

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

There was no objection.

The CHAIRMAN. Are there any amendments?

If not, the Clerk will read the last two lines of the bill.

The Clerk read as follows:

This Act may be cited as the "Military Construction Appropriations Act, 1999".

The CHAIRMAN. If there are no further amendments, pursuant to the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. BE-REUTER) having assumed the chair, Mr. PEASE, 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. 4059) making appropriations for military construction, family housing, and base realignment and closure for the Department of Defense for the fiscal year ending September 30, 1999, and for other purposes, pursuant to House Resolution 477, he reported the bill back to the House.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

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.

□ 1715

The SPEAKER pro tempore (Mr. BE-REUTER). The question is on the passage of the bill.

Pursuant to clause 7 of rule XV, the yeas and nays are ordered.

Pursuant to clause 5 of rule I, further proceedings are postponed until later today.

#### GENERAL LEAVE

Mr. PACKARD. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on the bill (H.R. 4059) making appropriations for military construction, family housing, and base realignment and closure for the Department of Defense for the fiscal year ending September 30, 1999, and for other purposes, and that I may include tabular and extraneous material.

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

There was no objection.

#### REPORT ON H.R. 4103, DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 1999

Mr. LIVINGSTON, from the Committee on Appropriations, submitted a privileged report (Rept. No. 105-591) on the bill (H.R. 4103) making appropriations for the Department of Defense for the fiscal year ending September 30,

1999, and for other purposes, which was referred to the Union Calendar and ordered to be printed.

The SPEAKER pro tempore. All points of order are reserved on the bill.

#### REPORT ON H.R. 4104, TREASURY DEPARTMENT, UNITED STATES POSTAL SERVICE, EXECUTIVE OFFICE OF THE PRESIDENT AND INDEPENDENT AGENCIES APPROPRIATION ACT, 1999

Mr. LIVINGSTON, from the Committee on Appropriations, submitted a privileged report (Rept. No. 105-592) on the bill (H.R. 4104) making appropriations for the Treasury Department, the United States Postal Service, the Executive Office of the President, and certain Independent Agencies, for the fiscal year ending September 30, 1999, and for other purposes, which was referred to the Union Calendar and ordered to be printed.

The SPEAKER pro tempore. All points of order are reserved on the bill.

#### GENERAL LEAVE

Mr. MCDADE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the bill, H.R. 4060, making appropriations for energy and water development for the fiscal year ending September 30, 1999, and for other purposes, and that I be permitted to include tabular and extraneous material.

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

There was no objection.

#### ENERGY AND WATER DEVELOPMENT APPROPRIATIONS ACT, 1999

The SPEAKER pro tempore. Pursuant to House Resolution 478 and rule XXIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for consideration of the bill, H.R. 4060.

□ 1718

#### 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. 4060) making appropriations for energy and water development for the fiscal year ending September 30, 1999, and for other purposes, with Mr. BARRETT of Nebraska in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. Pursuant to the rule, the bill is considered as having been read the first time.

Under the rule, the gentleman from Pennsylvania (Mr. MCDADE) and the gentleman from Texas (Mr. EDWARDS) each will control 30 minutes.

The Chair recognizes the gentleman from Pennsylvania (Mr. MCDADE).

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

I rise in support of the energy and water bill making appropriations for fiscal year 1999. I want to point out to my colleagues that this bill was reported about a week ago unanimously by the Committee on Appropriations, and just about a week before that it was also reported unanimously by our subcommittee.

We in the subcommittee had a tremendous challenge this year, a tough bill, difficult to work, primarily because we had a budget that was inadequate.

I do not believe there was a scintilla of doubt among the membership that when we saw the budget for the Corps of Engineers particularly we knew that we could not execute it. But the Members hunkered down, on both sides of the aisle, and re-wrote this bill, Mr. Chairman, from the bottom up. We reordered priorities, we focused resources on areas of investment promising the greatest returns, we demanded greater efficiencies, and produced a bill that in my view is both fiscally responsive and protective of so many interests within the jurisdiction of the Subcommittee on Energy and Water Development.

Total spending on the bill is \$20.65 billion. That represents a reduction of \$80 million from fiscal year 1998 and \$649 million below the budget request. Of the total amount, \$11.8 billion, just about 60 percent of every penny spent in this bill, is for the atomic energy defense activities of the Department of Energy. The remaining \$8.7 billion is for domestic programs, and it represents a decrease of \$473 million from the current fiscal year and \$284 million from the budget request.

Mr. Chairman, I just want to point out to my colleagues in the House that in reordering those priorities that we talked about, we looked at highly significant projects that we could complete in an efficient and effective way. My colleagues will see this bill unanimously appropriating \$63 million for the Los Angeles harbor project, and \$60 million for the Houston-Galveston navigation project, and \$60 million for the L.A. County drainage area project, where human lives are at stake and where people of lower incomes have been forced to pay ever-rising insurance costs to try to stay in their homes.

We have completed a work that represents a togetherness on the subcommittee and on the full committee, and that respects the necessary programs to keep this Nation strong. There is, as far as I know, and I think I can speak with authority, no dissent from any member of the committee on this bill. I hope that all Members will support this bill.

Mr. Chairman: I rise in support of the Energy and Water Development Appropriations Bill for fiscal year 1999. The bill was reported without dissent by the Committee on Appropriations last Tuesday, June 16.

The Committee has faced—and, I believe, has met—a tremendous challenge in assembling a responsible bill within the constraints of a significantly reduced allocation for domestic discretionary programs. By reordering budgetary priorities, focusing resources on areas of investment promising the greatest returns, and demanding greater efficiencies from program managers, we have produced a bill that is both fiscally responsible and protective of the vital services within the jurisdiction of the Subcommittee on Energy and Water Development.

Total spending in the bill is \$20.65 billion, a reduction of \$80 million from fiscal year 1998 and \$649 million from the budget request. Of the total amount, \$11.8 billion—approximately 60 percent of the total spending in the bill—is for the atomic energy defense activities of the Department of Energy. The remaining \$8.7 billion for domestic programs represents a decrease of \$473 million from the current fiscal year and \$284 million from the budget request.

Although the Committee faced severe budgetary constraints, it was able to thoroughly reject and repudiate the Administration's proposal to decimate the civil works program of the Corps of Engineers. The budget request for the Corps—a reduction of \$948 million from the fiscal year 1998 level—was completely irresponsible. The Administration presented a proposal to halve the Corps' construction budget. According to the testimony of the Corps, this would be, in terms of real dollars, the lowest construction budget in the history of the civil works program.

Our recommendation for the Corps of Engineers is nearly \$4 billion. While this is \$202 million below the fiscal year 1998 level, it is \$745 million above the budget request. Where the Administration proposed to terminate scores of construction projects, place dozens more on life support, increase costs, and extend project completion schedules, the Committee has concentrated available resources on continuing projects in the construction pipeline, and funding them at levels that, in several cases, represent the Corps' maximum capability for fiscal year 1999. This includes \$63 million for the Los Angeles Harbor project, \$60 million for the Houston-Galveston navigation channels project; \$60 million for the Los Ange-

les County Drainage Area project; \$15 million for construction and operation and maintenance of the Boston Harbor project; and dozens more.

By focusing on the traditional and vital missions of flood control, navigation and shoreline protection, the Commission has drawn a sharp distinction between its priorities and those of the Administration. Still, we labored under serious budget constraints, and as a consequence, we were unable to fund new starts in the Construction, General account of the Corps of Engineers.

The Committee acknowledges that there are many very worthy projects that were unable to receive funding because of the Administration's opposition to beach renourishment projects and its failure to include sufficient funding in the budget for a viable civil works program. The Committee would have liked to provide funding for worthy projects, like the Brevard County Shoreline Protection project. The Federal government has an obligation to address problems that have arisen because of Corps projects, like the erosion along Brevard County's shoreline that has been caused by construction of a Federal inlet. The Committee, which does not share the Administration's antipathy toward shoreline protection, will continue to work toward the provision of sufficient funding for these worthy projects.

Title II of the bill funds the Bureau of Reclamation within the Department of the Interior. Our recommendation includes \$804 million for Title II. This is a reduction of \$112 million from the FY 98 level and \$131 million from the budget request. Now that the West has been reclaimed and the Bureau has changed its mission to one of water resource protection and management, it is time to begin a serious dialogue on the agency's future and abiding role in western resource issues. The Committee is anxious to participate in that discussion.

Title III of the bill provides funding for all of the atomic energy defense activities, and most of the domestic discretionary activities, of the Department of Energy. Of the \$16.2 billion provided for DOE, \$11.8 billion is for atomic energy defense activities. This funding provides for stewardship of our nuclear weapons stockpile, arms control and nonproliferation activities, and naval reactor research and development. In terms of dollars this bill's largest

commitment is to cleaning up the environmental degradation that is the legacy of decades of nuclear weapons production. The bill provides over \$6.3 billion for environmental restoration and waste management activities of the Department of Energy.

The non-defense activities of the DOE are funded at or near fiscal year 1998 levels. One notable exception is funding for domestic science programs, which were increased by \$164 million (or 7 percent) to provide first year funding for construction of the Spallation Neutron Source in Tennessee, and additional funding to operate existing science facilities.

Title IV of the bill funds independent agencies. The amount in Title IV is \$103 million, a decrease of \$175 million from the budget request and \$396 million from the budget request. There are two principal components of this sizable reduction. First, the Committee recommendation includes no new funding for the highway program of the Appalachian Regional Commission. Funding for that program will now come from the Highway Trust Fund, pursuant to the recently enacted highway bill. Second, the bill includes no new funding for the nonpower programs of the Tennessee Valley Authority. Consistent with Public Law 105-62, TVA is empowered and directed to continue funding those programs with internally generated revenues and savings.

Mr. Chairman, I want to commend the Members of the Subcommittee on Energy and Water for their hard work and for their commitment to working through a vast number of difficult issues and choices for fiscal year 1999. I am deeply appreciative of their contributions and their dedication to this bill.

I am especially pleased to commend the Ranking Minority Member on the Energy and Water Subcommittee, the Honorable VIC FAZIO. The Energy and Water Bill has enjoyed a long tradition of bipartisanship, and the gentleman from California has done everything within his power to perpetuate that tradition. I am grateful for his service to the Subcommittee, to the House of Representatives, and to the country.

Mr. Chairman, I urge all of my colleagues to support the Energy and Water Development Appropriations Bill for fiscal year 1999.

**ENERGY AND WATER DEVELOPMENT APPROPRIATIONS BILL, 1999 (H.R. 4060)**

	FY 1998 Enacted	FY 1999 Estimate	Bill	Bill compared with Enacted	Bill compared with Estimate
<b>TITLE I - DEPARTMENT OF DEFENSE - CIVIL</b>					
<b>DEPARTMENT OF THE ARMY</b>					
<b>Corps of Engineers - Civil</b>					
General investigations .....	156,804,000	150,000,000	162,823,000	+6,019,000	+12,823,000
Construction, general .....	1,468,373,000	784,000,000	1,452,629,000	-15,744,000	+668,629,000
Contingent emergency appropriation .....	5,000,000			-5,000,000	
Flood control, Mississippi River and tributaries, Arkansas, Illinois, Kentucky, Louisiana, Mississippi, Missouri, and Tennessee .....	296,212,000	280,000,000	312,077,000	+15,865,000	+32,077,000
Operation and maintenance, general .....	1,740,025,000	1,603,000,000	1,640,499,000	-99,526,000	+37,499,000
Emergency appropriations (P.L. 105-174) .....	105,185,000			-105,185,000	
Regulatory program .....	106,000,000	117,000,000	110,000,000	+4,000,000	-7,000,000
Flood control and coastal emergencies .....	4,000,000			-4,000,000	
Formerly utilized sites remedial action program .....	140,000,000			-140,000,000	
Defense function .....		140,000,000	140,000,000	+140,000,000	
General expenses .....	148,000,000	148,000,000	148,000,000		
<b>Total, title I, Department of Defense - Civil .....</b>	<b>4,169,599,000</b>	<b>3,222,000,000</b>	<b>3,966,028,000</b>	<b>-203,571,000</b>	<b>+744,028,000</b>
<b>TITLE II - DEPARTMENT OF THE INTERIOR</b>					
<b>Central Utah Project Completion Account</b>					
Central Utah project construction .....	23,743,000	22,189,000	24,189,000	+446,000	+2,000,000
Fish, wildlife, and recreation mitigation and conservation .....	11,610,000	12,476,000	10,476,000	-1,134,000	-2,000,000
Utah reclamation mitigation and conservation account .....	5,000,000	5,000,000	5,000,000		
Program oversight and administration .....	800,000	1,283,000	1,283,000	+483,000	
<b>Total, Central Utah project completion account .....</b>	<b>41,153,000</b>	<b>40,948,000</b>	<b>40,948,000</b>	<b>-205,000</b>	
<b>Bureau of Reclamation</b>					
Water and related resources .....	694,348,000	640,124,000	596,254,000	-98,094,000	-43,870,000
(By transfer) .....		(25,800,000)	(25,800,000)	(+25,800,000)	
Emergency appropriations (P.L. 105-174) .....	4,520,000			-4,520,000	
California Bay-Delta ecosystem restoration .....	85,000,000	143,300,000	75,000,000	-10,000,000	-68,300,000
Loan program .....	10,425,000	12,425,000	12,425,000	+2,000,000	
(Limitation on direct loans) .....	(31,000,000)	(38,000,000)	(38,000,000)	(+7,000,000)	
Policy and administration .....	47,558,000	48,000,000	46,000,000	-1,558,000	-2,000,000
Colorado River Dam fund (by transfer, permanent authority) .....	(5,592,000)			(+5,592,000)	
Central Valley project restoration fund .....	33,130,000	49,500,000	33,130,000		-16,370,000
<b>Total, Bureau of Reclamation .....</b>	<b>874,981,000</b>	<b>893,349,000</b>	<b>762,809,000</b>	<b>-112,172,000</b>	<b>-130,540,000</b>
<b>Total, title II, Department of the Interior .....</b>	<b>916,134,000</b>	<b>934,297,000</b>	<b>803,757,000</b>	<b>-112,377,000</b>	<b>-130,540,000</b>
(By transfer) .....	(-5,592,000)	(25,800,000)	(25,800,000)	(+31,392,000)	
<b>TITLE III - DEPARTMENT OF ENERGY</b>					
Energy supply .....	906,807,000	1,129,042,000	882,834,000	-23,973,000	-246,208,000
Non-defense environmental management .....	497,059,000	462,000,000	466,700,000	-30,359,000	+4,700,000
Uranium enrichment decontamination and decommissioning fund .....	220,200,000	277,000,000	225,000,000	+4,800,000	-52,000,000
Science .....	2,235,708,000	2,482,460,000	2,399,500,000	+163,792,000	-82,960,000
Nuclear Waste Disposal Fund .....	160,000,000	190,000,000	160,000,000		-30,000,000
Departmental administration .....	224,155,000	245,788,000	175,365,000	-48,790,000	-70,423,000
Miscellaneous revenues .....	-136,738,000	-136,530,000	-136,530,000	+208,000	
<b>Net appropriation .....</b>	<b>87,417,000</b>	<b>109,258,000</b>	<b>38,835,000</b>	<b>-48,582,000</b>	<b>-70,423,000</b>
Office of the Inspector General .....	27,500,000	29,500,000	14,500,000	-13,000,000	-15,000,000
Environmental restoration and waste management:					
Defense function .....	(5,520,238,000)	(5,783,000,000)	(5,683,651,000)	(+163,413,000)	(-99,349,000)
Non-defense function .....	(717,259,000)	(739,000,000)	(691,700,000)	(-25,559,000)	(-47,300,000)
<b>Total .....</b>	<b>(6,237,497,000)</b>	<b>(6,522,000,000)</b>	<b>(6,375,351,000)</b>	<b>(+137,854,000)</b>	<b>(-146,649,000)</b>
<b>Atomic Energy Defense Activities</b>					
Weapons activities .....	4,146,692,000	4,500,000,000	4,142,100,000	-4,592,000	-357,900,000
Defense environmental restoration and waste management .....	4,429,438,000	4,259,903,000	4,358,554,000	-70,884,000	+98,651,000
Defense facilities closure projects .....	890,800,000	1,006,240,000	1,038,240,000	+147,440,000	+32,000,000
Defense environmental management privatization .....	200,000,000	518,857,000	286,857,000	+86,857,000	-230,000,000
<b>Subtotal, Defense environmental management .....</b>	<b>5,520,238,000</b>	<b>5,783,000,000</b>	<b>5,683,651,000</b>	<b>+163,413,000</b>	<b>-99,349,000</b>
Other defense activities .....	1,666,008,000	1,667,160,000	1,761,260,000	+95,252,000	+94,100,000
Defense nuclear waste disposal .....	190,000,000	190,000,000	190,000,000		
<b>Total, Atomic Energy Defense Activities .....</b>	<b>11,522,938,000</b>	<b>12,140,160,000</b>	<b>11,777,011,000</b>	<b>+254,073,000</b>	<b>-363,149,000</b>
<b>Power Marketing Administrations</b>					
Operation and maintenance, Alaska Power Administration .....	3,500,000			-3,500,000	
Capital assets acquisition .....	10,000,000			-10,000,000	
Operation and maintenance, Southeastern Power Administration .....	12,222,000	8,500,000	8,500,000	-3,722,000	
Operation and maintenance, Southwestern Power Administration .....	25,210,000	26,000,000	24,710,000	-500,000	-1,290,000

