bill.

The bill is $1.3 billion below the fiscal year 1994 appropriation and $157 million below the amounts contained in the President's budget submission. To get to this point, the subcommittee had to make some painful decisions and not include funding for some important projects.

The bill does provide funding for a number of key projects in southern Arizona and the State. The bill fully funds the administration's request for completion of the central Arizona project [CAP] and related safety of dams work. I am especially supportive of supplemental funding and accompanying report language for design work and land acquisition for CAP system reliability for southern Arizona terminal storage. This language will help ensure a reliable supply of municipal and industrial water for southern Arizona water users pursuant to the terms of the plan six agreement.

In addition, this bill provides funding for critical flood control work at Rillito River, Clifton, Tucson Arroyo/Arroyo Chico, and the lower Santa Cruz River, among others.

This has been a difficult process for the subcommittee members. What has emerged from that process is a bill that is fiscally responsible and fair. I commend the chairman, Mr. BEVILL, and the ranking member, JOHN MYERS, for their leadership and the entire subcommittee for their work.

Mr. GUNDERSON. Mr. Chairman, today, I join the citizenry of Wisconsin in bringing to fruition its effort during the past 2 years to resolve an unhappy situation of the past 30 years.

In western Wisconsin, there is the small village of LaFarge. Often inundated by spring floods, the village sought assistance to control this periodic devastation. The Federal Government promised to help by authorizing $5.5 million to construct a reservoir and dam in 1962; thus, the LaFarge dam and lake project was born.

In pursuit of this goal, by 1969, 144 families were up-rooted from their farms, and the local school system suffered major losses in attendance. Over 8,500 acres were acquired and plans were initiated for the construction of a dam and reservoir for flood control, general recreation, and fish and wildlife purposes. Plans included the reconstruction of State Highway 131 and the construction of an educational/visitors center.

When the environmental impact statement was reviewed, concerns were raised over water quality impacts and the effects on rare species. Numerous archaeologic and historic sites were identified. For environmental reasons, work on the dam was suspended in July 1975, leaving 61 percent of the dam uncompleted, while 80 percent of the land had been acquired.

By 1990, it was estimated that annual losses resulting from the removal of family farms and the unrealized tourism benefits anticipated with the completion of the reservoir and education center totaled over 300 jobs and $8 million for the local economy.

But to continue to look back at the losses only dimmed the potential for a vision for the future.

Recognizing the tragic circumstances in which several generations of families in the area had found themselves, in 1991, Governor Thompson, State Senator Rude, State Representative Johnsrud, and I urged the residents in the Kickapoo Valley to form a citizens advisory committee to initiate a plan for a positive resolution. Governor Thompson appointed Alan Anderson of the University of Wisconsin-Extension as coordinator for the Kickapoo Valley Advisory Committee. The Wisconsin Department of Natural Resources, Department of Transportation, and the State Historical Society provided professional assistance in the spirit of true cooperation. Over a span of 2 years the committee forged a consensus and recommended the establishment of the Kickapoo Valley Reserve. The State of Wisconsin concurred in their recommendation and passed legislation creating the Kickapoo Valley Reserve and Governing Board.

Today, I introduced federal legislation with Representative THOMAS PETRI to modify the LaFarge dam project and to bring this project to a proper conclusion. This legislation will transfer to the State of Wisconsin the lands associated with the project. The legislation also formally terminates, or deauthorizes the construction of the lake and dam portions of the original authorization. The modification will authorize the $17 million necessary to require the corps to complete two central parts of the original project: finishing the relocation of State Highway 131 and county Highway routes "P" and "F", along with the construction of a visitor and education complex, recreational trails, and canoe facilities.

If the original project were to be completed today, the Corps of Engineers estimates the cost would be $102 million. Since the original authorization of the project in 1962, the corps

has expended $18 million. Under the legislation introduced today, the Federal responsibility to conclude the original activities would be for $17 million, creating a savings of $66 million to Federal taxpayers.

With the introduction of this legislation we bring renewed hope to the people that Government can right a wrong.

I thank the chairman and the gentleman from Indiana [Mr. MYERS] for their understanding by again fully funding to the Environmental Management Program [EMP] on the Upper Mississippi River (section 1103, PL 99–662). I especially appreciate the effort of Energy and Water Subcommittee Chairman TOM BEVILL and ranking member JOHN MYERS at sustaining the EMP, despite the severe fiscal constraints placed on the subcommittee. I'm very pleased to say that with your support the EMP has been and continues to be a great success.

As you know, the EMP was established in 1986 to foster a comprehensive and cooperative approach to management of the multiuse and interjurisdictional resources of the Upper Mississippi River. The program is directed by the Army Corps of Engineers and funded through the corps' general construction budget. It focuses on habitat rehabilitation and enhancement projects—habitat projects—and long-term resource monitoring—resource monitoring—in and around the river. I am extremely pleased that the committee appropriated the full amount for the EMP because this 15-year program is not cost indexed for inflation.

THE EMP HAS RECEIVED BROAD-BASED SUPPORT

The EMP is on the cutting edge of river management, and has won broad-based support from many in the industry. The National Research Council said the EMP should serve as a model for Federal-State partnerships on other rivers, stating: "It is among the first in the Nation to address conflicting Federal mandates for large interstate rivers and to redress habitat degradation caused by alteration within the rivers and their drainage basins."

Similarly, the corps in testimony before Congress and the Director of the U.S. Fish and Wildlife Service have praised it as an important model for future programs in this country and abroad. In fact, in July international experts will convene at the program's Environmental Management Technical Center to study the program as part of a conference on river management.

The new National Biological Survey [NBS] created by Secretary of the Interior Babbitt has goals and objectives nearly identical to the EMP's Resource Monitoring Program, and the Resource Monitoring Program will form the foundation for expanded ecosystem analysis by the National Biological Survey on the Upper Mississippi River.

Most important of all, the EMP is critical to maintaining the environmental and economic health of the Upper Mississippi River region. The river is used by millions each year for recreation, swimming, boating, fishing, and hunting. The upper river alone has over 200 boat harbors, 445 recreation sites, and thousands of acres of wildlife refuges. The corps recently completed its study of the "Economic Impacts of Recreation on the Upper Mississippi River System" which conservatively estimated that recreation produces $1.2 billion in economic benefits (in 1990 dollars) and 18,000 jobs nationwide. For the 76 counties along the upper river, recreational activity supported $400 million in output and 7,200 jobs.

The construction of 16 habitat projects has been completed and another 7 are under construction. In addition, Mr. Chairman, I am happy to report that the habitat projects performed as designed during the flood of 1993. As a result of monitoring completed habitat projects, the EMP will allow up to improve new habitat designs to compensate for navigation effects on the river. Information we have gathered will help us design future navigation systems that are more compatible with the environment, especially with regards to hydropower, sedimentation, fish and wildlife, and water pollution. One example, the Bertom and McCartney Lakes project in Wisconsin, has succeeded in sufficiently raising dissolved oxygen levels in the backwaters. The number of fish species in the backwater areas has increased as a direct result.

The EMP is and has been recognized as a unique partnership that works. The Bureau of Reclamation, the Tennessee Valley Authority, and managers from many other river systems are enthusiastic about the EMP and it application elsewhere, including in the National Biological Survey.

In fact, with the active encouragement of State, Federal, and local environmental and wildlife agencies, I have introduced legislation, H.R. 2500, which builds on the success of the EMP by applying the same principles for interjurisdictional river resource management to the entire 28-state Mississippi River drainage basin.

FULL FUNDING FOR EMP

Last year, the third year in a row, the administration requested and Congress provided full funding of $19.46 million for the EMP. As I have explained before, maintaining full funding for the program is especially critical at this stage, given the shortfalls in funding during the program's early years. For your information, I have included a table which illustrates the program's funding history:

Year	Authorized	Appropriated (millions)	Shortfall
1988	16.72	$5.168	$11.55
1989	18.56	7.9	11.06
1990	19.95	14.86	5.09
1991	19.46	17.0	2.46
1992	19.46	19.46	0
1993	19.46	19.46	0
1994	19.46	19.46	0
1995	19.46		
1996	19.46		
1997	19.46		
Total	191.45	83.994	30.16

You can see by the figures that EMP funding to date has fallen short by $30 million. For this reason, I am extremely grateful that the House has appropriated the authorized amount for fiscal year 1995.

THE 1993 FLOOD DELAYS EMP PROJECTS

As my midwestern colleagues know, spring flood of 1993 affected all who lived along the river. It also affected the progress of construction projects under the program. On the bright side, those habitat projects that had been completed or under construction weathered the flood well, sustaining only minor damage. The flood interrupted construction at three sites and delayed the awarding of contracts at another three, however. Reassignment of corps personnel to flood response duties also hampered planning and design activities. Consequently, the corps has allowed the program to carry forward into fiscal year 1994 $3.3 million in unexpended funds. In prior years, such carryovers were not at all certain. This setback is yet another reason why full funding in fiscal year 1995 is necessary.

The flood validated the investment that has been made in the monitoring component of the EMP, however. Data gathered under the resource monitoring programs played a key role in the White House sponsored Floodplain Scientific Assessment and Strategy Team efforts to analyze the effects of the flood. Resource monitoring personnel from both the Environmental Management Technical Center and the State-operated field stations participated on the team. These personnel continue to play the key roles on the team as recommendations are formulated.

DELEGATED AUTHORITY ACCELERATES APPROVAL OF PROVEN PROGRAMS

The corps recently streamlined its approval process for small-scale projects in order to administer EMP funds more efficiently. In December, the corps delegated to the commander of the north central division the authority to approve small-scale habitat rehabilitation or enhancement projects. This authority applies to individual projects with estimated construction costs of $2 million or less. To qualify, projects must be typical or previously approved and must clearly fall within policy parameters established by previous decisions. The delegation will speed up construction of small-scale projects because it will decrease approval time by 50 percent. In addition, 20 of 50 remaining programmed projects—or 40 percent of the remaining projects—could qualify under this authority.

SUMMARY

In closing, I thank the chairman, Mr. OBEY, and Chairman BEVILL for realizing the importance of the EMP, both to the Upper Mississippi River region and as a model for future programs in the United States. The committee and the subcommittee deserve credit for the foresight that has been associated with the program. We need now only to maintain the program's authorized funding level, and take the minimum steps to ensure that those funds are put to their maximum good use.

Mrs. ROUKEMA. Mr. Chairman, I rise today in support of committee's recommendation that $600,000 be appropriated for construction of flood protection along the Ramapo River in Oakland, NJ. This appropriation will enable construction of the necessary flood control gate to begin slightly ahead of schedule and save the Federal Government money.

More importantly, however, this funding will save property and possibly even lives. In the wake of several catastrophic natural disasters of the past few years, every Member in this body is acutely aware of the devastation and suffering natural disasters can inflict. The area of Oakland receiving assistance under this act has suffered 11 floods in the last 24 years. In fact, the 1984 flood, alone, caused over $8 million in property damage. When considering the modest authorization recommended in this

legislation, in the context of even one major floor, it is a small price to pay.

The Ramapo River flood control project was first authorized in the Water Resources Development Act of 1986. The preconstruction engineering and design work has been completed and the general design memorandum [GDM] is awaiting imminent approval. The residents of Oakland are anxious to have this project completed, and the U.S. Army Corps believes construction can be completed over the next few years.

Clearly, each year that passes without a major flood, in this region, is tempting fate. I hope this project can be fully funded and completed, before another disaster occurs.

Mr. Chairman, on behalf of the citizens of Oakland, NJ, I want to thank the committee for including the Ramapo River flood control project in this bill, and for all their hard work on this legislation.

Mr. DE LA GARZA. Mr. Chairman, included in the fiscal year 1995 energy and water appropriations package are two projects of great interest to me for which I want to express my support for funding. They are as follows:

Corpus Christi Ship Channel, TX, is a navigation project which is budgeted for operation and maintenance at $8,489 million. Continued funding of this project is essential due to the impact on the local economy. The project provides for widening and deepening the existing channels—40.5 miles—and basins from the the Gulf of Mexico to deepwater ports at Harbor Island, Ingleside, and Corpus Christi, and a branch channel to the port of La Quinta to provide a project depth of 45 feet. It also includes the construction of mooring areas and dolphins at Port Ingleside, one mooring area and six dolphins constructed initially with seven others deferred to be constructed when required.

Lower Rio Grande Basin, South Main Channel, TX, is a comprehensive flood control-drainage project which is budgeted at $900,000. It provides the major outlet component of an overall flood protection plan for Willacy and Hidalgo Counties. The authorized plan calls for construction of a major channel extending from near McAllen to the Laguna Madre, and related fish and wildlife mitgating measures. The authorized plan would provide 2-year protection to rural areas which drain into the South Main Channel; 100-year flood protection to the cities of Edinburg, McAllen, and Lyford; and 50-year flood protection for the cities of La Villa and Edcouch.

Mr. HUGHES. Mr. Chairman, I rise in support of H.R. 4506, the fiscal 1995 energy and water development appropriations bill.

I wish to commend subcommittee chairman TOM BEVILL and ranking member JOHN MYERS for their superb efforts in crafting this legislation. Once again, they have done an outstanding job of bringing this bill in under the President's budget request, and significantly lower than last year's funding level.

Indeed, the bill is some $1.3 billion below the fiscal 1994 appropriations level. It is a lean and responsible measure which funds only the Nation's highest priority energy and water development projects.

What's more, the hundreds of projects nationwide which are funded under this bill will help create jobs, generate tax revenues, enhance the environment, and protect property.

These investments in our Nation's infrastructure will strengthen our economy, while assuring that we have something to show for the money after it has been spent.

It is equally important to note that these projects serve more than just the parochial interests of the States or communities which sponsor them. They also help to fuel our Nation's economic engine.

Putting people to work, and enlarging our economic pie, is the best way to reduce the budget deficit and get our country moving forward again. That's what this bill will accomplish.

I am especially pleased that the legislation provides funding for some 11 important navigation, beach erosion, and flood control projects in my district in southern New Jersey.

All of these projects are intended to enhance the multibillion dollar tourism, boating and commercial shipping industries, which are the major industries in my region.

Among the projects funded under this bill are: beach replenishment in Cape May City and Ocean City; maintenance dredging along the intracoastal waterway, Cold Spring Inlet, and Salem River; and the deepening of the Salem River to 18 feet.

In addition, the bill provides for feasibility studies along Brigantine Inlet, Townsends Inlet, Great Egg Inlet, the Delaware Bay coastline, and the Lower Cape May Meadows-Cape May Point.

I am especially pleased that the committee has directed the Army Corps to initiate construction of the Salem River project.

The Salem Port is already one of the busiest feeder ports along the entire Northeast, and is an important transshipment point to the Caribbean. The deeper water will enable the port to reach its full potential in the years ahead.

I am also pleased that the feasibility study along Great Egg Harbor Inlet to Townsends Inlet will finally be getting underway.

This survey will lay the groundwork for a remedial plan to address the severe beach erosion problems along the southern end of Ocean City, Ludlams Island, Upper Township and Sea Isle. It is the only phase of the New Jersey shore protection master plan which is not yet underway.

All of these projects will help support the basic industries in my district, which depend on clean, sandy beaches and navigable waterways.

In addition to providing significant economic benefits, the beaches are our last line of defense against the forces of nature.

It is important that we protect and maintain these natural resources, and that the Federal Government be a full partner in this effort.

Incidentally, I am probably one of the few, if not only, Members of Congress who asked the committee not to fund a project in my district which was included in the President's budget.

While it is a good project, I felt it could wait until we get a better handle on our fiscal problems in Washington.

I urge a "yes" vote on the bill.

Mr. FAZIO. Mr. Chairman, I rise in strong support of the H.R. 4506, the bill providing for energy and water development appropriations for fiscal year 1995. This bill is the product of many hours of hard work, and I urge my colleagues to support it.

Mr. Chairman, the Energy and Water Development Subcommittee took a tremendous hit this year in the budget allocation process. The fiscal year 1995 allocation for energy and water is $1.3 billion below our 1994 allocation. The total new budget authority provided in this bill is $157 million less than the administration's request and $17 million below the target 602(b) allocation.

As we often hear, we are all asked to do more with less. I believe that this bill represents the most we could do with much less than we need. I want to commend the chairman, Mr. BEVILL, and the ranking member, Mr. MYERS, for their hard work. As usual they have done a fine job of working with the Members and their constituents. I also want to thank the chairman's outstanding staff for once again making the seemingly impossible happened by putting together a bill that addresses our needs within our severe fiscal constraints.

Let's look at some of those fiscal constraints. Of the Department of Energy's $16 billion budget, $6 billion is dedicated solely to environmental cleanup. That's 37 percent of the DOE's total budget that is completely unavailable for productive scientific initiatives. This $6 billion represents almost 30 percent of the subcommittee's total allocation of $20.4 billion.

To use a budget analogy, the subcommittee's environmental cleanup costs are like nondiscretionary entitlements in the overall Federal budget. As those cleanup costs grow, there is simply no discretionary money left for the projects so important to the Members and their constituents.

Despite these constraints, the committee has put together an outstanding bill. The bill includes funding for the U.S. Army Corps of Engineers' flood control projects in every State in the Union. As the recent floods in the Midwest prove, flood protection is the imperative. Public safety demands that we look for immediate solutions to protect the people's lives and livelihoods. In addition, the bill provides funding to pursue the corps' new environmental mission of restoring and enhancing riparian habitat along America's waterways.

Funding for the Bureau of Reclamation also reflects the changing face of western water policy. In the past, Bureau of Reclamation projects were seen as projects exclusively for cities, industry, and agriculture above all else. Today, we recognize that there is no way to separate the issues of water use and the environment. The bill continues the Bureau's transition from a construction agency to a resource management agency by funding water delivery systems that take into consideration the impacts on the environment.

The Department of Energy's budget is also included in this bill. In particular, the bill recognizes the role of advanced and renewable energy technologies by providing funding for research, development and most importantly, the commercialization of these technologies. I believe that we have really turned the corner with advanced and renewable technologies. We are finally seeing the work of DOE come to fruition as these technologies move from the laboratory to commercial application.

We have also sent an important signal to the international community with this bill. That

signal fortifies our commitment to maintaining our position as the world leader in high energy physics. I recently had the opportunity to meet with several Nobel Prize laureates about the future of high energy physics in America. I heard their stories of economic hardship and lack of job opportunities for our country's young physicists. This bill provides opportunities for these young physicists to work on smaller projects so they can continue to contribute to our standard of living by breaking new scientific ground.

In like fashion, this bill represents the hard work of the committee to craft an energy policy that includes fusion energy programs. Fusion offers the potential for abundant, environmentally attractive large-scale energy production. The fusion process does not produce undesirable combustion products and greenhouse gases that damage air quality. We are all looking forward to the day when we see commercial application of fusion energy. The program we have put in place in this bill moves us closer to that day.

Mr. Chairman, this bill is a balanced approach. It is the product of hard work and tough choices. We have been asked to do more with less. The committee has met that mandate. I strongly urge a "yes" vote.

Mr. FINGERHUT. Mr. Chairman, I wish to commend Chairman BEVILL and the members of the House Appropriations Subcommittee for their work on the energy and water development appropriations bill for fiscal year 1995. This bill included provisions critical to the environmental and economic well-being of my congressional district in northeastern Ohio.

Of special importance is funding exceeding $4 million in fiscal year 1995 for Army Corps of Engineers operation and maintenance activities at the Ports of Conneaut, Ashtabula, and Fairport Harbor, OH. This traditional Federal program remains a critical element of the recreational and commercial navigation activities on the shores of Ohio.

Additionally, I would like to compliment Chairman BEVILL for including funding of $500,000 for section 401 of the Water Resources Development Act. This innovative program will assist local communities in the implementation of remedial action plans toward environmental restoration on a cost share basis. I am especially proud that Ashtabula, OH is positioned to be the first community in the Nation to ever use this important program. It is the critical first step to cleaning and dredging a river that has not been maintained for over 33 years

Mr. FAWELL. Mr. Chairman, I have concerns about fiscal year 1995 Energy and Water Development appropriations bill, H.R. 4506, especially the funding included in the bill to initiate construction and capital equipment acquisition for the Advanced Neutron Source, or ANS.

I want to elaborate on the reasons for my concerns for what is basically a scientifically meritorious and much-needed project. First, I will provide some background information on the ANS. I will then proceed to discuss a number of troubling issues that, in my mind, call into question the wisdom of proceeding with ANS construction and capital equipment acquisition in fiscal year 1995.

BACKGROUND

The Advanced Neutron Source [ANS], to be sited at Oak Ridge National Laboratory, is designed to be the world's highest flux—that is, numbers of neutrons per unit area per second—research reactor for producing beams of subatomic particles called neutrons for research in the physical, chemical, and biological sciences, as well as for the production of radioisotopes for use in medicine. It is to be a user facility available to industry, university, and government researchers, and 5 to 10 times more powerful than the best existing facility, the ILL reactor in France. The ANS is intended to replace the high flux isotope reactor at Oak Ridge National Laboratory and the high flux beam reactor at Brookhaven National Laboratory, which began operation in the 1960's and are nearing the end of their useful lifetimes.

The ANS has been under development for more than a decade and has strong support from the neutron-user community, who total around 1,000. It has been endorsed by National Academy of Sciences and Department of Energy [DOE] scientific panels. The most recent review, by a 1992 DOE scientific committee, recommended completion of the design and construction of the ANS, as well as the development of competitive proposals for the design of a 1-megawatt pulsed spallation neutron source.

The current ANS design assumes the use of nuclear-weapons grade highly enriched uranium—enriched 93 percent in the isotope uranium-235—fuel and heavy water as a coolant/moderator. Its current estimated cost during the period of construction is $2.9 billion and estimated operational costs for a 40-year life span are $6.2 billion, for a total of $9.1 billion. However, as detailed below and further elaborated in attachment 1, this cost estimate is highly uncertain, and could easily exceed $13 billion, making the ANS the most expensive scientific project since the superconducting super collider.

The ANS was first proposed as a construction start in DOE's fiscal year 1994 budget request, and was included as one of President Clinton's fiscal year 1994 "Investment Proposals." The fiscal year 1994 DOE request totaled $39 million, including $12 million for operating expenses, $1 million for capital equipment, and $26 million for construction. The House approved a total of $22 million in fiscal year 1994 Energy and Water Development appropriations bill—$10 million for operating expenses and $12 million for construction. The Senate deleted ANS construction funding, and instead provided $17 million in operating expenses for continued design and research. During the conference deliberations, Office of Management and Budget Director Panetta sent a letter to Senator HATFIELD on October 13, 1993, stating:

> The Department of Energy has decided to defer the construction of the ANS. This will allow the Department to continue its efforts to study the impact on ANS performance goals if low or medium-enriched uranium fuel is used; highly enriched uranium fuel is assumed in the current design. This course of action will require only the $12 million originally requested for research and development in FY 1994.

The conference committee adopted the Senate-passed $17 million for ANS operating expenses, stating:

> The conferees support the continuation of the Advanced Neutron Source and the conference agreement provides $17,000,000 for the project. This is the amount needed for the continuation of essential research and development, reactor safety and regulatory compliance tasks. This will include work on the draft Environmental Impact Statement, completion of advanced concept design studies and updates to the appropriate baseline documentation and applicable activities to position the project to proceed. The conferees expect a construction start next year upon accomplishment of this required work.

The House and Senate approved the conference report on October 26 and October 27, 1993, respectively, and President Clinton signed the fiscal year 1994 Energy and Water Appropriations Act on October 28, 1993—Public Law 103–126.

The fiscal year 1995 DOE request for the ANS totals $40 million—$12.3 million for operating expenses, $1 million for capital equipment, and $26.7 million for construction. The House Appropriations Committee has recommended a total of $21 million—$10 million for operating expenses, $1 million for capital equipment, and $10 million for construction.

ISSUES

There are several ANS issues that should be reviewed prior to the initiation of construction funding and capital equipment acquisition for the project: One, cost; two, nuclear nonproliferation concerns; three, spent fuel management; and four, regulatory concerns. I will discuss each of these in turn.

1. COST

The ANS has been under development for more than 10 years, first as an upgrade to the existing high flux isotope reactor at Oak Ridge National Laboratory. In a February 26, 1984, Oak Ridge group's presentation to the Major Materials Facilities Committee of the National Research Council, the cost of what was then called the high flux isotope reactor upgrade [HFIR–II] was $254 million. By the time of the first construction request in fiscal year 1994, the DOE estimated the ANS's total project cost to be $2.75 billion—over 1,100 percent increase, compared to a little over 37 percent cost-of-living increase during the same period. In the fiscal year 1995 request, DOE increased the ANS cost to $2.88 billion—over a $134 million increase in only one year. By the end of fiscal year 1994, the ANS will have received a total of $103.3 million—more than 40 percent of the original estimated cost of $245 million.

In addition, DOE estimates the reactor is to have a 40-year life, with an annual operating cost—in year 2004 dollars—of $155.1 million. This will require an additional $6.2 billion over the life of the reactor.

Furthermore, DOE cost estimates are based upon a design using nuclear-weapons grade highly enriched uranium fuel. If, because of nuclear nonproliferation concerns—discussed below—a low-enriched uranium fuel is used, DOE estimated, in 1993, that the project's construction cost will increase by at least $600 million and require an additional $60 million annually in operating costs. And DOE's ANS cost estimates also do not include costs for

spent fuel disposal and for decontamination and decommissioning [D&D] activities, which have been estimated at about $500 million and $150 million, respectively, by a 1992 review committee. As shown in attachment 1, inclusion of all the terms would increase the cost of the ANS to $12.9 billion.

Finally, it should be noted that DOE's $12.9 billion cost estimate may well be understated for at least three reasons. First, DOE cost estimates include only one-third of the cost of the project's required experimental equipment. Second, DOE cost estimates assume that the heavy water, used as a coolant/moderator, will be provided at no cost from current stocks in DOE's nuclear weapons program. Third, DOE cost estimates do not provide any role for the Nuclear Regulatory Commission [NRC] in the ANS's safety reviews or operations—and based on commercial nuclear powerplant experience, NRC involvement would likely result in significant construction delays, design changes, and cost increases.

2. NUCLEAR NONPROLIFERATION CONCERNS

As noted above, the current design for the ANS uses nuclear-weapons-grade highly-enriched uranium [HEU] fuel. United States policy since 1978 has been to diminish and eventually eliminate the use of HEU fuel in civilian nuclear power programs worldwide. In pursuit of this objective, the United States has encouraged other countries to move from nuclear-weapons-usable HEU to low-enriched uranium [LEU] fuel for research reactors under the aegis of the Reduced Enrichment for Research and Test Reactors [RERTR] Program.

The RERTR Program has been very successful. Of the 42 foreign research reactors that depend on imported U.S. HEU fuel, the RERTR Program has developed the fuel necessary to convert all but three reactors located in Germany. In addition, since 1980, all research reactors worldwide, with the exception of the FRM–II reactor in Germany, have been designed to use LEU cores—and the U.S. State Department has been strongly encouraging Germany to use LEU fuel in the FRM–II reactor. Attachment 2, a May 12, 1994, article from Nature magazine, provides further background on the FRM–II situation.

It is also important to note that the above HEU fuel policy, which has been endorsed by four Presidents—two Republicans and two Democrats—was reinforced by section 903 of the EPAct, which prohibits the export of HEU fuel—defined in the act as any uranium fuel enriched to 20 percent or more in the isotope uranium–235—for foreign research reactors unless three conditions are met:

One. The reactor must be technically incapable of using any of the LEU fuels currently available;

Two. The recipient of the fuel must agree to use an LEU fuel when it becomes available; and

Three. The United States must be actively developing an LEU fuel that can be used in that reactor.

DOE has, however, been resisting the use of LEU in the ANS, arguing that the use of LEU fuel has been studied and "found to lead to a design which would not meet the scientific requirements for this facility." As noted above, DOE also estimated, in 1993, that the use of LEU fuel would add approximately $600 million to the ANS's construction cost and $60 million to its annual operating cost.

The State Department disagrees strongly with the DOE's position. In a September 7, 1993, letter to Dr. John G. Keliher, Director of DOE's Office of Intelligence and National Security, Robert L. Gallucci, Assistant Secretary of State for Politico-Military Affairs, stated:

* * * In order to implement this policy effectively, we [the U.S. Government] will need to make sure we are taking all reasonable steps to assure that LEU is used in our domestic programs. Failure to do so would send a powerful, negative signal to governments in Western Europe, Canada, Australia, and Japan which have been cooperating with us in the effort to reduce the use of HEU worldwide. The message would not be lost on the Russian Government, which could be expected to ignore any U.S. pleas not to step in and start selling HEU for research reactors and medical isotopes to customers around the world.

In particular, I would like to ask you to consider four major steps: (1) conversion of DOE's existing research reactors to low enriched fuels; (for older reactors, an announcement of a schedule of closings would seem appropriate); (2) postponement of the proposed plan to have Los Alamos begin production of molybdenum 99 from HEU targets for medical isotopes; (3) cooperation with us to devise ways to encourage foreign producers of molybdenum 99 to use LEU fuel in order that we can all compete on a level playing field; and (4) reconsideration of a program to develop high density LEU fuels for use in DOE reactors, three West European reactors, and Soviet designed research reactors.

The Reduced Enrichment for Research and test Reactor (RERTR) program, which DOE established at Argonne to develop low enriched uranium fuels for use in research and test reactors and to provide conversion assistance to U.S. and foreign reactor operators has been very successful. Only three research reactors abroad have been unwilling to convert their reactors to low enriched fuels.

The original intention had been that DOE convert its research reactors. However, for a variety of reasons this did not occur. The fact that DOE did not plan to convert its own reactors was used by the three European reactor operators as justification for their refusal to undertake conversion.

Another factor argues for a re-examination of a research and development program for high-density LEU fuel. In Russia, several other CIS republics, Eastern Europe, North Korea and elsewhere, there are numerous Soviet-designed reactors operating on HEU which cannot use low density LEU fuel developed under the RERTR program in the 1980's. We understand that much of the developmental work for high density fuels would be directly applicable to new LEU fuels for Soviet reactors. Given the importance of converting Soviet reactors to LEU fuels and of gaining Russian [sic] cooperation on reducing or eliminating HEU in civilian programs, the cost of developing high density LEU fuels may now be worthwhile.

The complete text of this letter is included as attachment 3.

DOE has under way a study of determining the reduction in performance of the ANS using LEU fuel with varying degrees of enrichment and density, but has made no decision with regard to its use in the ANS.

Congressional approval of starting construction of the ANS using HEU fuel would be a major blow to U.S. credibility in the nuclear nonproliferation arena. The United States cannot credibly urge others not to use nuclear weapons-grade HEU fuel if it intends to use that fuel in the ANS. Such an action would clearly undercut ongoing U.S. State Department efforts to convert numerous Soviet-designed reactors and Germany's FRM–II reactor to LEU fuels. In short, it would provide an excuse for all other nations to oppose international efforts to end the use of HEU fuels.

3. SPENT FUEL MANAGEMENT

The current ANS design is based on the assumption that its spent fuel later will be sent to Savannah River, and has provided for only 2 years of spent fuel storage in the reactor building. Spent fuel shipments to Savannah River were suspended in April 1992, and DOE currently has under way a programmatic spent fuel management environmental impact statement [EIS] that will not be completed until June of next year. The outcome of that EIS could greatly influence the cost and management of the ANS spent fuel.