## ENERGY AND WATER DEVELOPMENT APPROPRIATIONS BILL, 1999 (H.R. 4060)—Continued

	FY 1998 Enacted	FY 1999 Estimate	Bill	Bill compared with Enacted	Bill compared with Estimate
Construction, rehabilitation, operation and maintenance,					
Western Area Power Administration .....	189,043,000	215,435,000	205,000,000	+ 15,857,000	-10,435,000
(By transfer, permanent authority).....	(5,592,000)			(-5,592,000)	
Falcon and Amistad operating and maintenance fund .....	970,000	1,010,000	970,000		-40,000
<b>Total, Power Marketing Administrations .....</b>	<b>240,945,000</b>	<b>250,945,000</b>	<b>239,180,000</b>	<b>-1,765,000</b>	<b>-11,785,000</b>
Federal Energy Regulatory Commission					
Salaries and expenses.....	162,141,000	168,898,000	166,500,000	+ 4,358,000	-2,398,000
Revenues applied .....	-162,141,000	-168,898,000	-166,500,000	-4,358,000	+ 2,398,000
<b>Total, title III, Department of Energy .....</b>	<b>15,898,574,000</b>	<b>17,070,365,000</b>	<b>16,203,560,000</b>	<b>+ 304,986,000</b>	<b>-866,805,000</b>
(By transfer).....	(5,592,000)			(-5,592,000)	
TITLE IV - INDEPENDENT AGENCIES					
Appalachian Regional Commission .....	170,000,000	67,000,000	65,900,000	-104,100,000	-1,100,000
Defense Nuclear Facilities Safety Board .....	17,000,000	17,500,000	16,500,000	-500,000	-1,000,000
Nuclear Regulatory Commission:					
Salaries and expenses.....	468,000,000	483,340,000	462,700,000	-5,300,000	-20,640,000
Revenues .....	-450,000,000	-152,341,000	-444,700,000	+ 5,300,000	-292,359,000
<b>Subtotal.....</b>	<b>18,000,000</b>	<b>330,999,000</b>	<b>18,000,000</b>		<b>-312,999,000</b>
Office of Inspector General.....	4,800,000	5,300,000	4,800,000		-500,000
Revenues .....	-4,800,000	-1,749,000	-4,800,000		-3,051,000
<b>Subtotal.....</b>		<b>3,551,000</b>			<b>-3,551,000</b>
<b>Total .....</b>	<b>18,000,000</b>	<b>334,550,000</b>	<b>18,000,000</b>		<b>-316,550,000</b>
Nuclear Waste Technical Review Board.....	2,600,000	2,950,000	2,600,000		-350,000
Tennessee Valley Authority: Tennessee Valley Authority Fund.....	70,000,000	76,800,000		-70,000,000	-76,800,000
<b>Total, title IV, Independent agencies .....</b>	<b>277,600,000</b>	<b>498,800,000</b>	<b>103,000,000</b>	<b>-174,600,000</b>	<b>-395,800,000</b>
Grand total:					
New budget (obligational) authority .....	21,261,907,000	21,725,462,000	21,076,345,000	-185,562,000	-649,117,000
Appropriations .....	(21,147,202,000)	(21,725,462,000)	(21,076,345,000)	(-70,857,000)	(-649,117,000)
Emergency appropriations .....	(109,705,000)			(-109,705,000)	
Contingent emergency appropriation .....	(5,000,000)			(-5,000,000)	
(By transfer).....		(25,800,000)	(25,800,000)	(+ 25,800,000)	

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

Mr. EDWARDS. Mr. Chairman, I yield myself such time as I may consume. I rise in support of H.R. 4060, the energy and water appropriation bill for fiscal year 1999.

The gentleman from California (Mr. FAZIO), the ranking member of this important subcommittee, will be on the floor in just a few moments, but in the meantime, Mr. Chairman, I would like to pay tribute to two leaders of this subcommittee who, along with the gentleman from North Carolina (Mr. HEFNER) whom we honored a few minutes ago, are retiring at the end of this Congress.

This will represent the last time that the gentleman from Pennsylvania (Mr. JOE MCDADE), the chairman, and the ranking member, the gentleman from California (Mr. VIC FAZIO), will be responsible for bringing the energy and water appropriations bill to the floor of this House, and on behalf of all of us who have had the privilege to serve with both of these leaders in Congress, I want to thank them for their lifetime of service to our Nation.

Let me begin with the gentleman from Pennsylvania, and while we often say, Mr. Chairman, "gentleman" when referring to our colleagues on this floor, I think whoever coined that phrase must have had Mr. MCDADE in mind when he developed that word because I could think of no better way to describe the chairman, our friend and colleague of this committee, then to say he is a gentleman from head to toe. His lifetime of service, over 3 decades of commitment to our country and this House, are living proof of that. In all the times that I have known him he has served with great dignity and honesty and integrity.

And while I have only had the honor of serving on his particular subcommittee for a year and a half, I want to say, Mr. Chairman, that when I was coming onto the Committee on Appropriations I asked a former member of this subcommittee, Mr. CHAPMAN of Texas, which subcommittee I should consider serving on, and he said to me that the most important factor I ought to look at is not just the substance of the committee but the chairman of that committee. For that reason he said without doubt I should ask to be on that subcommittee because the gentleman from Pennsylvania (Mr. MCDADE) is the kind of Member that all Americans could be proud of.

And once again there is not a floor full of Members on this floor for the very reason that the gentleman from Pennsylvania (Mr. MCDADE) has handled this business like he handles all of his business, in a fair, evenhanded and on a totally nonpartisan basis.

So, Mr. Chairman, on behalf of all of us in this House and families all across America from his district to mine who will live in a better country, better flood control, better safety in terms of the proliferation of nuclear weapons

around the world; for those and so many more important issues that are part of this bill and other bills the gentleman from Pennsylvania has been a part of, I want to express my lasting gratitude to the gentleman for his sacrifice and service on behalf of this country.

Let me also say, Mr. Chairman, that the gentleman from California (Mr. FAZIO), the ranking member of this subcommittee, will be retiring at the end of this Congress, so this will also be the last time he comes to the floor as a ranking member to push the energy and water appropriations bill.

Time will not permit me to list all of the accomplishments of the gentleman from California (Mr. FAZIO), but no one in this House would doubt that he has been one of the true leaders in the House of Representatives for his many years of service as former chairman of the Democratic Campaign Committee, as being a leading spokesman for the Democratic Party and Democratic Members of this House. But in serving as a leading member of the Committee on Appropriations he put that partisanship aside, particularly on the energy and water bill, because he knew that providing flood protection and providing funds for research for renewable sources of energy to make our country economically sound for decades to come, he knew that in providing efforts to try to stop the proliferation of nuclear weapons across the Soviet Union, the former Soviet Union, and through other countries in the world, he knew that those efforts were far more important than any particular party, and in that capacity Mr. FAZIO has fought hard to bring legislation to this floor that will reflect well upon this body for many years and many decades to come.

Finally, as a member of this committee, let me just thank the chairman and ranking member for working on this particular bill under the limits of a very difficult budget, but to work in a way that the taxpayers would be proud, and using limited resources to focus on priority programs from flood control to nuclear weapons proliferation. They spent these dollars in a way that I think will be good for this country, and I think the best reflection of that was the committee vote, which as the chairman said was a unanimous vote of both Democrats and Republicans.

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

Mr. MCDADE. Mr. Chairman, I yield such time as he may consume to the gentleman from Louisiana (Mr. LIVINGSTON) the very able chairman of the Committee on Appropriations.

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

Mr. LIVINGSTON. Mr. Chairman, I want to thank my friend, colleague, mentor, and guidance counselor, the gentleman from Pennsylvania (Mr. JOE MCDADE) not only for yielding this

time to me, but for doing such an outstanding job both as chairman of his subcommittee but also as a Member of Congress since his appearance here on the scene in Washington, D.C. back in 1963.

I certainly rise to support his bill. It is one of the most important bills in the appropriations process, at least from the standpoint of a Member who lives in New Orleans, in the center of the Mississippi River Valley watershed, because all that water that comes down from the drainage area that starts up in Minnesota and comes through our territory, and I want to say that the gentleman from Pennsylvania (Mr. MCDADE) together with the gentleman from California (Mr. FAZIO) has certainly worked with all of the members on the subcommittee to make sure that their responsibility has been carried out in a sensitive manner and that the people of Louisiana and all throughout the watershed have been protected from the onslaught of floods.

But let me simply say on a personal note that first of all the gentleman from Pennsylvania (Mr. MCDADE) has been a wonderful Member of Congress, and this is his last year as chairman and last year as a Member of the House of Representatives, and of all the Members that we might talk about today or that we might think about today he is going to be one of the most sorely missed.

□ 1730

JOE MCDADE has not only a wealth of experience that he has brought to his role over these last many years, but he has got incredibly good judgment. He is a gifted politician in the finest sense of the word. Where some of us get led astray into areas of legislative domain that might seem to sink the most able of us, I guarantee you that JOE MCDADE rises above the tide and carries the way so that others can follow.

He was born in Scranton, and still lives there. He has represented Lackawanna County, Pennsylvania, in a number of ways since his graduation from Notre Dame in 1953 and at the University of Pennsylvania where he got his LL.B. He was a clerk to a Federal judge; he practiced law; he became city solicitor of the city of Scranton; and then, in 1963, he was elected to the Congress of the United States.

I have had the pleasure of serving with JOE since my appearance in Congress in 1977, but more closely since I got to be a member of the Committee on Appropriations in 1980. We have served closely together on the same subcommittees. I just want to say that I have never seen a more able, more capable, more skilled legislator than JOE MCDADE. He has had a remarkable career.

I just want to take the opportunity to wish JOE and his wife Sarah and their family all of the best, a long, healthy, happy lifetime of success, and send with them the good wishes that

all of us here who have had the pleasure and honor of serving with him extend to them, so that he will know that he can always come back, because he has got lots of friends here.

Mr. Chairman, I would take another couple of minutes to say that VIC FAZIO is another outstanding Member who came on the scene after I did, in the 96th Congress. I was elected in the 95th. VIC FAZIO likewise has shown the skill, and understanding on legislative process that, frankly, few other Members have exhibited.

VIC has been elected to a number of partisan positions on his own side. He has been a formidable adversary, and, at the same time, he has conducted his affairs in good humor and with the ability to compromise when he has to and in bipartisan fashion. That is appreciated from this side of the aisle. He has been a friend, and we certainly want to extend our best wishes to him. I am sorry, apparently his flight has been delayed and he is not yet here today for the discussion of this bill but we want him to know that we send our best wishes to him and to his family for lots of success and happiness as he leaves Congress.

Finally, to MIKE PARKER, who came over to the Republican side of the aisle from the other side, after he first arrived here a few years ago, with great foresight, since we took the majority about the time that he made the switch, and has shown extraordinary diplomatic and legislative skills in his performance here.

MIKE has not been here as long as the other two, but he is a very, very talented guy, and a fellow who has got great judgment, upon which all of us have had the opportunity to value and treasure, because we find that he is a person that we can indeed rely on. We are going to miss him greatly, from the standpoint of leadership on the Committee on Appropriations and throughout the Republican Conference.

We wish him well in Mississippi, and hope that his political career is not over, that he will have other things in mind, and that his leadership will serve the people of Mississippi and the people of America in great fashion.

So with all of these three people, I want to say thank you for your service to the Committee on Appropriations, to this subcommittee and to the people of America. We value and treasure your friendship, we wish you well and bon voyage when you depart from Congress, but we thank you for the opportunity for allowing us to serve with you.

Mr. EDWARDS. Mr. Chairman, I yield 1 minute to the gentleman from Wisconsin (Mr. KIND).

Mr. KIND. Mr. Chairman, I thank the gentleman for yielding me time.

Mr. Chairman, I too want to extend my congratulations to the distinguished careers of the chairman and ranking member, and especially in one regard, and that is that they have been true champions of a great national treasure that we have in the country

called the Mississippi River. In fact, in this appropriations bill, we nearly fully fund a very important program affecting the Mississippi River called the environmental management program that is a multistate, multiagency cooperative effort in order to collect data and monitor resources and conduct some habitat restoration on the Mississippi in order to preserve this treasure for future generations. It affects the upper Mississippi in particular, but I have always said that if we blow it up there, there is going to be consequences down south.

I look forward to working with these gentlemen throughout the course of the year in reauthorizing the environmental management program, and I too want to again just congratulate them on the leadership that they have shown on this issue, an issue that not only affects me and my constituents in western Wisconsin, but millions of people throughout middle America who appreciate the river and the multiple uses that we all share and use the river for.

As we consider the energy and water appropriations bill for fiscal year 1999, I want to commend the chairman and members of the Appropriations Committee for prioritizing funding for one of our Nation's most treasured natural resources, the Mississippi River. By providing nearly full funding, the environmental management program [EMP] for the Mississippi River will continue to excel at restoring and monitoring the long-term ecological health of one of our Nation's most treasured waterways.

During this Congress, I have worked with Representative OBERSTAR, Representative LEACH, and Representative GUTKNECHT to form the Bipartisan Upper Mississippi River Task Force. Sixteen Members of Congress—eight Members from each side of the aisle—have come together, in a bipartisan fashion, in recognition of the national importance of the navigational, recreational, and environmental benefits this Nation enjoys because of a healthy, vibrant Mississippi River. The Upper Mississippi River Task Force has repeatedly voiced its unwavering support for fully funding the EMP. I thank the members of the task force for their bipartisanship, diligence, and perseverance in supporting our Nation's interest in the Mississippi River.

The EMP is a cooperative effort of the U.S. Army Corps of Engineers, the U.S. Fish and Wildlife Service, the U.S. Geological Survey, and the five Upper Mississippi River Basin States of Illinois, Iowa, Minnesota, Missouri, and Wisconsin to evaluate, restore and enhance the river and wetland habitat along 1200 miles of the Upper Mississippi and Illinois Rivers. The EMP is a tremendous example of how Federal funds support the successful multi-state, multi-agency cooperation responsible for ensuring a healthy, vital Upper Mississippi River system.

The EMP is an essential tool in maintaining the quality of the river environment, as well as recreational and economic opportunities along the Mississippi River. Navigation along the Upper Mississippi River supports 400,000 full or part time jobs, which produces over \$4 billion in individual income. Recreation use of the river generates 12 million visitors and spend-

ing of \$1.2 billion in direct and indirect expenditures in the communities along the Mississippi.

I would also like to commend the Appropriations Committee for funding the La Farge Dam land transfer, an Army Corps of Engineers project in my district in western Wisconsin. The funding in this bill finally allow the Federal Government to return the Kickapoo reserve lands to the people of western Wisconsin. It will begin to restore the natural surroundings so that visitors from across the country may once again enjoy the beautiful bluffs and flowing waters of the Kickapoo River. I look forward to working with the conference committee to guarantee that the Corps of Engineers fulfills its financial obligations under current authorizing legislation by providing the necessary funds to the transferees.

Mr. McDADE. Mr. Chairman, I am very pleased to yield 4 minutes to the gentleman from Michigan (Mr. KNOLLENBERG).

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

Mr. KNOLLENBERG. Mr. Chairman, I rise today to express my strong support for this bill, but first I, too, want to pay tribute to a gentleman who has become my friend. I am sorry that the gentleman from California (Mr. FAZIO) is not here, he will be along shortly, but let me just pay for a moment tribute to the man that I believe has earned the respect of this whole House, the gentleman from Pennsylvania (JOE McDADE).

Along with VIC FAZIO, their spirit of cooperation is commendable. But the competence and the thoughtfulness of JOE McDADE, his years of hard work, it will take many of us to fill the congressional shoes of Chairman JOE McDADE. His character, his warmth, and, speaking on a personal note, his kindness and courtesy to me, and the fact that he is truly a gentleman in every respect, I will truly miss him, his counsel, his guidance, but never, however, his friendship. I will keep that.

Along with Chairman McDADE, I see that Mr. FAZIO is here now, and I will extend and salute a hail, how are you. Certainly, as well, the competence of this man, VIC FAZIO, and his ability to work both sides of the aisle, has been something that I think this committee has benefitted by and this House has benefitted by.

Along with JOE McDADE and VIC FAZIO, I would like to salute efforts by the Subcommittee on Energy and Water Development staff for bringing this strong bill to the floor. The administration's budget request, especially the funding shortfall they created in the water projects, was unworkable, if not irresponsible. This bill is responsible and balanced.

Just a few portions I would like to focus on. This year the administration more than doubled the budget request for climate change initiatives, creating a \$1.7 billion government-wide umbrella to fund existing and new programs. Since the Senate has not yet ratified the Kyoto Protocol, it seems

the administration has put the cart in front of the horse.

I wanted to thank the gentleman from Pennsylvania (Chairman MCDADE) and the subcommittee staff for taking my concerns about Kyoto into account in this year's bill. Specifically I am pleased that the committee provided none of the \$100 million increase requested by the administration to further research towards the goals of meeting the Kyoto Accord.

Also the committee was critical of the administration's tendency to devote half of its resources to advanced policy instead of conducting scientific research. The \$27 million was cut to \$13.5 million, in half, to reflect this criticism.

Furthermore, I support this bill's focusing on closing out the former defense and nuclear facilities. When I was first assigned to this Subcommittee on Energy and Water Development of the Committee on Appropriations, the Department of Energy reported we would not complete clean up of the environmental management sites until after the year 2075, with a total cost of some \$230 billion. We are now looking to close all of the small EM sites and even some the larger sites, including Fernald in Ohio and Rocky Flats in Colorado by the year 2006. The reduction of landlord costs may be in the tens of billions of dollars.

Frankly, I also want to express my strong support for the nuclear energy and research initiative, NERI, and the nuclear energy water research grant program. I am pleased we have included \$5 million for the NERI program. This program is designed to reinvigorate the Department of Energy's nuclear energy R&D based on competitive and peer-reviewed applications concerning such issues as more efficient reactor designs, lower costs, improved safety, better on-site storage and proliferation resistant reactors.

Mr. Chairman, I urge support for this important R&D program and I urge support for the energy and water appropriations bill.

Mr. FAZIO of California. Mr. Chairman, I yield 1 minute to the gentleman from North Carolina (Mrs. CLAYTON).

Mrs. CLAYTON. Mr. Chairman, I thank the gentleman for yielding me time. I also want to extend my congratulations and appreciation for the outstanding work that the chairman and the ranking member have done on the appropriation. Both of them have gallantly looked at our natural resources and tried to appropriate, with resources that are scarce, as efficiently and as passionately and caring so as to preserve those resources.

In particular I am appreciative and urge the support of this appropriation, because it indeed allows North Carolina to have the opportunity to widen their port authorities. The port authorities there have been historically valuable to the East Coast, but, in particular, to North Carolina. So you have

allowed us to have at least \$8.3 million that would allow us to go towards the long-range plan. Obviously the State is doing its part, the private sector is doing its part, and I am appreciative that the Federal Government is doing its part to allow us to have at least 80,000 jobs in our State as part of that.

Mr. Chairman, I urge support of the appropriation. I thank both the chairman and ranking member. My hat is off to the gentleman from California (Mr. FAZIO) for all of the fine work he has done for the people of America.

Mr. MCDADE. Mr. Chairman, I am delighted to yield 3 minutes to the gentleman from Kentucky (Mr. ROGERS).

Mr. ROGERS. Mr. Chairman, I rise in strong support of this bill, for several reasons, not the least of which is the expertise and the judgment and wisdom that the chairman and the ranking member have put into this bill.

This is a bittersweet moment, I think, for all of us on this committee, and in fact the Congress, to see a fine bill like this brought to the floor, the finest that I have seen in my experience, given the circumstances; sweet in that respect, but bitter in that we are losing two of the most able gentleman this House has been able to have for many years.

JOE MCDADE, as has been said, is leaving us after this term. We wish we could talk him into staying, but I think his mind is set. The same for VIC FAZIO. But these two men have offered leadership at a time when we need leadership, and they have done it in a bipartisan, in fact, nonpartisan way, and we are certainly going to miss them deeply and long on this subcommittee and on the full committee and, of course, in this body. We wish for each of them happiness and success in the years to come.

The chairman has done an outstanding job in producing this appropriations bill, which adequately funds such diverse programs as nuclear weapons research, to solar and renewable energy technologies, to water infrastructure projects, to critical rural development programs like the Appalachian Regional Commission. This is not an easy bill to write.

I am particularly grateful for the chairman's efforts in increasing the administration's requested level for the Army Corps of Engineers. The President had the audacity to propose a funding level nearly \$2 billion below the level required to continue ongoing water infrastructure projects at their optimal level. The President's request was the lowest budget request in terms of real dollars in the history of the civil works program of the United States.

□ 1745

This bill goes a long way toward getting those projects back on track. The recommendation is \$3.97 billion. That will ensure that vital national priorities of flood control, navigation, and shoreline protection are adequately funded.

The gentleman from Pennsylvania (Chairman MCDADE) and his very capable staff have put together something that we can all be proud of, and I truly appreciate their insight and their responsiveness.

As has been said, we are losing a true patriot and statesman in the gentleman from Pennsylvania (Mr. JOE MCDADE). He has provided leadership, courage, and overwhelming devotion to the American people for nearly four decades in this body. This institution will not be the same without JOE MCDADE.

The same can be said of our friend, the gentleman from California (Mr. FAZIO), and of course, the gentleman from Mississippi (Mr. MIKE PARKER), who has served on this subcommittee admirably and well. He will be sorely missed, as well.

Whatever endeavors each decides to undertake in the future, I know they will display the same compassion and understanding and devotion as they always have here in the body. It has been a great personal honor to have served with them, and I wish for them and their family all the best. God speed.

Mr. FAZIO of California. Mr. Chairman, I yield 1 minute to the gentleman from Texas (Mr. GREEN).

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

Mr. GREEN. Mr. Chairman, first of all, I would like to thank both the gentleman from Pennsylvania (Chairman MCDADE) and our ranking member, the gentleman from California (Mr. FAZIO), for the service not only that they have provided to their districts over the years, but also to our great Nation. We will miss them, all of us will. I am not saying that just because they have been kind to the Port of Houston for a number of years, even before I was involved in serving in Congress.

But Mr. Chairman, I rise in support of the bill. It is a second year appropriation for the deepening and widening of the Port of Houston, and the committee, in its wisdom, with our only Texan on the committee, the gentleman from Texas (Mr. CHET EDWARDS), provided for \$60 million for the deepening and widening of the Houston ship channel.

It is so important, not just for Houston but for all of America, because it generates \$300 million annually for America in customs fees, and \$213 million annually for local taxes.

The expansion of the Port of Houston and the Houston ship channel is important not only because it is the busiest port in foreign tonnage, and second in domestic tonnage, with more than 6,435 vessels navigating the channel annually. Again, this is a second year appropriation of \$60 million.

Again, I would like to thank both the chairman and the ranking member for their service, but also the gentleman from Texas (Mr. EDWARDS), a neighbor of ours from Waco, Texas, for his efforts.

Mr. McDADE. Mr. Chairman, I am pleased to yield 3 minutes to the able gentleman from New Jersey (Mr. FRELINGHUYSEN), a very valued member of our subcommittee.

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

Mr. FRELINGHUYSEN. Mr. Chairman, I thank the gentleman for yielding time to me.

Mr. Chairman, I rise today in support of this energy and water appropriations bill for fiscal year 1999. First, let me thank the gentleman from Pennsylvania (Chairman McDADE) and the ranking member, the gentleman from California (Mr. FAZIO), for their bipartisan effort in bringing this bill to the floor, and to thank our excellent committee staff for their assistance, as well.

This will be these gentlemen's final energy and water bill presented in this House. As a member of this subcommittee, I have learned to depend on them for their outstanding guidance and for their incredible institutional memory. It is difficult to comprehend how we will be able to work without them. Their retirement from Congress will leave a big hole in this institution, and I will miss both of them as friends and leaders.

This bill before the House today stresses national priorities while keeping our commitment to downsizing the Federal Government. Unlike the President's budget request in January for the Army Corps of Engineers, this bill does maintain critical funding for flood safety, coastal protection, and dredging projects throughout my home State of New Jersey and throughout our Nation.

This bill flatly rejects the Administration's efforts to back away from these types of national commitments and investments, and restores funds needed to protect American life and property, and promotes our international competitiveness.

Of particular concern to me were efforts to shortchange our Nation's ports. In New York and our New Jersey harbor alone, the President's request was over \$40 million short for what was needed to keep these important dredging projects on time and on track.

International trade is too important to jeopardize, and ships cannot enter our ports without adequate channel depth. Too many jobs depend on the Army Corp's work, literally \$70 billion annually in commerce for both New York and New Jersey.

In addition to the civil works program, this bill also funds many important scientific programs, and I am particularly happy that the committee moved ahead on fusion power research. I am disappointed that there is no funding for international fusion power, but I am grateful to the committee for their leadership and work on it.

Mr. FAZIO of California. Mr. Chairman, I yield 2 minutes to the gentleman from Wisconsin (Mr. OBEY), the ranking member of the full committee.

Mr. OBEY. Mr. Chairman, I just want to take this time to note that this is the last time that the gentleman from California (Mr. FAZIO) and the gentleman from Pennsylvania (Mr. McDADE) will be managing a regular appropriation bill on this floor because of their retirement. I just have to say something about both gentlemen.

As far as the gentleman from California (Mr. FAZIO) is concerned, I can think of no more decent person who has ever served in this institution. He is not only a person of immense graciousness personally, but he is a person who is willing to take on any task for the benefit of the national interest.

He is one of the people in this place who recognizes that there are many times when the job of governing has to take precedence over politics, and has never ceased to act on that assumption. He has also, in virtually every issue that I have ever seen him deal with, consistently insisted on putting public interest ahead of virtually every other interest. He is one of those rare people in politics who is, first and foremost, a workhorse rather than a show horse. I will miss him very much personally. I know the rest of this House will, as well.

As far as the gentleman from Pennsylvania (Mr. McDADE) is concerned, he had already established a reputation for legislative quality and leadership when I arrived here as a freshman. I never cease to marvel at the talent with which he handled every responsibility given to him during the years that I have served or watched him in this body.

I have to say that he has demonstrated to me time and time again that he is a person of absolute integrity and extreme wisdom, to boot. He has treated Members fairly regardless of their partisan stripe, and he certainly is, as is the gentleman from California (Mr. FAZIO), what people who truly care about this institution call "institutional men." They are both institutional men. They recognize the needs of this institution in the finest sense of that recognition. I am going to greatly miss both of them.

Mr. McDADE. Mr. Chairman, I am delighted to yield 2 minutes to the gentleman from Iowa (Mr. LATHAM).

Mr. LATHAM. Mr. Chairman, I would like to associate myself with the remarks that have been made here this evening for the gentleman from Pennsylvania (Mr. McDADE) and the ranking member, the gentleman from California (Mr. FAZIO), two great Members who are going to be missed a great deal next year.

Mr. Chairman, I would like to commend the chairman, the gentleman from Pennsylvania (Mr. JOE McDADE) and the ranking member, the gentleman from California (Mr. FAZIO), for crafting a bill that maintains funding for the Army Corps of Engineers and many critical projects, but also remains true to the budget parameters we have set here in Congress.

The Energy and Water Development Act preserves our commitment to cleaning up nuclear waste, maintaining our waterways, and promoting the future energy needs of each American.

Mr. Chairman, as a member of the Committee on Appropriations, I voted in favor of this bill in committee, in particular because of a project important to the people of Sioux City, Iowa. Sioux City is one of the many cities in America established on a river, and while the river remains the lifeblood of the city, the people oftentimes find themselves at its mercy.