4. REGULATORY CONCERNS

The Atomic Energy Act of 1954, as amended, and the Energy Reorganization Act of 1974 exempt all DOE facilities from Nuclear Regulatory Commission [NRC] licensing requirements except for facilities that produce electricity or specific facilities to be built and operated for the purpose of demonstrating the suitability for commercial applications. The ANS, with no commercial power operation potential, clearly falls in the exempt category.

Given that DOE's past self-regulatory efforts have been inadequate, NRC involvement is under consideration by DOE's upper management. If DOE turns over ANS reactor safety and operations to the NRC, it is likely to result in significant construction delays, design changes, and significant cost increases.

SUMMARY

The four ANS issues—cost, nuclear nonproliferation concerns, spent fuel management, and regulatory concerns—argue for possible deferral of ANS construction and capital equipment acquisition in fiscal year 1995. A 1-year pause would provide an opportunity for in-depth congressional hearings, and for DOE to review a number of ANS issues. It would also give the scientific community a chance to reexamine the ANS.

As a prudent course, I would recommend that total ANS funding in fiscal year 1995 be limited to $17 million in operating expenses only, the same as for fiscal year 1994. A year's delay would give DOE time to fully explore the use of LEU fuel in the ANS and to resolve a number of other ANS issues, including its escalating and uncertain costs, and the potential for internationalizing the project.

Attachment 1. Advanced Neutron Source (ANS)—Detailed cost estimate

Item:	*Billions*
Sunk cost: Department of Energy (DOE) estimate of ANS funding through fiscal year 1994	$0.1
Construction cost: DOE estimate of ANS's cost for construction through a completion date of late 2003	2.2
Other project costs during construction: DOE estimate of ANS's other construction-related costs through a completion date of late 2003	.6

	Billions
Operational cost: DOE estimate of operational cost of ANS, computed at $155.128 million a year for a 40-year life span	6.2
Subtotal	9.1
Other items:	
Spent fuel disposal: December 1992 estimate by the DOE Office of Nuclear Energy Project Management Subcommittee's review of the ANS Conceptual Design Report	.5
Decontamination and decommissioning: December, 1992, estimate by the DOE Office of Nuclear Energy Project Management Subcommittee's review of the ANS Conceptual Design Report	.2
Total	9.9
Additional cost of ANS design based on low enriched uranium core: August 1993 Acting Director of DOE's Office of Nuclear Energy estimate of additional ANS cost	.6
Additional operational cost of ANS with low enriched uranium core: August 1993 Acting Director of DOE's Office of Nuclear Energy estimate of additional ANS operational cost, computed at $60 million a year for a 40-year life span	2.4
Potential total ANS cost	12.9

Attachment 2

[From Nature, May 12, 1994]

URANIUM FUEL SPARKS GERMAN-U.S. CONTROVERSY

MUNICH.—More than 20 of Germany's top physicists have sent a letter to ministries, politicians and licensing authorities in Germany expressing concern over the proposed use of highly enriched uranium (HEU) in a new research reactor planned for construction in Garching near Munich.

Their main complaint is that the so-called Forschungsreaktor München II (FRM-II) would as currently planned undermine attempts led by the United States to eliminate the world-wide use of HEU in research reactors, and to substitute it with the less energy efficient but safer low enriched uranium (LEU).

The United States, at present the west's only supplier of HEU, has introduced strict controls on the distribution and use of this fuel, quoting its commitments under the terms of the Nuclear Non-Proliferation Treaty (NPT), which came into effect in 1970. In addition, over 50,000 individuals in Germany, including many scientists, have backed a demand that the FRM-II be redesignated to use LEU fuel.

But the scientists at Munich's Technical University who have designed the FRM-II argue that converting it from HEU to LEU would be extremely costly. They also claim that such a move is unnecessary, as Germany is a signatory of the NPT, and thus has strict controls on the use of nuclear fuels.

Last week saw the opening of an inquiry into the planned reactor, which will provide high energy neutrons for researchers in materials and medical sciences. German physicists have been trying to establish a new national neutron source since the late 1970s, as the country's four working research reactors are aging, and have neutron fluxes too low to meet all current research needs.

Planned for construction next to Munich university's existing research reactor, known as the Atom-Ei (atomic egg) because of its shape, the new reactor would have a high neutron flux (80010^{12} per second per cm^2) and would cost DM525 million, two thirds paid by the federal government, and the rest by the state of Bavaria.

Wolfgang Gläser, professor of experimental physics in Munich and former director of Europe's most powerful research reactor at the Institut Laue-Langevin in Grenoble, France, says that the use of HEU, made up of 93 per cent ^{235}U and 7 per cent ^{238}U, is needed to achieve the required neutron flux at a power of 20 megawatts.

If the new reactor is required to use a mixture of only 20 per cent ^{235}U (and 80 per cent ^{238}U), he says, it would have to operate at twice this power, raising annual running costs from DM20 million to DM30 million. In addition, conversion is likely to cost an estimated DM200 million.

Gläser also argues that LEU provides a similar security risk to HEU, as ^{238}U in the fuel is converted to plutonium. But Werner Buckel, former president of the German Physics Society, says that sophisticated reprocessing technology is required to extract this plutonium, which is already at low levels, and that the risks are therefore not comparable.

The United States has established a programme to develop alternative high density LEU fuels. Its overall policy, intended to reduce the risks of nuclear proliferation, was reinforced by the Schumer amendment to the 1992 Energy Policy Act, which specifies three conditions for the supply of HEU to research reactors.

First, the reactor must be technically incapable of using any of the LEU fuels currently available. Second, the relevant national government must agree to use an alternative, compatible LEU fuel type, if one becomes available. Finally, the United States must become involved in developing an LEU fuel type that would be compatible with the specified reactor.

Despite the extra costs incurred by reactors using LEU fuel, the policy has so far been highly successful. Thirty eight of the 42 research reactors outside the US which depend on imported US fuel have already switched, or are preparing to switch, to LEU. These include Germany's four current research reactors in Berlin, Hamburg, Julich, and the Atom-Ei in Garching. One of the remaining four is now considering switching, and the other three are not technically capable of conversion.

Given this virtually universal compliance with the policy, as well as Germany's ultra-sensitivity to 'green' issues, the country's insistence on using HEU at Garching has generated widespread surprise.

Government officials deny that the use of HEU will increase the risk of nuclear proliferation. They point out that strong security measures have been incorporated into the FRM-II plans to meet the demands of both the European Atomic Energy Community (Euratom) and the International Atomic Energy Agency.

But Robin Delabarre from the US State Department's section on nuclear affairs says that this is not the point. "The German safeguards are fine," he says. "But it is not a problem specific to Germany; there is a general concern about the risks of international transport and use of weapons-grade materials."

The US is particularly worried that, by breaking ranks, Germany could encourage those responsible for research reactors in other countries to reconvert their reactors to use the cheaper HEU fuel. If that happened, however, a new question would arise concerning the origins of the fuel.

Gläser says he is confident that the US will agree to supply FRM-II with HEU, accepting the reactor as an exception to its general rules on the grounds that a redesign to use LEU would be uneconomic. But Delabarre says that economic reasons are not sufficient to allow an exception, and that a request for HEU from Garching would "most likely not be approved".

The State Department has been urging the Garching team—so far unsuccessfully—to work with US scientists at the Argonne National Laboratory near Chicago on low enriched fuel that would be both technically and economically acceptable.

If the US refuses to supply the HEU (no such fuel has been exported from the US since 1992) and the reactor is not converted to use LEU, its fuel will have to be sought elsewhere. It will have to be ordered through Euratom, as nuclear installations in Germany, as in all other countries of the European Union, are obliged to do.

A spokesperson for Euratom admits that US policy has put its HEU supplies "in grave doubt in the near future". The organization is considering new sources—possibilities include the United Kingdom, France, and Russia—but will not discuss the options it is considering.

The public hearing, which is part of the nuclear license procedure for FRM-II, is likely to continue for several weeks. Bavaria's prime minister Edmund Stoiber says he would like to see a (positive) licensing decision taken before the state elections in September. But few expect a decision much before Christmas.—Allson Abbott

Attachment 3

U.S. DEPARTMENT OF STATE,
Washington, DC, September 7, 1993.

Dr. JOHN G. KELIHER,
Director, Office of Intelligence and National Security, Department of Energy, Washington, DC.

DEAR DR. KELIHER: I am writing you regarding USG policies involving use of highly enriched uranium in civil programs.

As you know, it has been U.S. policy since the Carter Administration to discourage the use of highly enriched uranium in civil programs both domestic and foreign. In order to implement this policy effectively, we will need to make sure we are taking all reasonable steps to assure that LEU is used in our domestic programs. Failure to do so would send a powerful, negative signal to governments in Western Europe, Canada, Australia, and Japan which have been cooperating with us in the effort to reduce the use of HEU worldwide. The message would not be lost on the Russian Government, which could be expected to ignore any U.S. pleas not to step in and start selling HEU for research reactors and medical isotopes to customers around the world.

In particular, I would like to ask you to consider four major steps: (1) conversion of DOE's existing research reactors to low enriched fuels; (for older reactors, an announcement of a schedule for closings would seem appropriate); (2) postponement of the proposed plan to have Los Alamos begin production of molybdenum 99 from HEU targets for medical isotopes; (3) cooperation with us to devise ways to encourage foreign producers of molybdenum 99 to use LEU fuel in order that we can all compete on a level playing field; and (4) reconsideration of a program to develop high density LEU fuels for use in DOE reactors, three West European reactors, and Soviet designed research reactors.

The Reduced Enrichment for Research and Test Reactor (RERTR) program, which DOE established at Argonne to develop low enriched uranium fuels for use in research and test reactors and to provide conversion assistance to U.S. and foreign reactor operators has been very successful. Only three research reactors abroad have been unwilling to convert their reactors to low enriched fuels.

The original intention had been that DOE convert its research reactors. However, for a variety of reasons this did not occur. The fact that DOE did not plan to convert its own reactors was used by the three European reactor operators as justification for their refusal to undertake conversion.

Another factor argues for a re-examination of a research and development program for high density LEU fuel. In Russia, several other CIS republics, Eastern Europe, North Korea and elsewhere, there are numerous Soviet-designed reactors operating on HEU which cannot use low density LEU fuel developed under the RKRTR program in the 1980's. We understand that much of the developmental work for high density fuels would be directly applicable to new LEU fuels for Soviet reactors. Given the importance of converting Soviet reactors to LEU fuels and of gaining Russian cooperation on reducing of eliminating HEU in civil programs, the cost of developing high density LEU fuels may now be worthwhile.

The issue of the use of HEU targets for molybdenum 99 (MO–99) production for medical isotopes has come up recently in discussions with the South African Government on disposition of the SAG's stockpile of HEU from dismantled nuclear weapons.

After initially announcing their interest in selling to the U.S. or another nuclear weapons state their HEU, the South Africans recently told us that they wanted to keep their HEU for fuel for the SAFARI research reactor. Argonne National Laboratory (ANL) experts familiar with SAFARI are confident that the reactor can be converted to use LEU fuel. However, the South African AEC argues that one of the main uses for SAFARI is and will continue to be nuclear medicine, and that HEU targets are required to produce MO–99.

DOE and Argonne National Laboratory (ANL) have been working to reestablish ANL's program for development of LEU targets for the production of medical isotopes, particularly (MO–99), to meet a key 1992 Energy Policy Act criterion for approval of HEU exports for target use. To assist in this effort, Argonne has increased its contacts with AECL Chalk River Laboratory in Canada which has an active LEU target development program. Isotope production is a highly competitive industry operating on tight margins. Use of LEU targets will increase costs and complexity of isotope production because more nuclear material is needed and irradiated LEU produces more high level waste including plutonium. LEU targets are technically feasible but must also be commercially feasible. Our objective should be to obtain agreement among all producers of MO–99 to use LEU rather than HEU. In this way all would be competing on a level playing field. We recognize, of course, that the LEU target must be licensable by national nuclear regulatory authorities and the MO–99 product must be certified by the Food and Drug Administration or its equivalent in other countries as medically safe.

Chalk River-Nordion of Canada and IRE Flauris of Belgium are the major world suppliers of MO–99. At present, there is no U.S. producer of MO–99. DOE has been working to develop a MO–99 production capability by 1994 at Los Alamos National Laboratory using HEU targets and the Omega research reactor. While development of a U.S. production capability will reduce U.S. industry concerns about possible interruptions of foreign supply, clearly, Canada, Belgium and South Africa will not use LEU targets if Los Alamos uses HEU. Furthermore, the existence of two foreign producers of MO–99 and the prospective emergence of at least one other foreign supplier should assuage any possible concerns about supply availability.

I would appreciate hearing from you on these matters in the near future.

Sincerely,

ROBERT L. GALLUCCI,
Assistant Secretary of State for Politico-Military Affairs.

Mr. FRANKS of Connecticut. Mr. Chairman, the Energy and water bill before us this year helps to continue the relationship between the Federal Government and private enterprises. It contains over $1.7 billion in funding for energy research. Companies in Connecticut have played an important role in the development of new fuel cell technology and other energy projects designed to be more environmentally sound. The bill will keep the United States and a world leader in research and development of useful technology. I will support this bill.

This bill differs from last year's bill in that we are no longer able to debate funding for the superconducting super collider. Last year the house voted to eliminate the super collider, and I voted against the final version of the bill as a result. I hope that in the future Congress will reconsider the ill-advised decision to end this project. The super collider would have provided vital research for atomic medicine and superconductivity. While I have consistently supported prudent cuts in the programs, of the Department of Energy, I felt that the super collider would have provided valuable research to give our country a technological edge.

Today we will vote on one amendment offered to cut spending in this bill. I will support the Byrne amendment to eliminate the bill's proposed $12 million appropriation for the Gas Turbine-Modular Helium Reactor Program. This Helium Reactor Program was developed in the early 1970's with the theory that it would be a cost-competitive way to generate electricity. This has not proven to be the case. But Congress can never admit that its old decisions were wrong, and here the program is again for our approval. Taxpayers do not want to pay for programs that will not be useful for the future. This amendment had clear bipartisan support, and I will vote for it.

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

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

The CHAIRMAN. All time for general debate has expired.

Pursuant to the rule, the amendment printed in section 2 of House Resolution 449 may amend portions of the bill not yet read for amendment and is not subject to a demand for division of the question.

The Clerk will read.

The Clerk read as follows:

H.R. 4506

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending September 30, 1995, for energy and water development, and for other purposes, namely:

TITLE I

DEPARTMENT OF DEFENSE—CIVIL

DEPARTMENT OF THE ARMY

CORPS OF ENGINEERS—CIVIL

The following appropriations shall be expended under the direction of the Secretary of the Army and the supervision of the Chief of Engineers for authorized civil functions of the Department of the Army pertaining to rivers and harbors, flood control, beach erosion, and related purposes.

GENERAL INVESTIGATIONS

For expenses necessary for the collection and study of basic information pertaining to river and harbor, flood control, shore protection, and related projects, restudy of authorized projects, miscellaneous investigations, and, when authorized by laws, surveys and detailed studies and plans and specifications of projects prior to construction, $179,062,000, to remain available until expended, of which funds are provided for the following projects in the amounts specified:

Los Angeles County Water Conservation and Supply, California, $700,000;

Norco Bluffs, California, $400,000;

Indianapolis, White River, Central Waterfront, Indiana, $4,000,000;

Ohio River Greenway, Indiana, $900,000;

Lake George, Hobart, Indiana, $260,000;

Little Calumet River Basin (Cady Marsh Ditch), Indiana, $150,000;

Kentucky Lock and Dam, Kentucky, $2,000,000;

Hazard, Kentucky, $500,000;

Mussers Dam, Pennsylvania, $200,000;

Hartsville, Trousdale County, Tennessee, $95,000;

West Virginia Comprehensive, West Virginia, $350,000; and

West Virginia Port Development, West Virginia, $800,000.

CONSTRUCTION, GENERAL

For the prosecution of river and harbor, flood control, shore protection, and related projects authorized by laws; and detailed studies, and plans and specifications, of projects (including those for development with participation or under consideration for participation by States, local governments, or private groups) authorized or made eligible for selection by law (but such studies shall not constitute a commitment of the Government to construction), $1,023,595,000, to remain available until expended, of which such sums as are necessary pursuant to Public Law 99–662 shall be derived from the Inland Waterways Trust Fund, for one-half of the costs of construction and rehabilitation of inland waterways projects, including rehabilitation costs for the Lock and Dam 25, Mississippi River, Illinois and Missouri, and GIWW-Brazos River Floodgates, Texas, projects, and of which funds are provided for the following projects in the amounts specified:

Red River Emergency Bank Protection, Arkansas and Louisiana, $6,000,000;

Red River Below Denison Dam Levee and Bank Stabilization, Arkansas and Louisiana, $1,500,000;

West Sacramento, California, $500,000;

Sacramento River Flood Control Project (Glenn-Colusa Irrigation District), California, $400,000;

Sacramento River Flood Control Project (Deficiency Correction), California, $3,700,000;

San Timoteo Creek (Santa Ana River Mainstem), California, $5,000,000;

Central and Southern Florida, Florida, $11,315,000;

Kissimmee River, Florida, $9,000,000;

Casino Beach, Illinois, $1,000,000;

Des Moines Recreational River and Greenbelt, Iowa, $4,000,000;

Harlan (Levisa and Tug Forks of the Big Sandy River and Upper Cumberland River), Kentucky, $20,000,000;

Middlesborough (Levisa and Tug Forks of the Big Sandy River and Upper Cumberland River), Kentucky, $1,200,000;

Williamsburg (Levisa and Tug Forks of the Big Sandy River and Upper Cumberland River), Kentucky, $3,000,000;

Pike County (Levisa and Tug Forks of the Big Sandy River and Upper Cumberland River), Kentucky, $5,000,000;

Lake Pontchartrain and Vicinity (Jefferson Parish), Louisiana, $800,000;

Lake Pontchartrain and Vicinity (Hurricane Protection), Louisiana, $12,500,000;

Ste. Genevieve, Missouri, $3,000,000;

Hackensack Meadowlands Area, New Jersey, $2,500,000;

Ramapo River at Oakland, New Jersey, $600,000;

Salem River, New Jersey, $1,000,000;

Carolina Beach and Vicinity, North Carolina, $2,800,000;

Fort Fisher and Vicinity, North Carolina, $900,000;

Broad Top Region, Pennsylvania, $1,000,000;

Lackawanna River, Olyphant, Pennsylvania, $1,100,000;

Lackawanna River, Scranton, Pennsylvania, $1,000,000;

South Central Pennsylvania Environmental Restoration Infrastructure and Resource Protection Development Pilot Program, Pennsylvania, $7,000,000;

Wallisville, Lake, Texas, $1,000,000;

Richmond Filtration Plant, Virginia, $2,000,000; and

Southern West Virginia Environmental Restoration Infrastructure and Resource Protection Development Pilot Program, West Virginia, $1,500,000:

Provided, That of the offsetting collections credited to this account, $71,000 are permanently canceled.

FLOOD CONTROL, MISSISSIPPI RIVER AND TRIBUTARIES, ARKANSAS, ILLINOIS, KENTUCKY, LOUISIANA, MISSISSIPPI, MISSOURI, AND TENNESSEE

For expenses necessary for prosecuting work of flood control, and rescue work, repair, restoration, or maintenance of flood control projects threatened or destroyed by flood, as authorized by law (33 U.S.C. 702a, 702g-1), $334,138,000, to remain available until expended, of which $3,000,000 is provided for the Eastern Arkansas Region, Arkansas, project.

OPERATION AND MAINTENANCE, GENERAL

For expenses necessary for the preservation, operation, maintenance, and care of existing river and harbor, flood control, and related works, including such sums as may be necessary for the maintenance of harbor channels provided by a State, municipality or other public agency, outside of harbor lines, and serving essential needs of general commerce and navigation; surveys and charting of northern and northwestern lakes and connecting waters; clearing and straightening channels; and removal of obstructions to navigation, $1,646,535,000, to remain available until expended, of which such sums as become available in the Harbor Maintenance Trust Fund, pursuant to Public Law 99-662, may be derived from that fund, and of which $37,000,000 shall be for construction, operation, and maintenance of outdoor recreation facilities, to be derived from the special account established by the Land and Water Conservation Act of 1965, as amended (16 U.S.C. 4601), and of which funds are provided for the following projects in the amounts specified:

Tucson Diversion Channel, Arizona, $2,500,000;

Jeffersonville-Clarksville, Indiana, $750,000;

McAlpine Lock and Dam (Ohio River Locks and Dams), Kentucky, $1,000,000; and

Raystown Lake, Pennsylvania, $5,330,000:

Provided, That not to exceed $7,000,000 shall be available for obligation for national emergency preparedness programs: *Provided further*, That of the offsetting collections credited to this account, $1,000 are permanently canceled.

REGULATORY PROGRAM

For expenses necessary for administration of laws pertaining to regulation of navigable waters and wetlands, $101,000,000, to remain available until expended.

FLOOD CONTROL AND COASTAL EMERGENCIES

For expenses necessary for emergency flood control, hurricane, and shore protection activities, as authorized by section 5 of the Flood Control Act approved August 18, 1941, as amended, $14,979,000, to remain available until expended: *Provided*, That of the offsetting collections credited to this account, $5,000 are permanently canceled.

OIL SPILL RESEARCH

For expenses necessary to carry out the purposes of the Oil Spill Liability Trust Fund, pursuant to title VII of the Oil Pollution Act of 1990, $625,000, to be derived from the Fund and to remain available until expended.

GENERAL EXPENSES

For expenses necessary for general administration and related functions in the Office of the Chief of Engineers and offices of the Division Engineers; activities of the Coastal Engineering Research Board, the Humphreys Engineer Center Support Activity, and the Water Resources Support Center, $152,500,000: *Provided*, That not to exceed $56,480,000 of the funds provided in this Act shall be available for general administration and related functions in the Office of the Chief of Engineers: *Provided further*, That no part of any other appropriation provided in title I of this Act shall be available to fund the activities of the Office of the Chief of Engineers or the Division Offices.

PERMANENT APPROPRIATIONS

Amounts otherwise available for obligation in fiscal year 1995 are reduced by $4,000.

RIVERS AND HARBORS CONTRIBUTED FUNDS

Amounts otherwise available for obligation in fiscal year 1995 are reduced by $16,000.

ADMINISTRATIVE PROVISIONS

During the current fiscal year the revolving fund, Corps of Engineers, shall be available for purchase (not to exceed 100 for replacement only) and hire of passenger motor vehicles.

Mr. BEVILL (during the reading). Mr. Chairman, I ask unanimous consent that title I be considered as read, printed in the RECORD, and open to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from Alabama?

There was no objection.

The CHAIRMAN. Are there any amendments to title I?

If not, the Clerk will read.

The Clerk read as follows:

TITLE II

DEPARTMENT OF THE INTERIOR

CENTRAL UTAH PROJECT

CENTRAL UTAH PROJECT COMPLETION ACCOUNT

For the purpose of carrying out provisions of the Central Utah Project Completion Act, Public Law 102-575 (106 Stat. 4605), $38,972,000, to remain available until expended, of which $22,839,000 shall be to carry out the activities authorized under title II of the Act and for feasibility studies of alternatives to the Uintah and Upalco Units, and of which $16,133,000 shall be deposited into the Utah Reclamation Mitigation and Conservation Account: *Provided*, That of the amounts deposited into the Account, $5,000,000 shall be considered the Federal Contribution authorized by paragraph 402(b)(2) of the Act and $11,133,000 shall be available to the Utah Reclamation Mitigation and Conservation Commission to carry out the activities authorized under title III of the Act.

In addition, for necessary expenses incurred in carrying out responsibilities of the Secretary of the Interior under the Act, $1,191,000, to remain available until expended.

BUREAU OF RECLAMATION

For carrying out the functions of the Bureau of Reclamation as provided in the Federal reclamation laws (Act of June 17, 1902, 32 Stat. 388, and Acts amendatory thereof or supplementary thereto) and other Acts applicable to that Bureau as follows:

GENERAL INVESTIGATIONS

For engineering and economic investigations of proposed Federal reclamation projects and studies of water conservation and development plans and activities preliminary to the reconstruction, rehabilitation and betterment, financial adjustment, or extension of existing projects, to remain available until expended, $14,190,000: *Provided*, That, of the total appropriated, the amount for program activities which can be financed by the reclamation fund shall be derived from that fund: *Provided further*, That funds contributed by non-Federal entities for purposes similar to this appropriation shall be available for expenditure for the purposes for which contributed as though specifically appropriated for said purposes, and such amounts shall remain available until expended.

CONSTRUCTION PROGRAM

(INCLUDING TRANSFER OF FUNDS)

For construction and rehabilitation of projects and parts thereof (including power transmission facilities for Bureau of Reclamation use) and for other related activities as authorized by law, to remain available until expended, $432,727,000 of which $23,272,000 shall be available for transfer to the Upper Colorado River Basin Fund authorized by section 5 of the Act of April 11, 1956 (43 U.S.C. 620d), and $153,793,000 shall be available for transfer to the Lower Colorado River Basin Development Fund authorized by section 403 of the Act of September 30, 1968 (43 U.S.C. 1543), and such amounts as

may be necessary shall be considered as though advanced to the Colorado River Dam Fund for the Boulder Canyon Project as authorized by the Act of December 21, 1928, as amended: *Provided*, That of the total appropriated, the amount for program activities which can be financed by the reclamation fund shall be derived from that fund: *Provided further*, That transfers to the Upper Colorado River Basin Fund and Lower Colorado River Basin Development Fund may be increased or decreased by transfers within the overall appropriation under this heading: *Provided further*, That funds contributed by non-Federal entities for purposes similar to this appropriation shall be available for expenditure for the purposes for which contributed as though specifically appropriated for said purposes, and such funds shall remain available until expended: *Provided further*, That no part of the funds herein approved shall be available for construction or operation of facilities to prevent waters of Lake Powell from entering any national monument: *Provided further*, That all costs of the safety of dams modification work at Coolidge Dam, San Carlos Irrigation Project, Arizona, performed under the authority of the Reclamation Safety of Dams Act of 1978 (43 U.S.C. 506), as amended, are in addition to the amount authorized in section 5 of said Act.

OPERATION AND MAINTENANCE

For operation and maintenance of reclamation projects or parts thereof and other facilities, as authorized by law; and for a soil and moisture conservation program on lands under the jurisdiction of the Bureau of Reclamation, pursuant to law, to remain available until expended, $286,521,000: *Provided*, That of the total appropriated, the amount for program activities which can be financed by the reclamation fund shall be derived from that fund, and the amount for program activities which can be derived from the special fee account established pursuant to the Act of December 22, 1987 (16 U.S.C. 4601–6a, as amended), may be derived from that fund: *Provided further*, That of the total appropriated, such amounts as may be required for replacement work on the Boulder Canyon Project which would require readvances to the Colorado River Dam Fund shall be readvanced to the Colorado River Dam Fund pursuant to section 5 of the Boulder Canyon Project Adjustment Act of July 19, 1940 (43 U.S.C. 618d), and such readvances since October 1, 1984, and in the future shall bear interest at the rate determined pursuant to section 104(a)(5) of Public Law 98–381: *Provided further*, That funds advanced by water users for operation and maintenance of reclamation projects or parts thereof shall be deposited to the credit of this appropriation and may be expended for the same purpose and in the same manner as sums appropriated herein may be expended, and such advances shall remain available until expended: *Provided further*, That revenues in the Upper Colorado River Basin Fund shall be available for performing examination of existing structures on participating projects of the Colorado River Storage Project.

BUREAU OF RECLAMATION LOANS PROGRAM ACCOUNT

For the cost of direct loans and/or grants, $9,000,000, to remain available until expended, as authorized by the Small Reclamation Projects Act of August 6, 1956, as amended (43 U.S.C. 422a–422l): *Provided*, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: *Provided further*, That these funds are available to subsidize gross obligations for the principal amount of direct loans not to exceed $23,000,000.

In addition, for administrative expenses necessary to carry out the program for direct loans and/or grants, $600,000: *Provided*, That of the total sums appropriated, the amount of program activities which can be financed by the reclamation fund shall be derived from the fund.

CENTRAL VALLEY PROJECT RESTORATION FUND

For carrying out the programs, projects, plans, and habitat restoration, improvement, and acquisition provisions of the Central Valley Project Improvement Act, to remain available until expended, such sums as may be assessed and collected in the Central Valley Project Restoration Fund pursuant to sections 3407(d), 3404(c)(3), 3405(f) and 3406(c)(1) of Public Law 102–575: *Provided*, That the Bureau of Reclamation is directed to levy additional mitigation and restoration payments totaling $37,232,000 (October 1992 price levels), as authorized by section 3407(d) of Public Law 102–575.

GENERAL ADMINISTRATIVE EXPENSES

For necessary expenses of general administration and related functions in the office of the Commissioner, the Denver office, and offices in the five regions of the Bureau of Reclamation, $54,034,000, of which $1,400,000 shall remain available until expended, the total amount to be derived from the reclamation fund and to be nonreimbursable pursuant to the Act of April 19, 1945 (43 U.S.C. 377): *Provided*, That no part of any other appropriation in this Act shall be available for activities or functions budgeted for the current fiscal year as general administrative expenses.

EMERGENCY FUND

For an additional amount for the "Emergency fund", as authorized by the Act of June 26, 1948 (43 U.S.C. 502), as amended, to remain available until expended for the purposes specified in said Act, $1,000,000, to be derived from the reclamation fund.

SPECIAL FUNDS

(TRANSFER OF FUNDS)

Sums herein referred to as being derived from the reclamation fund or special fee account are appropriated from the special funds in the Treasury created by the Act of June 17, 1902 (43 U.S.C. 391) or the Act of December 22, 1987 (16 U.S.C. 4601–6a, as amended), respectively. Such sums shall be transferred, upon request of the Secretary, to be merged with and expended under the heads herein specified; and the unexpended balances of sums transferred for expenditure under the head "General Administrative Expenses" shall revert and be credited to the reclamation fund.

WORKING CAPITAL FUND

Of the offsetting collections credited to this account, $863,000 are permanently canceled due to reduced GSA rental charges and $1,848,000 are permanently canceled due to efficiencies in the procurement process.

ADMINISTRATIVE PROVISIONS

Appropriations for the Bureau of Reclamation shall be available for purchase of not to exceed 9 passenger motor vehicles for replacement only.

Mr. BEVILL (during the reading). Mr. Chairman, I ask unanimous consent that title II be considered as read, printed in the RECORD, and open to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from Alabama?

There was no objection.

The CHAIRMAN. Are there any amendments to title II?

AMENDMENT OFFERED BY MR. MILLER OF CALIFORNIA

Mr. MILLER of California. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. MILLER of California: On page 11, line 25, strike "$432,727,000" and insert in lieu thereof, $402,727,000".

Mr. MILLER of California. Mr. Chairman, my amendment deletes $30 million in funding from the Bureau of Reclamation's construction account for the Garrison Diversion Unit, ND.

As many of my colleagues will recall, this large water project was completely redesigned and reformulated by Congress in 1986. Many expensive and environmentally destruction features of the project were eliminated. Much of the original irrigation was deauthorized. In place or the irrigation, the reformulated project would supply thousands of North Dakota residents with high quality drinking water from the Missouri River. Wetlands would be restored.