The Perry Creek Flood Control Project is funded in this bill. This important flood control project removes fear of flooding for downtown Sioux City and for a large community of retirees. The project enjoys the support of local funding, and allows the city to further redevelop its infrastructure without losing investors due to unforeseen disasters.

The Perry Creek Flood Control Project is one of several funded in this bill to protect towns and cities at risk from flooding. I want to thank the chairman and the committee for working with me to make sure this project received appropriate funding. I recognize the Committee on Appropriations has faced a daunting task in writing bills with very limited amount of resources. For Sioux City, for many other cities in similar situations, I encourage my colleagues to support this bill.

Mr. FAZIO of California. Mr. Chairman, I yield 1 minute to the gentleman from California (Mr. DOOLEY).

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

Mr. DOOLEY of California. Mr. Chairman, I, too, join with all of our colleagues in commending the gentleman from Pennsylvania (Mr. McDADE) and the gentleman from California (Mr. FAZIO) for the tremendous work they have provided on behalf of this country.

I understand that this year we had one of the most difficult decisions and conflicts in trying to move the appropriations bills forward because of the tight fiscal constraints they were working under. It was very clear in the energy and water appropriation bill, which I support, that we were in a situation where we were not able to fund any new starts because we had to meet the priorities of continuing our funding for ongoing projects.

Given the tight fiscal constraints, I greatly appreciate the efforts of my colleagues on the committee to provide much needed funds for other high priority water resource development and flood control projects that are vital to the safety and well-being of the residents of the San Joaquin Valley.

However, I will continue to work to secure funding to address a particular flooding problem along a river referred to as the White River. The situation there is dire, and Federal assistance is vital to achieving a long-term solution.

This past February the area around Earlimart in Tulare and Kern Counties was flooded for the fifth time in 40 years. State and Federal disaster assistance was granted to assist the town of 5,000 residents. It is this project which we need to fund at least for a reconnaissance study. I look forward to working with the committee to secure that.

Mr. McDADE. Mr. Chairman, I am pleased to yield 2 minutes to the gentleman from Florida (Mr. GOSS).

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

Mr. GOSS. Mr. Chairman, I want to express my concern about the level of funding in the bill for the Everglades restoration, to get right to the point. Specifically, I am concerned about the level of funding for the Kissimmee River Restoration Project, the Central and Southern Florida Project, as well as funding provided for the Everglades Critical Projects.

Clearly, the committee has done a very judicious job of balancing the competing interests in a very difficult bill. It goes without saying that the committee's task was not made any easier by the Clinton administration's irresponsible, if not reckless, budget request, which essentially gutted all funds for beach renourishment work by the Corps.

As the Committee sought to restore these devastating cuts, it had a lot of devastating choices to make, I know. Unfortunately, that has resulted in fewer funds available for the Corps and its responsibilities when it comes to the Everglades.

Earlier today I received an analysis prepared by the Jacksonville District of the Army Corps which estimates that the progress on all of these projects, the Kissimmee River restoration, the Central and Southern Florida Project, and the Everglades Critical Projects, would be significantly delayed if these funding levels were enacted.

Mr. Chairman, suffice it to say that the Federal Government has made a significant commitment to the restoration of the Everglades, a vital national treasure. As the energy and water bill moves to conference, I would request the committee review the analysis prepared by the Jacksonville District of the Corps.

I want to thank the chairman and the ranking member of the Committee on Appropriations again for their hard work, and look forward to moving forward on this issue.

The gentleman from Pennsylvania (Mr. JOE McDADE) has been a great friend of Florida, a Member of Congress who is, I think, outstanding. He has been a mentor of mine. He has served his district and our country faithfully,

professionally, successfully, with integrity, and for a long time. I think we would say just about the same thing for the gentleman from California (Mr. FAZIO), except it was California, in his case.

I am proud to know these Members, and I hope they can help us with the Everglades.

Mr. Chairman, I include this Corps analysis for the RECORD.

The material referred to is as follows:

	FY98 project allocations	FY99 budget request	Senate markup	House markup
C&SF .....	\$21,833	\$40,800	\$25,000	\$20,900
Kissimmee .....	2,817	27,300	10,000	3,500
Critical projects .....	4,009	20,000	10,000	3,000

CENTRAL & SOUTHERN FLORIDA

All assumptions are made with the understanding that funding will only be delayed for one year and required funding will be available in the following year.

*If Senate Budget is Adopted (\$25,000,000 allocation)*

West Palm Beach (C-51): Delay in funding for relocations may not impact the overall project schedule. Delay in funding S-360, G-312, and levees (components of Stormwater Treatment Area 1 East) would not significantly impact the project. The project would likely still be completed within the overall completion schedule.

South Dade (C-111): Delay in funding for S-332A, B, and C pumping plants, and Levees and Canal work will not significantly impact the overall project completion. Recent requirements for a new GRR supplement have caused this delay to be necessary regardless of funding.

Upper St. Johns: Delays in funding L74N and S-96E will increase the overall project completion time.

*If House Budget is Adopted (\$20,900,000 allocation)*

West Palm Beach (C-51): Delay in funding for relocations may not impact the overall project schedule. Delay in funding S-360, G-312, and levees (components of Stormwater Treatment Area 1 East) would not significantly impact the project. However, the additional cuts would delay completion of Pump Station S-362 (Stormwater Treatment Area 1 East outflow pump station) which would delay the overall project completion. The time could not be made up regardless of the follow-on funding.

Comprehensive Restudy: The additional cuts will adversely impact work on the Restudy. A delay in funding will result in completion beyond the mandatory completion dates.

South Dade (C-111): Delay in funding for S-332A, B, and C pumping plants, and Levees and Canal work will not significantly impact the overall project completion. Recent requirements for a new GRR supplement have caused this delay to be necessary regardless of funding.

Upper St. Johns: Delays in funding L74N and S-96E will increase the overall project completion time.

KISSIMMEE RIVER RESTORATION

*If Senate Budget is Adopted (\$10,000,000 allocation)*

Contract 3 (S-65 Modification), CNT 4C (local levee removal), and Contract 2 (Canal widening for C-35 & 36) can be completed.

Contract 14A (to remove 1M CY of material) can be completed. Contract 14B (to remove 5M CY of material) will not be awarded in FY 99. The entire 6M CY of material of Contract 14A & B must be removed before any work in the lower basin is initiated.

Majority of the environmental restoration benefits are claimed in the lower basin. However, if the request is reduced to 10 million, the initial environmental component Contract 7 (Reach 1 Backfill of canal C-38) will definitely not be awarded in FY 99. A prior commitment was made to initiate Reach 1 Backfill by 30 March 1999. This commitment will not be met. The remaining three reaches will also be delayed, and the corresponding environmental benefits will not be obtained. Engineering efforts in preparing P&S for future contracts will be downscaled because of limited funds and no A-E contract awards in 1999.

To implement the Reach 1 backfill contract, flood control features of Istokpoga basin (Contract 6, a large tributary within Reach 1) will need to be addressed. If the Istokpoga works is delayed, the Corps will go to condemnation, tie-up resources, cause additional delays, and Reach 1 Backfill cannot be initiated.

The balance of FY 1999 will be used to prepare P&S which will be shelved until funds become available.

*If House Budget is Adopted (\$3,500,000 allocation)*

In addition to the above, Contract 14A (to remove 1M CY of material) will not be awarded in FY98. As noted above, all of Contract 14 needs to be completed before implementation of the lower basin works. None of the primary restoration benefits will be obtained in FY 99.

CRITICAL PROJECTS

*If Senate Budget is Adopted (\$10,000,000 allocation)*

With a funding level of 10 million, NEPA, and design development could not be initiated on 4 projects for which letter reports have been developed; Seminole Tribe Big Cypress, Loxahatchee Slough, L-31E and Melaluca Quarantine Facility. In addition, the South Dade County Agriculture and Rural Area Retention and South Biscayne Bay Watershed Management Plan studies could not be initiated. Since WRDA 96 requires that the Critical Projects be initiated by 30 September 1999, all projects listed above could not be implemented under this authority.

*If House Budget is Adopted (\$3,000,000 allocation)*

With a funding level of 3 million, NEPA, and design development will not be initiated on 9 projects for which letter reports have been developed; Golden Gate Estates, Tamiami Trail Culverts, Lake Okeechobee Water Retention/Phosphorus Removal, Ten Mile Creek, Lake Trafford, Southern Crew, Seminole Tribe Big Cypress, Loxahatchee Slough, L-31E, and Melaluca Quarantine Facility. In addition, the South Dade County Agriculture and Rural Area Retention and South Biscayne Bay Watershed Management Plan studies could not be initiated. Since WRDA 96 requires that the Critical Projects be initiated by 30 September 1999, all projects listed above could not be implemented under this authority.

CRITICAL PROJECT RANK

Rank/cumulative cost	Project/sponsor	Project summary (cost in millions)
1—\$2.3 mil .....	East Canal Structures/SFWM	Increase water to Pennsocco wetlands, reduce seepage using gated control structures (\$2.3 mil).

CRITICAL PROJECT RANK—Continued

Rank/cummulative cost	Project/sponsor	Project summary (cost in millions)
2—\$6.6 mil	Tamiami Trail Culverts/SFWM	Install culvert structures to improve sheetflow of surface water within the watersheds of Ten Thousands Islands National refuge, Southern Golden Gates Estates, Fakahatchee Strand State Preserve, Big Cypress National Preserve, and Everglades National Park (\$4.3 mil).
3—\$17 mil	Melaleuca Eradication Project and other Exotic Plants/SFWM	Improve existing quarantine facility @ Gainesville, construct new facility, implement biological controls (\$10.4 mil).
4—\$23 mil	Florida Keys Carrying Capacity/Florida Department of Community Affairs	Develop information database, decision-making tool for infrastructure development, investment (\$6 mil).
5—\$36.5 mil	Western C-11 Water Quality Treatment Project/SFWM	Develop measures to ensure water released into Everglades meets yet to be established standards. Best management practices, water quality measurements, water retention areas (\$13.5 mil).
6—\$81.5 mil	Seminole Tribe Big Cypress Reservation Water Conservation Plan/ Seminole Tribe	Water conservation plan includes construction of conveyance systems, canal bypass, irrigation storage cells in Basins 1, 2, 3, and 4 which compose the western portion of the Big Cypress Reservation. This project is designed to meet 50 pph, phosphorus, which is the current performance level designed to be achieved by the Everglades Construction Project. Should design performance level for phosphorous become more stringent, this project is designed to be able to incorporate additional technology (\$45 mil).
7—\$97.1 mil	Southern Golden Gate Estates Hydrologic Restoration/SFWM	Land acquisition, spreader canals, canal plugs, pump stations to provide redistribution of flows to restore area overdrained which has resulted in reduction of aquifer storage, reduction of wetland functions, invasion of upland vegetation, increased frequency of forest fires and increased fresh water discharges to the estuary. Variations of freshwater discharges at large amplitudes have resulted in large fluctuations of salinity level and eliminated or displaced a high proportion of the benthic, midwater and fish plankton communities in the Ten Thousand Island Estuary (\$15.6 mil).
8—\$104.6 mil	South Dade Agriculture & Rural Land Use & Water Management Plan/Metropolitan Dade County	Provide database for development of land use plan with focus on rural and agriculture. Retention. Water management focuses on storm water management (\$7.5 mil).
9—\$135.6 mil	Southern Crib Project Addition/Imperial River Flowways/SFWM	Land acquisition totaling 4,670 acres removal of canal berms, single family homes, debris, till material and agricultural canal and berms and installation of equalizer culverts, and replacement of undersized culverts and bridges that impede flows (31 mil).
10—\$147.6 mil	Lake Okeechobee Water Retention/Phosphorus Removal/SFWM	Reduce number of drained wetlands in the northern watershed of Lake O, as well as create new ones, remove ditch connections. Isolate phosphorous loaded wetlands and provide peak flow attenuation of water to the lake, resulting in a more gradual rise in lake stage during heavy rainfall periods and a slower drop in lake stage during drought. Result in fewer freshwater discharges to tide from Caloosahatchee and St Lucie Canals as dictated by Lake O, regulation schedule (\$12 mil).
11—\$175.5 mil	Ten-Mile Creek Water Preserve Area/SFWM	Land acquisition totaling 1200 to 2000 acres in eastern portion of basin and construction of an above ground impoundment for stormwater detention purposes. Infrastructures includes pump stations to develop impoundments for stormwater and redesign and reconstruction of adjacent tidal discharge control structure and perhaps constructed wetland or flow-through marsh for water quality improvement purposes (\$30 mil).
12—\$175.5 mil	L-28 Modification Report/SFWM	Restore more natural hydrologic conditions in the Big Cypress National Reserve. Restore hydropatterns within Big Cypress, modifications to L-28, Tamiami trail and Loop Rd will be evaluated (MOVED TO RESTUDY EFFORT).
13—\$185.6 mil	Loxahatchee Slough Ecosystem Restoration/SFWM	Water control structure at C-18 to reflood slough (\$8 mil).
14—\$187.6 mil	Geodetic Vertical Control Surveys/Florida Department of Environmental Protection	1250 miles of second-order, Class 1 Surveys for improved accuracy of natural systems data, analysis (\$2 mil).
15—\$203.6 mil	Lake Trafford Restoration/Florida Department of Environmental Protection	Lake restoration project consists of the removal of 7 million cubic yards of unconsolidated sediments with upland disposal (\$16 mil).
16—\$204.8 mil	L-31E Flow Redistribution Project/SFWM	Spreader canals, eliminate point discharges (\$1.2 mil).
17—\$207.2 mil	Henderson Creek Belle Meade Restoration/Florida Department of Environmental Protection	Land acquisition of approximately 125 acres, installation of culverts, filling ditches, roadbed removal, exotic removal, berm creation and development of filter marsh water management system to return a portion of the historic timing, duration, and volume of freshwater inflow, as well as providing much needed treatment of stormwater, into Roorky Bay (\$2.4 mil).
18—\$211.1 mil	Lake Okeechobee Tributary Sediment Dredging/SFWM	Dredge phosphorous rich sediments from primary, tertiary canals and field ditches leading into lake. These sediments are mobilized during high flows (\$3.8 mil).
19—\$228.7 mil	Develop & Implement Agricultural BMP's in C111 Basin/Florida Department of Agriculture and Consumer Affairs	Development, and implementation of the latest technologies to fruit, vegetable, landscape, and ornamental growers and urban homeowners in the eastern C-111 Basin to minimize ground and surface pollution, advance water use efficiency, manage plant diseases, insects, and weeds largely by biological based technologies, and reduce the vulnerability of crops to persistently high water table. BMP's implementation will protect the Biscayne aquifer and prevent introduction of toxicants and undesirable levels of nutrients into fragile marine and terrestrial ecosystems (\$17.7 mil).
20—\$229.2 mil	North Fork New River Restoration/Florida Department of Environmental Protection	This portion of the river is only remaining section left in its natural state. Contamination from nearby septic tanks and sewage lines has degraded water quality, habitat. Plans to restore include spot dredging, and improvement of water circulation, a feasibility study, revegetation with native species, identification of contaminants, and promoting urban infill development (\$0.52 mil).
21—\$232.4 mil	L-8 Canal-Water Catchment Area—Loxahatchee Slough Infrastructure Improvements/West Palm Beach County	Dredge L-8 and add pump capacity to take water from L-8 and route to West Palm to catchment area (\$3.2 mil).
22—\$237.4 mil	Florida Keys Tidal Creek Restoration/Florida Department of Environmental Protection	Relocating culverts to restore flow to tidal creeks at Tarpon Creek just south of Mile Marker 54 on Fat Deer Key, an unnamed creek between Fat Deer Key, and Long Point Key south of Mile Marker 56. Adequate culverting will improve circulation, flushing, water quality and habitat which have been degraded from accumulation of organic material in these creeks (approx \$5 mil).
23—\$239.4 mil	Lake Worth Restoration	Remove organically enriched sediments (\$2 mil).
24—\$251.9 mil	Wetlands-Based Water Reclamation Project/West Palm Beach County	Water reclamation project that recharges aquifer, reduces discharges to tide and dependence on Lake O for drinking water purposes and creates and restores 2,000 acres of environmentally sensitive wetlands (\$12.5 mil).
25—\$257.4 mil	Lake Okeechobee Project Aquifer Storage and Recovery/SFWM	Water from Lake O injected into aquifer for later retrieval (\$5.5 mil).
26—\$282.4 mil	Micosukee Water Management Area/Micosukee Tribe	Installation of pump station, spreader canals control structures and levees. (approx \$25 mil).
27—\$283.5 mil	Six Permanent Water Monitoring and Meteorological Stations/Florida Department of Environmental Protection	Real time hydrological, and meteorological data for trend analysis (\$1.1 mil).
28—\$285.1 mil	Nutrient Removal and Dosing Studies for ENP/SFWM	Development of water quality standards, phosphorous thresholds (\$1.6 mil).
29—\$293.1 mil	WCA 3B Seepage Reduction/SFWM	Installation of underground seepage barriers using grant technology. The barrier would be located between S-334 and S-335. Project would reduce losses flowing out of WCA-38B (\$8 mil).
30—\$299.1 mil	Hillsboro Pilot Aquifer Storage and Recovery Project/SFWM	This project will implement a regional storage and recovery demonstration project in the Hillsboro canal region to capture and store excess flows that are currently released to tide for use during dry periods. Recovery of the water will be utilized to recharge local utility wellfields helping to prevent further inland migration of the saline interface (\$6 mil).
31—\$304.1 mil	Lakes Park Restoration Project/Florida Department of Environmental Protection	Construction of a 40 acre marsh/flowway in an abandoned rock mine to improve present habitat conditions and water quality trends discharging to Hendry Creek and Estero Bay. The project will include removal of exotic vegetation, and planting of native vegetation of 11 acres of uplands and 9 acres of littoral zone (\$5 mil).
32—\$304.2 mil	Town of Ft Myers Beach/Florida Department of Environmental Protection	Identification of stormwater hotspots, reducing non-stormwater discharges through one or more retrofit projects. Goal is to reduce pollutant loading into Estero Bay (\$0.120 mil).
33	Palm Beach CO Water Utilities Department Winsberg Farms Constructed Wetland/Palm Beach County	Develop 175 acre parcel of purposes of wetland construction. Reclamation of 10mgd of water, recharge local groundwater, recharge area canal network.
34	Spring Creek Reconnection and Rehydration project/SFWM	
35	Restoration of Pineland & Hardwood Hammocks on Previously Rock Plowed Land in C-111 Basin Dade County/University of Florida Critrol.	Restore South Florida slash pine and hardwood hammock species on a 200 ft wide strip on each side of the two miles of SR 9336 from the C-11 canal to the L-31W canal. Project will demonstrate the techniques required to re-establish native conifer and hardwood forests on land that has been rock plowed (\$0.80 mil).

Mr. FAZIO of California. Mr. Chairman, I yield 1 minute to the gentleman from Texas (Mr. BENTSEN).

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

Mr. BENTSEN. Mr. Chairman, I want to echo the remarks of my colleagues with respect to the chairman, the gentleman from Pennsylvania (Mr. MCDADE), and the ranking member, the gentleman from California (Mr. FAZIO), on the work they have done on this bill and on the work they have done in Congress.

□ 1800

I had the opportunity not too long ago to be associate staff to the House

Committee on Appropriations, and they were giants at that time. And now I had the opportunity to come back as a Member and go and ask them for help on this bill, and they have certainly provided it.

Mr. Chairman, I rise in strong support of H.R. 4060. In particular, I want to mention what they have done to continue the funding for the Sims Bayou project by putting in what the Corps of Engineers requested, the Brays Bayou project, both of which run through my district, as well as fully funding the Corps' request for the Port of Houston deepening and widening project which is critical to our area's economy.

Mr. Chairman, finally I would like to say that both the chairman and the ranking member had the wisdom and the foresight to stand up to the Office of Management and Budget and to the administration on how they were going to fund construction projects, and to say we could do it within the Balanced Budget Act with no new starts, but to do it on an incremental basis rather than fully fund and assure that we continue to meet the needs of our Nation.

Mr. MCDADE. Mr. Chairman, I yield 1 minute to the distinguished gentleman from Maryland (Mr. GILCHREST).

Mr. GILCHREST. Mr. Chairman, I thank the gentleman from Pennsylvania (Chairman MCDADE) for yielding me this time.

Mr. Chairman, as the gentleman may know, Assateague Island National Seashore is in my district. This coastal barrier island has been home to feral ponies for more than 300 years, habitat for a number of endangered species, and protects homes on the mainland from the full force of Atlantic hurricanes.

When the Ocean City Inlet was blown through by hurricanes in the 1930s, a jetty was constructed to protect the inlet from closing so the business enterprises could be protected. However, the flow of sand that naturally replenished Assateague was cut off and the island has been eroding every since.

The Assateague restoration project is currently authorized at about \$16.9 billion, of which we need in the near future about \$4 million. Severe storms in January and February of this year caused a wash-over along 7 miles of the island and, as a result, the island is now under imminent threat of breach.

Without the support of this Congress, it would be difficult to continue the project that is necessary to protect the island and mitigate the problems of the homes behind the barrier island.

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

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

Mr. MCDADE. Mr. Chairman, let me say that the gentleman from Maryland, my able friend, has brought this very forcefully to my attention. We know what a treasure those barrier islands are. I want to assure the gentleman that he will have my full effort as this bill moves through conference.

Mr. GILCHREST. Mr. Chairman, reclaiming my time, I thank the gentleman for his help on this. I also want to wish the gentleman Godspeed and a great retirement.

Mr. FAZIO of California. Mr. Chairman, I yield 2 minutes to the gentleman from Indiana (Mr. VISCLOSKY), who if reelected is likely to be the ranking member of this subcommittee in the next Congress.

Mr. VISCLOSKY. Mr. Chairman, I thank the gentleman from California (Mr. FAZIO) for yielding me this time.

First of all, I rise in strong support of the legislation before the House. Secondly, I rise to thank the gentleman from California (Mr. FAZIO) and the gentleman from Pennsylvania (Chairman MCDADE) for continuing the bipartisan tradition of this subcommittee.

As the gentleman from Wisconsin (Mr. OBEY) had mentioned earlier, we have two individuals before us who, while Republican and Democrat, always put the public's interest before their party's. They have always put the public's interest before their own, and have continued this subcommittee on a bipartisan track and have provided the House today with a quality piece of legislation.

Mr. Chairman, on a personal note I would say to the gentleman from California (Mr. FAZIO), I will miss him. This House will miss him. He is a good

friend. He is a leader of our party and of this Nation. He is one of the most competent legislators I have ever known and is possessed of a kind heart. I really, really have appreciated the time I have been able to spend with the gentleman.

Mr. Chairman, I would also say to the gentleman from Pennsylvania (Mr. MCDADE) that he too is a friend and is imbued with a great deal of integrity. As I said on an earlier occasion a couple of weeks ago, the most precious thing any of us have to give any other individual is our time, because that is the one thing we all possess in our lives that is limited. The gentleman from Pennsylvania has been selfless in the time that he has given me. He has given me his expertise. He has given me his wisdom. He has given me good advice. Unfortunately, sometimes I do not always want to hear that advice. But more times than not, I followed it to my benefit.

Mr. Chairman, the gentleman too has been a great friend. We all will miss him. And from the bottom of my heart, I deeply appreciate everything he has done for me.

Mr. MCDADE. Mr. Chairman, I yield such time as he may consume to the gentleman from Arizona (Mr. KOLBE).

Mr. KOLBE. Mr. Chairman, I thank the gentleman from Pennsylvania (Mr. MCDADE) for yielding me this time.

Mr. Chairman, I have just one simple question I would like to ask with regard to whether it is the committee's intent that the solar and renewable energy funds be targeted to projects developed by nongovernmental organizations that produce the greatest reductions in CO<sub>2</sub> on a metric ton basis within the project's life cycle, that have an existing private funding component, that have a high potential of becoming totally privately financed in the shortest period of time, and are not dependent on the development of new technologies or operational systems in order to be successful.

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

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

Mr. MCDADE. Mr. Chairman, let me say to the gentleman that he is correct. It is the committee's intent to fund only those projects which produce results.

Mr. KOLBE. Mr. Chairman, reclaiming my time, I thank the gentleman for yielding and would join my colleagues in thanking him for the tremendous service that he has given this subcommittee, the full committee, the Congress, and our Nation. We wish him well in retirement.

Mr. FAZIO of California. Mr. Chairman, I yield 1 minute to the gentleman from Texas (Ms. JACKSON-LEE).

Ms. JACKSON-LEE of Texas. Mr. Chairman, let me add my accolades for the gentleman from California (Mr. FAZIO) for being an American hero and one that has provided great service to this Nation.

Mr. Chairman, I would say to the gentleman from Pennsylvania (Chairman MCDADE) "thank you so very much" for the collaborative effort and leadership on these important issues. These are bread and butter issues.

Mr. Chairman, I thank both of my colleagues on behalf of the 759 homes of constituents of mine in 1994 who suffered the flooding of the Sims Bayou. We are gratified for the \$18 million in total and the \$8.5 million, which is an increase of what we would have gotten, to work with the Army Corps of Engineers.

We are particularly delighted as well for the full funding of the Port of Houston, a very vital aspect of the economy of Houston. We know it was the collaborative work of the gentleman from Pennsylvania (Chairman MCDADE) and the gentleman from California (Mr. FAZIO) who brought this about, along with the gentleman from Texas (Mr. EDWARDS) and the gentleman from Mississippi (Mr. PARKER).

Mr. Chairman, let me congratulate the Army Corps of Engineers. We would hope that as it moves to extend to the Martin Luther King and Airport Boulevard and Cullen Boulevard, that we can get it finished much earlier than the year 2006, for I would not like to see those 759 homes flooded again.

Mr. Chairman, I cannot thank these gentlemen enough. I look forward to working with this committee in the future. I say to both of my colleagues as they retire: Godspeed.

I rise in support of H.R. 4060, the Energy and Water Development Appropriations for Fiscal Year 1999. I support this bill mainly because it provides \$413 million which is (39%) more for the Army Corps of Engineers construction programs than requested by the Administration.

The Administration originally requested \$9.4 million for the continued construction of the Sims Bayou Project in Houston, Texas. The Subcommittee on Energy and Water Development specifically earmarked an additional \$8.5 Million Above the Administration's original request, which brings the total funding for the project to \$18 Million.

Mr. Chairman, the Sims Bayou Project is a project that stretches through my district. Over the course of recent years, the Sims Bayou has seen massive amounts of flooding. Citizens in my congressional district, have been flooded out of their homes, and their lives have been disrupted.

In 1994, 759 homes were flooded as a result of the overflow from the Sims Bayou. That is 759 families that were forced to leave their homes.

I mainly support the conference report, Mr. Chairman, because the subcommittee has earmarked in this bill \$18 million for the construction and improvement of the Sims Bayou project that will soon be underway by the Army Corps of Engineers.

I would like to thank the Army Corps of Engineers for their cooperation in bringing relief to the people of the 18th Congressional District in order to avoid dangerous flooding.

The Subcommittee on Energy and Water Development added an additional \$8.5 million for the construction of this Sims Bayou project

and it remains in this conference report. I am quite certain, Mr. Chairman, that this project would not have been able to go forward if this additional money would not have been granted by the Subcommittee.

For that I have to thank Chairman MCDADE, Ranking Member FAZIO, and my friends and colleagues CHET EDWARDS, and MIKE PARKER who sit on the Appropriations Committee.

However, Mr. Chairman, I would like to call on the Army Corps of Engineers to do everything that they can to accelerate the completion of this project. The project will now extend to Martin Luther King and Airport Boulevards, and Mykaw to Cullen Boulevard.

This is flooding that can be remedied and the project must be completed before the expected date of 2006. While I applaud the Army Corps of Engineers for their cooperation, this is unacceptable for the people in my congressional district who are suffering.

They need relief and I know that they can not wait until the expected completion date of 2006. This must be done and I will work with the Army Corps of Engineers and local officials to ensure that this is done. I urge my colleagues to vote yes on this conference report.

Mr. MCDADE. Mr. Chairman, I yield 30 seconds to the distinguished gentleman from Maryland (Mr. BARTLETT).

Mr. BARTLETT of Maryland. Mr. Chairman, the gentleman from Pennsylvania (Mr. MCDADE) deserves credit for sustaining Federal renewable energy RD&D. I would like to clarify the intent of the report language as it pertains to the solar energy research and development programs.

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

Mr. BARTLETT of Maryland. I yield to the gentleman from Pennsylvania.

Mr. MCDADE. Mr. Chairman, let me say that we have made every effort to try to fund the renewable energy RD&D account. And we intend that the committee language not prohibit legitimate research cost sharing with U.S. industry in solar R&D programs.

Mr. BARTLETT of Maryland. Mr. Chairman, reclaiming my time, I thank the gentleman for a good job. I would like to clarify that the intent of the committee was not to prevent the Federal solar programs from cost sharing. I congratulate the gentleman on a well-earned retirement.

Mr. FAZIO of California. Mr. Chairman, I yield 2 minutes to the gentleman from New Jersey (Mr. MENENDEZ).

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

Mr. MENENDEZ. Mr. Chairman, for working people, the most important asset that they have is their job. It supports their home, their family, their children, their hopes, their life. This bill will save and increase good-paying American jobs.

Mr. Chairman, I want to commend the gentleman from Pennsylvania (Mr. MCDADE) and the gentleman from California (Mr. FAZIO) for crafting a bill that, in a time of fiscal belt-tightening and hard choices, makes the right choice to keep American jobs as the top priority.

The Port of New York and New Jersey, a good part of it, is in my district. It is the economic lifeline for the northeast region. Mr. Chairman, 180,000 jobs and \$20 billion in economic activity is generated through the port. If my colleagues live in the Northeast, there is a good chance that the things that they buy are coming from the port or that they are dependent upon other goods, products, or machinery coming through the port.