Since the 1986 reformation, Congress has appropriated well over $100 million to construct the newly reformulated Garrison project. I have supported each and every one of those funding requests.

Unfortunately, however, local sponsors of the project, the Garrison Diversion Conservancy District, have repeatedly attempted to rewrite history and the law by repudiating the 1986 Garrison Reformation Act. Their obvious intent is to resurrect the old Garrison project, complete with outdated, expensive, and wasteful irrigation.

Late last year, North Dakota leaders and the Garrison Diversion Conservancy District asked Reclamation Commissioner Beard to initiate yet another new process to determine North Dakota's contemporary water development needs. The Commissioner, with the concurrence of all North Dakota political leaders, insisted that all North Dakotans internally reach consensus on any proposed changes to the 1986 act. When the Governor's proposal was issued just a few weeks ago, it was promptly rejected by the North Dakota congressional delegation.

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Eight years after we passed the Reformulation Act, the delegation has advised the United States that "Our State is owed this project," and that "North Dakota will not have to reimburse the Federal Government for major features of this project."

Mr. Chairman, if the State of North Dakota and its congressional delegation are not interested in constructing a major water resource project for the benefit of their citizens, I see no reason why Congress and the taxpayers should

be expected to force the project upon them.

Mr. Chairman, I intend to convene a hearing of the Committee on Natural Resources to receive testimony on legislative proposals to further reform and perhaps even deauthorize the Garrison project.

Mr. Chairman, I would say that I have been given a letter that has been written to Michael Whittington, the area manager of the Bureau of Reclamation, by the delegation, which has a statement by the congressional delegation that they plan to go back to start a new collaborative effort to produce concurrence among all of the interests in North Dakota and to produce consensus legislation that they will introduce in Congress to modify the Garrison Reformulation Act. That is clearly their right to do so. I would welcome and would participate with them, if necessary, with the Committee on Natural Resources.

Mr. Chairman, I must say, however, in that same letter dated May 12 to Mr. Whittington, that I am deeply disturbed by the suggestion that somehow this project is owed to North Dakota and that they should not have to pay for what they should receive as compensation.

This project, when it was passed in 1986 as a reformulated project, was very narrowly passed by the Congress by a handful of votes. Those handful of votes were secured by the effort of myself and many others to represent to the Members of the Congress that there would be consensus, that there would be a fundamental reformulation, and there would be repayment of this project. That is what we did in 1986 after long negotiations on both the House and Senate side.

To now suggest that somehow unilaterally one party or the other within North Dakota is going to change the purposes and the intent of this act is simply unacceptable. I hope that perhaps this letter is more reflective of the desire to enter into a true consensus, rather than simply a one-sided discussion within the State about changes that some may seek or think are advisable in this act.

Mr. Chairman, I include for the RECORD the letter to Mr. Whittington with regard to the Garrison diversion reform proposal:

U.S. SENATE,
Washington, DC, May 12, 1994.

Mr. MICHAEL WHITTINGTON,
Bureau of Reclamation,
Bismark, ND.

DEAR MR. WHITTINGTON: We are writing to tell you that we do not support the Garrison Diversion reform proposal, called the "Strawman proposal," announced recently by Governor Edward Schafer.

The proposal is seriously flawed in several respects. Moreover, the drafting and release of this proposal was not a part of the collaborative process that we had agreed to with Bureau of Reclamation Commissioner Dan Beard. Let us briefly explain our concerns.

First, the governor's proposal has been advanced as unilaterally accepting the imposition of new water taxes on residents in eastern North Dakota cities supplied by Garrison Diversion. According to the governor's office, the plan anticipates that these residents would see their water bills hiked by $2.00 to $12.00 more a month.

We feel strongly that North Dakota's interests are not served by surrendering on the subject of which costs of a revised Garrison Diversion Project are nonreimbursable. Our state is owed this project as compensation for economic losses incurred by hosting a one-half million acre, permanent flood behind the Garrison Dam. North Dakotans should not have to pay for what they should receive as compensation.

Consequently, we intend to insist that, to the extent possible, North Dakota will not have to reimburse the federal government for major features of this project.

Second, while the governor's proposal borrows some good ideas developed in the collaborative process, it nonetheless proposes to spend tens of millions of dollars more than is necessary on some components of the project.

Third, specific costs and priorities on major component parts of the system were advanced by the governor's proposal outside of the collaborative process, and put forth without consultation with the other parties. In contrast, the many decisions that need to be made in reformulating this Garrison project must be done in a thoughtful and deliberative way, and include the input of all of the various North Dakota interests.

We need to agree on proposed changes to the current authorized Garrison Diversion Project in North Dakota. There's no question about that. But the governor's plan is not well constructed. It uses cost estimates that are, in some cases, far too high. It acquiesces to tax increases for some North Dakotans that we are not willing to support.

Instead, we intend to make a fresh start to collaborate in a way that produces concurrence among all of the interests in North Dakota. We intend to produce consensus legislation that we will introduce in Congress to modify the Garrison Diversion Reformation Act. In doing so, we will continue to consult with the governor, the State Legislature, the Garrison Diversion Conservancy District, Indian tribes, environmental groups and many other interests in North Dakota. Thank you.

Sincerely,

BYRON L. DORGAN,
U.S. Senator.
KENT CONRAD,
U.S. Senator.
EARL POMEROY,
Member of Congress.

In that spirit, Mr. Chairman, I will ask unanimous consent to withdraw the amendment that I have offered, but I want to serve notice that we will not continue to send funding to this project if people think they are going to use, or somehow believe they are going to use, this money at cross-purposes to the intent of the 1986 act to reformulate this project.

Mr. Chairman, I ask unanimous consent to withdraw the amendment.

The CHAIRMAN. Is there objection to the request of the gentleman from California?

There was no objection.

The CHAIRMAN. Are there any other amendments to title II?

The Clerk will read.

The Clerk read as follows:

TITLE III

DEPARTMENT OF ENERGY

ENERGY SUPPLY, RESEARCH AND DEVELOPMENT ACTIVITIES

For expenses of the Department of Energy activities including the purchase, construction and acquisition of plant and capital equipment and other expenses incidental thereto necessary for energy supply, research and development activities, and other activities in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101, et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion; purchase of passenger motor vehicles (not to exceed 25, of which 19 are for replacement only), $3,302,170,000, to remain available until expended.

AMENDMENT OFFERED BY MR. BEVILL

Mr. BEVILL. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. BEVILL: Page 21, line 24, strike "$3,164,369,000" and insert "$3,201,369,000".

Page 23, line 10, strike "$1,879,204,000" and insert "$1,842,204,000".

Mr. BEVILL. Mr. Chairman, the President on June 8th submitted an amendment to the fiscal year 1995 budget request for the Department of Energy. There are copies of his request and a table reflecting that the request and our recommendation available on both sides for the Members' review.

The President requested additional funds for recently identified requirements within the nuclear weapons complex and proposed to offset the funding requirement by using funds previously appropriated for various Department of Energy activities.

The committee had reported H.R. 4506 before the President's request was received, but we felt it was important to consider this request when the bill was brought before the House.

Working with the Committee on Armed Services, we have reviewed this budget amendment and identified those portions which are critical to meet the near-term national security requirements of the U.S. Department of Energy.

Mr. Chairman, my amendment would increase the weapons activities appropriation by $37 million, and decrease the materials support and other defense programs appropriation by $37 million. This will not affect the total budget authority or outlays in the bill.

Mr. Chairman, I submit a table for the record showing the specific funding adjustments. I ask for the Members' support for this amendment.

The table referred to is as follows:

AMENDMENT SUMMARY

Program	Request	Recommendation
WEAPONS ACTIVITIES		
Weapons stockpile support:		
Additional stockpile support activities at the Kansas City Plant, Missouri	$31,000,000	$31,000,000

AMENDMENT SUMMARY—Continued

Program	Request	Recommendation
Assure safety and environmental compliance during shutdown of the Mound Plant, Ohio ($28,000,000 total with $13,000,000 reallocated from within the program)	15,000,000	15,000,000
Additional stockpile activities at the Y–12 Plant, Tennessee	30,000,000	30,000,000
Assure safety and environmental compliance during shutdown of the Pinellas Plant, Florida	12,000,000	12,000,000
Capital equipment to implement nonnuclear reconfiguration at Sandia National Laboratory, NM	3,000,000	3,000,000
Replace Aviation Facility, Albuquerque, NM	2,000,000	0
Total, stockpile support	93,000,000	91,000,000
Use of prior year balances	(54,000,000)	(54,000,000)
Total, weapons activities	39,000,000	37,000,000
MATERIALS SUPPORT AND OTHER DEFENSE PROGRAMS		
Fissile materials control and disposition:		
National Resource Center for Plutonium, Amarillo, TX	9,000,000	9,000,000
Materials support:		
Disassembly Basin Upgrades, Savannah River, SC	13,000,000	0
Capital equipment	(13,000,000)	0
Use of prior year balances	(48,000,000)	(46,000,000)
Total, materials support and other defense programs	(39,000,000)	(37,000,000)

Mr. MYERS of Indiana. Mr. Chairman, I rise in support of the amendment.

The CHAIRMAN. The gentleman from Indiana [Mr. MYERS] is recognized for 5 minutes.

Mr. MYERS of Indiana. Mr. Chairman, I yield to the gentleman from Florida [Mr. YOUNG], a member of the Committee on Appropriations.

Mr. YOUNG of Florida. Mr. Chairman, I thank the gentleman for yielding to me, and for introducing this amendment, and to restate that it is not an increase of dollars, but it just provides for a far better management of our diminishing nuclear capabilities.

Mr. Chairman, I rise in support of Chairman BEVILL's amendment and to thank him and the members of the committee for following through so quickly to incorporate the Secretary of Energy's budget amendment into this legislation.

This budget neutral amendment adds $93 million to the Department of Energy's weapons activities account to provide urgently needed additional resources for our Nation's nuclear weapons support complex.

Mr. Chairman, the administration's original budget request called for a sharp 15 percent reduction in the Department's weapons activities programs. As I have discussed with the Secretary and her staff, if enacted, this $270 million reduction in these activities will have a severe impact on our national security. Despite what some would have you believe, our nuclear weapons program is still a vital part of our national security strategy and we must continue to produce, modernize, and service these weapons.

During the hearings of our Appropriations Subcommittee on National Defense, the Department of Defense's witnesses who are the Department of Energy's customers for these weapons shared my concerns about the impact this sharp reduction in funding for weapons activities would have on our readiness and our ability to ensure the reliability and accuracy of our nuclear weapons and our stockpile.

One of the principal facilities in the Department of Energy's nuclear weapons complex is located in Pinellas County, FL, which I represent. The employees at this facility have devoted the past 40 years to protecting our national security through their work to produce state of the art components for our nuclear weapons. This amendment will increase by one-third, or $12 million, the funds available for the employees at the Pinellas plant to carry out their important mission.

These funds also will be used to begin the process of securing this facility whose mission will soon change from one dedicated to providing for our national defense to one dedicated to strengthening our Nation's industrial and technological base. Although, as this budget amendment reflects, there is still an ongoing need to maintain and service our nuclear weapons stockpile, there is a declining need for the production of new weapons. Therefore, the Department of Energy has undertaken a plan to consolidate the operation of its nuclear weapons complex, thereby eliminating the need for three of its facilities including Pinellas.

To the Secretary of Energy's credit, however, from her early days in office she has agreed with my long stated belief that these facilities still have an important mission. That is to convert the wide array of state-of-the-art technology we have developed for the production of nuclear weapons to commercial uses for a variety of products that will find their way into the marketplace.

Already efforts are underway to begin this process at the Pinellas plant and the funds included in this bill and this amendment will begin cleaning up and securing the plant in preparation for its new commercial mission. These funds will also enable the plant to complete its defense mission to ensure that enough components and spare parts are produced to support our nuclear weapons stockpile during the transition process.

Mr. Chairman, in closing, I again want to thank the Secretary of Energy for her recognition of a major shortfall in her 1995 budget request and for sending this budget amendment forward in time to be incorporated into this legislation. Also, I want to thank Chairman BEVILL and my colleague from Indiana, Mr. MYERS, for responding so quickly to this request and accepting this amendment today.

This amendment addresses an important national security problem and sets in motion the process for converting the skills and technologies our Nation has developed in the employees and facilities of our nuclear weapons complex and begins the process of successfully converting these skills and technologies to the commercial marketplace.

Mr. MYERS of Indiana. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, the chairman of the committee, the gentleman from Alabama [Mr. BEVILL], does the usual good job in explaining the necessity for this amendment. The Republicans offer no objection.

The CHAIRMAN. Is there further debate on the amendment?

The question is on the amendment offered by the gentleman from Alabama [Mr. BEVILL].

The amendment was agreed to.

AMENDMENT OFFERED BY MRS. BYRNE

Mrs. BYRNE. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mrs. BYRNE: Page 17, line 19, strike "$3,302,170,000" and insert "$3,290,170,000".

Mrs. BYRNE. Mr. Chairman, I rise today to offer an amendment to terminate another wasteful program funded by the Federal Government, the so-called high-temperature gas reactor, now known as the gas-turbine modular helium reactor or GT–MHR. This program is an example of pork barrel spending at its best and what has become corporate welfare.

It was tried once in the commercial marketplace two decades ago and failed. Now, they're coming back for more. And, they're asking the taxpayer to pick up the check.

President Clinton scheduled this program for termination. The Department of Energy did not request a dime for it in their budget request to Congress.

Last session, the other body decisively terminated this program. It is now our turn to deliver on promises that we have made to our constituents to end business-as-usual.

Two years ago, the National Academy of Sciences conducted a review of the reactor program. This study was done at the request of Congress in order to reevaluate the goals and priorities in nuclear energy.

I know of few individuals that are better qualified to evaluate the GT–MHR than the panelists at the National Academy of Sciences. One is hard pressed to find an occasion when the Academy rejects funding for their own science projects.

And yet, after reviewing the facts, they concluded that "no funds should be allocated for development of HTGR technology." Even though we in Congress asked the Academy to make their recommendation, some members now want to throw their suggestions our the window.

The Department of Energy hasn't been taken-in by the claims of the industry either. I would read from a letter I received from Energy Secretary Hazel O'Leary dated June 13 stating that "given the current budgetary constraints, this reactor's low market potential and its estimated high development costs, we support your amendment to terminate the program." I believe we should heed their expert advice.

The GT–MHR has become a self-perpetuating program. Since 1978, the Federal Government has wasted over $900

million. Now the GAO, in a report issued last year, maintains that it will cost $5.3 billion to complete R&D and to build a prototype which might not be ready until sometime after 2010. Even the industry acknowledges that it will cost between $2 and $2.5 billion. That is not a small fraction as some claim.

Supporters say, "it's too soon to tell" and that they need more time, while others argue that "it's too late to stop." The industry claims they are making progress. They are not making progress. The same vendor that is out there today lobbying for this technology is the one that was pushing for this in the 1970's, when it did not work. It's deja vu all over again.

No utility wants to order one of these reactors until the prototype is built. Industry representatives claim that the technology will become a commercial candidate only after several years of performance as a demonstration project. In other words, let the Federal Government spend over $2.5 billion on finishing R&D and building a prototype before we see if any industry will place an order.

In 20 years, the gas-cooled reactor has evolved from a commercial venture ready to go on line into a research program that might produce an economically competitive plant sometime in the 21st century. Even then, they might not find any buyers for it. I suggest that, with a $4.5 trillion national debt, we look before we leap.

As long as Congress is will to put up the money for the GT-MHR, the special interests will fight change. They don't care that the experts at the Department of Energy and the National Academy of Sciences reject the GT-MHR. They don't care about the Federal deficit and how we can not afford a program that will cost over $2.5 billion and that has already failed in the commercial marketplace. They continue to lobby for money. It is our duty to say enough is enough.

Let us come down on the side of the energy experts and the taxpayers by making the fiscally responsible choice of ending this self-perpetuating program that has not lived up to its promises.

□ 1340

Mr. FAZIO. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I understand the desire that many have to find places to cut in the appropriations process. We all understand the appropriateness of that on occasion and certainly the political benefit that is derived on each case, win or lose. But our committee has made some tough choices and we believe that we frankly should be supported by our colleagues here on the floor when they understand the degree to which we have rigorously reviewed the fission research that remains in the Department of Energy's budget, and frankly there is very little left because of the very practical fact that the public sector, the utility industry's ability to absorb much of this research and produce new energy for the future is much more limited than it was in the 1950's and 1960's and on into the 1970's when this particular program was initiated. But we believe the GT-MHR, the gas reactor, deserves support, in part because, and Members will hear from Chairman BROWN in a few minutes, it has long been supported by the Committee on Science, Space, and Technology, certainly a guidepost for our subcommittee.

Mr. Chairman, the gas reactor was authorized as part of the landmark Energy Policy Act as recently as 1992. Developed in accordance with criteria established by the Committee on Science, Space, and Technology, the gas reactor meets the stringent criteria set forth by the committee to make nuclear power acceptable in the United States. The gas reactor is, therefore, safe, small, modular, and economical.

The gas reactor features a passive safety design that precludes severe core damage without relying on operator action. Put another way, human error cannot lead to a meltdown of the gas reactor. It is passively safe and meltdown-proof. Certainly the public's concern since Chernobyl in this area requires us to move forward only in cases where we can make this argument.

Much of the criticism of the gas reactor is based on earlier work done on this evolving research and development program. As such, much of the criticism is simply outdated. As the program has evolved, the gas reactor has been improved over time.

Mr. Chairman, let me cite exactly where we can see this improvement:

The gas reactor we are dealing with here today produces 70 percent more power than the earlier system discussed by the gentlewoman from Virginia [Mrs. BYRNE] for the same size reactor.

The current design is 25 percent more efficient than the earlier system.

The unit cost is 30 percent lower, and the cost of electric power is some 35 percent lower than the earlier system which proved not to be the solution.

So, Members can see, much of the criticism of the gas reactor is really no longer relevant to what we are bringing to the floor today.

Mr. Chairman, the gas reactor offers power efficiencies that are higher than other similar technologies. The gas reactor has an efficiency rating of 48 percent which is almost 50 percent more efficient than conventional reactor systems that are currently in use.

In addition, the gas reactor's modular design permits incremental additions to generating capacity. This gives the gas reactor users the ability to add small amounts of power as needed to adjust to changing market conditions, something that the traditional nuclear powerplant could not accommodate. We are talking here about incremental additions of power, not a huge base power costly plant that requires almost more demand and consumption if it can be economical to build in the first place.

Mr. Chairman, the gas reactor also has the potential to become a major export technology, especially for developing countries with high growth demands for electricity. Those of us who are concerned about global warming in the Third World need to understand the relevance of that. The gas reactor has the potential to reduce energy costs, reduce environmental degradation, and create jobs both here and abroad.

Mr. Chairman, the Byrne amendment regrettably threatens to set us back in a time when we are moving forward toward being a world leader in advanced, passively safe, environmentally sound reactor design.

For those reasons, I ask my colleagues to keep this important R&D program alive. Do not throw away the investment that we have made. Let us finish the job for once. This committee has far too often been required to kill programs that really, I think, end up being a greater waste in the sense that we do not follow through on the public investment, in this case of over a decade. Respect the tough choices made by this committee. Vote "no" on the Byrne amendment. Provide a very limited amount of money, $12 million is a very small sum, even in this bill, which is much tighter than it has been in prior years. Let us continue to get a return on our investment and let us continue to look at fission as part of our energy future but in a way that is far safer to our citizens and far more acceptable to the utility industry.

Mr. BLILEY. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I rise in support of this legislation.

Mr. Chairman, for those of us who have been around this body for some time, when we hear the rare news that an appropriations bill is on schedule and on budget we know it can mean only one thing—Chairman BEVILL's energy and water appropriations legislation. And this year is no different. In his customary fashion, with little fanfare, Chairman BEVILL and his ranker, JOHN MYERS, have managed to absorb a massive hit to their levels yet still keep the train on the tracks.

I want to note the committee's continued support of a project of great benefit to my district, the Richmond water filtration plant flood control project. Over the past 20 years, the Richmond area has suffered from 100-year floods on three separate occasions. These floods have threatened the

water filtration plant and the water supply for over 800,000 people. The worst incident knocked the plant out for nearly 4 days leaving our citizens without a healthy water supply, damaging our firefighting abilities, and closing many industries. The completion of the flood protection project will guard against this dangerous situation occurring. The committee's support of this local/Federal partnership is greatly appreciated.

Again, Mr. Chairman, a tip of my hat to Chairman BEVILL and his colleagues for their fine efforts. I urge my colleagues to support this bill.

Mr. BROWN of Ohio. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in support of the amendment offered by the gentlewoman from Virginia [Mrs. BYRNE] and the gentleman from Wisconsin [Mr. KLUG] to strike the $12 million which would fund the gas turbine modular helium reactor.

Mr. Chairman, in a time when our Nation is facing a $4.5 trillion debt, we cannot continue to spend tax dollars on costly, unproven research and development projects.

The Sierra Club, the Friends of the Earth, Citizens Against Government Waste, Public Citizen, and the National Taxpayers Union all agree that the GT-MHR should be terminated. In addition, the Department of Energy and President Clinton have also requested termination of this project.

Nothing has changed since last year when the Senate killed this program. The National Academy of Science says that the core technology is essentially the same. The Byrne amendment is an important step toward eradicating wasteful government spending. Passing this amendment is the right thing to do. As Mark Twain said, "Always do right. This will gratify some people, and astonish the rest."

Mr. PACKARD. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, first I would like to address the full bill and express my sincere gratitude and admiration for the chairman, the gentleman from Alabama [Mr. BEVILL] and ranking member, the gentleman from Indiana [Mr. MYERS], on the remarkable work that they have done in crafting this piece of legislation. I particularly am grateful the gentlemen have addressed several issues in my district that were extremely important and have been incorporated into the bill. Obviously the Santa Ana mainstem river project, the largest flood control project west of the Mississippi involving literally thousands of businesses and hundreds of thousands of homes, is crucial and I appreciate the funding level they have included, and there are several other projects, the sand bypass project in Oceanside in which the gentlemen have been historically helpful to me, as well as beach erosion and a variety of other issues.

Mr. Chairman, now to the specific amendment before us, the Byrne amendment, I would like to speak to.

Mr. Chairman, we have worked for a long time to try to develop a strong research base in this country and as we downsize the military budget, and as we downsize the aerospace budget, for heaven's sake, let us not downsize the research, scientific, and technological work that is being done in this country. That would be the most shortsighted thing we can do. I strongly oppose this amendment.

□ 1350

It would literally abandon the gas turbine modular reactor program, and that is truly an ill-conceived concept. It is totally inconsistent with our long-term energy policy established by the Energy Policy Act of 1992, and I believe that this program has tremendous promise.

It is designed to be a passive, safe reactor. This means that it cannot meltdown because of temperature of the reactor as it gets higher, and the nuclear reaction shuts off automatically, a great protective process. That would allow the country to produce safe, environmentally sound, efficient energy which would insure our long-term energy independence.

In fact, this program has already produced design developments which have yielded 50 percent more efficiency over other reactors.

Furthermore, with the end of the cold war, our ability to dismantle and dispose of nuclear materials is critical to our future security.

This gas-turbine technology offers an attractive option for destroying nuclear weapons material, which is a crucial problem for us now. General Atomics, located in southern California, has been among the leaders in developing this reactor. Many of the employees and researchers are in my district, and the elimination of this important program would mean not only the termination of vital research but it would also lose many jobs in an already economically depressed area.

First of all, I would like to extend my congratulations and my gratitude to the chairman of the Energy and Water Subcommittee, TOM BEVILL, for working in the spirit of bipartisanship and forging a fine piece of legislation.

I would also like to thank our ranking member, JOHN MYERS, for his work on this bill on behalf of the citizens of California and the citizens of the Nation.

This bill funds vital water projects in my district in southern California, and throughout California.

Included in the bill is $66 million for the Santa Ana River flood control project. This appropriation represents the continuation of a project which is vital insurance against catastrophic loss of life and property should a major flood hit the region.

I am also pleased that the committee chose to fund the successful oceanside sand bypass at $1.5 million. These funds, which were not included in President Clinton's fiscal year 1995 budget request, will be used to pump sand from the floor of Oceanside Harbor onto beaches to mitigate beach erosion, and save the taxpayers money.

Finally, the bill contains $600,000 to fund a beach erosion study in San Diego County.

I truly appreciate the chairman and ranking member's attention to the needs of my constituents and look forward to working with them on future bills.

Finally, I would like to urge my colleagues to defeat the Swett and Byrne amendments. They represent an abrogation of our long-term energy strategy established by the Energy Policy Act of 1992.

Mr. HUNTER. Mr. Chairman, will the gentleman yield?

Mr. PACKARD. I am happy to yield to the gentleman from California.

Mr. HUNTER. Mr. Chairman, I thank my friend for yielding.

I want to join with him in supporting the GT-MHR, and agree it is the major advance in nuclear power generation. It combines enabling state-of-the-art technology in aircraft and industrial gas turbines, high efficiency, compact recuperators, and magnetic bearings with unique high-temperature capability of a modular helium reactor. It provides the highest thermal efficiency you can possibly find.

It is the most environmentally compatible. It also gives us the economics.

For all of those reasons and all the reasons my colleague, the gentleman from San Diego, has laid out, this would be absolutely a mistake by the House to kill this very important project.

Mr. PACKARD. Mr. Chairman, I thank the gentleman for his comments.

There are few people in this body who are more conservative on fiscal issues than the gentleman from California [Mr. HUNTER], who has just spoken, and myself. Our voting record has constantly been looking for ways to make Government more efficient and to decrease the deficits that we struggle with in this body.

But this is the wrong place and the wrong process in order to try to balance the budget. For heaven's sakes, let us not downsize our preeminence in research and development in this country, and this would be a giant step in that direction.

Mr. DERRICK. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in opposition to the amendment offered by Mrs. BYRNE. The gas turbine, gas cooled reactor takes the next step in advanced reactor development that this Nation sorely needs. Advanced reactors, which were encouraged to be developed in the Energy Policy Act, offer significant technological and safety advancements over the current generation of reactors.

A shortsighted attempt at eliminating this funding will not only eliminate a potential future power reactor but would also limit potential defense applications.

The gas turbine reactor is currently under study by the Department of Energy as a possible option to dispose of excess plutonium. As a multipurpose reactor, the gas turbine reactor could burn plutonium, produce tritium, and produce power which could be sold to offset costs.

I urge my colleagues to vote no for the Byrne amendment.

Ms. SCHENK. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I would also like to express my appreciation to the chairman of the committee, the gentleman from Alabama [Mr. BEVILL], and his outstanding staff for their cooperation and their support.

Mr. Chairman, I rise in opposition to this amendment for two reasons. First, should the Byrne amendment pass and we terminate the gas turbine-modular helium reactor, we would once again relinquish our Nation's lead in an emerging technology to our foreign competitors. Second, the GT-MHR provides us with a unique capability for the elimination of weapons grade nuclear materials.

Over the past couple of decades, we have all watched while technologies developed with American expertise and resources have come to commercial fruition in other countries. In the coming years, the production of electricity by fission reactors will continue to be a technology adopted around the world, especially in less developed countries. The GT-MHR can provide a safe and efficient technology for the generation of electricity. Rather than the individual, makeshift designs required of light water reactors, the modular reactor design allows for standardized manufacturing methods. This means significant increased safety in addition to the inherent safety of the technology itself.

We have a choice. The United States can produce safe, efficient, modular reactors and ship them around the world, or we can give up on this technology and allow our international competitors to again perfect and profit from our technological innovation.

The second reason we should continue support for the GT-MHR—and this reason should give pause to the most ardent antinuclear activist—is that the GT-MHR provides the capability of eliminating weapons grade plutonium.

Studies performed for the Department of Energy indicate that the GT-MHR can be the most effective reactor design for the destruction of weapons grade plutonium. A GT-MHR in combination with an accelerator can consume over 80 percent of its plutonium fuel and as much as 99 percent of the plutonium 239 isotope required for weapons grade material.

The Russians have proposed a cooperative development program with the United States for the GT-MHR. They have expressed a particular interest in using the technology for the consumption of their surplus plutonium. Given our concern over the fate of the Russian nuclear stockpile, it would be foolish to terminate the gas-cooled reactor program.

Mr. Chairman, the Byrne amendment proposes to strike the very program upon which this plutonium consumption system is built.

Nuclear proliferation is a greater threat today than ever before, and as we stand down from the cold war, our ability to dismantle and dispose of nuclear materials will be critical to our future security. I urge my colleagues to oppose the Byrne amendment.

Mr. Chairman, as you heard from my colleagues from San Diego, the gentleman from California [Mr. HUNTER] and the gentleman from California [Mr. PACKARD], this is a nonpartisan, bipartisan issue, and I strongly urge its defeat.

Mr. HUNTER. Mr. Chairman, will the gentlewoman yield?

Ms. SCHENK. I am happy to yield to the gentleman from California.

Mr. HUNTER. Mr. Chairman, I just want to thank my colleague from San Diego for making such an articulate case for this program and to thank her for all the great work that she has done on behalf of the program. She has really been our leader.

Mr. RAMSTAD. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise today in strong support of the Byrne-Klug amendment.

Rarely do we see such broad support for an amendment.

Friends of the Earth, the League of Conservation Voters, the Sierra Club, and most of the major environmental organizations support this amendment.

The National Taxpayers Union wants it cut. Citizens Against Government Waste wants it cut.

The National Academy of Sciences says the helium reactor is unnecessary and not needed.

Even President Clinton and the U.S. Senate want to get rid of it.

Mr. Chairman, with a $4.4 trillion Federal debt, it is time to put our fiscal house in order.

It is time to help our children and grandchildren by stopping the hemorrhaging of red ink.

It it time to slaughter this bureaucratic hog and slice this pork out of the Government.

It is time to terminate the helium reactor program once and for all.

It is time to vote "yes" on the Byrne-Klug amendment and save $12 million in fiscal year 1995 and $2.5 billion overall by cutting this program.

□ 1400

The taxpayers of America deserve nothing less.

Mrs. LLOYD. Mr. Chairman, I move to strike the requisite number of words.

First of all, Mr. Chairman, I do want to commend the gentleman from Alabama [Mr. BEVILL] chairman of the subcommittee, for his efforts in bringing this bill before us today. His bipartisan effort with the gentleman from Indiana [Mr. MEYERS] have fashioned a funding bill for programs that are key to our Nation's technological future.

I want also to thank the staff for the work they have done. I know this has been a hard year, there are many programs that you would like to have included. I do not think they have ever worked so hard to bring such a good bill before us. I do thank them.

Mr. Chairman, in a time when we know that technology is a driver of economic growth, it is imperative to make necessary investments in our scientific and technology base to ensure our Nation's prosperity. The programs included in this bill include the basic and applied research that will result in the technologies of the 21st century.

For example, research in materials, engineering, biosciences, the humane genome and environment will result in improved health care, new leading edge industries, as well as meet environmental commitments within a framework of sustainable development.

Developing such tools as the advanced neutron source will create the technology that will shape our everyday lives—from automobiles, construction materials, computer chips and high technology plastics.