Mr. Chairman, to keep those goods coming here on the increasingly large industrial ships, we need deeper channels and modern port facilities. If we do not modernize, the larger ships will go elsewhere and goods may start coming into Canada instead of our harbor.

That hurts everyone in this country and the national impact could be enormous. That is not acceptable.

This bill sends a message that we will not stand by and let American jobs go elsewhere. To our friends up north in Canada, let the message from this House be clear. We are committed to shipping commerce. We are committed to these ports.

I understand that deepening and dredging our harbor is not glamorous work. Other pet projects sound better and are easier to publicize. But modernizing our ports means not just saving but creating hundreds of thousands of jobs and billions of dollars in commerce in the years to come. It is the long-sided view. It is the view this bill takes.

Finally, I want to congratulate both the gentleman from Pennsylvania (Chairman MCDADE) and the gentleman from California (Mr. FAZIO) on their many years of dedicated service. These are the kind of people we need in public service; people who put the needs of their constituents and the Nation above all else. We will miss them and I know that both gentlemen will find new ways to serve their fellow countrymen and women like they have done so well in the people's House.

Mr. MCDADE. Mr. Chairman, I yield such time as he may consume to the distinguished gentleman from Utah (Mr. COOK).

Mr. COOK. Mr. Chairman, I would like to compliment the Subcommittee on Energy and Water Development, particularly the gentleman from Pennsylvania (Chairman MCDADE) and the gentleman from California (Mr. FAZIO), ranking member, on their fine work with the 1999 energy and water development appropriations bill.

Mr. Chairman, there is one issue that is of particular concern to me, and I would like to engage in a brief colloquy with the distinguished gentleman from Pennsylvania.

Mr. Chairman, a program particularly important to my constituents in Utah, the geothermal research and development, is cut in this bill from \$29.5 million in fiscal 1998 to \$27.5 million in fiscal 1999. I realize the Senate approved a version that indicates geothermal R&D would be about \$31.25 million.

I want to point out that geothermal energy means jobs. Some 30,000 U.S. workers are employed through geothermal electric revenues. Geothermal energy means royalty and production payments, more than \$41 million is returned annually to the U.S. Treasury. And it also means a cleaner environment. Sixteen million tons of carbon dioxide, 20,000 tons of sulfur dioxide, 41,000 tons of nitrogen oxide, and 1,300 tons of particulate matter are avoided each year by geothermal energy productions.

Mr. Chairman, I appreciate the gentleman's consideration of this concern, and I would urge the committee to address the geothermal R&D funding shortfall in its conference with the Senate so that geothermal's important national benefits can continue to accrue in the future.

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

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

Mr. MCDADE. Mr. Chairman, I appreciate the gentleman from Utah (Mr. Cook) for bringing this to the attention of the committee. As the gentleman knows, we had a very severe and constrained budget. As we work our way through conference, we will be looking forward to working with the gentleman further.

Mr. COOK. Mr. Chairman, reclaiming my time, I appreciate that very much, and I again wish the gentleman congratulations on his wonderful work.

Mr. FAZIO of California. Mr. Chairman, I yield myself such time as I may consume.

In further response to the gentleman from Utah (Mr. COOK), I would like to thank him for his remarks and I thank the gentleman from Pennsylvania (Mr. MCDADE) for his attention to this very important energy efficiency program supported in this bill.

As many of my colleagues know, I have been a longtime advocate of solar and renewable energy programs. Programs that support energy efficiency are critical to our economy, national energy security, and the environment.

Mr. Chairman, we have the responsibility to future generations to address environmental and economic concerns linked to historical energy technologies. We must support efforts to bring new, cleaner energy-efficient technologies to market.

If programs deriving energy from such diverse sources as the sun, wind, and biomass are to be successfully competitive in the coming years, they must undoubtedly have the support of Congress. I would have liked the number for solar renewable programs to have included some of the increases submitted in the administration's budget request.

But, unfortunately, this year the allocation for the energy and water bill, and perhaps all 13 of our spending bills, did not permit such increases in many very important programs. Although the bill we are considering today provides an increase of \$5.1 million over

last year's appropriation for solar and renewable energy programs, I agree with the gentleman from Utah (Mr. COOK) that it is unfortunate that the very important geothermal R&D program received a cut.

But let me point out with regard to the total amount of funding this bill provides for renewable energy programs, that committee was able to draft a bill that in many ways was considerably higher than the renewable levels in the Senate before Mr. JEFFORDS' amendment.

I believe the original amended Senate numbers for solar and renewable energy programs were \$345.5 million, compared with the House bill which provided \$351.4 million for these programs.

Mr. Chairman, I would also like to point out that the Senate bill is a total of \$21.7 billion, whereas the House total is only \$20.6. This is particularly important in the context of the Jeffords amendment, which added \$70 million in solar and renewable energy programs by taking a 1.6 percent across-the-board cut of domestic DOE programs.

□ 1815

At \$1.1 billion below the Senate bill, this amendment would have been particularly difficult to achieve here in the House, as it would have cut even further into other important programs that this bill is committed to funding. I support energy efficient technologies, and I will work with our distinguished chairman and the Senate to address funding for geothermal R&D programs in addition to other solar and renewable programs in the House conference with the Senate.

We certainly have done well, given the context of this total bill.

I rise in support of H.R. 4060, the Energy and Water Appropriations Bill for FY '99. I've enjoyed working with JOE MCDADE. Our job was made significantly tougher by the Administration's budget submission this year.

Although we've improved our position with the budget allocation, we have still not been able to make up what is truly needed after two El Nino seasons.

If you are wondering why JOE MCDADE and I are retiring, it's because, despite adding more than \$700 million to the President's budget request for the water projects that are so important to our colleagues, the bill is still \$200 million below last year's level. This whole question of the budget agreement of last year, and Republican efforts to make additional budget cuts in this year's budget resolution is one worth examining, especially for our bill which is usually so popular with members.

My colleagues have seen this chart during consideration of the budget resolution, showing the effects of these budget cuts on all non-defense discretionary programs. The comparison to level funding, taking inflation into account, leaves spending at 18% below current services by the year 2003. But now let's see the effect of these kinds of cuts on just one popular program—the Army Corps of Engineers civil works program—which is responsible for operations and maintenance of our

ports and waterways, as well as flood control projects across the nation.

Based only on the budget caps agreed to by Congress and the President last year, you can see that we have a significant divergence beginning this year between what the Corps could do—its capability—and what the Corps will be able to do with the level of funding we are providing in this bill and are likely to provide in the years to come based on that budget agreement.

Adoption of the Republican budget plan would make these lines diverge even more greatly. But it is also something to consider as we take up these other pieces of legislation which encroach on the non-defense discretionary programs.

Whether it is BESTEA or a new agricultural research program, other deserving needs that are keys to the American economy can only be adversely affected as a result.

Realize these are authorized projects we are talking about—not counting the new authorizations that may stem from a Water Resources Development Act to come this year.

So take a good look, because these are the outcomes of our decisions, and they will continue to affect us for many years to come.

So there has been a fair amount of pain to be administered this year, but I commend JOE MCDADE for adopting the common-sense decision-rules that are reflected in this bill, and for being evenhanded in administering them without regard to party.

For those who think that subcommittee members have been spared from our budget constraints, I would point out that our subcommittee has recommended only \$75 million for a California initiative supported by 45 members of the California delegation—\$10 million below last year's number and \$45 million below the \$120 million that our subcommittee recommended last year.

And the Central Valley Project Restoration Fund—a fund that derives from assessments on water and power users was not spared.

Due to budget constraints and because this fund is subject to appropriation, we have held it to \$33 million—\$16 million below the budget request—and I hope we can do something at conference if at all possible to ensure that the collections from these users don't exceed what we are able to appropriate.

On the Energy side of the equation, we faced similar budget constraints. We had to balance new priorities, like the Spallation Neutron Source, while sustaining numerous other DOE programs that are essential to the nation.

While I would like to see an increase in the number for solar and renewable energy programs, I am pleased that this account did not sustain any cuts, given the difficult environment in which the committee was forced to work.

I understand the reasoning behind the committee report's words of caution to the Administration pertaining to policy decisions and sound science with regard to global climate change, but I would like to reiterate that the energy efficiency programs funded in this bill are programs that our nation has been investing in for years, long before the debate over global climate change.

I believe that any debate relating to climate change and the Kyoto Protocol should be conducted independently of this bill.

The Committee was able to provide an increase to fusion energy programs above the Administration's request.

I am pleased that the Committee has also provided generous increases in basic science research and development in the science account, in areas such as high energy physics.

This bill continues to support the crucial effort of our nation to maintain our nuclear weapons stockpile through the National Ignition Facility and the ASCI program.

Because of the tight allocation, there are shortfalls in some areas like the Uranium Enrichment Decontamination and Decommissioning (D&D) Fund, and I would like to be able to address this and other shortfalls in conference if at all possible.

I would also like to see some money added back to the cuts sustained by Departmental Administration. I believe the Department, under new leadership in many program areas, is committed to reducing excess administrative costs and striving to operate more efficiently.

In short, I commend JOE MCDADE for doing a good job in a tough year.

I believe we have done the best job possible under the circumstances—we will certainly try to do even better in conference if at all possible—but I believe this is still a bill that should be supported by our colleagues.

This is the last time I'll help bring an E&W bill to this committee—19 of my 20 years in the House have been on the Appropriations Committee and on the Energy and Water Subcommittee.

In one sense, not much has changed—when I got there, Tom Bevill and John Myers were the senior members for each party, and until last year, that was still the case.

But I can think of significant changes that have affected our process over the years, especially on the side of water projects.

Not so many years ago, we had significant carry-overs in the Corps' budget from year to year—as high as \$800 million.

Some carry-over is good—it gives the Corps flexibility to keep construction projects on an optimum construction schedule, and it means we don't have to appropriate every dime to get a project underway successfully.

However, budget constraints have virtually eliminated that carryover over the last few years, creating anxieties for local communities who hold on to appropriated funds tighter and tighter, even when they can't be spent immediately. There have been a number of other significant changes in the way the Corps does business:

(1) Projects that are being constructed are smaller, greener and have a higher non-federal cost-share.

(2) The Corps has shaved the time it takes to complete the study phase of a project and initiate construction.

(3) The federal cost-share has gone down and the non-federal sponsors of water resource projects are less interested in the Corps doing a project than the Corps becoming a partner with local, state and even non-profit entities to complete a project.

(4) The non-federal sponsors are more and more interested in gaining a greater voice in all phases of a project, from the planning phase to the engineering work to the actual construction.

(5) In many instances non-federal sponsors are seeking out the opportunity to expedite their projects by paying for them up front. With non-federal dollars, and gaining the opportunity—not the guarantee—to get reimbursed by some future Congress for the federal share

of a project. This lets the non-federal sponsor exert greater control over the project and frequently construct it faster and, sometimes, even at less cost than the traditional way. Many of the nation's large communities would like this to become the new norm for the way water resource projects are constructed in this country.

(6) Communities are looking more and more at the Corps as an agency with engineering expertise that can help them solve a wide variety of engineering problems, not just water resource problems. Communities want the Corps to help them do site assessments and even some remediation for lightly contaminated brownfield sites that stand as an impediment to redevelopment of our inner city corridors. Communities are asking the Corps to help them develop cost-effective engineering solutions to their urban water resource needs—from deficiencies in their combined stormwater and wastewater systems to restoring stream banks in urban creeks and rivers. And, communities in my state are asking the Corps to help them develop plans to make their water systems more reliable in the event of a major earthquake. The Corps is responding and is doing a good job in these new areas. And, the future will certainly see more reliance on the Corps for its capacity to solve complex engineering problems of all kinds.

(7) And finally, to its credit, the Corps has resisted becoming a granting agency such as some of its sister agencies, like EPA, nor should it be. But the Corps does need to equip itself with the tools that will make it more effective in the new role of federal water resource partner. Certainly, contracting more work out, obtaining the authority to enter into cooperative agreements and issue grants for certain types of work, are all critical to the Corps' success in the years ahead.

In summary, the years have flown by, but I believe this subcommittee has served the needs of our country well, and has balanced strongly competing interests very well.

It has not always been an easy task but with partners like JOE MCDADE, Tom Beville, and John Myers, it is a committee that has gotten the job done in a bipartisan spirit.

I ask for the support of my colleagues for H.R. 4060, another bill which is presented in this same spirit.

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

Mr. MCDADE. Mr. Chairman, I yield such time as he may consume to the gentleman from Indiana, Mr. BUYER.

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

Mr. BUYER. Mr. Chairman, I include for the RECORD my statement in support of the fiscal year 1999 energy and water appropriations, and thank both of the gentlemen for their contributions to this bill and their service to our country.

I would like to thank Chairman MCDADE and Ranking Member FAZIO for their bi-partisan and expedient work in bringing this measure to the House Floor.

Included in this Energy and Water Appropriations Bill for Fiscal Year 1999, is a continuation of funds for the Army Corps of Engineers Feasibility Study for the Kankakee River Basin in Indiana and Illinois.

The support for this project spans both political parties in Indiana and Illinois. I appreciate

the cooperation of the numerous Members who have offered their support and assistance for this vitally important project.

For years, Indiana and Illinois were caught up in the court system because of flooding disputes. With a joint Congressional effort, the suits were stopped and efforts were instead focused upon finding a resolution through a basin wide Army Corps of Engineers study.

The reconnaissance study has been completed and the feasibility study is beginning. The \$940,000 funding that is provided in this bill for the continuation of the feasibility study will provide for a long-term solution to this problem which the residents of Northwest Indiana and Northeast Illinois deserve.

Indiana is interested in participating as a local sponsor for the Indiana portion of the Kankakee River Basin feasibility study as indicated in the follow-on letter from the Indiana Department of Natural Resources.

INDIANA DEPARTMENT OF  
NATURAL RESOURCES,  
Indianapolis, IN, May 15, 1998.

Mr. PAUL MOHRBARDT,  
Acting Chief of Planning Division, U.S. Army  
Corps of Engineers, Chicago District, Chi-  
cago, IL.

DEAR MR. MOHRBARDT: The Indiana Department of Natural Resources (DNR) is interested in participating as a local sponsor for the Indiana portion of the Kankakee River Basin feasibility study. As a state agency, we are willing and able to participate in this study. We have reviewed the expedited reconnaissance analysis, preliminary project study plan, and model feasibility cost share agreement and understand our role and responsibilities as a local sponsor for this project. While the DNR will be the source of the required funds for this study, the DNR will be joint sponsors with the Kankakee River Basin Commission (KRBC) for the State of Indiana.

The DNR is aware of the non-federal cost sharing requirements for this project. It is our understanding that the initial estimates for the feasibility study require a cash and in-kind contribution of just under \$800,000 from the Indiana joint sponsors (DNR and KRBC). It is our understanding that up to 50 percent of the contribution can be appropriate in-kind services and that the remaining balance must be cash. It is our further understanding that our contribution is not required in full during the first year, but will be spread over the study term as mutually agreed upon.