The bill before us also provides increased funding for solar and renewable technologies. Several of these technologies supported by DOE are now emerging into more mainstream applications which will augment our traditional sources of energy supply.

Many of the technologies being developed have significant export potential. Funding a strong research and development program will expedite their introduction into world markets. Every day we see the impact of our international competition. We must not be left behind by other countries who know how to develop and establish preeminent science and technology capabilities.

This bill assures we will lead in energy technologies critical to our Nation.

Mr. Chairman, I rise in opposition to the Byrne amendment. The gas turbine modular helium reactor program was fully authorized in the Energy Policy Act of 1992. The program underwent severe scrutiny during those deliberations, and new program criteria was put in place as well as deadlines for decision making.

With the shutdown of the advanced liquid metal program, we must maintain a midterm reactor technology in order to preserve our nuclear option in the energy mix.

The Committee on Science, Space, and Technology, of which I am a member, has routinely reviewed this program and has consistently supported it. There is likely to be a 50-year gap in nuclear technology without this important program.

I urge my colleagues to oppose this amendment. Vote "no" on Byrne.

Mr. HOCHBRUECKNER. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise today to speak in opposition to the Byrne amendment. We all have to realize that there is a lot more at stake here today than just some several millions of dollars in an appropriations bill. If this project continues, clearly what it will do is to allow a future joint venture between a United States company and Russia for the use of the high-temperature gas reactor in disposing of plutonium.

Why is that important? A high-temperature gas reactor is probably the best way to dispose of plutonium through one pass through the system. Now, what is the problem? We have had very successful negotiations between our Nation and Russia to reduce nuclear weapons around the world. Certainly, when they reduce their nuclear weapons and we reduce ours by what we have already agreed on in the SALT talks, we are talking about both Russia and the United States having probably in the neighborhood of 50 tons of surplus plutonium.

Plutonium has a half-life of 21,000 years. While I am reasonably confident that we in the United States will be able to maintain our plutonium in terms of keeping track of it and assure that none of it falls into the wrong hands, I am not so confident that Russia will have the same success.

So the best thing we can do for the people on this Earth is to get rid of the plutonium.

There are only four ways to dispose of plutonium: You can blow it up, which we want to avoid at all costs; we do not need a nuclear war.

You can glassify and bury it, but it can easily be recovered.

You can transmute it, which is something we have been working on but we have not perfected, where you change plutonium so that it cannot be used for weapons.

Or you can burn it as fuel in a nuclear reactor. That is what we are talking about today, the future of that program continuing to exist. That is what is at stake today. We need to get rid of the plutonium.

Obviously, there is an advantage to the Russians if we keep this program intact because if the joint venture goes forward, as we hope it will, they will be able to burn plutonium. They can build such a plant that will produce about 1,200 megawatts a year for 40 years, consuming the 50 tons of plutonium, we are done with the problem and we do not have to worry about that plutonium for the next 21,000 years.

Also, it helps the Russians move away from the Chernobyl kind of power plants. We know how dangerous Chernobyl-type power plants can be. They are committed to fission power. We need to move them into a new direction to provide electricity, and a high temperature gas reactor is the way to do it.

Also, we are very concerned that other nations are hiring Russian scientists and using them to develop nuclear weapons. So we need to keep Russian scientist busy. This program in the joint venture form will do just that.

So the fact of the matter is that there are great benefits and advantages to keeping this program alive. As a member of the House Committee on Armed Services and one of the few engineers in this Congress, let me tell you this is the kind of program we should be doing. It makes sense to put research and development money into this kind of program. Look what we can do for the people of this world if we can eliminate that plutonium both in Russian and in this country in the years ahead.

So, my colleagues, this is a good program, this is a program that we clearly ought to keep. I do not understand the concern that the environmentalists have. But I think what they are looking at is the fact that in this country the first round of nuclear fission electricity power plants is over. There are presently 110 operating nuclear plants in this country; but the age of boiling water reactors is over. We have not had a new order for a fission nuclear reactor electricity-producing plant in 18 years.

Whether we do or don't have a second generation of nuclear fission power plants in this country is not the issue. The issue today is shall we continue to have the opportunity for this joint venture in Russia? Shall we dispose of this plutonium?

On this floor 8 years ago I fought very hard to stop the nuclear power plant at Shoreham—which we did stop; that plant did not open, and it is in my district.

I am proud that I helped stop that plant. But let me tell you something: I am not excited about another generation of nuclear fission in the United States, but please do not stop us from pursuing this important program which can help eliminate the plutonium on this Earth and protect our children. I say that to the environmental community. That is the long-range environmental program that they should be looking at and supporting.

Mrs. BYRNE. Mr. Chairman, will the gentleman yield?

Mr. HOCHBRUECKNER. I yield to the gentlewoman from Virginia.

Mrs. BYRNE. I thank the gentleman for yielding.

Mr. Chairman, does the gentleman know there was a study done January 24 of this year where the National Academy of Sciences said that the gas-cooled reactors are not competitive for the mission of disposing of plutonium, because of the possible delay of their development, licensing, and construction?

Mr. HOCHBRUECKNER. There are many studies out there on which I disagree and would argue in engineering terms any day in the week. Please my colleagues, join me in opposing the Byrne amendment.

Mr. KLUG. Mr. Chairman, I move to strike the requisite number of words, and I rise in support of the amendment.

Mr. Chairman, I rise in strong support of the Byrne-Klug amendment to help kill the gas turbine modular helium reactor program. I have heard a lot of arguments to help save this program, but this is the first time I have ever heard foreign aid kind of sneak in the back door.

Let us approach this in a number of different ways; first of all, in terms of the commercial potential and application of this research and, secondly, in terms of the scientific evidence for the project's continuation.

In the early 1970's this technology was first launched, and there were five orders for commercial projects. Just a few years after that, four of the orders were canceled. In fact, only one of these plants was ever built, where it operated in Colorado for 16 years at 14-percent capacity and eventually closed down and closed down for good because it did not work.

By the time it did shut down, it actually had the worst operating record for any civilian nuclear plant in the entire United States.

Now, the Electrical Power Research Institute, located just outside of San Jose, CA, is the place in this country to take a look at technology and its application. EPRI, in its study which was just released last year, said that by the time this plant finally came on line by the year 2010, it would not be a cost-competitive option. So the nuclear industry orders five of these, only builds one of them, and closes it down, and EPRI says it has no application.

So let us look at what the utility industry has done. Since 1978 the utility industry has contributed about $25 million to this research and the taxpayers kicked in $450 million. That is an 18-to-1 research allocation, where we are spending most of the money, and if EPRI and the electric industry had any interest in it whatsoever, they would be talking with their wallets and not with their mouths.

□ 1410

So, Mr. Chairman, the utility industry is not very fond of it, so there are these arguments going on on both sides, and there are arguments for studies going on back and forth, and so what do we do?

Now I am not a rocket scientist either literally or figuratively, and I am not a nuclear scientist either. Nobody else in this room is. So we asked the National Academy of Sciences, Congress asked the National Academy of Sciences, to review this project, and they came back, as my colleagues heard our colleague from Virginia say a couple of minutes ago, and said, quote, "No funds should be allocated for the development of this technology." They looked at all the nuclear options in this country in terms of commercial viability and looked at all the options in this country in terms of disposing of plutonium, and they said, "It's a waste of money. Don't spend another buck on it."

Now why did they say that? One of the reasons they decided not to spend any money on it was because of legitimate environmental reasons. The passive cooling system employed in this technology does not have the traditional conventional containment structure, so there is a real danger of a release of contaminants, and the chairman of the advisory committee on reactor safety for the Nuclear Regulatory Commission said that there was a major problem with containment strategy used in this entire piece of research because it involved what he called a major safety tradeoff.

Now we have already spent, as my colleagues heard, nearly $450 million to look at this technology. The National Academy of Sciences says it has no application, and in the short run we will save with the amendment before us this afternoon $12 million, but, as my colleagues know, in the long run it will be a $2.5 billion savings to taxpayers because, first, we have got to fund the research. Then we have got to fund the prototype. And then we have to, finally, build the plan. Then, and only then, can we go back to the power industry which since the early 1970's has said no thanks. Only then can we go back one more time and see if anybody wants to buy these.

Now the Clinton administration, as my colleagues have heard, has already said they do not want the project. They have zeroed it out. The Department of Energy, which is charged with looking at energy research projects said they do not want it and are not interested in it whatsoever. And in fact, for all of my Republican colleagues listening to this debate, the Reagan administration tried to kill this same program some years ago. And for those of my colleagues who voted for the Penny-Kasich amendment, including my colleagues, the gentleman from California [Mr. HUNTER] who voted for the project's continuation of funding and the gentlewoman from California [Ms. SCHENK] who said it was a terrific idea to continue funding this project, the Penny-Kasich amendment, which we voted on this year, would have terminated funding. The National Academy of Sciences is opposed to it. The National Taxpayers Union is opposed to it. The Citizens Against Government Waste is opposed to it. Last year the Senate voted to kill it, and, as my colleagues know, we were silent on it. So, the Senate votes to kill it, and the House does not say anything, and funding gets restored in the committee.

Now I know the final argument we are going to have at the close of this debate says, "You can never kill a research project which has potential," and then, as my colleagues know, 2 years from now they will be saying, "Well, you can never kill a research project because we are too far along in the research. You can't kill it before we complete it."

The bottom line is the only time we face this afternoon is the time to finally kill this. It is not too soon, and it is not too late. It is simply too much money that we spent over a far too long timeframe.

Mr. BROWN of California. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, before making a few brief remarks about the amendment offered by the gentlewoman from Virginia [Mrs. BYRNE] I would like to rise in support of the bill before us and commend the gentleman from Alabama [Mr. BEVILL] and the committee for their efforts.

Mr. Chairman, I am pleased with the substance of the bill as it pertains to those programs within the jurisdiction of the Committee on Science, Space, and Technology. With respect to the substance of the bill, the committee has produced a bill consistent with the administration's request for energy R&D and consistent with the Energy Policy Act of 1992. These R&D investments are critical to raising the Nation's productivity and standard of living. They are too often, as in the case of the amendment before us, singled out for reduction or elimination by zealous deficit cutters who overlook their longer term payoffs in order to achieve a short-term budget savings.

I would commend the gentleman from Alabama [Mr. BEVILL] this year, as I did last year, for his efforts to keep academic earmarking under control at levels well below those prevailing when I and others on the Committee on Science, Space, and Technology first began investigating this practice, and, although he has not achieved a hundred percent yet, he is doing very well, and I am going to attach a short list of earmarks which are included in the bill:

LIST OF ACADEMIC EARMARKS CONTAINED IN THE ENERGY AND WATER APPROPRIATIONS REPORT

$300,000 for Corps of Engineers work at Indiana University at South Bend, p. 18.

$300,000 for the Construction Technology Transfer Project between the Corps of Engineers and Indiana State University, p. 19.

$1,000,000 for cooperative research between the Corps and the University of Miami, Florida, p. 28.

$600,000 from Department of Energy (DOE) to support the Florida Solar Energy Center (work is carried out by the University of Central Florida and the University of Oregon), p. 71.

$1,000,000 from the DOE for electron beam sterilization research (work that is intended for the University of Miami, Florida), p. 72.

$3,200,000 from DOE for the Midwest Superconductivity Consortium (which includes Indiana University, Iowa State University, Ohio State University, Purdue University, University of Missouri, University of Notre Dame and the University of Nebraska), p. 75.

$5,900,000 from DOE for the Florida State University's Super Computations Research Institute, p. 76.

$4,000,000 from DOE for Lawrence Berkeley Laboratory, the Ana G. Mendez Educational Foundation, and Jackson State University to enhance computer science and scientific research at all three institutions, p. 76.

$4,000,000 from DOE for the University Research Program in Robotics (a consortia composed of University of Florida, University of Michigan, University of Tennessee at Knoxville and University of Texas at Austin), p. 77.

Now, Mr. Chairman, with regard to the amendment offered by the gentlewoman from Virginia [Mrs. BYRNE], I rise in opposition to it. I applaud the decision of the gentleman from Alabama to fund the gas turbine modular helium reactor program, which was formally authorized in the Energy Policy Act of 1992 after very careful deliberation.

I commend the statement made by the gentleman from New York [Mr. HOCHBRUECKNER], our distinguished colleague, just a few moments ago with regard to his analysis of the program. We have been, in the Committee on Science, Space, and Technology, following this, reviewing it annually now since the mid-1980's, and I might add: So have many utilities. I will tell this audience that I have not hesitated to oppose what I consider to be unnecessary R&D programs in the past, and even as my distinguished colleague from Tennessee will remember, I opposed the molten metal fast breeder reactor in Tennessee to her regret at that time. So, I am not an unalloyed supporter of every new technology that comes down the road. In this case I believe that this technology, when fully developed, has the potential to constitute a major new advancement in the nuclear energy field. It has very strong export potential. There is no question but what we can work closely with scientists in Russia to develop this to the stage of marketability and that it will enhance our balance of trade and enhance our relationship

with the Russians if we can accomplish this.

Mr. Chairman, I believe that for all of these reasons that this is a program which should be continued. Those who argue that they can save money by eliminating this program, either in the short term or in the long term, have failed to grasp the fact that any programs eliminated in an appropriations bill, the money for them is distributed to other appropriations bills and gets spent. I have not seen any way to reduce the annual expenditures by striking out a program that I did not happen to like. There are other ways to get at this matter of how to save money, but eliminating a program at this stage is not going to achieve what its sponsors hope that it will achieve, perhaps to my regret as much as my colleagues.

The program is worthy of support, and I urge that the amendment offered by the gentlewoman from Virginia [Mrs. BYRNE] be defeated.

Mr. EHLERS. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I would like to follow up on the comments of the gentleman from California [Mr. BROWN], the chairman of the Committee on Science, Space, and Technology, and also rise to speak in response to the comments of the gentleman from Wisconsin [Mr. KLUG], who observed that he was not a rocket scientist or a nuclear scientist and that there was not one in the Chamber.

Just a slight correction, Mr. Chairman. I happen to be a nuclear physicist, and so there is one in the Chamber.

I rise to speak against the amendment offered by the gentlewoman from Virginia [Mrs. BYRNE] not simply because I am a nuclear physicist. In fact, I agree with the previous speaker and his comments about the liquid metal reactor, which I was very skeptical about for a number of years; and that project should not have continued. I am pleased it did not. But in this case I think we have a viable project which certainly bears further investigation and continuation, and I urge that we defeat the Byrne amendment for that reason.

Mr. KLUG. Mr. Chairman, will the gentleman yield?

Mr. EHLERS. I yield to the gentleman from Wisconsin.

Mr. KLUG. Mr. Chairman, I appreciate the gentleman pointing out my mistake because I did not see him in the Chamber at the time.

But what would the gentleman say in response to the National Academy of Science review of this program that indicated it should be terminated because the technology had very little potential or benefit?

Mr. EHLERS. Mr. Chairman, I cannot respond to that because I have not seen the NAS report, and I would certainly be happy to read it, and review it and discuss it further.

□ 1420

My comment at this point is simply that I do believe it is important for us to get into the plutonium reactor business. I believe that is where the potential is for the future, and if the project does fly, if it does work, I do believe this is more promising than the uranium-based reactors we have been using for some time.

In addition, the French have demonstrated successfully that reactors of this type can be built and operated. Theirs is a somewhat different approach. I think it is worth pursuing the approach that is envisioned in the legislation before us to see whether or not it can succeed and whether or not we can develop a technology that is useful in this Nation and can be marketed abroad.

So, Mr. Chairman, I rise to speak against the amendment, and I urge that we defeat it at this time.

Mr. SPRATT. Mr. Chairman, I move to strike the requisite number of words, and I rise in opposition to the amendment.

I have no tie to this program. I am not a nuclear engineer by any stretch of the imagination. I am just an old lawyer—a country lawyer at that. But for about 5 or 6 years I have followed the course of this program because I have chaired a panel of the Committee on Armed Services which has been very much interested in a new production reactor for tritium production, and consequently this has been in the forefront of our budget every year.

We have spent a lot of money on it so far. We have spent $471 million apparently on this program. The question before us right now is whether we should spend $12 million more, a modest sum of money, and we are asking ourselves, even at that level, are we throwing good money at the bad?

First of all, this is late in the debate, but let me attempt to explain what this gas turbine modular helium reactor—GTMHR—is. If we compare it to something we know, the lightwater reactor, it has fuel rods with fuel pellets within it.

This particular reactor, instead of having these fuel pellets clad in aluminum, which will burn, by the way, under certain circumstances, has carbonized pellets within it, small fuel particles that are carbonated and pyrolytic. They have been refracted and carbonized so that they have a huge resistance to transients of heat, and they give off heat very slowly. That is one key difference which makes them safer than lightwater reactors.

Second, in place of lightwater as a coolant and a moderator in a typical lightwater reactor, this reactor has helium. Chemically, it is inert. It does not combine with other elements. It does not create crud that has to be cleaned out, that gums up the system. Eutrophically, it is also stable. It does not lead to the production of stray neutrons within the reactivity of the reactor itself. So again this is a passive safety feature built into the design of the system.

Third, it has what engineers call a negative coefficient because the higher the temperature of the reactor, there is a transient in power and a transient in heat, a runup that might lead to a meltdown in critical catastrophic circumstances. When the reactor core negatively reacts, it begins to shut down. It reacts less rather than more with a runup of heat. So this negative coefficient leads to the most important passive safety feature of this reactor, and that is the reason, through it has been plagued with problems in the past, scientists and engineers and the Department of Energy have continued to pursue it because they see it, if they can put it over the threshold of all these problems, as truly the next generation reactor, something we want to choose and something we want to use.

Now, there is another and final feature to this system which is a recent addition and which overcomes some of the problems the National Academy of Sciences has pointed to and that other commercial operators of the system have discovered in trying to apply it to a commercial application, namely, we now have a design with a direct drive system. Instead of running the helium up to a certain heat and then running it through a heat exchanger where it heats water and the water is gasified to steam which drives the turbine, the helium here will be released from the reactor vessel, it will rush through the turbines, and this will generate electricity and we will have a much higher conversion ratio of power within the reactor to the power output, the electric output, of the turbine system.

Now, why, if it has all these pluses, has the Department of Energy apparently abandoned it? The answer to that is that the DOE, the Department of Energy, did not abandon it. Going back to 1988, the Department of Energy decided that we needed a new tritium production source because those old reactors at the Savannah River were nearing 40 and 45 years old, so we needed to build a new reactor. They looked at two different design possibilities, a heavy water reactor like the ones we have at Savannah River and their possibility of pushing them aside and going into something completely new, a modular, high-temperature gas-cooled reactor. Just about at the completion of that process, Dominic Monetta, who was in charge of the program, the new production reactor program, having spent the better part of several years and millions of dollars looking at two choices intensively, was ready to recommend

hands down that the high-temperature gas-cooled reactor should be the choice, the preferred candidate for the new production tritium reactor for the Department of Energy.

What happened? That was in the fall when Bush and Gorbachev began getting together, and they made totally unexpected and totally unprecedented, almost unilateral and bilateral reductions in nuclear weapons on both sides. As a result, the demand for tritium went down dramatically because we were not going to be bringing on the nuclear weapons for our stockpile that we had anticipated, and furthermore because we were going to be making dramatic reductions in our nuclear stockpile, we were freeing up tritium and making it available from the tritium bottles from weapons that were being retired. Consequently, we did not need the tritium, and Secretary Watkins said, after spending millions of dollars, "We are going to defer this decision. We are going to sidetrack this decision. We cannot justify an investment of several billion dollars at this point for tritium that we don't need.

But they deferred it. They did not say that we do not need it now, and as a matter of fact, Secretary O'Leary has testified that she has got to make a decision within the next year or two, probably in the next year, as to the new production source.

Mrs. BYRNE. Mr. Chairman, will the gentleman yield?

Mr. SPRATT. Let me complete my point first.

When that decision is made, Mr. Chairman, I would like to see the Department of Energy have all the available choices before it.

The other choice for the reactor is an accelerator, and the labs would love to build an accelerator because that is their technology. They know it, and they understand it. But here is a report of March 1989, issued by the two labs, Los Alamos and Brookhaven, on an accelerator production technology. The cost, this says, would be about $2.3 billion, allowing for a $600 million contingency. But wait. There is also an additional cost, because to operate it you need a 770-megawatt backup generator to power the reactor. And what is that going to cost? Somewhere between $160 million, if you can buy that at Bonneville rates, and $270 million a year. So we have a substantial life-cycle operating cost.

As for the high-temperature gas-cooled reactor, it has a downstream benefit because it can be used, and indeed it is designed for the purpose of producing power.

So surely, it would probably cost $3.5 billion to build. That would include a containment structure, but after it is built it would have downstream benefits. It would have a cash flow that would come with it, that would not only help us recover the capital cost but also would offset some of the operating expenses.

Mrs. BYRNE. Mr. Chairman, will the gentleman yield now?

Mr. SPRATT. Yes, I yield to the gentlewoman from Virginia.

Mrs. BYRNE. Mr. Chairman, is the gentleman aware that I have a letter from Secretary O'Leary that says, "We support your amendment to terminate the program," dated yesterday? I cannot imagine anything more recent, given all the information we know. They do not support it because of the cost, because of the ineffective potential of it, and as of yesterday the Secretary is saying that they support the Byrne amendment to terminate the gas modular regulator.

Mr. SPRATT. Mr. Chairman, I would reclaim my time.

I am the chairman of this subcommittee, and along with others who have followed this matter closely and have spoken on the floor, I have been following this project for 5 years. Secretary O'Leary has done a great job. She has been in office for 1 year, and she has now made this decision.

We say, here is $12 million to look at this candidate. Before you go out and buy an accelerator for tritium production, look at this other candidate which has this other potential of producing power, recovering your capital, offsetting operating expenses, and maybe proving the potential of the next generation nuclear reactor with passive safety features.

That is what we are encouraging the Department of Energy to do, to spend $12 million on top of the $471 million already spent and see if this is not a technology worth employing.

□ 1430

Mr. WALKER. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I am concerned that there may be some people out there that think by voting for this amendment they are actually going to save some money. Let us be clear, this is not an amendment about saving any money whatsoever. It is actually an amendment about costing money, and it is really an amendment aimed at killing off some more good science.

Let us talk about the money savings first. This amendment claims to save $12 million. Now, we all know that under the appropriations process it will save nothing. This appropriations subcommittee is going to go to conference. They are going to work out their pool of money. Ultimately, they are going to spend that pool of money, whatever they were allocated.

All we are doing is making a determination about what is going to be in the pool from which they work. We save no money here at all. There is no savings of $12 million.

Now, the problem here is that not only do you not save $12 million, it actually ends up costing you money. Because if you terminate this program and you actually do what this amendment purports to do, it is going to cost us $21 million to terminate the program. So instead of saving $12 million, we end up having to spend $21 million to terminate the program.

That makes absolutely no sense, unless what we were talking about was a program that was bad science. But that just cannot be sustained by anyone either.

Mrs. BYRNE. Will the gentleman yield?

Mr. WALKER. I yield to the gentlewoman from Virginia.

Mrs. BYRNE. Is the gentleman aware that, even though we have close-down costs, that this program is slated to cost $5.3 billion? Isn't that enough savings for the gentleman?

Mr. WALKER. I think the gentlewoman does not understand the program, from what she is saying. The specific contract under which we are now working is for this R&D project, which can be completed in 5 years, and costs not more than $100 million for the total program.

Now, the gentlewoman wants to talk about the next phase, when you actually go out and try to build a commercial plant. That is $2.5 billion, or, if you want to put it in containment, it comes up to the kind of figures the gentlewoman talks about. That can all be paid for privately. There is absolutely nothing in this program that binds us to doing that with public money. The commercial industry can pick up after this research is done and do every penny of that additional money privately.

Now, it may well be that the Federal Government would decide at some future time to make a commitment, but there is absolutely no commitment in this program to go to that kind of spending. So you are absolutely wrong to suggest that that kind of money is involved in this particular program.

This program is aimed at giving us the good science we need on which to build the future program. So it is absolutely wrong to suggest that this is $12 million being spent in pursuit of $2.5 billion or the $5.8 billion figure you want to pull out of the air. It has absolutely nothing to do with this particular program.

Mrs. BYRNE. If the gentleman will yield further, they are not out of the air. They are from the studies that had been done by the GAO, by the National Academy of Sciences, who evaluated this for Congress. I would ask the gentleman, if this project is so worthwhile——

Mr. WALKER. Again, the gentlewoman does not know what she is talking about.

Mrs. BYRNE. Well, the gentleman says the National Academy of Sciences does not know what it is talking about

either. I am asking the gentleman if indeed we have such a worthy project here, why does not the private industry fund its own R&D, if they are going to make so much money on it at the taxpayers' expense?

Mr. WALKER. The fact is we have long funded advanced R&D and risky R&D in this country. It is what good science is all about. The gentlewoman, I know, does not want this Nation to kill off all good science in this country. But the gentlewoman is aiming in that direction.

But let us talk about the National Academy of Sciences. The National Academy of Sciences has never looked at the gas turbine reactor. They have looked at the high temperature reactor, gas reactor, and so on. This was back in the late 1980's. The gentlewoman is relying on data at least now 6 years old, and they have never looked at this particular mechanism.

We have in fact had a number of major advances since that time that make this a much more worthy project than anything the National Academy of Sciences has looked at. So you cannot cite the National Academy of Sciences studies.

The GAO studies are a series of studies that have looked at the totality of the economics. But once again, GAO has never suggested that the Federal Government is going to be obligated for all of this money. They cannot suggest that, because there is nothing in the contract to show that.

The bottom line is that the only thing this obligates us to do is to do the further research on the reactor, which is a total of $100 million spread out over a 5-year period. If at the end of that time the industry feels as though they have got a project that they can go ahead with, they can come to the Federal Government and ask for some money. We do not have to give it to them. We can do exactly as the gentlewoman suggests at that point and say to them fine, we now have proven technology, and you can expend your own money, if you think this is something good to do. We do not have to fund it at those kinds of rates.

The CHAIRMAN. The time of the gentleman from Pennsylvania [Mr. WALKER] has expired.

(By unanimous consent, Mr. WALKER was allowed to proceed for 3 additional minutes.)

Mr. WALKER. I would say the gentlewoman is wrong on those counts as well. I would like to discuss a little bit about the science if I could. That is actually why I came here.

Mrs. BYRNE. If the gentleman would yield further, I am a little bit puzzled by the gentleman's response, since the gentleman voted for Penny-Kasich and that was in it. Why did he vote for it then?

Mr. WALKER. There were many things in Penny-Kasich that I had some problems with. I voted for it as an overall kind of message which I thought was a very, very good idea in terms of cutting overall funding. I would have preferred to see all of that money cut. We did not get there. Your leadership, in fact, basically undermined our ability to do Penny-Kasich. I am sorry about that. But on individual choices, I think this is not a responsible individual choice, particularly since it is going to end up costing us money, and that does not make any sense to me at all.

I would also point out to the gentlewoman, that when the Republicans had a chance to do our own version of that, which was the Republican budget initiative for 1995, the actual Kasich bill, the termination of the gas reactor was not a part of that budget. In fact, the GTMHR was fully authorized in Public Law 102–486, the Energy Policy Act of 1992 that President Bush signed into law. So this is a fully authorized project, it was not included in the Republican budget alternative, and it is a program which, in my view, is one where you can point to the science as being a good, worthy kind of science that gives us something that commercial industry can build off of.

Now, I think we need to look a little bit at some of that science. Because if we are in fact going to have a reasonable chance of competing in world markets with nuclear energy in the future, it seems to me we have to be a part of the advanced reactor concept.

The GTMHR, one of its great advantages is it cannot melt down. With its inherent properties and inert helium coolant, ceramic fuel, and a low power density core and large negative temperature coefficient, and heat conduction and radiating geometry, the GTMHR would shut itself down on its own in the event of a loss of coolant or a catastrophic failure of all the man-made active safety systems. In laymen's terms, once the reactor core gets too hot, nuclear fission cannot naturally occur.

It seems to me that is something we want to be about as a nation, if we believe nuclear power has any kind of place in our mix in the future. It would be devastating for us not to be a part of doing that.

Now, I understand. We have a Department of Energy at the moment that wants to commit us to only one kind of advanced reactor work. So you now get a letter from the Secretary of energy, because she has made a commitment to going only one direction.

We have long found out in research and development that going only one direction is a bad idea. When you are doing R&D, you ought to have a number of options that are available to you. It seems to me this is an option we ought to keep. I would hope we would vote against the Byrne amendment. It is a bad amendment that costs us money, not saves us money.

Mr. CUNNINGHAM. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in opposition to the Byrne amendment. This year I have looked at the cancellation of the super collider, which I still do not know if it was any good or not, if the billions of dollars we put into it would be effective. I also look at the space station, and I think there is an area in science where we really have made a mistake on the House floor by not supporting it. The gentlewoman I think would take a look at even the space station for things that we wanted for men's and women's cancer research.

This is not about cancer research, but I had a group in my office just 20 minutes ago that are looking to ship Alaskan oil out to foreign countries, and they know we are importing oil. I can remember gas lines back in the eighties, and we were all concerned on this floor about energy sources. We look at different types of fuels that we can use. I do not think there is a Member on this floor that does not believe that in the near future we are not going to have alternative sources of energy in this country.

□ 1440

Oil is going to go away. Nuclear power is not the answer for everything. And so I support the gas turbine-modular helium reactor. Take a look at my colleague, the gentlewoman from California [Ms. SCHENK], the committee chairmen who have studied the issue throughout the years. I would say that their knowledge, their expertise on this issue warrants taking a look at it. I ask my colleagues to oppose the Byrne amendment. Support what I think is a very good investment to give us alternative energy sources in the future.

Mr. MYERS of Indiana. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, we have probably heard more this afternoon than we really want to know about the gas reactor. But there have been a lot of statements made this afternoon, mixing apples and oranges and some other things into this mix.

First off, certainly it has been true that this committee has been burned a number of times through the years of going down the wrong path only to have the rug jerked out from underneath us and on reactor research for the future. What concerns me there is an old saying that we should never put all of our eggs in one basket.

This is what the Department of Energy is doing today for the future of electric generation, nuclear generation. It is the advanced light water reactor. The light water reactor has been the workhorse in the production of electricity from nuclear powerplants in this country and the advanced light water reactor is a far improvement

from what we had before, both in safety as well as efficiency. It is one that we need to continue.

But at the same time we need also to continue the research for alternative sources sometime in the future. This reactor is just exactly what we have felt in this committee is meeting that demand.

Let us look at the future here. Can Members see this chart? We are talking about the future needs for our children and grandchildren. This has been produced by the World Energy Commission, meeting in Madrid, the 15th World Energy Commission, having more than 250,000 experts from various disciplines from all over the world. They came up with these projections for the next 30 years.

Where is electricity energy going to come from? The big producer is going to be coal. That is probably not true in this country but worldwide coal is still going to be the most important. Next is nuclear. Then down to natural gas, then some oil, some hydro, most Members on this floor would not propose any hydro production. They do not want to build one more dam anyplace that could produce hydro power. In a very small projection here for the so-called renewals that most people like to, pie in the sky, say, we are going to use up the waste and hopefully that will be true. But it is not going to be the big producer of the future.

So let us look at coal. What luck would we have today to build a coal reactor in this country, a coal fired power generating station? About the same as we are going to have with nuclear. Natural gas, we ran out of natural gas just a few years ago. So the one nuclear. Why do we not continue to look at this new gas reactor, the gas turbine that we are talking about here today? It is passively safe, as has already been said. It cannot melt down. It is inherent in the system. Even if all the coolant is lost, all the power is lost, it automatically closes down without any meltdown. We will not have meltdown, the traditional reactor fission materials.

Second, it is more efficient, even shown here, more efficient than any other reactor we have today, from 50 to 70 percent more efficient than any other nuclear reactor.

Then the third thing, as has been argued here, about the study, that January study of the gentlewoman. I have read a review of that. That study was made back in 1988–89. It was made on one thing, not $5.3 billion, not to build a commercial reactor for electric production. But it was to replace the trillion in our nuclear stockpile. All the facilities, not just the reactor itself but all the facilities, all the other things have got to be built into building this military defense replacement. It was not for a commercial nuclear reactor that we are talking about.

So let us look at this small modular something that anybody who is a chief executive officer of a generating company today, producing electricity, they are in danger today of going very deep into producing a nuclear request. But this is small and modular. This same study said that we will need 1,000 new reactors between now and 2030, nuclear reactors to produce the world's power.

Where is it going to come from? The utility companies do not have the money today. But with the small modular, modular means that you put a small one in this day, 2 years from now, 5 years from now, production requirements for more generation are needed, then you can add one more modular next to it. A small investment. You keep adding modulars as you need them. For world export, there is a lot of small, very high density countries that do not have the electric power that they need for the future. This small modular can be sold to them, small, safe modular generator.

It can be exported to foreign countries. This is the chance today we have to continue this research, and it will not take $5.3 million. We will have proven the process, $12 billion was not quite enough; $12 million was not quite enough. The request was for 25. But because of the austere program this year, we had to cut it to 12.

Mr. CUNNINGHAM. Mr. Chairman, will the gentleman yield?

Mr. MYERS of Indiana. I yield to the gentleman from California.

Mr. CUNNINGHAM. Mr. Chairman, the gentleman brought up a very good point.

The CHAIRMAN. The time of the gentleman from Indiana [Mr. MYERS] has expired.

(On request of Mr. CUNNINGHAM, and by unanimous consent, Mr. MYERS of Indiana was allowed to proceed for 1 additional minute.)

Mr. CUNNINGHAM. Mr. Chairman, if we take a look at what would have happened at Desert Storm if we would have lost the oil source in the cost of goods, when we talk about interest rates in this country and we look at construction, everything else that we depend on energy, take a look, if we have an edge on the market of energy production around the world. And when the gentleman talks about export, we are talking about jobs. We are talking about energy security in the future. To me that is very, very important.

I know the gentlewoman is well-intentioned, but I think we need to look a little bit further down the road.

Mr. MYERS of Indiana. Look at the small islands we have in the Pacific now that we are responsible for. Today they do not have the capacity to generate the electricity they need. This modular generator would be perfect for small countries and small islands like this.

Mr. BEVILL. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in opposition to the amendment. I am going to make the brief, because we have heard now from the chairman of the Committee on Science, Space, and Technology here who is very much opposed to this amendment. We have heard from the gentlewoman from Tennessee [Mrs. LLOYD], the subcommittee chairman. We have heard from the gentleman from South Carolina [Mr. SPRATT], chairman of the panel on the Armed Services Committee. We have heard from one of our Members, a physicist, and so I see nothing that I can add.

I just urge everyone to vote against this amendment and not kill the funding for this project.

Mr. BARCA of Wisconsin. Mr. Chairman, I move to strike the requisite number of words.

I will not prolong the debate too long but there have been a couple points that have been made that I want to provide some clarification.

First of all, one of the previous speakers stated that the study that was done by the National Academy of Science was done some 5 or 6 years ago. That simply is not the case. In fact, the committee learned in mid-1991 that the GT–MHR design had been changed and they reviewed those changes. And they have said that the committee is not aware of any changes to the fundamental principles underlying the concepts being discussed in the GT–MHR proposal.

The point being, Mr. Chairman, that the National Academy of Sciences was well-aware of some of the changes that were being discussed, and we are not talking about fundamental changes in the concept of what they are trying to accomplish. They have been on record in opposition to this.

Second, a number of Members have stated that this is a priority of the private utility industry. Obviously, it is not a priority. Ninety-seven percent of the cost of this program is coming from the taxpayers. That does not sound like a priority to me.

I am sure that is why President Clinton and former President Reagan, their administrations are opposed to this. I would hope that we would move forward and support this amendment.

Mr. KLUG. Mr. Chairman, will the gentleman yield?

Mr. BARCA of Wisconsin. I yield to the gentleman from Wisconsin.

Mr. KLUG. Mr. Chairman, just a few points to close the argument on our side.

First of all, we have heard arguments about the cost. Remember, let me say this one more time, there are only two phases of Government projects—it is too soon to tell and it is too late to stop it. Again, that is where we find ourselves on this debate

□ 1450

The Department of Energy estimates that it will cost $700 million in research and development funds if we

continue this project, just to get the information we need to know if we need a demonstration reactor, and then if we build a demonstration plant, the Department of Energy says it will cost $18 million more.

My colleagues from Virginia and Wisconsin are absolutely correct in the amount of money it will cost in the long run. As the chairman of Southern Nuclear said years ago, "We believe it will become a commercial candidate only after several years of performance," so again, even after we do the research and even if we do the prototype, unless there is a demonstration needed, if there is no demo, there are no buyers.

Where are we going with this? The Clinton administration, the Reagan administration, the National Academy of Sciences, the National Taxpayers Union, the Citizens Against Government Waste, and the Department of Energy as late as yesterday said kill the project.

One final time, Mr. Chairman, I urge my colleagues, especially those who voted for the Penny-Kasich amendment, to vote for the Byrne-Klug amendment, to kill a long-outdated and unnecessary project.

The CHAIRMAN. The question is on the amendment offered by the gentlewoman from Virginia [Mrs. BYRNE].

The question was taken; and the Chairman announced that the noes appear to have it.

RECORDED VOTE

Mrs. BYRNE. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 188, noes 241, not voting 10, as follows:

[Roll No. 234]

AYES—188

Allard
Andrews (ME)
Andrews (NJ)
Andrews (TX)
Bacchus (FL)
Barca
Barcia
Barrett (WI)
Becerra
Berman
Blackwell
Blute
Boehlert
Boehner
Brewster
Brown (OH)
Bryant
Bunning
Byrne
Camp
Cantwell
Castle
Coble
Collins (GA)
Condit
Cooper
Coppersmith
Costello
DeFazio
DeLauro
Dellums
Deutsch
Dickey
Duncan
Edwards (CA)
Engel
English
Eshoo
Evans
Faleomavaega (AS)
Farr
Fingerhut
Fish
Fowler
Frank (MA)
Franks (CT)
Furse
Gejdenson
Gilchrest
Gillmor
Gilman
Glickman
Goodlatte
Goodling
Goss
Grandy
Greenwood
Gutierrez
Hall (OH)
Hall (TX)
Hamburg
Hamilton
Hancock
Hefley
Hinchey
Hoagland
Hobson
Hoekstra
Hoke
Holden
Hutchinson
Inhofe
Istook
Jacobs
Johnson (SD)
Johnston
Kanjorski
Kaptur
Kasich
Kennedy
Kennelly
Kildee
Kingston
Kleczka
Klein
Klink
Klug
Kopetski
Kreidler
LaFalce
Lancaster
Lantos
Levin
Lewis (GA)
Lewis (KY)
Lightfoot
Lipinski
Long
Lowey
Machtley
Maloney
Mann
Margolies-Mezvinsky
Markey
McCrery
McHale
McHugh
McInnis
McKinney
Meehan
Menendez
Meyers
Mfume
Miller (CA)
Miller (FL)
Minge
Mink
Nadler
Neal (MA)
Nussle
Oberstar
Obey
Olver
Oxley
Pallone
Paxon
Payne (NJ)
Payne (VA)
Pelosi
Penny
Peterson (MN)
Petri
Porter
Portman
Poshard
Pryce (OH)
Quinn
Ramstad
Ravenel
Reed
Richardson
Roberts
Romero-Barcelo (PR)
Ros-Lehtinen
Roth
Roukema
Roybal-Allard
Rush
Sabo
Sanders
Schaefer
Schroeder
Schumer
Sensenbrenner
Sharp
Shays
Shepherd
Slaughter
Smith (MI)
Snowe
Stark
Stearns
Stenholm
Strickland
Studds
Stupak
Swett
Synar
Talent
Tanner
Thurman
Torkildsen
Torres
Underwood (GU)
Unsoeld
Upton
Vento
Waters
Watt
Waxman
Weldon
Williams
Woolsey
Wyden
Wynn
Yates
Zeliff
Zimmer

NOES—241

Abercrombie
Ackerman
Applegate
Archer
Armey
Bachus (AL)
Baesler
Baker (CA)
Baker (LA)
Ballenger
Barlow
Barrett (NE)
Bartlett
Barton
Bateman
Bellenson
Bentley
Bereuter
Bevill
Bilbray
Bilirakis
Bishop
Bliley
Bonilla
Bonior
Borski
Boucher
Brooks
Browder
Brown (CA)
Brown (FL)
Burton
Buyer
Callahan
Calvert
Canady
Cardin
Carr
Chapman
Clay
Clayton
Clement
Clinger
Clyburn
Coleman
Collins (MI)
Combest
Cox
Coyne
Cramer
Crane
Crapo
Cunningham
Darden
de la Garza
de Lugo (VI)
Deal
DeLay
Derrick
Diaz-Balart
Dicks
Dingell
Dixon
Dooley
Doolittle
Dornan
Dreier
Dunn
Durbin
Edwards (TX)
Ehlers
Emerson
Everett
Ewing
Fawell
Fazio
Fields (LA)
Fields (TX)
Filner
Foglietta
Ford (MI)
Ford (TN)
Franks (NJ)
Frost
Gallegly
Gallo
Gekas
Gephardt
Geren
Gibbons
Gingrich
Gonzalez
Gordon
Grams
Green
Gunderson
Hansen
Harman
Hastert
Hastings
Hayes
Hefner
Herger
Hilliard
Hochbrueckner
Horn
Houghton
Hoyer
Huffington
Hughes
Hunter
Hutto
Hyde
Inglis
Inslee
Jefferson
Johnson (CT)
Johnson (GA)
Johnson, E. B.
Johnson, Sam
Kim
King
Knollenberg
Kolbe
Kyl
Lambert
LaRocco
Laughlin
Lazio
Leach
Lehman
Levy
Lewis (CA)
Lewis (FL)
Linder
Livingston
Lloyd
Lucas
Manton
Manzullo
Martinez
Matsui
Mazzoli
McCandless
McCloskey
McCollum
McCurdy
McDade
McDermott
McKeon
McMillan
McNulty
Meek
Mica
Michel
Mineta
Moakley
Molinari
Mollohan
Montgomery
Moorhead
Moran
Morella
Murphy
Murtha
Myers
Neal (NC)
Norton (DC)
Ortiz
Orton
Owens
Packard
Parker
Pastor
Peterson (FL)
Pickett
Pickle
Pombo
Pomeroy
Price (NC)
Quillen
Rahall
Rangel
Regula
Ridge
Roemer
Rogers
Rohrabacher
Rose
Rostenkowski
Rowland
Sangmeister
Santorum
Sarpalius
Sawyer
Saxton
Schenk
Schiff
Scott
Serrano
Shaw
Shuster
Sisisky
Skaggs
Skeen
Skelton
Smith (IA)
Smith (NJ)
Smith (OR)
Smith (TX)
Solomon
Spence
Spratt
Stokes
Stump
Swift
Tauzin
Taylor (MS)
Taylor (NC)
Tejeda
Thomas (CA)
Thomas (WY)
Thompson
Thornton
Torricelli
Towns
Traficant
Tucker
Valentine
Velazquez
Visclosky
Volkmer
Vucanovich
Walker
Walsh
Whitten
Wilson
Wise
Wolf
Young (AK)
Young (FL)

NOT VOTING—10

Collins (IL)
Conyers
Danner
Flake
Reynolds
Royce
Slattery
Sundquist
Washington
Wheat

□ 1512

Messrs. ARCHER, LAZIO, LEHMAN, POMEROY, and DURBIN changed their vote from "aye" to "no."

Mr. FRANK of Massachusetts, Mr. DELLUMS, Ms. KAPTUR, Mr. RUSH, and Mr. PALLONE changed their vote from "no" to "aye."

So the amendment was rejected.

The result of the vote was announced as above recorded.

Mr. SMITH of Texas. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I would like to associate myself with the earlier remarks of the gentleman from Texas [Mr. STENHOLM] on Twin Buttes Dam and thank him for all of his good efforts.

Also, I want to thank the chairman and Mr. MYERS. They have been most gracious in their willingness to work with us to resolve this matter.

I understand that the amendment that we would have liked to offer is not germane, and Mr. STENHOLM and I are prepared to work with the authorizing committee. We will introduce legislation shortly.

The matter of Twin Buttes Dam in San Angelo, TX, is one that concerns me greatly. Much is at stake. First and foremost is the safety of Twin Buttes Dam—and the safety of San Angelo, TX, and its residents. The dam continues to deteriorate because of its original, faulty design and construction in the 1960's.

Today, Twin Buttes is ranked the No. 1 safety risk among dams under Bureau of Reclamation control.

Time is something that we no longer can afford to apply to the problems of Twin Buttes.

I was pleased to be a part of the successful effort to work out a technical solution with the Bureau of Reclamation. Now, a prompt resolution of the funding issue is critical so that that action to correct this situation may begin.

A gross injustice would be done to the citizens of San Angelo by requiring them to pay for a mistake that the Bureau made decades ago.

That must not be allowed to happen.

I only add that I appreciate the good will and leadership of the chairman and Mr. MYERS as we continue to address this matter.

AMENDMENT OFFERED BY MR. SWETT

Mr. SWETT. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. SWETT: Page 17, line 19, strike "$3,302,170,000" and insert "$3,235,470,000".

The CHAIRMAN. The Chair recognizes the gentleman from New Hampshire [Mr. SWETT] for 5 minutes.

Mr. BEVILL. Mr. Chairman, I ask unanimous consent that all debate on this amendment and amendments thereto be limited to 40 minutes, equally divided between the proponent and an opponent.

The CHAIRMAN. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. GALLO. Mr. Chairman, I rise in opposition to the amendment.

The CHAIRMAN. The gentleman from New Jersey [Mr. GALLO] will be recognized for 20 minutes.

The Chair recognizes the gentleman from New Hampshire [Mr. SWETT].

Mr. SWETT. Mr. Chairman, the purpose of this amendment is to strike $67 million in funding for construction of the tokamak physics experiment, a planned new tokamak fusion reactor at the Princeton Plasma Physics Laboratory in Princeton, NJ.

Before I proceed, I would like to clarify what this amendment is about because there has been an attempt by some to muddy the waters and make unclear the intentions.

First of all, this amendment is not about our Nation's energy problems. I am sure we agree that we have a long-term energy problem which requires us to look for promising new energy technologies, including fusion energy.

Second, this amendment is not about supporting or opposing fusion. I, like many Members, strongly support basic fusion research. In fact, one of the reasons I am offering this amendment is precisely because I am concerned about the effect that construction of the tokamak physics experiment could have upon basic fusion research. This amendment is not about basic fusion research.

Third, this amendment is not about U.S. participation in international fusion energy research. This amendment would still leave $309 million in fiscal year 1995 for the U.S. Fusion Energy Program, including funds which will go toward international fusion energy research.

Mr. Chairman, this amendment is about whether or not U.S. taxpayers should pay billions of dollars for commercial development of one particular fusion technology, the tokamak, when the expected development costs are tens of billions of dollars, and when there are clear indications that a tokamak is not going to succeed commercially.

If we had unlimited funds, then building the tokamak physics experiment would be reasonable. We do not have unlimited funds, which is why we need to eliminate wasteful spending such as construction for the tokamak physics experiment.

Mr. Chairman, a tokamak is a fusion technology invented by Russians back in the 1960's. Over the years, tokamaks have been tremendously successful at advancing the science of fusion, most recently at the Princeton Plasma Physics Laboratory.

Tokamaks, however, do not make sense as a commercial energy source, which is why we should stop the tokamak physics experiment. There are four main reasons why we should stop this experiment.

First, as I mentioned, tokamaks do not make sense as a commercial power source. Recent studies from DOE's Lawrence Livermore National Laboratory and Los Alamos National Laboratory have highlighted the tokamaks' problems with cost, complexity, unreliability, and radioactive waste. A tokamak fusion powerplant would cost more than a fission plant, and it would still create radioactive waste. No utility is going to want to buy a huge, complicated nuclear fusion reactor which costs more than a nuclear fission reactor and still emits radioactive waste.

Second, the tokamak's project development costs are astronomical. The economics do not make any sense, which is why this amendment is supported by groups such as the National Taxpayers Union and Citizens Against Government Waste. The projected total program cost over the next 45 years is $40 billion. In a time of tight budgets, it doesn't make sense to waste billions of taxpayer dollars pursuing a technology which does not show commercial promise.

Third, construction of the tokamak physics experiment threatens basic fusion research. The tokamak physics experiment has a total estimated cost of $2.2 billion. $700 million for construction costs plus operational costs of $150 million/year for 10 years. Building the tokamak physics experiment will take away scarce funds from basic fusion research.

The DOE has effectively squeezed out all non-tokamak research. Alternative fusion gets just 3 percent of the fusion budget, effectively putting all our eggs in one basket. This squeezing out of potentially cleaner, cheaper fusion concepts is contrary to recommendations from utility panels, fusion researchers—even DOE's own fusion advisory boards.

Fourth, tokamak reactors do not make environmental sense, which is why this amendment is supported by groups such as the Sierra Club, the Nature Resources Defense Council, Friends of the Earth, and the Safe Energy Communication Council.

Tokamaks as currently planned would produce more radioactive waste than a fission plant.

If our goal is a commercially viable electric energy source, then it does not make sense to build the tokamak physics experiment.

Finally, Mr. Chairman, I would like to say a few words about the process here. Needless to say, a floor amendment to an appropriations bill is not anyone's preferred means of making policy. In a perfect world, authorization debates would always precede appropriation debates, and there would always be time for extensive debate on every issue.

I firmly believe, however, that when taxpayer dollars are being wasted, we should not wait. If we cannot stop wasteful Government spending wherever and whenever we find it, we are never going to get our budget under control.

Mr. Chairman, Congress stopped construction of the tokamak physics experiment last year. Congress should stop it again this year.

Mr. Chairman, to repeat myself, this amendment is not about basic fusion research. This amendment is about whether, in an era of tight budgets, it makes sense to spend billions of taxpayer dollars trying to commercialize one particular fusion technology—the tokamak which does not show commercial promise.

I urge Members to join me in supporting the amendment.

□ 1520

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

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

Mr. Chairman, I rise to oppose the Swett amendment. I am sure my colleagues have heard of the recent successes in fusion energy research. Fusion energy is the only long-term energy supply option that the world has and America must continue to support this program. Energy is fundamental to everything that we do.

Unfortunatly, energy use strains the environment, and that is why scientists around the country and around the world are working to harness fusion energy.

This amendment does not make any sense. It targets the tokamak concept and the tokamak physics experiment in particular. Tokamaks are the central focus of every major fusion program in the world.

The collective wisdom of the scientists and engineers from Japan, the European Community, America and Russia cannot all be wrong. I accept the scientific expertise of these people and the Department of Energy which has put forward a fusion development plan. The plan has been on the books through the last three administrations—it is clear and it is focused, and the next major step for the United States is the TPX project.

Energy security is at the heart of this program. But harnessing the energy of the sun and stars is not easy.

The Wright Brothers didn't invent the passenger airplane, but they took the first huge step. American scientists and engineers at universities and laboratories around the country—at MIT, the University of Wisconsin, the University of California, the University of Texas, Columbia, Auburn University, University of Colorado, Cornell, Lawrence Livermore National Lab and Princeton are working on fusion and they will work on TPX.

The supporters of this amendment talk about the need to support alternatives to Tokamaks. I have noticed that they are careful to say that these other concepts may be cheaper and may be better. I call those maybe ideas.

These alternative concepts have apparently not been able to withstand scientific review in this country or abroad. For several years now, Congress has been insisting that scientists get out of their sandboxes and into the real world. Well the real world supports tokamaks because it is a proven technology that works.

TPX is a smart step for America because it is the first tokamak to address commercial issues—how to make fusion power plants smaller and more compact. Future generations are going to need a stable, environmentally clean source of energy.

If we shortchange our research and development programs, we will pass along to the next generation energy problems that could be solved if we invest in new technologies now. Fusion is that investment.

I urge a "no" vote on the Swett amendment.

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

Mr. SWETT. Mr. Chairman, I yield 5 minutes to the gentlewoman from Florida [Mrs. THURMAN].

Mrs. THURMAN. I thank the gentleman for yielding this time to me.

Mr. Chairman, if we stop this program today, we will save $67 million and $30 billion over the coming years on an energy source that is presently not showing any commercial viability.

Advancement in basic scientific research is important to the maintenance of our competitive edge. I represent the University of Florida, a premier institute for the study of science and technologies. I recognize the role such projects play in protecting our country's economic security and standing in the international arena.

I have no doubt that the Tokamak physics experiment would make an important contribution to our Nation's wealth of scientific knowledge. I have listened to the respected supporters of the program and understand that the TPX would be unique among world fusion programs.

Today, however, we find ourselves at a crossroads. Our national spending must come under a higher standard of scrutiny. The question of whether or not to fund the Tokamak goes beyond the question of its pure research value.

The real context of this debate is defined by the twin imperatives of reducing the Federal budget deficit and funding research in an area that will create a commercially viable energy source.

Look at the facts and listen to what the experts have to say. A study done by Los Alamos National Laboratory last year for the Department of Energy's Office of Fusion Energy, concluded, "Our present, conventional Tokamak approaches will not lend to attractive commercial reactor products able to compete in the energy marketplace of the 21st century."

The Tokamak physics experiment is not a good investment. It is a program that we can not afford right now. Because we have limited resources, we must freeze, cut, or terminate many projects. As Members of Congress we do not enjoy doing this, but this is the reality. While reviewing budget requests, we must look at two things: the merits of a project and its costs. Mr. Chairman, because of its high cost and low commercial potential, this project fails on its merits and is not a good investment.

Let us be objective and start by looking at the issue of costs.

The costs of developing the Tokamak are astronomical. At best, the DOE hopes to see an electricity generating commercial Tokamak reactor by the year 2040. By 2040 the total estimated cost to the U.S. taxpayer is expected to be at least $40 billion.

So we get to 2040 after spending $40 billion on 80-year-old technology and what do we have? According to recent studies from Department of Energy laboratories, a huge nuclear fusion reactor, which costs more than a fission reactor and still creates radioactive waste.

Focusing everything on the Tokamak would make sense if the project looked promising commercially, but it does not. Tokamaks are not commercially viable because of cost, complexity, reliability, and radioactive waste. It is clear that this is not a commercial source of power for the future. If we stop the funding now, we will save taxpayers $700 million in construction costs plus $1.5 billion in operating costs; a total of $2.2 billion.

The second question I ask is whether the merits of the program justify the costs? The joke in scientific circles about nuclear fusion is that commercial use is about 30 years away and always will be. Realistically, most scientists agree that it is at least 50 to 60 years away. This amendment does not attempt to stop all research in nuclear fusion but just one experiment that most scientists believe is a commercial nonstarter.

Given recent advances in energy alternatives like wind and solar power, renewable and sustainable forms of energy should be the direction in which we are focusing our attention. I applaud the administration and the committee for their efforts and vision in increasing the budgets for these programs. These alternative sources have the potential to help meet the Nation's energy needs. Moreover, they do it without the adverse environmental effects of creating contaminating radiation. Still, these alternative energy sources supply us with less than 1 percent of the Nation's electricity. These are technologies that we know work and are clean. Furthermore, we have the capability to use these technologies in commercial settings.

Mr. Chairman, in our present budgetary condition, I cannot support a program that asks so much of us and gives back so little in return. Simply put, the Tokamak physics experiment does not meet the contemporary test of budgeting. Its cost are astronomical; it is crowding out other valuable research programs; and it simply does not offer enough benefits. I hope there will be a day when we can afford programs like the Tokamak but this is not that day. I urge my colleagues to vote for the amendment.

□ 1530

Mr. GALLO. Mr. Chairman, I yield such time as he may consume to the gentleman from New Jersey [Mr. SAXTON].

Mr. SAXTON. Mr. Chairman, I rise in strong opposition to the Swett amendment to cut $66.7 million for a national fusion energy device, the Tokamak physics experiment—also known as TPX.

I find it inconceivable at a time when we are searching for new energy options that we are contemplating cutting the one program that can offer our Nation a steady supply of unlimited energy.

As recently as this May, we were cheering the record-breaking experiments at the Princeton Plasma Physics Laboratory. Now we are discussing dismantling this future component of our energy independence.

I am aware of the arguments against the TPX at Princeton. Critics state that TPX power plants do not make environmental sense. I disagree.

The fuel for a fusion power plant comes from ordinary water—ordinary water. One pound of fusion fuel contains the energy equivalent of 12 million pounds of coal or 25,000 barrels of oil. Fusion does not contribute to acid rain or global warming and fusion energy does not generate long-lived high-level radioactive waste. Fusion powerplants are inherently safe, with no possibility of meltdowns or Chernobyl-type events.

A mix of clean energy technologies—solar, renewables, and fusion—will provide the energy of the future. Fusion supplements the others by being capable of steady central station electricity generation. The environmental consequences of continued reliance on fossil fuels is too great, and to eliminate this element in our future energy mix is extremely shortsighted.

As a Member of Congress dedicated to a secure energy future, I urge you all to oppose this amendment.

Mr. GALLO. Mr. Chairman, I yield 4 minutes to the gentleman from California [Mr. BROWN], chairman of the Committee on Science, Space, and Technology.

Mr. BROWN of California. Mr. Chairman, I am going to ask the Members of this body to vote against this amendment which would strike out the funding from this bill for the TPX or Tokamak physics experiment at Princeton. I could make a very long and detailed case for this, but let me just say a couple of things more or less anecdotally.

Mr. Chairman, when I came to this great institution back in 1963 I guess it was, one of the first things I did was to correspond with the chairman of the Joint Committee on Atomic Energy and complain that we were not funding the fusion energy program as much as we should. I say that to illustrate how long we have been involved in this argument, and it was going on before 1963, Mr. Chairman, I can assure my colleagues.

There is universal recognition that probably the most promising long-range future resource for this country and the world is the fusion program. We have been involved in a cooperative program to design a fusion reactor plan for a decade or more. It involves the United States, the Russians, the Europeans, and the Japanese. We are in the last stages of engineering design for an experimental reactor. That will be the prelude then to a commercial reactor which will be probably in line sometime around 2010 or 2015. Between now and then we need to do a great deal more research on how to most effectively develop that commercial reactor.

Mr. Chairman, the Tokamak physics experiment is one part of our efforts to develop this. This has been a very successful program. Probably some of my colleagues recall the press reports of just a few weeks ago that this machine, the current machine at Princeton, produced a new record amount of sustained power from the machine that they have there.

Mr. SWETT. Mr. Chairman, will the gentleman yield?

Mr. BROWN of California. I yield to the gentleman from New Hampshire.

Mr. SWETT. Mr. Chairman, I think it is only proper to make note that the record amount of energy realized at the Princeton facility was not a net benefit but was still threefold more energy input than output and only for a minor fraction of a second, and, although this is making progress, it is not certainly where the program is projected to be at this time and certainly, I think, did not bode well for future successes.

Mr. BROWN of California. The gentleman is correct about the net energy yield, but the point is all of these measures are relative. This was the best that has been achieved. It surpassed the expectations that the scientists had at the time, and it is worth continuing to improve this process.

Now, Mr. Chairman, this fusion program is based upon the work of a relatively small number of scientists throughout the country. One of these great centers of excellence, of course, is at Princeton. Others are in other parts of the country including California, Illinois, and so forth. The community is such that it is small enough so that it is highly dependent upon a reasonable continuity in the support for this program. The TPX is conceived as a way of providing that reasonable continuity between the work that is currently being done and the time when we get to actually building the experimental reactor, which is still 10 or 15 years off.

So, for a number of reasons, including the success of the existing work, the need to maintain continuity, the importance of fusion energy as the ultimate power source for the world, it is important that we continue this, and, despite the qualms that my good friend, the gentleman from New Hampshire [Mr. SWETT] has, I urge that we proceed along the path which has been established here and hope that it continues to be successful in the future as it has been in the past.

Mr. SWETT. Mr. Chairman, I yield 2 minutes to the gentleman from Minnesota [Mr. PETERSON].

Mr. PETERSON of Minnesota. Mr. Chairman, for the past 30 years, we have spent billions of dollars on Tokamak fusion technology which has yielded nothing as far as energy production is concerned. Over the next 50 years, the Department of Energy plans to spend $30 billion more in hopes of producing energy for commercial use. There are no guarantees this will ever happen and, if it does, the experts say it will be too expensive to be commercially viable. We should not support funding for a questionable program that divides us when we are unable to fund programs, for example, in agriculture which are proven and everybody agrees on.

Let us not repeat the mistake of the superconducting super collider. Terminating the Princeton Tokamak physics experiment before construction begins will save the taxpayers $67 million this year and $2.2 billion in the long run without adversely affecting, in my opinion, our existing DOE fusion program.

This amendment has the support of many taxpayers and environmental groups including: National Taxpayers Union, Citizens Against Government Waste, The Sierra Club, and Natural Resource Defense Council.

Please support the Swett-Shays-Peterson-Thurman amendment.

Mr. GALLO. Mr. Chairman, I yield 3 minutes to the gentleman from California [Mr. FAZIO] who is also a member of the Subcommittee on Energy and Water.

Mr. FAZIO. Mr. Chairman, I thank the gentleman for yielding this time to me.

□ 1540

Mr. Chairman, I rise as perhaps the chief advocate on this subcommittee of renewable energy, and one who is frustrated by the fact that this bill is $1.7 billion below where we were last year. Yet I am still here as an advocate of Tokamak and of fusion research and an opponent of the effort to eliminate this particular fusion program.

Of course, the objections are said to be not to the basic research concept, but only to this particular design of the Tokamak. I think that flies in the face of the facts.

The Tokamak design has been chosen by an international panel of fusion experts as the main vehicle for developing magnetic fusion energy. These experts have told the world energy community that the Tokamak design is an important step toward making fusion a commercially viable energy source.

You may recall the recent world record set at DOE's Princeton's Plasma Physics Laboratory. That success demonstrates our steady progress toward the goal of demonstrating fusion as commercially viable as an electric power source.

While much work remains, this achievement moves us closer to the day when fusion might provide us with an inexhaustible supply of clean, safe, environmentally sound electric power production.

Opponents of this type of fusion claim that the design is too large and too costly. It is important to remember what the Princeton TPX program is and what it is not. This is a research and development program. This is not meant to be a commercial reactor. What we learn from this important research and development program with Tokamak's design should help us find ways to build smaller, more efficient, safe fusion reactor.

Fusion energy is important to our Nation's economic health. The Tokamak program is vital to establishing the scientific and technical foundation necessary for the ultimate commercialization of fusion energy.