The DNR understands that this letter is an expression of intent. Execution of a feasibility cost share agreement with the US Army Corps of Engineers will be dependent on the availability of funds. However, at this time the DNR looks forward to jointly developing the feasibility study scope of work and a cost sharing agreement with the Corps.

Sincerely,

LORI F. KAPLAN,  
Deputy Director.

Mr. MCDADE. Mr. Chairman, I yield 30 seconds to the gentleman from Missouri (Mrs. EMERSON).

Mrs. EMERSON. Mr. Chairman, the Clinton administration's fiscal year 1999 budget request included \$25 million for a new, unauthorized program, the Challenge 21 Riverine Ecosystem Restoration and Flood Mitigation program. Knowing that this program has not been authorized by Congress and that the gentleman's committee has not appropriated any funds for the program, am I correct in understanding

that any Federal spending on the Challenge 21 program would constitute an illegal use of Federal funds?

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

Mrs. EMERSON. I yield to the gentleman from Pennsylvania.

Mr. MCDADE. As usual, the gentleman from Missouri is absolutely correct.

Mrs. EMERSON. I thank the gentleman for clarifying this matter.

Mr. FAZIO of California. Mr. Chairman, I yield such time as he may consume to the gentleman from California (Mr. BROWN).

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

Mr. BROWN of California. Mr. Chairman, I rise in support of this very fine appropriations bill.

Mr. FAZIO of California. Mr. Chairman, I yield such time as he may consume to the gentleman from Texas (Mr. REYES).

Mr. REYES. Mr. Chairman, I thank the gentleman for yielding me this time.

I rise to thank the gentleman very much for the funding provided in this bill for helping to solve major flood control and water supply problems in the El Paso-Juarez area. These resources will allow our local and State officials to move forward with environmental improvements on the border.

There is, however, one request that I would urge the gentleman to consider during the House-Senate conference on this bill. The Senate bill includes \$1 million for the El Paso wastewater reclamation program which is not in the House bill. The wastewater reclamation program is our top water resource priority in the El Paso area. I urge my colleagues to accept the Senate level for this program.

Knowing that the budget is tight, I would offer a recommendation or suggestion for a budget offset that would make the \$1 million increase budget neutral. The El Paso area flood control project is provided with \$5 million in the bill which is needed and generous. However, I believe that we can stage the work on the flood control project so that this amount could be reduced to \$4 million in fiscal year 1999, with a reduced amount of \$1 million shifted to the wastewater reclamation program, again, our top priority.

Again, I want to thank the gentleman for his kind assistance on any help that he can provide in adjusting the funding to meet our El Paso priority. I also want to echo the comments of my colleagues in thanking both him and the ranking member for all their years of service. My only regret is that I did not have longer to serve with both of them.

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

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

Mr. MCDADE. Mr. Chairman, I want to thank the gentleman for bringing

this to the attention of the committee and assure him that as this bill moves along we will give it all the consideration we can. I appreciate his bringing to it our attention.

Mr. McDADE. Mr. Chairman, I yield such time as he may consume to the gentleman from California (Mr. Packard).

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

Mr. PACKARD. Mr. Chairman, I rise in full support of this bill.

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

Mr. FAZIO of California. Mr. Chairman, I yield such time as he may consume to the gentleman from Texas (Mr. SANDLIN).

Mr. SANDLIN. Mr. Chairman, I am particularly pleased that the committee has included report language regarding the Caddo Lake Wetlands. I want to clarify that the committee has included this language for the purpose of directing the Bureau of Reclamation to use funds appropriated in fiscal year 1997 to continue the Caddo Lake Wetlands project.

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

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

Mr. McDADE. Mr. Chairman, the gentleman's statement is correct.

Mr. SANDLIN. Mr. Chairman, I also want to clarify that of the \$630,000 provided in fiscal year 1997, the Bureau of Reclamation provided \$200,000 for the Caddo Lake Scholars program and that the remaining balance of funds should be committed to the Cypress Valley Alliance.

Mr. McDADE. Mr. Chairman, the gentleman is accurate again. The committee directs the Bureau of Reclamation to use the balance of previously appropriated funds for other wetland development components of the Caddo Lake Wetlands project as previously dictated.

Mr. SANDLIN. I thank the distinguished chairman for this clarification, and thank him for his long service to the House, and the gentleman from California (Mr. FAZIO) for his service. I urge my colleagues to support this bill.

Mr. FAZIO of California. Mr. Chairman, I yield such time as he may consume to the gentleman from Michigan (Mr. STUPAK).

Mr. STUPAK. Mr. Chairman, I thank the gentleman for the opportunity to do a colloquy.

First, if I may, I would like to thank the gentleman from Pennsylvania (Mr. McDADE) and the gentleman from California (Mr. FAZIO) for all their years of service to this House. They have always conducted themselves in a bipartisan manner. That is why we see a bill such as the energy and water appropriations bill each and every year coming forward with very bipartisan support to be passed without much argument on the floor.

On and off the floor they have conducted themselves in a very genteel

manner, and they are a great example for young Members like myself. For those who argue for term limits, I do not think they recognize or they fail certainly to recognize the attributes that the gentleman from Pennsylvania (Mr. McDADE) and the gentleman from California (Mr. FAZIO) bring to this honorable institution. They know when their term limits are. I thank the people in Pennsylvania and California for bringing these two gentlemen to the service of their country and thank them for their years of service.

Mr. Chairman, I would like to engage the gentleman from Pennsylvania (Mr. McDADE) in a colloquy about the Cedar River Harbor project in my district, if I may. As my friend from Pennsylvania is aware, last year the subcommittee was extremely helpful by including an appropriation for the repair of the east breakwater at Cedar River Harbor.

During the implementation of this project, however, the Army Corps of Engineers found that the current was different than expected. In order to protect the harbor, repairs are also needed and are also necessary to the west breakwater. The Corps has the necessary funds to complete repairs on the west breakwater left over, as left-over money from the fiscal year 1998 appropriations. This is not a new authorization. It is merely a clarification for the Army Corps of Engineers. They simply need to be able to use these funds for repair of the west breakwater in addition to the east breakwater.

The appropriated amount last year was \$2.377 million. The Corps has already contracted for the east breakwater at \$1.2 million for the repair. That would leave us \$1.177 to repair the west breakwater.

Without the ability to repair the west breakwater, I am afraid our efforts to protect this harbor would be futile.

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

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

Mr. McDADE. Mr. Chairman, I want to express my thanks to the gentleman and that of the committee for his diligence in bringing this issue to our attention. I want to assure him that it seems as though the equities are with him and that we will continue to work this problem as we go through conference.

Mr. STUPAK. I thank the gentleman for his clarification, and thank him and appreciate the opportunity to work with him in the future as this moves on to conference.

Mr. FAZIO of California. Mr. Chairman, I yield 1 minute to the gentleman from New Jersey (Mr. PALLONE).

Mr. PALLONE. Mr. Chairman, I rise today in support of H.R. 4060, which provides invaluable Federal assistance for flood control shore protection and navigation projects in my home State of New Jersey.

I want to thank the gentleman from Pennsylvania (Mr. McDADE), the gen-

tleman from California (Mr. FAZIO) and all the members of the Subcommittee on Energy and Water Development for their leadership in preparing this bill, including my colleague, the gentleman from New Jersey (Mr. FRELINGHUYSEN), who has worked so hard on these projects.

I wanted to say one thing: I greatly appreciate the committee's continued commitment to water infrastructure projects, and in particular the committee's continued rejection of efforts on behalf of the administration to eliminate the traditional role of the Army Corps of Engineers in shore protection projects in particular.

Let me just say two things to my retiring colleagues here. For the gentleman from Pennsylvania (Mr. McDADE), he has always been a person that I could go to on a bipartisan basis and ask for help. I will definitely remember that for a long time.

With regard to the gentleman from California (Mr. FAZIO), he is someone that I have asked for advice on a number of occasions for a number of things, and in many ways I really model myself after him in terms of my congressional career. We will have other opportunities to thank these individuals over the course of the year, but I do want to thank them today.

Mr. McDADE. Mr. Chairman, I yield 1 minute to the distinguished gentleman from New Mexico (Mr. REDMOND).

Mr. REDMOND. Mr. Chairman, I rise in support of H.R. 4060, and I would like to thank the chairman for entering into a colloquy with me.

I support H.R. 4060. However, I have one concern in regard to the \$8 million dollars for the waste isolation pilot project for the Santa Fe bypass relief route. The relief route is overdue for construction. The amount was removed during committee.

I respectfully ask that it be reinstated in conference to the Senate bill, if at all possible. I want to thank the chairman for working with us on this particular bill.

This is very important so that we can get the nuclear waste away from Los Alamos National Lab, also Rocky Flats, Colorado, and also in Idaho. It needs to bypass the city of Santa Fe.

Most importantly, Mr. Chairman, it has been great working with the gentleman, and I wish him the best, especially in his retirement, that he gets to play with his 8-year-old son.

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

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

Mr. McDADE. Mr. Chairman, I thank the gentleman for bringing the matter to our attention. We expect to work with him diligently as we go through conference.

Mr. FAZIO of California. Mr. Chairman, I yield 2 minutes to the gentleman from Florida (Mr. DEUTSCH).

Mr. DEUTSCH. Mr. Chairman, I join all of my colleagues in congratulating and really saying thanks to the chairman and the ranking member who have

done more for this country, really, than few other Members.

To the gentleman from California (Mr. FAZIO), personally, if I have had literally one key mentor in Congress, it has been him.

I would join many of my colleagues today to say that as good as this bill is, our hope from a Florida perspective is that the legislation could have gone a little bit further towards the President's request in terms of Everglades restoration projects.

I am planning on introducing for the RECORD an Army Corps of Engineers analysis which talks about the specifics of programs, if this is the ultimate budget, that will not be funded. Congress has made an incredible commitment in the 6 years I have been here towards this.

Mr. Chairman, I include for the RECORD the following:

	Fiscal year 1998 project al- locations	Fiscal year 1999 Budget re- quest	Senate markup	House markup
C&SF .....	\$21,833	\$40,800	\$25,000	\$20,900
Kissimmee .....	2,817	27,300	10,000	3,500
Critical projects .....	4,009	20,000	10,000	3,000

CENTRAL & SOUTHERN FLORIDA

All assumptions are made with the understanding that funding will only be delayed for one year and required funding will be available in the following year.

If Senate Budget is Adopted (\$25,000,000 allocation):

West Palm Beach (C-51): Delay in funding for relocations may not impact the overall project schedule. Delay in funding S-360, G-312, and levees (components of Stormwater Treatment Area 1 East) would not significantly impact the project. The project would likely still be completed within the overall completion schedule.

South Dade (C-111): Delay in funding for S-332A, B, and C pumping plants, and Levees and the Canal work will not significantly impact the overall project completion. Recent requirements for a new GRR supplement have caused this delay to be necessary regardless of funding.

Upper St. Johns: Delays in funding L74N and S-96E will increase the overall project completion time.

If House Budget is Adopted (\$20,900,000 allocation):

West Palm Beach (C-51): Delay in funding for relocations may not impact the overall project schedule. Delay in funding S-360, G-312, and levees (components of Stormwater Treatment Area 1 East) would not significantly impact the project. However, the additional cuts would delay completion of pump Station S-362 (Stormwater Treatment Area 1 East outflow pump station) which would delay the overall project completion. The time could not be made up regardless of the follow-on funding.

Comprehensive Restudy: The additional cuts will adversely impact work on the Restudy. A delay in funding will result in completion beyond the mandatory completion dates.

South Dade (C-111): Delay in funding for S-332A, B, and C pumping plants, and Levees and Canal work will not significantly impact the overall project completion. Recent requirements for a new GRR supplement have caused this delay to be necessary regardless of funding.

Upper St. Johns: Delays in funding L74N and S-96E will increase the overall project completion time.

KISSIMMEE RIVER RESTORATION

If Senate Budget is Adopted (\$10,000,000 allocation):

Contract 3(S-65 Modification), CNT 4C (local levee removal), and Contract 2 (Canal widening for C-35 & 36) can be completed.

Contract 14A (to remove 1M CY of material) can be completed. Contract 14B (to remove 5M CY of material) will not be awarded in FY 99. The entire 6M CY of material of Contract 14A & B must be removed before any work in the lower basin is initiated.

Majority of the environmental restoration benefits are claimed in the lower basin. However, if the request is reduced to 10 million, the initial environmental component Contract 7 (Reach 1 Backfill of canal C-38) will definitely not be awarded in FY 99. A prior commitment was made to initiate Reach 1 Backfill by 30 March 1999. This commitment will not be met. The remaining three reaches will also be delayed, and the corresponding environmental benefits will not be obtained. Engineering efforts in preparing P&S for future contracts will be downscaled because of limited funds and no A-E contract awards in 1999.

To implement the Reach 1 backfill contract, flood control features of Istokpoga basin (Contract 6, a large tributary within Reach 1) will need to be addressed. If the Istokpoga works is delayed, the Corps will go to condemnation, tie-up resources, cause additional delays, and Reach 1 Backfill cannot be initiated.

The balance of FY 1999 will be used to prepare P&S which will be shelved until funds become available.

If House Budget is Adopted (\$3,500,000 allocation):

In addition to the above, Contract 14A (to remove 1M CY of material) will not be awarded in FY98. As noted above, all of Contract 14 needs to be completed before implementation of the lower basin works. None of the primary restoration benefits will be obtained in FY 99.

CRITICAL PROJECTS:

If Senate Budget is Adopted (\$10,000,000 allocation):

With a funding level of 10 million, NEPA, and design development could not be initiated on 4 projects for which letter reports have been developed; Seminole Tribe Big Cypress, Loxahatchee Slough, L-31E and Melaluca Quarantine Facility. In addition, the South Dade County Agriculture and Rural Area Retention and South Biscayne Bay Watershed Management Plan studies could not be initiated. Since WRDA 96 requires that the Critical Projects be initiated by 30 September 1999, all projects listed above could not be implemented under this authority.

If House Budget is Adopted (\$3,000,000 allocation):

With a funding level of 3 million, NEPA, and design development will not be initiated on 9 projects for which letter reports have been developed: Golden Gate Estates, Tamiami Trail Culverts, Lake Okeechobee Water Retention/Phosphorus Removal, Ten Mile Creek, Lake Trafford, Southern Crew, Seminole Tribe Big Cypress, Loxahatchee Slough, L-31E, and Melaluca Quarantine Facility. In addition, the South Dade County Agriculture and Rural Area Retention and South Biscayne Bay Watershed Management Plan studies could not be initiated. Since WRDA 96 requires that the Critical Projects be initiated by 30 September 1999, all projects listed above could not be implemented under this authority.

Mr. Chairman, I yield to the gentleman from Florida (Mr. SHAW).

Mr. SHAW. Mr. Chairman, I thank the gentleman for yielding to me.