In short, the TPX is part of the foundation for an integrated U.S. fusion program that will evolve over the years.

Mr. Speaker, the U.S. fusion program is a vital part of our long-term energy security. As we all know, our energy security is intertwined with our national security. Those of us who worry about global warming realize that we cannot continue to rely on fossil fuels. We need a long-term program as well

as a short-term energy program, and it has to be balanced.

We cannot overrely on our, perhaps, immediate enthusiasm for renewables. We cannot forget the efficient programs. We have debated them here today. They are barely contained in this budget any more, but they are still important. And while we cannot cut short our investment in fusion energy, we have put too much in this.

I say let us oppose this amendment. Perhaps it is healthy to have this debate periodically so people can be reminded of the importance of this effort. But look to the chairman of the Committee on Science and Technology, who will be bringing a fusion authorization to this floor. Support him and support the committee in opposition.

Mr. SWETT. Mr. Chairman, I yield myself 1 minute for rebuttal

I would like to just bring to the attention of the body that this is not a cessation of the Tokamak program. This is a reorientation away from commercial engineering development, back to more basic science, where this money could be more appropriately used to expand on alternative technologies.

If I can quote Martha Krebs, Director of the Department of Energy, at a hearing here on Capitol Hill the other week, she said:

> The fusion development program is in a period of major transition from a program focused on research to one focused on engineering development.

That concerns me, because we ought to be promoting basic science here in the Federal Government, and not commercial engineering development.

Mr. FAZIO. If the gentleman would yield, I have a high regard for Martha Krebs, and it is my belief she supports Tokamak. She believes this R&D effort is important to the fusion research program in general. I do not think we should be mistaken by taking a quote out of context.

Mr. GALLO. Mr. Chairman, I yield such time as he may consume to the gentleman from California [Mr. HUNTER].

Mr. HUNTER. I rise in strong opposition to the Swett amendment.

Mr. GALLO. Mr. Chairman, I yield 2 minutes to the gentleman from New Jersey [Mr. SMITH].

Mr. SMITH of New Jersey. Mr. Chairman, I rise in strong opposition to the Swett amendment which would cut all Federal funding for the centerpiece of the Nation's magnetic fusion energy program—the Tokamak physics experiment [TPX].

For decades, as Chairman BROWN pointed out a few moments ago, the Federal Government has invested in a fusion energy program as part of a comprehensive plan to provide for America and the world's long-term energy needs. By the year 2050, annual world energy demand is expected to triple from 10 trillion watts to 30 trillion watts. To meet these needs, we must broaden our capability to successfully access alternative and renewable energy sources. While this includes exploration of solar, hydropower, and similar sources, fusion energy is the only source capable of being the linchpin of this plan.

Today's investment in fusion—the nuclear reaction that powers the sun—is an investment in our children and grandchildren. We owe it to them to fully explore this exciting energy option.

Mr. Chairman, the scientific feasibility for broad commercial use of fusion power, although it is long-term, does have a very compelling aspect to it. The Tokamak fusion test reactor [TFTR]—predecessor to the TPX—recently set a world record by producing 9 million watts of fusion power. It is particularly notable that a commercial grade fuel mixture was used for the first time in accomplishing this impressive feat. Princeton Plasma Physics Laboratory—which has operated a comprehensive fusion energy research and development program since 1974 through Department of Energy funding—indicates that a number of other records were set as well, including plasma ion temperature, central fusion power density, and fusion energy per pulse. Princeton scientists expect that the first demonstration fusion power plant can be built by 2025 with widespread commercial use of fusion power by 2035.

Clearly, Mr. Chairman, we are on an important threshold. Cutting funding for the TPX would be shortsighted and without benefit. The TPX has long been heralded within the scientific community as the step necessary to make the advances in fusion research come together in an economical and manageable way.

Mr. Chairman, America needs to invest in the TPX if it is to remain competitive. Both Japan and the European Community are investing 50 percent more than the United States in fusion energy efforts. The major international fusion programs—Japan, the European Community, and Russia—are focusing their efforts and investment capital in Tokamaks. The international thermonuclear experimental reactor [ITER]—an international cooperative effort to advance fusion research and development is also centered around a Tokamak reactor.

The effective development of Tokamak reactors will enhance U.S. industrial capability in fusion, thereby enabling American businesses to bid on ITER and capitalize on the eventual commercialization of this very promising energy technology. If fusion power plants are built here, the technology can be exported abroad to the substantial energy markets of the developing world.

That means jobs—perhaps hundreds of thousands of jobs—for Americans and less dependence on fossil fuels, fission, and other less environmentally sound alternatives.

Mr. Chairman, the administration's request of $66.7 million for the preliminary design and construction of the TPX was heartily supported by the bipartisan Appropriations Committee which met this request in full. Secretary of Energy Hazel O'Leary expanded on the importance of this project yesterday:

> This is the kind of program that exemplifies the Department's mission to provide the Nation with more productive and competitive economy, and improved environmental quality.

Some of the environmental benefits of fusion power are quite profound. One pound of fusion fuel contains the energy equivalent of 12 million pounds of coal or 25,000 barrels of oil. The fact that the fuel for a fusion power plan comes from ordinary water helps to explain why fusion energy does not generate long-lived high-level radioactive waste. There is no risk of meltdowns or Chernobyl-type events with fusion reactors either.

In the United States, we currently spend about $450 billion annually on energy. Since the United States spends less than one-tenth of 1 percent of our energy expenditures on fusion research, I believe this is a very cost effective and forward looking expenditure.

Another means of putting this cost in context is to look at the increased energy costs that United States taxpayers incurred during the Persian Gulf war. Between August 1990 and January 1991 we spent an additional $30 billion on energy, more than the entire anticipated cost of developing fusion energy as a commercial power source. Clearly, the United States and its allies need to make significant strides toward energy independence so that our economic future is not held hostage by hostile or unstable governments.

TPX is a smart step for America and it is also an important project for New Jersey. Princeton University estimates that the project would provide an estimated 1,000 design, construction, and operation jobs. It would add an estimated $1.6 billion to the New Jersey economy over the 7 years of construction and the 10 to 15 years of operation.

Princeton University officials also estimate that without a new project, the Princeton Plasma Physics Laboratory [PPPL] will have to cut back drastically on its operations. This will cause a loss of national leadership in this scientific field and approximately 400 high technology jobs.

While I recognize that there are budgetary constraints which force us to make tough decisions about funding, it is important that we make these decisions wisely and with foresight. Fusion energy holds great promise in

helping us to meet our energy needs cleanly, safely, economically, and without perpetuating our dependence on fossil fuels. Let's not toss it over the side.

Mr. Chairman, the TPX is clearly worthy of our support. Therefore, I strongly urge my colleagues to vote against the Swett Amendment.

Mr. SWETT. Mr. Chairman, I yield 1 minute to the gentleman from Minnesota [Mr. PENNY].

Mr. PENNY. Mr. Chairman, I rise in support of the Swett-Shays-Peterson-Thurman amendment to reduce funding in the Energy and Water appropriation bill by $66.7 million. This is the amount in the bill for the Tokamak physics experiment, a fushion reactor project which Congress refused to fund last year. The amendment would still leave over $300 million in this legislation for fusion research and development.

Mr. Chairman, this project is simply too expensive to be a viable and attractive source of energy to private utilities in the United States. The U.S. utility industry ended its own investment in Tokamak physics in the early 1980's. In fact, even the Department of Energy claims that fusion reactors would rank 22 out of 23 in a list of energy technologies ranked according to economic and environmental criteria.

This amendment is supported by the Electric Power Research Institute, the electric utility industry's research arm, as well as the National Taxpayers Union and other groups.

I urge Members to vote in favor of the Swett-Shays-Peterson-Thurman amendment.

Mr. GALLO. Mr. Chairman, I yield 2 minutes to the gentlewoman from Tennessee [Mrs. LLOYD].

Mrs. LLOYD. Mr. Chairman, I thank the gentleman for yielding.

Mr. Chairman, I have had a little sadness since I listened to this debate today, because if we look back, we will see, on all of our fiscal responsibility votes, that our energy programs have borne the burdens of our fiscal responsibility. It is really not a lot to write home and be proud about, because we are no closer to long-term solutions to our energy needs than we were two decades ago.

One of the reasons that we have not seen the progress that we would love to see in the fusion program is we have consistently had to cut back in these programs, because we have not seen the immediate results.

□ 1550

I do want to commend this committee for the excellent job that they have done to continue this funding. I regret that they have not had more support, because fusion energy is the only long-term research and development effort under way that is suitable to provide central station electric power. It does represent an energy source that is free from the adverse environmental side effects of fossil fuels and the waste disposal problems of nuclear power.

My colleagues, harnessing this power will not be easy, nor will we experience instant success. The road is long and the road is difficult. But we have made continued and significant progress. We are on the path that will lead to a demonstration power plant, and the TPX represents an important step on this developmental path.

It will allow us to test new designs and modes of operation that can lead to a more streamlined system for power production. Now we must stay the course. This is the time to strengthen our resolve and make a commitment to see this program through.

I urge my colleagues to oppose this amendment and to support the committee's position.

Mr. SWETT. Mr. Chairman, I yield 2 minutes to the gentleman from Connecticut [Mr. SHAYS].

Mr. SHAYS. Mr. Chairman, I want to thank the gentleman from New Hampshire [Mr. SWETT] and his staff and the gentleman from Minnesota [Mr. PETERSON] and the gentlewoman from Florida [Mrs. THURMAN] for their work on this amendment.

We need to shift our energy priorities towards energy efficiency and clean, renewal energy sources. We should not let the Tokamak drain our resources and keep us from investing in other types of energy research. We are going to have a $1.6 trillion debt in the next 5 years, and there has been a lot of talk about amendments A to Z. I am one of those who signed a petition up at the front desk of 178. There are Members who have co-signed the bill of over 218. We have signed onto this bill, a process. And in my judgment, this is one of the first from A to Z.

This amendment would eliminate $66 million in funding for construction of the new fusion reactor called the Tokamak physics experiment, but that $66 million is this year. What about the $700 million ultimately during the course of the life of construction and the $1.5 billion of operating costs, the $2.2 billion that we are ultimately talking about?

If Members are for A to Z and they are for other ways to cut spending, I simply have a hard time understanding why this would not be first on their list. It is not a program that has promised any near run or even in the long run, a future hope for energy. Promises keep getting extended as the program continues to fail.

Now is the time to cut this program. I know it will be cut eventually. It will be cut eventually because it is not going to qualify as a means to spend money efficiently.

I urge my colleagues to vote for this amendment.

Mr. GALLO. Mr. Chairman, I yield such time as he may consume to the gentleman from Indiana [Mr. ROEMER], a member of the Committee on Science, Space, and Technology.

Mr. ROEMER. Mr. Chairman, I rise in opposition to the Swett amendment.

Mr. Chairman, although I have the greatest respect and deepest admiration for the gentleman from New Hampshire, I must rise to oppose his amendment today. Fusion is a critical and necessary component of the world's future energy supply, and this Nation must not surrender our lead in this scientific field as we did in particle physics when we killed the supercollider.

Mr. Chairman, the world petroleum supply may expire in as little as 60 years. Where will the world energy supply come from then? How will our children and grandchildren continue to maintain our quality of life?

The world is growing and maturing. But in order for our quality and standards of living to continue, our levels of energy production must continue to grow. In order for Third World countries to evolve, they must have a number of things: modern medicine, improved transportation and simple things that they do not now have, such as clean water. You do not have any of these things, not even pure drinking water, without energy.

And in order to have that energy supply for much of the world, we need a plentiful, inexpensive source. Fusion might be the answer. With commercialization just a few decades away, this scientific investment in our future is one of the most critical efforts we can conduct for future generations. Fusion fuel is as plentiful as seawater, and fusion reactors will be safe and productive.

Japan, Europe, and the Russians are poised to seize the lead in fusion from this country. Fusion is quality science, and its potential is something we must not abandon. Otherwise, in just a few decades, we might be purchasing our energy from abroad.

We must invest in those steps that will take us to commercial fusion energy production. Finally, Tokamak is connected to the international thermonuclear energy reactor, or ITER, which is based on the Tokamak concept. In order to produce the ITER, we must continue work on the Tokamak physics experiment, or TPX, at Princeton University.

The TPX will be an advanced fusion reactor that will be the first major fusion machine to operate continuously. For this country to maintain its global position in the fusion market, the Tokamak physics experiment must continue.

Mr. GALLO. Mr. Chairman, I yield 2 minutes to the gentleman from New Jersey [Mr. ZIMMER], who is very interested in this particular subject as a member of the Committee on Science, Space, and Technology.

Mr. ZIMMER. Mr. Chairman, this amendment is not about a simple budget cut. But rather it is about a choice—a choice between developing fusion as a viable commercial energy source or simply giving up.

The sponsor of this amendment says he supports fusion research, but his amendment would pull the plug on the only major fusion research project planned in this country.

He says he would like more money spent on alternative fusion research. So would I. But his amendment would not result in one additional cent going to alternative fusion research.

The need for a commercial fusion energy source is clear. Fossil fuels are exhaustible and cause pollution. Nuclear fission creates radioactive by-products that take literally eons to break down, creating serious disposal and nuclear proliferation problems. The public fear of a meltdown or a Chernobyl-type accident has prevented any new fission plants from being built here in decades. In contrast fusion energy has a nearly inexhaustible source of fuel and it will not cause meltdowns or result in by-products that can be used in nuclear weapons.

The goal of the Swett amendment is to eliminate funding for the Tokamak physics experiment called TPX. The TPX machine will be the first new fusion reactor built in the United States in 10 years.

Only the Tokamak approach, which uses superconductors to hold plasma in a doughnut shaped reactor vessel, is far enough along in the research and design process to even sustain a debt on whether or not its concept is commercially viable.

There is a consensus throughout the world's scientific community to focus development on Tokamak machines and, in fact, every major fusion reactor experiment in the world—including the international thermonuclear experimental reactor [ITER] project that the United States has been involved with since 1985—are Tokamaks.

So in truth, if the United States abandons our commitment to the Tokamak system it would be tantamount to abandoning virtually all our fusion energy research. The Europeans and the Japanese spend significantly more on fusion research than the United States and in many ways their machines are more advanced than ours. Building TPX would allow the United States to again be a real player in fusion; canceling it would greatly diminish our role in the process and it could kill any chance of siting ITER in the United States.

The TPX machine is specifically designed to complement the much larger ITER which the sponsor says his amendment will not touch. TPX will test the engineering and technology concepts necessary to develop a compact and economic commercial plant.

TPX will replace the enormously successful Tokamak fusion test reactor project which for the first time used a commercial-grade fuel, and exceeded expectations on every test. TPX will also be the first fusion reactor to operate continuously—a vital step in developing a self-sustaining fusion reaction.

Fusion is one of the most successful research endeavors ever undertaken by the United States. According to the magazine Science:

Despite * * * budget cuts, the fusion power record has quietly risen a million-fold over the last decade. Progress in fusion power, which has increased by a factor of 10 every 2 years for the past decade, exceeds even the much-touted improvements in computer memory chips, which have grown ten-fold in capacity every five years.

I would also like to quote from a letter received from David E. Baldwin, Associate Director of Lawrence Livermore National Laboratory.

In a recent "Dear Colleague" letter, Congressman Swett has quoted material developed here at Livermore to attack the Tokamak in the nation's magnetic fusion program. [This misconstrues both the content and intent of our work. We specifically recognized that the Tokamak had made great scientific strides and might, itself, be appropriate as a fusion reactor. Livermore supports the Tokamak program and to see our views used as an argument for abandoning that which is succeeding, the Tokamak, before it is tested is to truly misunderstand our intent.]

Supporters of this amendment are putting the proverbial cart before the horse. The Office of Technology Assessment is currently reviewing our fusion research priorities and is scheduled to present its findings this summer. Also, the chairman of the Science, Space and Technology Committee has introduced a bill to formally authorize the Department of Energy's fusion research program. The bill orders the National Academy of Sciences to conduct an independent evaluation of fusion technologies, including non-Tokamak systems.

We should support these studies, but we should not stop our fusion research in its tracks. Vote against the Swett amendment.

Mr. SWETT. Mr. Chairman, I yield myself the balance of my time.

The CHAIRMAN. The gentleman from New Hampshire [Mr. SWETT] is recognized for 2½ minutes.

Mr. SWETT. Mr. Chairman, I want to reemphasize that we are in agreement with regard to the value of fusion research. This is one program within the fusion research programs that I believe is not going to pan out, is not going to become commercially viable.

Mr. Chairman, this amendment is about whether or not U.S. taxpayers should pay billions of dollars for commercial development of one particular fusion technology versus putting that money into basic research where we have hopefully a much greater chance of reaching a successful reward in the years ahead.

Let me read to my colleagues from a study known as the ARIES study from the Los Alamos National Laboratory.

I quote:

All of the Tokamak designs would not be competitive with respect to advanced light water fission reactors. The ARIES designs are uneconomic because the fusion power core is too massive and too expensive. Thermal conversion efficiency can be no better than for conventional fission or fossil power plants. Tokamak based power cannot use enhanced environmental safety and health merits to resolve the economic issue.

Mr. Chairman, this study should raise the red flag. This should help make it apparent that there is a problem with the direction of the current program. If the DOE were a business, these studies would constitute a clear message from the R&D development that the Tokamak has serious problems and further funds should not be spent on Tokamak until these problems have been worked out.

Beyond that, this is not the only Tokamak project that is currently being looked at.

We have the international project, the ITER, which is being funded as we speak. And that has the cooperation of the international bodies that are putting money into a large Tokamak project.

The science in this TPX follows on after that, and yet we have not even completed engineering nor sited the international Tokamak project.

I reiterate that the Swett/Shays/Peterson/Thurman amendment has been endorsed by scores of citizens and taxpayers, including the National Taxpayers Union, Friends of the Earth, Citizens Against Government Waste, the Sierra Club and many others. Congress has rejected this in previous years. I urge the Congress to do so again this year.

□ 1600

Mr. GALLO. Mr. Chairman, I yield such time as she may consume to the gentlewoman from New Jersey [Mrs. ROUKEMA].

Mrs. ROUKEMA. Mr. Chairman, I rise in strong opposition to the Swett amendment.

Mr. Chairman, I rise today in strong opposition to the amendment offered by Representative DICK SWETT to strike the $66.7 million appropriation for construction of the Tokamak fusion experiment [TPX] at Princeton University in New Jersey. Unlike the previous amendment to strike the GT–MHR, the TPX has the full support of the Secretary of Energy, and it is the next vital step in development of a sound and practical U.S. fusion energy program.

Over the last year, the fusion program at Princeton University Plasma Physics Laboratory has achieved a series of milestones with its existing Tokamak fusion reactor, the TFTR. The achievements include a record energy burst of 9 million watts of fusion power using a commercial grade fuel mixture. Construction of the TPX will produce even greater results in a more compact fusion reactor unit.

The TPX is the next step to making fusion power a viable and cost effective commercial power option. Contrary to the arguments from the opponents of the TPX, fusion energy does not generate high level radioactive waste. The fuel supply is derived from ordinary water, and it is safe! Finally, development of reliable fusion power plants will help free our Nation from dependence upon foreign oil.

In conclusion, Mr. Chairman, the TPX is a scientifically-sound research program. It is safe. It is one of the very best long-term energy options for the future of the United States and the international community. I urge my colleagues to cast a vote for the future and reject the Swett amendment.

Mr. GALLO. Mr. Chairman, I yield such time as he may consume to the gentleman from California [Mr. CUNNINGHAM].

Mr. CUNNINGHAM. Mr. Chairman, I rise in opposition to the Swett amendment.

Mr. GALLO. Mr. Chairman, I yield 1 minute to the gentleman from New Jersey [Mr. HUGHES].

Mr. HUGHES. Mr. Chairman, I want to first of all congratulate the gentleman from Alabama [Mr. BEVILL] and the gentleman from Indiana [Mr. MYERS] for a very, very fine bill.

Mr. Chairman, I rise today in strong opposition to the amendment offered by our colleague, Representative DICK SWETT, to eliminate $67 million in funding for construction of the Tokamak physics experiment [TPX] at Princeton University.

I understand where our colleague is coming from, for we are faced with a number of difficult choices in an effort to save money for the short term. But, the present energy situation has forced us into a sense of false security.

Since the 1980's, the world population has grown to 5 billion people. Population and economic aspirations of the developing world are the key ingredients fueling energy demand around the globe. By the middle of the next century, the world population is expected to double from 5 to 10 billion, and world energy demand is expected to triple. There is no doubt that the world will need an adequate supply of energy in order to accommodate this increasing demand.

To avoid environmental disaster from reliance exclusively on fossil fuels, new forms of clean and affordable energy need to be developed for the next century. In order to make the transition from a global energy system dominated by fossil fuel to one based on alternative and renewable energy sources, we must provide a broad range of technology options to energy producers and consumers. This requires an investment today in the development of alternative energy sources such as solar, wind, and fusion power as long-term options.

Fusion in one of the few environmentally sound long-term energy options that are capable of central station power generation. Fusion power is clean and does not generate high level radioactive waste products. Fusion reactors are inherently safe, with no possibility of meltdowns. The fuel for a fusion reactor comes from ordinary water. Therefore, there is no acid rain resulting from a fusion reactor.

Fusion has been the "Holy Grail" of energy sources. Since its inception in the 1950's, the Tokamak concept has proven to be the most effective confinement system. That is why our competitors, such as Japan, the European Community, and Russia have invested 50 percent more than the United States in fusion energy. These countries have continued to build new fusion machines and have made major upgrades to existing facilities.

The Tokamak fusion test reactor [TFTR] at the Princeton Plasma Physics Laboratory recently broke world records in the production of fusion power. The TFTR topped world records for achieving 9 million watts of fusion power in a single nuclear burst.

The U.S. participation in the development of fusion energy is part of a multilateral fusion research program, the international thermonuclear experimental reactor [ITER]. This program is an outstanding model of international cooperation on large, complex scientific and technical projects. The United States is collaborating and sharing costs with the European Community, Japan, and the Russian Federation.

In light of the recent historic breakthrough at Princeton University and our current involvement with the ITER, how can we now eliminate the fusion research program and renege on our international collaboration in the energy community? Obviously, we cannot; it would be terribly shortsighted.

The United States has not built a fusion test reactor in over 10 years. TPX will be unique among world fusion programs as the first alternative to the current generation of pulsed Tokamaks. TPX will be the first Tokamak in the world to operate continuously. This is the path to commercialization for fusion and the right choice for our country.

America cannot afford to be left behind. I urge my colleagues to reject the Swett amendment to delete $67 million in funding for the TPX.

Mr. GALLO. Mr. Chairman, I yield such time as he may consume to the gentleman from New Jersey [Mr. FRANKS].

Mr. FRANKS of New Jersey. Mr. Chairman, I rise in opposition to the Swett amendment.

Mr. Chairman, I rise today to express my strong opposition to the Swett amendment to H.R. 4506 and my support for the water resources and energy projects included in the fiscal year 1995 energy and water development appropriations bill. While I commend the gentleman from New Hampshire for his concern to reduce the size of our bloated Federal deficit, cutting fusion research at this critical juncture would be pennywise and pound foolish.

As I am sure my colleagues will recall, the world's record in fusion power production was set last December at the Princeton Plasma Physics Laboratory in my home State of New Jersey. The U.S. fusion program made scientific history when the Princeton Tokamak reactor produced more than 6 million watts of fusion power. For a few brief seconds, Lawrenceville, NJ, the site of the lab, was the hottest place in the solar system, even hotter than the core of the Sun. Only last month, this astounding record was surpassed by 50 percent when over 9 million watts of fusion power were generated.

By using for the first time a fuel mixture likely to be used in a commercial powerplant, these experiments are moving the Nation closer to practical fusion power. Continued research is crucial if we are ever to realize the full potential of fusion energy.

Mr. Chairman, New Jersey is the home to many great scientific firsts that have changed the world. They have included: the light bulb, the movie camera and projector, the transistor, the phonograph, the air-conditioner, and the solar photovoltaic cell, to name but a few. With the support of Congress, practical commercial fusion energy will someday be added to that list. I urge my colleagues to support fusion energy research by voting "no" on the Swett amendment.

Mr. Chairman, I also want to bring to my colleagues' attention my strong support for the Green Brook flood control project, which was included in H.R. 4506. This project was authorized by Congress under the Water Resources Development Act of 1986—Public Law 99–662, section 401. During the past 9 fiscal years, Congress has appropriated over $16 million for this project. In fiscal year 1986, Congress appropriated $484,000; in fiscal year 1987, $1.37 million; fiscal year 1988, $1.4 million; fiscal year 1989, $1.5 million; fiscal year 1990, $1.2 million; fiscal year 1991, $2 million; fiscal year 1992, $3.169 million; fiscal year 1993, $3.5 million; and fiscal year 1994, $2.8 million. For fiscal year 1995, I respectfully requested that the House Energy and Water Development Appropriations Subcommittee provide $2 million to continue the following tasks: preconstruction engineering and design—including hydraulic and hydrologic analysis; environmental investigations and data collection; topographic mapping; and layout of levee alignments. I am pleased that the Subcommittee has fully funded my request.

This project also has the support of the administration, which included $2 million in his fiscal year 1995 budget for this project. This represented the first time in 3 years this project was included in the President's budget. Furthermore, I was pleased to broker an agreement between the Green Brook Flood Control Commission and the Army Corps that affected this project. This agreement roughly stipulated that the upper portion of the project would be put on hold and work would be concentrated on the lower basin. In consideration for downsizing this project, the corps agreed to recommend this project for the fiscal year 1995 Clinton budget.

I would also like to take this opportunity to admonish the New York district of the Army Corps of Engineers for the slow pace of this project. Every year, we in Congress have done our part to provide the funding for this needed project, yet fruition of this project is still years away. I am growing increasing impatient with the lack of urgency accorded this project by the corps, and I am hopeful that corrective action, such as transferring this

project to the Philadelphia district, will not be necessary.

Finally, Mr. Chairman, although I am a supporter of this legislation, I was disappointed the restoration of the Robinson's Branch Reservoir Dam in Clark, NJ, was not included in this bill.

Robinson's Branch Reservoir is a small body of water in my congressional district that provides inland freshwater marsh, lake, and associated woodland habitat for an already documented 86 species of resident and migratory birds. The reservoir is a shallow tributary of the Rahway River, which feeds from the surrounding towns of Woodbridge and North Edison. Unfortunately, this 151-acre tract of land is maintained by a 95-year-old dam that does not meet the revised requirements of the Federal Dam Safety Act of 1976 regarding its ability to safely pass an anticipated worst-case-scenario flood flow.

At this time, the dam has been designated a high hazard by the Army Corps of Engineers and, if it failed, there would be a potential for loss of life downstream in the case of a storm of extreme magnitude, according to the New Jersey Department of Environmental Protection and Energy's Dam Safety Section. The dam does not have the spillway capacity to handle 20 inches of rainfall in 10 hours, as mandated by regulations pursuant to the act.

It would cost an estimated $1.5 million for the necessary improvements in order for this dam to comply with the act. To decommission the dam, the costs would exceed $2.6 million. Clearly, it is more cost-efficient and environmentally sound to upgrade this structure than to decommission the 95-year-old dam.

While the Robinson's Branch Reservoir and dam is currently owned by the Middlesex Water Co., its chairman of the board and president, J. Richard Tompkins, has stated his intension to deed property to the township of Clark for $1 should Federal funding be secured for the upgrade. The future maintenance of this dam and surrounding park land would be the responsibility of the township of Clark.

It is my understanding that the subcommittee did not reject this project on its merits, but rather because of a lack of authorization. As a member of the House Public Works and Transportation Committee, I may offer an amendment to the Water Resources Development Act of 1994 to authorize funding for this project, if the committee considers that legislation this year. I am hopeful that should Congress authorize this project, funding will be available for it next year.

Mr. Chairman, these projects, and the others included in H.R. 4506 are vital to our Nation. For that reason, I urge my colleagues to support H.R. 4506 and oppose any weakening amendments.

Mr. GALLO. Mr. Chairman, I yield 1 minute to the gentleman from New Jersey [Mr. KLEIN].

Mr. KLEIN. Mr. Chairman, I rise in strong opposition to the amendment. I want to cut spending, wasteful spending, just as much as anyone in this House. However, we also have to invest in our future.

The Tokamak fusing project offers the best hope for the Nation and the world to provide an abundant, clean source of energy and rid us of dependence upon foreign oil. Tokamak has met every milestone, both financial and timewise, that it has established.

When we talk about costs, remember those rising oil prices during Operation Desert Storm? The total cost to our Nation's economy from Desert Storm alone by those rising oil prices exceeded the entire cost of the Tokamak project.

Do Members want American jobs in the 21st century? We have to be the leaders in world technology in the most vital area of the worlds' economy, and that is energy. Tokamak gives us the opportunity to do that.

Mr. GALLO. Mr. Chairman, I yield 30 seconds to the gentleman from California [Mr. PACKARD].

Mr. PACKARD. Mr. Chairman, I rise in opposition to the Swett amendment.

The United States requires a national energy strategy which emphasizes our need for greater energy independence. Implementation of such a strategy will decrease U.S. demand for oil while increasing development of our domestic energy sources.

For this reason, I do not support the amendment offered by Congressmen SWETT. This amendment would strike funding for the Tokamak physics experiment, commonly known as TPX. This device is vital for the continued exploration of advanced, superconducting fusion technology.

Fusion energy is one of the long-term energy options for the future. The fuel for this energy source is water. This means that it is an inexhaustible resource which is safer and cleaner to produce than any of the energy resources we currently possess.

One of the leading developers of this technology, general atomics is located in southern California. Loss of this program would mean the end of the road for the evolution of TPX technology and would mean the loss of jobs for people in my district who are dedicated to exploring this vital energy resource.

The United States is a leader in the production of fusion technology. The successful production of fusion devices known as Tokamaks has allowed this country to produce more fusion energy than any other country in the world. The TPX Program represents a first step toward the commercial development of this most vital energy resource.

I urge my colleagues to consider the impact this technology will have for this country's economic prospects and long-term prosperity. Our continued preeminence in the world arena is bolstered by greater energy independence and technological prominence. I urge defeat of this amendment.

Mr. GALLO. Mr. Chairman, I yield 30 seconds to the gentlewoman from California [Ms. SCHENK].

Ms. SCHENK. Mr. Chairman, I rise in opposition to the amendment offered by the gentleman from New Hampshire [Mr. SWETT].

Fusion energy is one of the very few long-term energy options we have. In the next 30 years, the population of the world is expected to increase from 5 billion people in 1993 to over 9 billion people. World energy needs will triple. In order to meet those needs without inviting an environmental catastrophe by overusing fossil fuels, we must find a clean mix of energy sources—including solar, renewables, and fusion energy.

Fusion power may be the most challenging and ambitious scientific endeavor we have ever undertaken. It is also, potentially, one of the most important. If we can achieve the ability to produce energy from the clean and abundant fuels used in fusion reactors, we will take a significant step to assure our national environmental and energy security.

Some of my colleagues who support this amendment oppose Tokamak technology as the main vehicle for fusion research. They think our fusion program should be more diversified. Over the past 40 years, however, there has been a vigorous scientific competition within international fusion programs to develop the most cost-effective methodology to harness fusion energy. The Tokamak concept has proven to be the most effective confinement system and all major fusion programs around the world are investing in Tokamaks as the primary vehicle to develop fusion power. I believe it would be a mistake for Congress to reject such an international scientific consensus.

Fusion research is a highlight of large international scientific cooperative programs. For instance, the international thermonuclear experimental reactor [ITER]—one target of this amendment—is a multilateral fusion research program in which the United States is collaborating and sharing costs with the European Community, Japan, and the Russian Federation, the model we want to follow. ITER engineering design activities was signed by the four parties. This protocol allows the project to proceed with completion of design activities. It is essential that the United States be considered as a reliable partner in projects such as this. Passage of this amendment could jeopardize our participation in the ITER project. The Tokamak physics experiment [TPX] is an important complement to this international collaboration and will place U.S. industry in a competitive position to bid on ITER and build fusion powerplants in the future.

It is our responsibility to provide future generations with a fusion energy option. I urge my colleagues to vote against the Swett amendment.

Mr. GALLO. Mr. Chairman, I yield such time as he may consume to the gentleman from Maryland [Mr. BARTLETT].

Mr. BARTLETT of Maryland. Mr. Chairman, as one of the two scientists in the Congress, I rise in strong opposition to the amendment offered by my distinguished colleague, the gentleman from New Hampshire [Mr. SWETT], which would do great harm to a very important scientific and national security interest program.

Mr. GALLO. Mr. Chairman, I yield 30 seconds to the gentleman from New Jersey [Mr. TORRICELLI].

Mr. TORRICELLI. Mr. Chairman, during the energy crisis of the 1970's and the Persian Gulf war of the 1980's there was not a Member of this House who did not stand in this well and vow to change America's future, to answer our dependencies with science and with research. That will not be done with words, Mr. Chairman. Our future will be secured with science.

Mr. Chairman, this vote is about that confidence, that American willingness to take risks, and yes, even if the rewards are not for the next generation, even if they are a generation away, to care enough about this future of this country to make that investment. That is the choice before this House.

Mr. GALLO. Mr. Chairman, to close out debate on this issue, I yield 30 seconds to the gentleman from Alabama [Mr. BEVILL], the distinguished chairman of the Subcommittee on Energy and Water Development of the Committee on Appropriations.

Mr. BEVILL. Mr. Chairman, I rise in opposition to this amendment, and I urge that we vote it down.

For the long term, the Nation needs to diversify energy sources. Fusion energy plays an important role in the Nation's long-term energy strategy and needs to be strongly supported.

The Tokamak physics experiment [TPX], which will be located at Princeton University, will be the focal point for the domestic fusion research program to make major improvements over today's designs.

The purpose of TPX is to develop the scientific basis for an economical, more compact, and continuously operating fusion design needed for the next step to develop a fusion demonstration power plant.

TPX's mission is complementary to that of the international thermonuclear experimental reactor [EATER] project which is part of an international effort of the United States, Europe, Japan, and Russia aimed at producing over 1 billion watts of power and the testing of fusion components.

I urge a "no" vote on the amendment.

Mr. MINETA. Mr. Chairman, I rise today in opposition to the amendment being offered by my colleague from New Hampshire.

Mr. Chairman, one of the most pressing problems our Nation will face in the next century is the need for adequate supplies of energy.

As our demand for energy continues to increase, the finite supplies we depend on continue to decrease. Unless we begin to develop alternative sources of energy now, we cannot expect to have adequate supplies in the future.

For this reason, it is essential that we continue the development of renewable sources of energy such as solar and wind.

It is equally important that we pursue the development of fusion energy. Fusion holds the potential for an inexhaustible, clean-burning source of energy that will help meet our demand in the 21st century.

While we all must be concerned about cutting the deficit and getting the most for our money, it does not make any sense to be penny-wise and pound-foolish.

The Tokamak physics experiment is an essential step in the development of fusion energy, and it is an investment we must be willing to make.

I urge my colleagues to defeat the Swett amendment.

The CHAIRMAN pro tempore (Mr. DE LA GARZA). The question is on the amendment offered by the gentleman from New Hampshire [Mr. SWETT].

The amendment was rejected.

The CHAIRMAN pro tempore. The Clerk will read.

The Clerk read as follows:

URANIUM SUPPLY AND ENRICHMENT ACTIVITIES

For expenses of the Department of Energy in connection with operating expenses; the purchase, construction, and acquisition of plant and capital equipment and other expenses incidental thereto necessary for residual uranium supply and enrichment activities in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101, et seq.) and the Energy Policy Act (Public Law 102-486, section 901), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion; purchase of electricity as necessary; purchase of passenger motor vehicles (not to exceed 11 for replacement only), $73,210,000, to remain available until expended: *Provided*, That revenues received by the Department for residual uranium enrichment activities and estimated to total $9,900,000 in fiscal year 1995, shall be retained and used for the specific purpose of offsetting costs incurred by the Department for such activities notwithstanding the provisions of section 3302(b) of title 31, United States Code: *Provided further*, That the sum herein appropriated shall be reduced as revenues are received during fiscal year 1995 so as to result in a final fiscal year 1995 appropriation estimated at not more than $63,310,000.

URANIUM ENRICHMENT DECONTAMINATION AND DECOMMISSIONING FUND

For necessary expenses in carrying out uranium enrichment facility decontamination and decommissioning, remedial actions and other activities of title II of the Atomic Energy Act of 1954 and title X, subtitle A of the Energy Policy Act of 1992, $301,327,000 to be derived from the fund, to remain available until expended.

GENERAL SCIENCE AND RESEARCH ACTIVITIES

For expenses of the Department of Energy activities including the purchase, construction and acquisition of plant and capital equipment and other expenses incidental thereto necessary for general science and research activities in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101, et seq.), including the acquisition or condemnation of any real property or facility or for plant or facility acquisition, construction, or expansion; purchase of passenger motor vehicles (not to exceed 12 for replacement only), $989,031,000, to remain available until expended: *Provided*, That none of the funds made available under this section for Department of Energy facilities may be obligated or expended for food, beverages, receptions, parties, country club fees, plants or flowers pursuant to any cost-reimbursable contract.

NUCLEAR WASTE DISPOSAL FUND

For the nuclear waste disposal activities to carry out the purposes of Public Law 97-425, as amended, including the acquisition of real property or facility construction or expansion, $304,800,000, to remain available until expended, to be derived from the Nuclear Waste Fund. To the extent that balances in the fund are not sufficient to cover amounts available for obligation in the account, the Secretary shall exercise her authority pursuant to section 302(e)(5) of said Act to issue obligations to the Secretary of the Treasury: *Provided*, That of the amount herein appropriated, within available funds, not to exceed $6,000,000 may be provided to the State of Nevada, for the sole purpose of conduct of its scientific oversight responsibilities pursuant to the Nuclear Waste Policy Act of 1982, Public Law 97-425, as amended: *Provided further*, That of the amount herein appropriated, not more than $8,500,000 may be provided to affected local governments, as defined in the Act, to conduct appropriate activities pursuant to the Act: *Provided further*, That within ninety days of the completion of each Federal fiscal year, each State or local entity shall provide certification to the Department of Energy, that all funds expended from such payments have been expended for activities as defined in Public Law 97-425, as amended. Failure to provide such certification shall cause such entity to be prohibited from any further funding provided for similar activities: *Provided further*, That none of the funds herein appropriated may be used directly or indirectly to influence legislative action on any matter pending before Congress or a State legislature or for any lobbying activity as provided in section 1913 of title 18, United States Code: *Provided further*, That none of the funds herein appropriated may be used for litigation expenses: *Provided further*, That none of the funds herein appropriated may be used to support multistate efforts or other coalition building activities inconsistent with the restrictions contained in this Act.

ISOTOPE PRODUCTION AND DISTRIBUTION PROGRAM FUND

For Department of Energy expenses for isotope production and distribution activities, $11,600,000, to remain available until expended.

ATOMIC ENERGY DEFENSE ACTIVITIES

WEAPONS ACTIVITIES

For Department of Energy expenses, including the purchase, construction and acquisition of plant and capital equipment and other incidental expenses necessary for atomic energy defense weapons activities in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101, et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion; and the purchase of passenger motor vehicles (not to exceed 104, of which 103 are for replacement only, including 22 police-type vehicles), $3,164,369,000 to remain available until expended, of which

$20,765,000 shall be available only for program activities at the University of Rochester, Rochester, New York; and $8,750,000 shall be available only for program activities at the Naval Research Laboratory, Washington, District of Columbia.

DEFENSE ENVIRONMENTAL RESTORATION AND WASTE MANAGEMENT

For Department of Energy expenses, including the purchase, construction and acquisition of plant and capital equipment and other incidental expenses necessary for atomic energy defense environmental restoration and waste management activities in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101, et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion; and the purchase of passenger motor vehicles (not to exceed 87 of which 67 are for replacement only including 6 police-type vehicles), $5,128,211,000, to remain available until expended: *Provided*, That funds previously made available under this head in the Energy and Water Development Appropriations Act, 1992, to assist the State of New Mexico and affected local governments in mitigating the impacts of the Waste Isolation Pilot Plant are available for any authorized purposes under this head.

MATERIALS SUPPORT AND OTHER DEFENSE PROGRAMS

For Department of Energy expenses, including the purchase, construction and acquisition of plant and capital equipment and other incidental expenses necessary for atomic energy defense materials support, and other defense activities in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101, et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion, $1,879,204,000, to remain available until expended.

DEFENSE NUCLEAR WASTE DISPOSAL

For nuclear waste disposal activities to carry out the purposes of Public Law 97-425, as amended, including the acquisition of real property or facility construction or expansion, $129,430,000, to remain available until expended, all of which shall be used in accordance with the terms and conditions of the Nuclear Waste Fund appropriation of the Department of Energy contained in this title.

DEPARTMENTAL ADMINISTRATION

For salaries and expenses of the Department of Energy necessary for Departmental Administration and other activities in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101, et seq.), including the hire of passenger motor vehicles and official reception and representation expenses (not to exceed $35,000), $407,312,000, to remain available until expended, plus such additional amounts as necessary to cover increases in the estimated amount of cost of work for others notwithstanding the provisions of the Anti-Deficiency Act (31 U.S.C. 1511, et seq.): *Provided*, That such increases in cost of work are offset by revenue increases of the same or greater amount, to remain available until expended: *Provided further*, That moneys received by the Department for miscellaneous revenues estimated to total $161,490,000 in fiscal year 1995 may be retained and used for operating expenses within this account, and may remain available until expended, as authorized by section 201 of Public Law 95-238, notwithstanding the provisions of section 3302 of title 31, United States Code: *Provided further*, That the sum herein appropriated shall be reduced by the amount of miscellaneous revenues received during fiscal year 1995 so as to result in a final fiscal year 1995 appropriation estimated at not more than $245,822,000.

OFFICE OF THE INSPECTOR GENERAL

For necessary expenses of the Office of the Inspector General in carrying out the provisions of the Inspector General Act of 1978, as amended, $26,465,000, to remain available until expended.

POWER MARKETING ADMINISTRATIONS

OPERATION AND MAINTENANCE, ALASKA POWER ADMINISTRATION

For necessary expenses of operation and maintenance of projects in Alaska and of marketing electric power and energy, $6,494,000, to remain available until expended.

BONNEVILLE POWER ADMINISTRATION FUND

Expenditures from the Bonneville Power Administration Fund, established pursuant to Public Law 93-454, are approved for the purchase, operation and maintenance of two rotary-wing aircraft for replacement only, and for official reception and representation expenses in an amount not to exceed $3,000.

During fiscal year 1995, no new direct loan obligations may be made.

Amounts otherwise available for obligation in fiscal year 1995 are reduced by $485,000.

OPERATION AND MAINTENANCE, SOUTHEASTERN POWER ADMINISTRATION

For necessary expenses of operation and maintenance of power transmission facilities and of marketing electric power and energy pursuant to the provisions of section 5 of the Flood Control Act of 1944 (16 U.S.C. 825s), as applied to the southeastern power area, $22,431,000, to remain available until expended.

OPERATION AND MAINTENANCE, SOUTHWESTERN POWER ADMINISTRATION

For necessary expenses of operation and maintenance of power transmission facilities and of marketing electric power and energy, and for construction and acquisition of transmission lines, substations and appurtenant facilities, and for administrative expenses, including official reception and representation expenses in an amount not to exceed $1,500 connected therewith, in carrying out the provisions of section 5 of the Flood Control Act of 1944 (16 U.S.C. 825s), as applied to the southwestern power area, $21,316,000, to remain available until expended; in addition, notwithstanding the provisions of 31 U.S.C. 3302, not to exceed $3,935,000 in reimbursements, to remain available until expended.

CONSTRUCTION, REHABILITATION, OPERATION AND MAINTENANCE, WESTERN AREA POWER ADMINISTRATION

(INCLUDING TRANSFER OF FUNDS)

For carrying out the functions authorized by title III, section 302(a)(1)(E) of the Act of August 4, 1977 (42 U.S.C. 7101, et seq.), and other related activities including conservation and renewable resources programs as authorized, including official reception and representation expenses in an amount not to exceed $1,500, $224,085,000, to remain available until expended, of which $202,512,000 shall be derived from the Department of the Interior Reclamation Fund: *Provided*, That of the amount herein appropriated, within available funds, $5,135,000 is for deposit into the Utah Reclamation Mitigation and Conservation Account pursuant to title IV of the Reclamation Projects Authorization and Adjustment Act of 1992: *Provided further*, That the Secretary of the Treasury is authorized to transfer from the Colorado River Dam Fund to the Western Area Power Administration $7,472,000, to carry out the power marketing and transmission activities of the Boulder Canyon project as provided in section 104(a)(4) of the Hoover Power Plant Act of 1984, to remain available until expended.

FEDERAL ENERGY REGULATORY COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the Federal Energy Regulatory Commission to carry out the provisions of the Department of Energy Organization Act (42 U.S.C. 7101, et seq.), including services as authorized by 5 U.S.C. 3109, including the hire of passenger motor vehicles; official reception and representation expenses (not to exceed $3,000); $166,173,000, to remain available until expended: *Provided*, That notwithstanding any other provision of law, not to exceed $166,173,000 of revenues from fees and annual charges, and other services and collections in fiscal year 1995, shall be retained and used for necessary expenses in this account, and shall remain available until expended: *Provided further*, That the sum herein appropriated shall be reduced as revenues are received during fiscal year 1995, so as to result in a final fiscal year 1995 appropriation estimated at not more than $0.

TITLE IV

INDEPENDENT AGENCIES

APPALACHIAN REGIONAL COMMISSION

For expenses necessary to carry out the programs authorized by the Appalachian Regional Development Act of 1965, as amended, notwithstanding section 405 of said Act, and for necessary expenses for the Federal Co-Chairman and the alternate on the Appalachian Regional Commission and for payment of the Federal share of the administrative expenses of the Commission, including services as authorized by section 3109 of title 5, United States Code, and hire of passenger motor vehicles, to remain available until expended, $187,000,000.

DEFENSE NUCLEAR FACILITIES SAFETY BOARD

SALARIES AND EXPENSES

For necessary expenses of the Defense Nuclear Facilities Safety Board in carrying out activities authorized by the Atomic Energy Act of 1954, as amended by Public Law 100-456, section 1441, $17,933,000, to remain available until expended.

DELAWARE RIVER BASIN COMMISSION

SALARIES AND EXPENSES

For expenses necessary to carry out the functions of the United States member of the Delaware River Basin Commission, as authorized by law (75 Stat. 716), $343,000.

CONTRIBUTION TO DELAWARE RIVER BASIN COMMISSION

For payment of the United States share of the current expenses of the Delaware River Basin Commission, as authorized by law (75 Stat. 706, 707), $478,000.

INTERSTATE COMMISSION ON THE POTOMAC RIVER BASIN

CONTRIBUTION TO INTERSTATE COMMISSION ON THE POTOMAC RIVER BASIN

To enable the Secretary of the Treasury to pay in advance to the Interstate Commission on the Potomac River Basin the Federal contribution toward the expenses of the Commission during the current fiscal year in the

administration of its business in the conservancy district established pursuant to the Act of July 11, 1940 (54 Stat. 748), as amended by the Act of September 25, 1970 (Public Law 91-407), $511,000.

NUCLEAR REGULATORY COMMISSION

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses of the Commission in carrying out the purposes of the Energy Reorganization Act of 1974, as amended, and the Atomic Energy Act of 1954, as amended, including the employment of aliens; services authorized by section 3109 of title 5, United States Code; publication and dissemination of atomic information; purchase, repair, and cleaning of uniforms, official representation expenses (not to exceed $20,000); reimbursements to the General Services Administration for security guard services; hire of passenger motor vehicles and aircraft, $540,501,000, to remain available until expended, of which $22,000,000 shall be derived from the Nuclear Waste Fund: *Provided*, That from this appropriation, transfer of sums may be made to other agencies of the Government for the performance of the work for which this appropriation is made, and in such cases the sums so transferred may be merged with the appropriation to which transferred: *Provided further*, That moneys received by the Commission for the cooperative nuclear safety research program, services rendered to foreign governments and international organizations, and the material and information access authorization programs, including criminal history checks under section 149 of the Atomic Energy Act of 1954, as amended, may be retained and used for salaries and expenses associated with those activities, notwithstanding the provisions of section 3302 of title 31, United States Code, and shall remain available until expended: *Provided further*, That revenues from licensing fees, inspection services, and other services and collections estimated at $518,501,000 in fiscal year 1995 shall be retained and used for necessary salaries and expenses in this account, notwithstanding the provisions of section 3302 of title 31, United States Code, and shall remain available until expended: *Provided further*, That the sum herein appropriated shall be reduced by the amount of revenues received during fiscal year 1995 from licensing fees, inspection services and other services and collections, excluding those moneys received for the cooperative nuclear safety research program, services rendered to foreign governments and international organizations, and the material and information access authorization programs, so as to result in a final fiscal year 1995 appropriation estimated at not more than $22,000,000.

OFFICE OF INSPECTOR GENERAL

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, as amended, including services authorized by section 3109 of title 5, United States Code, $5,080,000, to remain available until expended; and in addition, an amount not to exceed 5 percent of this sum may be transferred from Salaries and Expenses, Nuclear Regulatory Commission: *Provided*, That notice of such transfers shall be given to the Committees on Appropriations of the House and Senate: *Provided further*, That from this appropriation, transfers of sums may be made to other agencies of the Government for the performance of the work for which this appropriation is made, and in such cases the sums so transferred may be merged with the appropriation to which transferred: *Provided further*, That revenues from licensing fees, inspection services, and other services and collections shall be retained and used for necessary salaries and expenses in this account, notwithstanding the provisions of section 3302 of title 31, United States Code, and shall remain available until expended: *Provided further*, That the sum herein appropriated shall be reduced by the amount of revenues received during fiscal year 1995 from licensing fees, inspection services, and other services and collections, so as to result in a final fiscal year 1995 appropriation estimated at not more than $0.

NUCLEAR WASTE TECHNICAL REVIEW BOARD

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses of the Nuclear Waste Technical Review Board, as authorized by Public Law 100-203, section 5051, $2,664,000, to be transferred from the Nuclear Waste Fund and to remain available until expended.

OFFICE OF THE NUCLEAR WASTE NEGOTIATOR

SALARIES AND EXPENSES

For necessary expenses of the office of the Nuclear Waste Negotiator in carrying out activities authorized by the Nuclear Waste Policy Act of 1982, as amended by Public Law 102-486, section 802, $1,000,000 to be derived from the Nuclear Waste Fund and to remain available until expended.

SUSQUEHANNA RIVER BASIN COMMISSION

SALARIES AND EXPENSES

For expenses necessary to carry out the functions of the United States member of the Susquehanna River Basin Commission as authorized by law (84 Stat. 1541), $318,000.

CONTRIBUTION TO SUSQUEHANNA RIVER BASIN COMMISSION

For payment of the United States share of the current expenses of the Susquehanna River Basin Commission, as authorized by law (84 Stat. 1530, 1531), $288,000.

TENNESSEE VALLEY AUTHORITY

TENNESSEE VALLEY AUTHORITY FUND

For the purpose of carrying out the provisions of the Tennessee Valley Authority Act of 1933, as amended (16 U.S.C. ch. 12A), including purchase, hire, maintenance, and operation of aircraft, and purchase and hire of passenger motor vehicles, $136,856,000, to remain available until expended.

Mr. BEVILL (during the reading). Mr. Chairman, I ask unanimous consent that the remainder of the bill through page 34, line 14, be considered as read, printed in the RECORD, and open to amendment at any point.

The CHAIRMAN pro tempore. Is there objection to the request of the gentleman from Alabama?

There was no objection.

AMENDMENT OFFERED BY MR. TRAFICANT

Mr. TRAFICANT. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. TRAFICANT: Page 34, after line 14, insert the following new title:

TITLE V—GENERAL PROVISIONS

PURCHASE OF AMERICAN-MADE EQUIPMENT AND PRODUCTS

SEC. 501. SENSE OF CONGRESS.—It is the sense of the Congress that, to the greatest extent practicable, all equipment and products purchased with funds made available in this Act should be American-made.

(b) NOTICE REQUIREMENT.—In providing financial assistance to, or entering into any contract with, any entity using funds made available in this Act, the head of each Federal agency, to the greatest extent practicable, shall provide to such entity a notice describing the statement made in subsection (a) by the Congress.

Mr. TRAFICANT (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

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

There was no objection.

Mr. BEVILL. Mr. Chairman, will the gentleman yield?

Mr. TRAFICANT. I yield to the gentleman from Alabama.

Mr. BEVILL. Mr. Chairman, we have no objection to the amendment.

Mr. MYERS of Indiana. Mr. Chairman, will the gentleman yield?

Mr. TRAFICANT. I yield to the gentleman from Indiana.

Mr. MYERS of Indiana. Mr. Chairman, the author has discussed this amendment with the Republicans, and we have no objection.

Mr. TRAFICANT. Mr. Chairman, I thank the committee. We have a fine bill.

The CHAIRMAN pro tempore. The question is on the amendment offered by the gentleman from Ohio [Mr. TRAFICANT].

The amendment was agreed to.

Mr. WALKER. Mr. Chairman, I rise to strike the last word.

Mr. Chairman, some months ago when the House ran into terrible tragedies in the Midwest with the flooding and with earthquakes in Los Angeles, we came to the point that the only way we could handle these matters was by passing emergency supplementals, which meant, of course, add-on spending.

At that point, a number of us felt that the House ought to prepare itself better for those kinds of contingencies by setting aside money as part of the regular appropriations process, and thereby assuring that money was consistently available when emergencies arose.

Mr. Chairman, I have an amendment that I would like to offer later on, that would be subject to a motion to rise, that essentially gets us to that point. What my amendment would do is set aside 1 percent of this bill, and then my hope would be to offer it on other appropriations as well, to set aside 1 percent of the appropriations to be used for emergencies, should emergencies arise.

If the emergency did not take place, the money would remain available to be committed by those agencies. However, once we got to an emergency under this approach, the President

would have the ability to reach into these accounts and get the money that is needed to meet the emergency needs.

Mr. Chairman, it seems to me that that is planning much more in the way that families plan, that they set aside some rainy day funds in case there is something that happens which is bad.

Mr. Chairman, this House should move in that direction as well. What I would like to see is us move to do that kind of thing. As I say, Mr. Chairman, under this amendment it would be subject to a motion to rise, so I will have to be cognizant of the will of the House on that particular matter, but I am hopeful that the House will at some point look toward this as a way of dealing with this whole problem of national emergencies in a way that does not force us to constantly come up with supplemental appropriations in emergency circumstances.

□ 1610

Mr. MYERS of Indiana. Mr. Chairman, will the gentleman yield?

Mr. WALKER. I am happy to yield to the gentleman from Indiana.

Mr. MYERS of Indiana. Mr. Chairman, I think we all certainly concur and agree that something has to be done. This frequency of national disasters is happening rather regularly now. We have always come through, but it comes out of the hide of the American taxpayers every time because we are never prepared for it. We always go off budget in emergencies. We are not opposed to helping people. We have discussed this in the past. Something has to be done.

Mr. Chairman, I would point out two things: First, I understand the Speaker is appointing, if he has not already, a task force to study this issue. Something like this has to be done, but it possibly ought to be done through budget resolution rather than through each appropriations bill, would be a more reasonable place. Everyone would agree, but I think this is probably not the right vehicle.

Mr. Chairman, I thank the gentleman for yielding.

Mr. WALKER. Mr. Chairman, I appreciate the gentleman's statement. There are a number of ways of addressing this. The budget resolution would be another one. The fact is each year, we fail to take the action and then we are faced with emergency supplementals. As the gentleman well knows, the problem with the emergency supplementals is they have gotten to the point where we not only spend the money for the emergency but then we do some add-on kind of things that have absolutely nothing to do with the emergencies. I have not forgotten last year when we had the Midwest flood money up here and we added on a section to pay people for good grooming in Los Angeles. We cannot do this kind of thing over a long period of time without it having a very detrimental impact. This would be a far better way to go, I think, for the country as a whole to set aside the money in advance for emergencies that we know are probably going to arise.

Mr. MYERS of Indiana. Mr. Chairman, if the gentleman will continue to yield, each time we bring up the issue, yes, we want to help, but let us pay for it. Let us offset spending someplace else just as the gentleman and I have to do or every other business has to do when emergencies come up.

We are constantly here saying, "Yes, we agree, but not now, sometime later." I completely agree, I think most of us do agree, we need to do something, but the vehicle, there ought to be a study, hopefully the Speaker has appointed that task force.

Mr. WALKER. Mr. Chairman, the gentleman is right.

That would be the far better way to do it. Otherwise we have to do it on each appropriation bill. If we did it as part of the budget resolution, that would be the best way to handle the matter. Until we get to that point, we may have to look at this kind of mechanism.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

This Act may be cited as the "Energy and Water Development Appropriations Act, 1995."

Mr. BEVILL. Mr. Chairman, I move that the Committee do now rise and report the bill back to the House with sundry amendments, with the recommendation the amendments be agreed to and that the bill, as amended, do pass.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker pro tempore (Mr. MONTGOMERY) having assumed the chair, Mr. HUGHES, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 4506) making appropriations for energy and water development for the fiscal year ending September 30, 1995, and for other purposes, had directed him to report the bill back to the House with sundry amendments, with the recommendation that the amendments be agreed to, and that the bill, as amended, do pass.

The SPEAKER pro tempore. Without objection, the previous question is ordered.

There was no objection.

The SPEAKER pro tempore. Is a separate vote demanded on any amendment? If not, the Chair will put them en gros.

The amendments were agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER pro tempore. The question is on the passage of the bill.

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

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

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

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 393, nays 29, not voting 12, as follows:

[Roll No. 235]

YEAS—393

Abercrombie	Cramer	Hamburg
Ackerman	Cunningham	Hamilton
Andrews (ME)	Darden	Hansen
Andrews (NJ)	de la Garza	Harman
Andrews (TX)	Deal	Hastert
Applegate	DeFazio	Hastings
Archer	DeLauro	Hayes
Bacchus (FL)	DeLay	Hefley
Bachus (AL)	Dellums	Hefner
Baesler	Derrick	Herger
Baker (CA)	Deutsch	Hilliard
Baker (LA)	Diaz-Balart	Hinchey
Ballenger	Dickey	Hoagland
Barca	Dicks	Hobson
Barcia	Dingell	Hochbrueckner
Barlow	Dixon	Hoekstra
Barrett (NE)	Dooley	Hoke
Barrett (WI)	Doolittle	Holden
Bartlett	Dornan	Horn
Barton	Dunn	Houghton
Bateman	Durbin	Hoyer
Becerra	Edwards (CA)	Huffington
Beilenson	Edwards (TX)	Hughes
Bentley	Ehlers	Hunter
Bereuter	Emerson	Hutchinson
Berman	Engel	Hutto
Bevill	English	Hyde
Bilbray	Eshoo	Inhofe
Bilirakis	Evans	Inslee
Bishop	Everett	Istook
Blackwell	Ewing	Jefferson
Bliley	Farr	Johnson (CT)
Blute	Fazio	Johnson (GA)
Boehlert	Fields (LA)	Johnson (SD)
Bonilla	Fields (TX)	Johnson, E. B.
Bonior	Filner	Johnson, Sam
Borski	Fingerhut	Johnston
Boucher	Fish	Kanjorski
Brewster	Flake	Kaptur
Brooks	Foglietta	Kasich
Browder	Ford (MI)	Kennedy
Brown (CA)	Ford (TN)	Kennelly
Brown (FL)	Fowler	Kildee
Brown (OH)	Frank (MA)	Kim
Bryant	Franks (CT)	King
Bunning	Franks (NJ)	Kingston
Burton	Frost	Kleczka
Buyer	Furse	Klein
Byrne	Gallegly	Klink
Callahan	Gallo	Kolbe
Calvert	Gejdenson	Kopetski
Camp	Gekas	Kreidler
Canady	Gephardt	Kyl
Cantwell	Geren	LaFalce
Cardin	Gibbons	Lambert
Carr	Gilchrest	Lancaster
Castle	Gillmor	Lantos
Chapman	Gilman	LaRocco
Clay	Gingrich	Laughlin
Clayton	Glickman	Lazio
Clement	Gonzalez	Leach
Clinger	Goodlatte	Lehman
Clyburn	Goodling	Levin
Coleman	Gordon	Levy
Collins (MI)	Goss	Lewis (CA)
Combest	Grandy	Lewis (FL)
Condit	Green	Lewis (GA)
Cooper	Greenwood	Lewis (KY)
Coppersmith	Gunderson	Lightfoot
Costello	Gutierrez	Linder
Cox	Hall (OH)	Lipinski
Coyne	Hall (TX)	Livingston

Lloyd	Pastor	Smith (NJ)
Long	Payne (NJ)	Smith (OR)
Lowey	Payne (VA)	Smith (TX)
Lucas	Pelosi	Snowe
Machtley	Penny	Spence
Maloney	Peterson (FL)	Spratt
Mann	Peterson (MN)	Stark
Manton	Pickett	Stearns
Manzullo	Pickle	Stenholm
Margolies-Mezvinsky	Pombo	Stokes
Markey	Pomeroy	Strickland
Martinez	Porter	Studds
Matsui	Portman	Stupak
Mazzoli	Poshard	Swett
McCandless	Price (NC)	Swift
McCloskey	Pryce (OH)	Synar
McCrery	Quillen	Talent
McCurdy	Quinn	Tanner
McDade	Rahall	Tauzin
McDermott	Rangel	Taylor (MS)
McHale	Ravenel	Taylor (NC)
McInnis	Reed	Tejeda
McKeon	Regula	Thomas (CA)
McKinney	Richardson	Thomas (WY)
McMillan	Ridge	Thompson
McNulty	Roberts	Thornton
Meehan	Roemer	Thurman
Meek	Rogers	Torkildsen
Menendez	Rohrabacher	Torres
Meyers	Ros-Lehtinen	Torricelli
Mfume	Rose	Towns
Mica	Rostenkowski	Traficant
Michel	Roukema	Tucker
Miller (CA)	Rowland	Unsoeld
Mineta	Roybal-Allard	Upton
Mink	Rush	Valentine
Moakley	Sabo	Velazquez
Molinari	Sanders	Vento
Mollohan	Sangmeister	Visclosky
Montgomery	Santorum	Volkmer
Moorhead	Sarpalius	Vucanovich
Moran	Sawyer	Walker
Morella	Saxton	Walsh
Murphy	Schaefer	Watt
Myers	Schenk	Waxman
Nadler	Schiff	Weldon
Neal (MA)	Schroeder	Whitten
Neal (NC)	Schumer	Williams
Nussle	Scott	Wilson
Oberstar	Serrano	Wise
Obey	Sharp	Wolf
Olver	Shaw	Woolsey
Ortiz	Shepherd	Wyden
Orton	Shuster	Wynn
Owens	Sisisky	Yates
Oxley	Skaggs	Young (AK)
Packard	Skeen	Young (FL)
Pallone	Skelton	Zimmer
Parker	Slaughter	
	Smith (IA)	

NAYS—29

Allard	Grams	Petri
Armey	Hancock	Ramstad
Boehner	Inglis	Roth
Coble	Jacobs	Sensenbrenner
Collins (GA)	Klug	Shays
Crane	Knollenberg	Smith (MI)
Crapo	McCollum	Solomon
Dreier	Miller (FL)	Stump
Duncan	Minge	Zeliff
Fawell	Paxon	

NOT VOTING—12

Collins (IL)	Murtha	Sundquist
Conyers	Reynolds	Washington
Danner	Royce	Waters
McHugh	Slattery	Wheat

□ 1634

The Clerk announced the following pair:

On this vote:

Mr. Slattery for, with Mr. McHugh against.

Mr. MILLER of Florida changed his vote from "yea" to "nay."

Mr. UPTON and Mr. FIELDS of Texas changed their vote from "nay" to "yea."

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. McHUGH. Mr. Speaker, after 3:30 p.m. today, it will be necessary for me to attend and testify at an official public meeting conducted by the U.S. Air Force in Plattsburgh, NY, relative to the closing of Plattsburgh Air Force Base.

If I were present and voting, I would vote as follows: "No" on final passage of H.R. 4506, Energy and Water Development appropriations for fiscal year 1995.

□ 1640

FLAG DAY, JUNE 14, 1994

The SPEAKER pro tempore (Ms. LAMBERT). Under a previous order of the House, the gentlewoman from Maryland [Mrs. BENTLEY] is recognized for 5 minutes.

Mrs. BENTLEY. Madam Speaker, today, the 14th of June, 1994, is Flag Day, as well as the 180th anniversary of the "Star Spangled Banner," and the 15th anniversary of the "Pause for the Pledge."

At 7 p.m., by a Joint Resolution of the Congress, all Americans should pause to pledge allegiance to the flag. It is an act of patriotism, started in Maryland and supported by the Congress which encourages all Americans to think of what that "Star Spangled Banner" has meant to generations of Americans.

There is a long history of Maryland's proprietary interest in the stars and stripes—Mary Pickersgill's needlework gave us the flag that flew over Ft. McHenry. The very flag that inspired Francis Scott Key to write of it still gleaming in the dawn's early light. The flag which is still on display at the Smithsonian. Barbara Fritchie's heroic stance—protecting the flag from Southern troops at Frederick during the Civil War—was recorded for posterity by John Greenleaf Whittier.

It is an ancient tradition to celebrate a nation with a standard. Prehistoric excavations have documented the display of banners in the earliest of civilizations, identifying their country, hearalding their sovereignty.

The flag which we salute today came into being in 1818, when President Monroe designated 13 stripes, one for each of the original colonies—instead of the 15 shown in the Ft. McHenry flag—assigning one star for each State—allowing for new States to be recognized as they entered the Union.

The name "Old Glory" began to be spread when a mother stitched together a flag for her son, a ship's captain named William Driver. When he raised it above his first command, he told his sailors, "This is Old Glory, boys."

So Old Glory sailed the world until Captain Driver retired in the late 1850's to his hometown of Nashville, TN. When the Civil War broke out, the captain sewed Old Glory up in his mattress cover to protect it from being seized by Confederate troops.

Toward the end of the war, when the Union Army broke through to liberate the city, Captain Driver took the flag out and flew it over his house to welcome the Army. The Union soldiers were so excited at seeing one of their flags, they took up the cry that it's Old Glory and spread the story of the flag and its name across the country as they returned home after the victory.

To every citizen of this country, the flag has a unique meaning. In 1992, the former Chairman of the Joint Chiefs of Staff, Gen. Colin Powell, spoke about the meaning it had to him—as a soldier. He suggested it "captures the soul of a nation and its people."

That it absorbs "the blood of patriots into its crimson stripes."

But, when carried into battle, when flown over the Capitol of the United States or over any public building, it is a sign of the sovereignty of this Nation. Of the power of the American people over their own destiny.

It carries the hope of freedom to all of the oppressed in the world. I have been told by refugees—from behind the old Iron Curtain—of how, when they finally reached the refuge of an American Embassy, looking up at the Stars and Stripes, they fell to their knees—thanking God for all it represented to them.

We must never forget what this wonderful banner means to the image of freedom around the world. It represents the land of the brave and the free to millions of the oppressed.

In the current times it is a real worry to me that this flag and what it represents is threatened by preemption by the flag of the United Nations. That our men and women should serve under a flag other than their own—leaders other than their own—representing nations other than their own should not be happening by a mere expansion of actions taken during the Gulf war.

As we pause for the pledge tonight—let us each and every one think deeply—about what these actions will mean to this Nation and to this flag in the future. The passing of this power should not be made lightly—and the preeminence of the stars and stripes above our troops and their commanders should not be given up.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF HOUSE RESOLUTION 446

Mr. McKEON. Madam Speaker, I ask unanimous consent that the name of the gentleman from Ohio [Mr. HALL] be removed as a cosponsor of House Resolution 446. His name was erroneously added to the list of cosponsors submitted on June 8, 1994.

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

There was no objection.

INSURANCE REFORM AND UNIVERSAL COVERAGE

The SPEAKER pro tempore. Under the Speaker's announced policy of February 11, 1994, and June 10, 1994, the gentleman from Washington [Mr. McDERMOTT] is recognized for 30 minutes as the designee of the majority leader.

Mr. McDERMOTT. Madam Speaker, as you know, I have made an effort to talk to my colleagues almost every week about key issues in health care reform and to explain how these issues will affect the American people directly—in plain terms that everyone can understand.

I have spoken previously on why every American needs universal health insurance, not just the uninsured. And I have spoken on why system-wide managed care is the wrong approach to health care reform. I will speak on both of those issues again.

Tonight I want to talk about a proposed compromise in health care reform that is being widely discussed in the media—because I believe that the American people are being very much misled on the workability of this compromise.

This compromise is like the emperor's new clothes. There are a lot of people admiring the silk, but in reality, there is nothing there.

I am talking about the idea of just doing, quote, "insurance reform" and dealing with universal coverage later.

Well, there is one problem with that. Insurance reform only works if you have universal coverage guaranteed. If you do insurance reform without universal coverage, the result is that the price of insurance premiums go up, period. Employers stop offering insurance because the price is too high, and people lose insurance rather than gaining it.

This is not just theory. It has happened in the real world. In New York State, in an attempt to improve access to coverage by the middle class employed, instituted community rating and eliminated the preexisting condition exclusion. In other words, it became illegal to exclude people from insurance if they already had a physical problem or illness. But New York did not require universal coverage.

And what was the result? Insurance premium prices escalated, employers dropped insurance, and after the insurance reform, they have more uninsured people in New York than they did before insurance reform.

Why? Because all the young healthy people left the insurance pools when community rating came in. This made the insurance pools even more expensive, causing a death spiral of higher premiums, people unable to afford insurance unless they know they will use it, and ever-worsening insurance pools which in turn become more expensive.

The only way to prevent this is to do universal coverage first or simultaneously with insurance reform. Then the insurance pools stay mainly healthy and insurance premiums have at least some possibly of becoming affordable.

Insurance reform without universal coverage is a sham! It will give Americans the illusion that we have done something for them on health care reform, when in fact we will have made matters worse.

What could be worse than enacting reform that will cause people to lose their health insurance coverage? And that's exactly what insurance reform without universal coverage will do. Mr. Speaker, I urge my colleagues to reject out of hand such proposals. The American people will figure this out in a very short amount of time and they will come looking—with great justification—for the culprits who did it.

There is another concept being floated as a potential compromise that is equally ludicrous. In fact, I saw the distinquished Senate minority leader, Mr. DOLE, advocating this in a television commercial on health care reform.

And that is the notion of giving Americans, quote, "portability" without universal coverage. Now, I've been working on health care reform for 30 years and I cannot for the life of me figure out what portability without universal coverage is.

Portability means that you can take your health insurance with you wherever you go no matter how your employment or personal situation changes.

How can you do that if there is no universal coverage? What is the vehicle, the mechanism of portability? What are they saying? That if you lose your job or move, they'll let you buy your own insurance at full price in the individual market? Most Americans have the right to do that now. They don't need a new law to do that. The reason they don't do it is because they can't afford to do it.

You don't have portability if you leave a job that has insurance and your next employer doesn't offer it.

You don't have portability if you get divorced and are no longer on your spouse's insurance policy and have to pay for insurance yourself.

You don't have portability if your spouse dies.

You don't have portability if you move or change jobs or lose a spouse that carried insurance when family health policies today cost $5,000 to $6,000 a year.

If you don't have a system that guarantees you coverage and a way to pay for it, you don't have portability, period.

Now, it's time to stop throwing words at the American people and pretending that words are solutions.

The American people are not fools and they know that some shortcuts are more trouble than they are worth. We can't take shortcuts on health care reform.

We can't take shortcuts—not because it would be immoral or inhumane or undemocratic. We can't take shortcuts because they simply won't work. We must have universal coverage because you can't get insurance reform or portability or cost-containment without it. Health care reform without universal coverage simply is not worth doing. In fact, it will probably make matters worse.

Madam Speaker, I am concerned that we are conveying the impression that health care reform is just too hard to do. This is unworthy of the American people.

When we look around the world and the events of the last few years, we see historical developments of almost biblical proportions. The Berlin wall has come down and Russia is a struggling democracy.

Unbelievably, South Africa has ended apartheid and has completed its first nationwide democratic election.

Our fellow industrialized countries are climbing—and scaling—the Mount Everests of political challenges. Compared to the challenges these nations have embraced, the difficulty of reforming our health care system so that we can finally get everyone into the system is so small. It is not Mount Everest. It is not even a hill.

We are the greatest Nation in the history of the world. We are the richest and we are the most democratic.

To say that we cannot do something as relatively simple as get all our citizens in the largest health care system in the world in less time than it took for de Klerk to end apartheid or Gorbachev to bring down the Berlin wall is unworthy of the American people.

Since when are the American people so weak or so small that we cannot meet our own challenges?

We have witnessed ordinary people around the world in the transformations of recent years and weeks rise to the stature of giants. The American people are every bit their match and we should never concede otherwise.

Universal coverage is the house of health care reform. We all know that it is better to own your own home than to rent an apartment. But what usually keeps people from buying their own homes? The downpayment.

We have to come up with a downpayment—the way to get into the house—or, as a nation, we will just have to keep on renting this inadequate and over-priced apartment.

An apartment that is too small, that doesn't suit our needs, that drains our

resources and keeps us from ever being able to afford the house.

So how do we get into the house? There is no question that the cheapest, the quickest, the most efficient way to get into the health care house is through single-payer reform.

This is the way every other country in the industrialized world got into the house, and they are living there much more comfortably than we are in our poor apartment.

Single-payer is the way to absolutely guarantee 100 percent universal coverage within 1 year. Even Senator DURENBERGER, who is not a single-payer supporter, acknowledged that only single-payer could achieve full universal coverage with every "i" dotted and every "t" crossed.

Only single-payer guarantees unrestricted free choice of provider and eliminates insurance company interference in the physician-patient relationship. Only single-payer guarantees that you can have a lifetime relationship with your doctor if that is your choice.

Only single-payer provides complete benefits including preventive care, all outpatient and hospital services, prescription drugs, children's dental care, mental health services, and comprehensive long-term care. It takes care of the coverage part of universal coverage.

How is single-payer able to do all this? Very simply.

If Americans paid their health insurance premiums to a single national health security fund instead of to all their different insurance companies, and then that single national fund reimbursed health care providers directly for their services the way insurance companies do now, we would save enough money on insurance administration to pay for universal coverage and comprehensive benefits for all Americans.

With single-payer, we get to universal coverage immediately. So don't let anyone tell you we have to phase it in over 5 years, or to the end of the century, or beyond.

We don't need to wait that long. And remember, every year we postpone it, we lose money because we can't control costs. Every year it will cost more to fix the problem. Every year more people will lose their insurance and we will all have more to worry about.

And every year universal coverage is delayed, the chances are greater that something will intervene in Congress to just keep on pushing it back. We will simply lose it.

We can have universal coverage by 1997, and the American people should settle for no less.

I urge all of you who want the guarantee of universal coverage for yourselves and for your families to insist on universal coverage by 1997 so that we can finally move into the house that will give us security for the future.

□ 1700

THE BIBLE

The SPEAKER pro tempore (Ms. LAMBERT). Under a previous order of the House, the gentleman from California [Mr. DORNAN] is recognized for 5 minutes.

Mr. DORNAN. Madam Speaker, I do not want to be too satirical or sarcastic here, because my intent is serious. But just for the sake of capturing your attention and the attention of the 1,200,000 or 1,300,000 good caring Americans who follow the proceedings of this House electronically or those who go to their public libraries a week hence and look at the written transcript of these proceedings, I am tempted to be mirthful at the beginning and point out that I have come across a shocking example of the violation of the wall of separation between church and state, something that is so horribly politically incorrect that I called it to the attention of my colleagues and all of the distinguished men and women of the other body, the U.S. Senate.

Madam Speaker, our tax dollars have been spent to create a religious book, a religious bible of Christians, not even the Old Testament, but just the New Testament, the written words of Matthew, Mark, Luke and that fourth one, the youngest one who had the effrontery to show up at the crucifixion of his Lord and leader, Jesus Christ. This is a tiny New Testament, and it was put in my hand in the American cemetery on the bluff above Omaha Beach at the Colleville-sur-Mer, that unbelievably tranquil spot of American soil 172 acres given to us forever by the government and grateful invasion of France.

This little Bible says on its cover, with the beautiful golden emblem of the patch that General Eisenhower had designed in early 1944 for the SHAEF headquarters, the Supreme Headquarters of the Allied Expeditionary Force to liberate Europe from the Nazi jackboots of Adolf Hitler, it says that this New Testament is a commemorative edition for the Normandy invasion 50th anniversary.

I looked at this and realized that this was taxpayer money going for this Christian endeavor. I looked at the back page. It said, "Everything in the scriptures is God's word." Second Timothy, 3:16.

And then I opened it up and was I ever shocked at the political incorrectness of President Franklin Delano Roosevelt, because I realized that this commemorative edition was a perfect replica of the 1941 edition. And there is a letter from the Chief Executive, the White House, Washington, dated January 15, 1941, that is only 5 days into FDR's third term, the only President to ever run for or get elected to a third term, the first President sworn in on January 20, because his first two terms, as it had been all the way back to our second President, Presidents were sworn in on March 4. This Congress moved it because the delay was too great between the election date and the inauguration so they moved it up to January 20, 1941.

Five days later, the draft had only been in existence for 2 years, passed by one vote, one vote in this Chamber. That one vote also encouraged the Japanese to attack Pearl Harbor at the end of 1941.

So here is Roosevelt, writing to every single young member of the armed services before we were in the war 10 months later. Listen to what he says. This is shocking, Madam Speaker.

"To the Armed Forces:

"As Commander-In-Chief I take pleasure in commending the reading of the Bible to all who serve in the Armed Forces of the United States. Throughout the centuries men of many faiths"—he forgot to say women—"men of many faiths and diverse origins have found in the Sacred Book words of wisdom, counsel and inspiration. It is a fountain of strength and now, as always, an aid in attaining the highest aspirations of the human soul.

"Very sincerely yours, Franklin Delano Roosevelt."

Of course, Madam Speaker, I love this, I will be doing this on Cal Thomas' show tonight nationwide on CNBC. What have we lost in the heritage of our country?

REPORT ON RESOLUTION WAIVING CERTAIN POINTS OF ORDER AGAINST H.R. 4556, DEPARTMENT OF TRANSPORTATION AND RELATED AGENCIES APPROPRIATIONS ACT, 1995

Mr. MOAKLEY, from the Committee on Rules, submitted a privileged report (Rept. No. 103–546) on the resolution (H. Res. 454) waiving certain points of order against the bill (H.R. 4556) making appropriations for the Department of Transportation and related agencies for the fiscal year ending September 30, 1995, and for other purposes, which was referred to the House Calendar and ordered to be printed.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mrs. COLLINS of Illinois (at the request of Mr. GEPHARDT), for today, on account of illness.

Mr. ROYCE (at the request of Mr. MICHEL), for today, on account of illness.

Mr. MCHUGH (at the request of Mr. MICHEL), after 3:30 p.m. today, on account of his participation in a public hearing on the planned closing of the Plattsburgh Air Force Base.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. TALENT) to revise and extend their remarks and include extraneous material:)

Mr. MICHEL, for 5 minutes each day, on June 15, 16, and 17.

Mrs. BENTLEY, for 5 minutes, today.

(The following Member (at the request of Mr. MCDERMOTT) to revise and extend his remarks and include extraneous material:)

Mr. HUTTO, for 5 minutes, today.

(The following Member (at his own request) to revise and extend his remarks and include extraneous material:)

Mr. DORNAN, for 5 minutes, today.

EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

(The following Members (at the request of Mr. TALENT) and to include extraneous matter:)

Mr. YOUNG of Alaska.

Mr. HASTERT.

Mr. GUNDERSON.

Mr. DORNAN.

Mr. HORN in three instances.

Mr. TAYLOR of North Carolina.

(The following Members (at the request of Mr. MCDERMOTT) and to include extraneous matter:)

Mr. MONTGOMERY.

Mr. POSHARD.

Mr. COPPERSMITH.

Mr. KLEIN.

Mr. FINGERHUT.

Mr. TRAFICANT.

Mr. NEAL of Massachusetts in two instances.

Mr. SWIFT.

Mr. SERRANO.

(The following Members (at the request of Mr. DORNAN) and to include extraneous matter:)

Mr. ROBERTS.

Mr. SOLOMON.

Mr. SWETT.

Mr. FRANKS of New Jersey.

SENATE BILLS REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. 1066. An act to restore Federal services to the Pokagon Band of Potawatomi Indians; to the Committee on Natural Resources.

ADJOURNMENT

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

The motion was agreed to; accordingly (at 5 o'clock and 7 minutes p.m.) the House adjourned until Wednesday, June 15, 1994, at 10 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

3366. A letter from the Secretary of Health and Human Services, transmitting a report of a violation of the Anti-Deficiency Act which occurred in the Department of Health and Human Services, pursuant to 31 U.S.C. 1517(b); to the Committee on Appropriations.

3367. A letter from the Director, the Office of Management and Budget, transmitting the cumulative report on rescissions and deferrals of budget authority as of June 1, 1994, pursuant to 2 U.S.C. 685(e) (H. Doc. No. 103–272); to the Committee on Appropriations and ordered to be printed.

3368. A letter from the Under Secretary for Personnel and Readiness, Department of Defense, transmitting the Department's Defense Manpower Requirements Report for fiscal year 1995, pursuant to 10 U.S.C. 115(b)(3)(A); to the Committee on Armed Services.

3369. A letter from the Auditor, District of Columbia, transmitting a copy of a report entitled, "Audit of the District of Columbia Public Schools' Central Investment Fund [CIF]—An Off Budget Discretionary Revenue and Spending," pursuant to D.C. Code, section 47–117(d); to the Committee on the District of Columbia.

3370. A letter from the Secretary of Education, transmitting Final Regulations—Direct Grant Programs, pursuant to 20 U.S.C. 1232(d)(1); to the Committee on Education and Labor.

3371. A letter from the Secretary of Education, transmitting notice of Final Funding Priorities—Knowledge Dissemination and Utilization Program, pursuant to 20 U.S.C. 1232(d)(1); to the Committee on Education and Labor.

3372. A letter from the Director, Defense Security Assistance Agency, transmitting notification of the Department of the Air Force's proposed Letter(s) of Offer and Acceptance (LOA) to Turkey for defense articles and services (Transmittal No. 94–19), pursuant to 22 U.S.C. 2776(b); to the Committee on Foreign Affairs.

3373. A letter from the Director, Defense Security Assistance Agency, transmitting the price and availability report for the quarter ending March 31, 1994, pursuant to 22 U.S.C. 2768; to the Committee on Foreign Affairs.

3374. A letter from the Assistant Secretary of State for Legislative Affairs, transmitting copies of the original report of political contributions by Brian J. Donnelly, of Massachusetts, to be Ambassador to Trinidad and Tobago, also by Clay Constantinou, of New York, to be Ambassador to Luxembourg, and Elizabeth Frawley Bagley, of the District of Columbia, to be Ambassador to the Republic of Portugal, and members of their families, pursuant to 22 U.S.C. 3944(b)(2); to the Committee on Foreign Affairs.

3375. A letter from the Administrator, General Services Administration, transmitting a draft of proposed legislation entitled, "Federal Employee Mileage Reimbursement Act of 1994"; to the Committee on Government Operations.

3376. A letter from the Assistant Attorney General, Department of Justice, transmitting the Department's views on H.R. 518, the "California Desert Protection Act of 1994" as reported by the Committee on Natural Resources; to the Committee on Natural Resources.

3377. A letter from the Assistant Attorney General, Department of Justice, transmitting a draft of proposed legislation entitled, "Confederated Tribes of the Colville Reservation Grand Coulee Dam Settlement Act"; to the Committee on Natural Resources.

3378. A letter from the Secretary of Transportation, transmitting a draft of proposed legislation entitled, "Rail-Highway Grade Crossing Safety Act of 1994"; jointly, to the Committees on Energy and Commerce and Public Works and Transportation.

3379. A letter from the Chairman, United States Securities and Exchange Commission, transmitting a draft of proposed legislation entitled, "Securities and Exchange Commission Authorization Act of 1994," pursuant to 31 U.S.C. 1110; jointly to the Committees on Energy and Commerce and Appropriations.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. GORDON: Committee on Rules. House Resolution 454. Resolution waiving certain points of order against the bill (H.R. 4556) making appropriations for the Department of Transportation and related agencies for the fiscal year ending September 30, 1995, and for other purposes (Rept. 103–546). Referred to the House Calendar.

REPORTED BILLS SEQUENTIALLY REFERRED

Under clause 5 of rule X, bills and reports were delivered to the Clerk for printing, and bills referred as follows:

Mr. MINETA: Committee on Public Works and Transportation. H.R. 2680. A bill to amend the Public Buildings Act of 1959 concerning the calculation of public building transactions, with an amendment; referred to the Committee on Government Operations for a period ending not later than August 12, 1994, for consideration of such provisions of the bill and amendment as fall within the jurisdiction of that committee pursuant to clause 1(j), rule X (Rept. 103–547, Pt. 1). Ordered to be printed.

PUBLIC BILLS AND RESOLUTIONS

Under clause 5 of rule X and clause 4 of rule XXII, public bills and resolution were introduced and severally referred as follows:

By Mr. GUNDERSON (for himself and M. PETRI):

H.R. 4575. A bill to direct the Secretary of the Army to transfer to the State of Wisconsin lands and improvements associated with the LaFarge Dam and Lake portion of the project for flood control and allied purposes, Kickapoo River, WI, and for other purposes; to the Committee on Public Works and Transportation.

By Mr. TRAFICANT:

H.R. 4576. A bill to designate the Federal building located at the northeast corner of

the intersection of 14th Street and Independence Avenue, SW., in Washington, DC, as the "Jamie L. Whitten Federal Building"; to the Committee on Public Works and Transportation.

By Mr. TRAFICANT:

H.R. 4577. A bill to designate the Federal building and United States courthouse located at 242 East Main Street in Bowling Green, KY, as the "William H. Natcher Federal Building and United States Courthouse"; to the Committee on Public Works and Transportation.

By Mr. VENTO (for himself, Mrs. ROUKEMA, Mr. FRANK of Massachusetts, and Mr. KENNEDY):

H.R. 4578. A bill to amend the Stewart B. McKinney Homeless Assistance Act to revise and extend programs providing urgently needed assistance for the homeless, and for other purposes; jointly, to the Committees on Banking, Finance and Urban Affairs, Energy and Commerce, and Ways and Means.

By Mrs. CLAYTON (for herself, Mr. CLYBURN, and Mr. THOMPSON):

H.R. 4579. A bill to amend Title V of the Housing Act of 1949 to make necessary reforms to the Section 515 Rural Housing program; jointly, to the Committees on Banking, Finance and Urban Affairs and Ways and Means.

By Ms. KAPTUR:

H.R. 4580. A bill to establish the Geno Baroni Commission on Neighborhoods and provide for a White House Conference on Neighborhoods, and for other purposes; to the Committee on Banking, Finance and Urban Affairs.

MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

425. By the SPEAKER: Memorial of the House of Representatives of the State of New Hampshire, relative to Pease Air Force Base; to the Committee on Armed Services.

426. Also, memorial of the House of Representatives of the State of New Hampshire, relative to the Federal Mandates Relief Act of 1993; to the Committee on Government Operations.

427. Also, memorial of the House of Representatives of the State of New Hampshire, relative to campaign spending and unalterable records of proceedings; to the Committee on House Administration.

428. Also, memorial of the House of Representatives of the State of New Hampshire, relative to urging the President and the Congress to have the remains of certain Native Americans, including those of Chief Passaconaway of Penacook, returned from France to the United States of America; to the Committee on Natural Resources.

ADDITIONAL SPONSORS

Under clause 4 of rule XXII, sponsors were added to public bills and resolutions as follows:

H.R. 39: Mr. MANN, Mr. SAXTON, and Mr. GLICKMAN.

H.R. 163: Mr. SHAYS.

H.R. 173: Mr. SHAYS.

H.R. 300: Mr. HUFFINGTON.

H.R. 425: Mr. ORTON.

H.R. 427: Mr. ORTON.

H.R. 494: Mr. SUNDQUIST.

H.R. 500: Mr. DEFAZIO, Mr. EVANS, and Mr. BONIOR.

H.R. 830: Mr. BILIRAKIS.

H.R. 1164: Mr. KLECZKA, Mr. HINCHEY, and Mr. GLICKMAN.

H.R. 1192: Mr. SHAYS.

H.R. 1322: Mr. MARTINEZ and Mr. DELLUMS.

H.R. 1483: Mr. SHAYS.

H.R. 1671: Mrs. SCHROEDER, Mr. BREWSTER, Mr. CARDIN, and Mr. BACCHUS of Florida.

H.R. 1897: Mr. MOLLOHAN.

H.R. 1910: Mr. HUFFINGTON.

H.R. 2145: Mr. BERMAN, Mr. CALVERT, Mr. BROWN of California, Mr. DOOLITTLE, and Mr. MURTHA.

H.R. 2292: Mr. SABO.

H.R. 2648: Mr. DELLUMS and Mr. HAMBURG.

H.R. 2837: Mr. FINGERHUT.

H.R. 2898: Mr. BECERRA.

H.R. 2929: Mr. MANN.

H.R. 2985: Mrs. SCHROEDER.

H.R. 3075: Mr. MINETA.

H.R. 3128: Mr. JOHNSTON of Florida.

H.R. 3269: Mr. GOSS and Mr. RANGEL.

H.R. 3271: Mr. KNOLLENBERG.

H.R. 3630: Mr. DARDEN and Mr. GUNDERSON.

H.R. 3646: Mr. OXLEY, Mr. PARKER, Mrs. MINK of Hawaii, Mr. EVERETT, Mr. MICHEL, and Mr. EWING.

H.R. 3927: Mr. KOPETSKI.

H.R. 4051: Mr. EVANS.

H.R. 4091: Mr. SHARP, Mr. HINCHEY, Mrs. COLLINS of Illinois, and Ms. ESHOO.

H.R. 4106: Mr. HILLIARD.

H.R. 4189: Mr. PETRI.

H.R. 4213: Mr. HINCHEY.

H.R. 4350: Mr. HANCOCK.

H.R. 4371: Mr. RAVENEL and Mr. CUNNINGHAM.

H.R. 4386: Mr. GORDON, Mr. SKELTON, Mr. WALSH, Mr. RAHALL, Mrs. MEEK of Florida, Mr. BOEHLERT, Mr. CALLAHAN, Mr. MYERS of Indiana, Mr. MCCURDY, and Mr. ORTON.

H.R. 4393: Mr. TOWNS, and Mr. FROST.

H.R. 4399: Mr. BONIOR, Mr. HOLDEN, Mr. BORSKI, Mr. BLACKWELL, and Mr. FOGLIETTA.

H.R. 4400: Mr. BROWN of California.

H.R. 4404: Mr. WASHINGTON, Mrs. MORELLA, Mr. QUINN, and Mr. MCKEON.

H.R. 4441: Mr. KASICH and Mr. OXLEY.

H.R. 4481: Mr. OBERSTAR and Mr. HINCHEY.

H.R. 4491: Mr. KNOLLENBERG, Mr. SCHIFF, Mrs. MEYERS of Kansas, Mr. CRAMER, Mr. SENSENBRENNER, Mr. SOLOMON, and Mr. TORKILDSEN.

H.R. 4507: Mr. LIPINSKI and Mr. RANGEL.

H.R. 4514: Mr. KREIDLER, Mrs. UNSOELD, and Mr. BORSKI.

H.R. 4517: Mr. TRAFICANT.

H.R. 4540: Mr. LIPINSKI, Mr. MARTINEZ, Mr. WILSON, Mr. FROST, Mr. RIDGE, Mr. MCCURDY, and Mr. RANGEL.

H.R. 4560: Mr. MOAKLEY.

H.J. Res. 90: Mr. DOOLITTLE.

H.J. Res. 160: Mr. HOEKSTRA.

H.J. Res. 209: Mr. JOHNSON of Georgia.

H.J. Res. 328: Mr. DELLUMS.

H.J. Res. 364: Mr. BONIOR, Mr. LANTOS, and Mr. BARRETT of Wisconsin.

H. Con. Res. 90: Mr. SHAYS.

H. Con. Res. 148: Mr. WISE.

H. Con. Res. 166: Mr. TALENT and Mr. STUMP.

H. Con. Res. 209: Ms. MCKINNEY.

H. Res. 291: Mr. TAYLOR of North Carolina.

H. Res. 434: Mr. SENSENBRENNER and Mr. HERGER.

H. Res. 437: Mr. FRANKS of Connecticut.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

96. By the SPEAKER: Petition of the Legislature of Rockland County, NY, relative to memorializing Congress to discontinue Federal subsidies to tobacco growers; to the Committee on Agriculture.

97. Also, petition of the Legislature of Rockland County, NY, relative to memorializing Congress in support of S. 993 and H.R. 140, the Federal Mandate Relief Act of 1993; to the Committee on Government Operations.

98. Also, petition of the General Court, Commonwealth of Massachusetts, relative to memorializing the Department of the Interior to retain the National Park Service Regional Headquarters in Boston, MA; to the Committee on Natural Resources.