I would like to join with him in thanking the committee for what they have put in this particular bill with the shore protection, as the gentleman from New Jersey just was speaking to, but most particularly I think to really impress upon the committee that it is most important on these Everglades projects to move at least substantially towards the Senate markup document at this time, knowing that there is not going to be enough money to get back to the President's budget.

But these are very important projects. The Kissimmee River going back to the natural flow into Lake Okeechobee and then south through the Sharks Slough to the Florida Bay, this is tremendously important to the Everglades and should be of utmost importance to this committee and this Congress.

I would also like to point out that one of the facilities that would be lost if we do not at least go towards the Senate would be the Melaluca Quarantine Facility, which is tremendously important.

Mr. MCDADE. Mr. Chairman, may I inquire how much time remains?

The CHAIRMAN. The gentleman from Pennsylvania (Mr. MCDADE) has 1 minute remaining, and the gentleman from California (Mr. FAZIO) has 2 minutes remaining.

Mr. FAZIO of California. Mr. Chairman, I yield myself such time as I may consume.

I have been fortunate to serve on this subcommittee for 19 years, and I must say I have always enjoyed the bipartisan atmosphere in which the work has been conducted. Tom Beville and John Myers were the senior members of each party for almost all the time that I have served on this committee, but my years with the gentleman from Pennsylvania (Mr. MCDADE) have been particularly gratifying and enjoyable.

He is the wonderful guy we have heard him described as by so many colleagues today. We obviously have a very tough bill. This is not a bill we have enjoyed bringing to the floor, because it is significantly below what we would like to spend in light of what we spent in the last year.

□ 1830

What I mean by that is there are many, many worthy projects that have not been funded in this bill because we simply have not been given the allocation.

We all understand that that will be the case for the future. I hope to, in a few minutes, using some charts, point out the degree to which discretionary spending has been reduced across the spectrum.

We have also seen the end of the carryovers. There was a time when this committee carried over \$800 million in unexpended Corps appropriations that gave great flexibility so that those communities that were not immediately capable of spending money could make it available to others.

Those days have ended as well. Communities are holding on to their bucks, making it harder and harder for the Corps to put the money where it can do the most good.

So the gentleman from Pennsylvania (Mr. McDADE) and I leave the Congress a little bit concerned about what we leave this bill to in the future, knowing that there are good and worthy people who take our place, but knowing as well that the credible demands, particularly on the water side of this bill, after two El Nino winters make it very difficult for this Congress to be in a position to respond legitimately to the concerns that are brought about, not just from economic development interests, not just from public safety and flood protection interests, not just from environmental interests, but from the whole spectrum of our local and State governmental bodies that are adding increasingly large amounts of their own money to match those that we provide for the Corps.

But I have to say, Mr. Chairman, I think this committee has done a worthy job this year, as it has during the last 19 I have served on this committee. We do the best we can, and we know that Members will understand and support us as I hope they will tonight unanimously.

Mr. McDADE. Mr. Chairman, I am pleased to yield 1 minute to the distinguished gentleman from Minnesota (Mr. GUTKNECHT).

Mr. GUTKNECHT. Mr. Chairman, I thank the gentleman for yielding to me. I wanted to thank the chairman for his distinguished leadership on this subcommittee for all of these years, and thank the gentleman from California (Mr. FAZIO) and all the members of the subcommittee.

I rise today in support of the bill as the cochairman of the Upper Mississippi River Task Force, which is a bipartisan group of Members who work together to protect this historical natural resource.

The EMP, the Environmental Management Program was something that was started a number of years ago and really has been a model of success. The EMP program forces commercial concerns, environmental concerns, and those with recreational concerns to work together to protect the Mississippi River.

The House has approved \$19 million for this program as part of its fiscal year 1999 budget. I would point out that this is more than the President has requested. But I would also say that this has been something that the House has done a better job over the last several years of funding than has been requested by the administration.

But this is a classy example of a win-win situation where environmental concerns, recreational concerns, commercial concerns are all brought together, people work together to create a better Mississippi River, a better environment, and frankly I think this is a model program for the rest of the

country. I think the chairman and the ranking member and members of the committee for funding it this year.

Mr. ABERCROMBIE. Mr. Chairman, today the House is debating the appropriations for the Energy and Water budget. I would like to bring to your attention the funding for the U.S. Department of Energy's program "Hydrogen from Renewable Resources." This very successful program conducts research into the renewable production and storage of hydrogen. At the University of Hawaii, the program has been so successful that it was rated as a "U.S. DOE Center of Excellence in Hydrogen Research and Education."

Last year, with a total budget of \$16 million, approximately \$6.9 million was allocated to core research and development for the hydrogen research program. This year, the House Appropriations Committee proposes to increase the funding to \$18 million while the Senate has pursued a budget of \$29 million. However, despite the Administration's \$10 million request for research funding, the House Appropriations Committee has reduced the research budget to \$3 million.

Reduction of core research and development to only \$3 million would be damaging to critical research programs at universities, within the national DOE laboratories, and to the University of Hawaii Center of Excellence.

As we move forward with this appropriation process, I strongly urge that sufficient funding will be dedicated to this renewable energy resource.

Mr. STRICKLAND. Mr. Chairman, I rise today to express my concern for funding the management of the depleted uranium hexafluoride (DUF6) currently stored at the facilities in Piketon, Ohio and Paducah, Kentucky and

Depleted uranium hexafluoride (DUF6) is hazardous and extremely corrosive. These materials are known as "tails" and are the result of years of enriching uranium for nuclear fuel in commercial power plants. Atmospheric releases of DUF6, if they occurred, would pose a significant threat to workers at the sites and communities surrounding those sites.

The United States Enrichment Corporation (USEC) was established in the Energy Policy Act of 1992 to assume responsibility for the Department of Energy's (DOE) uranium enrichment program. Currently, USEC has accrued approximately \$400 million from the private sector which is supposed to be utilized to clean up the "tails" it has generated. The 1992 Energy Policy Act not only transferred the Department's uranium enrichment program to USEC, but it also included a requirement that USEC prepare a strategic plan to privatize the corporation, and today, that privatization plan is near completion. The \$400 million specifically earmarked for cleaning up the "tails" will be transferred to the General Fund of the Treasury upon completion of privatization. I am anxious to see that these funds accrued by USEC for cleaning up the "tails" are used to meet that need after privatization.

I have been greatly disturbed to learn that the plans for privatization call for job losses totaling between 600 and 1700 workers at the Ohio and Kentucky facilities. Ensuring that the \$400 million is spent to dispose of USEC's DUF6 at both of the Gaseous Diffusion plants would certainly help to mitigate the workforce reductions by employing the displaced workers.

It would make sense to ensure that the \$400 million currently accrued by USEC to fund the management and disposition of the USEC "tails" continue to be earmarked for cleaning up the "tails" rather than diverted to some purpose for which it was not intended. I will continue to work to ensure that a solution is reached before the final sale of USEC.

Mr. POMEROY. Mr. Chairman, while I will be voting for the Energy and Water Appropriations bill at this early point in the legislative process, I want my colleagues to know that the funding in this measure for several important water projects in North Dakota are not adequate and must be improved in conference committee.

I am particularly disappointed that the Subcommittee appears to be relying on the Senates' funding commitments for the Devils Lake outlet, the Buford-Trenton irrigation district flowage easements, and the Garrison Diversion MR and I projects to avoid committing appropriate and required funding levels in the House.

I will be working closely with the House conferees to obtain a fair result for North Dakota in the conference committee and regret the House bill in its present forum falls so far short of the mark.

I am voting for the bill to move us to the next step in the process—conference committee—because I believe this will be the fastest way to make the needed improvements to this bill.

Mr. BROWN of California. Mr. Chairman, I want to congratulate the Chairman of the Energy and Water Subcommittee, Mr. McDADE and Mr. FAZIO, the ranking Member, for their hard work to bring this bill forward in a difficult year. As the ranking Member of the Science Committee, my particular concern rests with the civilian research and development accounts at the Department of Energy.

In what is a difficult year for funding choices, I believe the Subcommittee has done a fairly good job. Overall, the civilian research accounts are up 2.5% compared to FY 1998 leaving energy activities holding their own when measured against inflation. Compared to the administration's request, or my personal preferences, this result is somewhat disappointing. The administration asked for \$288 million more than the Committee has provided and those funds would have gone to very worthy, very important projects.

As disappointing as this outcome may be for some, I must warn my colleagues and my friends in the research community, that this may be as good as it gets. The House-passed budget would impose devastating cuts on the Function 270 accounts in the fiscal years 2000 through 2003 and those cuts, if we agree to take that budget proposal seriously, would fall primarily on energy programs in this bill and the Interior Appropriations bill.

I must mention some specific concerns with the bill as it stands and I hope that my friends from the Subcommittee will work with me to address these issues as we move to Conference.

EXTERNAL REGULATION AT LAWRENCE  
BERKELEY LAB

Section 508 of this bill removes DOE's authority to self-regulate the Lawrence Berkeley Laboratory and calls for a report to be submitted that would detail the transition from DOE regulation of environment, safety and health to NRC and OSHA regulation.

I support the goal of external regulation of DOE facilities because I believe that cost-savings will result, but more importantly, because I believe that there is an inherent conflict of interest in having the people who are responsible for environment and worker health and safety be the same people who are responsible for personnel.

However, I do not support the external regulation language in this bill. The language legislates on an appropriations bill, bypassing the authorizing Committees who have jurisdiction over this issue. The Science Committee has had a long interest and involvement in the issue of how and whether DOE facilities should be externally regulated. Last month, two Science Subcommittees held a joint hearing on this matter in which Betsy Moler, the Deputy Secretary of Energy, agreed to work with us in developing a process by which the DOE would move to an externally regulated system.

I further object to this language because I believe that it does not adequately address the complexity of the many issues that external regulation of DOE facilities must resolve. For instance, the language implies that the NRC will have to clean up and decommission the Bevatron, a mothballed facility at Lawrence Berkeley. That could cost \$200 million. Moreover, the language provides no guidance about key issues such as whether NRC should license or certify the facility, or whether the NRC is intended to regulate medical accelerators which are currently State-regulated. I note that the administration has indicated that OSHA and the State of California lack legal authority to regulate at a Department of Energy lab, which raises the specter of a lab lacking health and safety standards; an unintended consequence of this legislative language, but one which may put workers and community lives at risk.

I look forward to working with the Appropriations Committee to clarify and improve the guidance for this first step at externally regulating DOE facilities.

## NEXT GENERATION INTERNET IN H.R. 4060

The Appropriations Committee report on H.R. 4060 sets the appropriations level for the Department of Energy's Computational and Technology Research program at \$22 million below the Administration's request. This reduction is explicitly designated as zeroing the DOE's requested funding for the Next Generation Internet initiative. The report language goes on to suggest that the NGI initiative had not been adequately justified. I believe the position the Appropriations Committee

has taken is incorrect and will impede research that would provide significant benefits for the nation.

When the NGI was first proposed in the spring of 1997, as part of the President's fiscal year 1998 budget request, the rationale and plan for the initiative were incomplete. As a result, the Science Committee did not authorize appropriations for the program in its fiscal year 1998 DOE authorization bill nor in its authorization bills last year for the other agencies participating in NGI. However, later in 1997, a detailed NGI implementation plan was released, and the Science Committee held hearings last fall to examine the program.

On the basis of the Committee's findings from that review, an authorization bill, H.R. 3332, was written for the NGI initiative. The Science Committee reported the bill in May, including an authorization of appropriations at the level of the Administration's request. We expected that DOE would be a major participant in the NGI initiative, and I am disappointed to find that the appropriations bill now under consideration by the House withholds appropriations for DOE.

The NGI is an important research initiative that is designed to increase the capacity, extend the capabilities, and improve the reliability of the Internet and related data networks. It is an outgrowth of collaborative R&D efforts among government, industry and academia to advance the capabilities of high performance computer networks. These past R&D efforts, initiated under the High Performance Computing Act of 1991, have shown that such collaboration spurs technological advances by creating a critical mass of talent, spreading risk, and leveraging resources.

The basic idea of the NGI initiative is to accelerate the capabilities of the Internet to support demanding multimedia and interactive applications. The future network capabilities envisioned are necessary for research, educational uses, and commercial uses that will require levels of service that are not now available. The approach taken by NGI will continue the successful, close collaboration among the government, industry and academia that led to the creation and early development of the existing Internet.

Research results from NGI will be rapidly transferred to the commercial Internet, and consequently, made available for all Internet users, because commercial network providers will be participants in the NGI initiative. This research is needed to ensure that the future capabilities of the Internet will effectively support its growing role in commerce, research, and education. In summary, the activities planned under NGI will help maintain the nation's predominant position in computer networking technology.

Prohibiting the Department of Energy from participating in NGI will damage the multi-agency program, with its interdependent R&D components. Adequate justifications for support for NGI are provided by the February 1998 implementation plan released by the National Coordination Office for Computing, Information, and Communications and by the testimony presented to the Science Committee. Also, the Science Committee, which is the principal committee of jurisdiction, has reported an authorization bill for the overall NGI program.

The companion bill to H.R. 4060 reported in the other body includes NGI funding for DOE. I strongly urge the Appropriations Committee to reconsider the position taken by the House report and, during the conference on H.R. 4060, to provide for DOE's participation in NGI.

## SOLAR AND RENEWABLES FUNDING IN H.R. 4060

Mr. Speaker, I also want to state my concern that H.R. 4060 fails to fund the increase in renewable energy funding requested by the Administration. I recognize that money is quite tight and that difficult choices need to be made. Nevertheless, I am concerned that the Committee may have chosen to eliminate this funding on the unsound belief that such funding would somehow constitute "back-door" implementation of the Kyoto agreement on climate change.

Mr. Speaker, I recognize that many of my colleagues have reservations about the Kyoto agreement. The Administration itself has said that it is incomplete, and that therefore it will not submit it for Senate ratification until we have secured meaningful participation from key developing countries. The Administration has also repeatedly said that it will not attempt to implement the Kyoto agreement without Senate ratification.

Despite these assurances, a number of Members are attacking elements of the President's budget which serve critical national goals but also have the ancillary benefit of reducing greenhouse gas emissions. Such is the President's request for the "Climate Change Technology Initiative," which proposes \$2.7 billion in additional research and development spending at several federal agencies. This increased funding would largely expand existing research programs which have served us well for many years.

In this bill, for example, the Department of Energy's solar and renewable research programs have made dramatic progress in improving the performance of solar and renewable energy while lowering its cost. This is precisely the type of long-range, risk-taking research that properly should be carried out by the Federal government. By its nature, not everything DOE does will succeed; but past performance leads us to hope that DOE can help develop solar and renewable energy sources to become more competitive with other energy sources in the future.

It should be in our interest to encourage the development of a diverse energy portfolio—one that does not rely predominantly on limited, non-renewable and polluting fossil fuels. It should also be in our interest to encourage energy security, instead of relying—as we do—on increasing amounts of imported foreign oil to meet our energy demands.

And, finally, solar and renewable energy provide us with a cheap insurance policy against climate change. I understand that many Members are unconvinced that that climate change is already occurring, and are waiting to see stronger proof. I also understand, as I stated before, that many Members have reservations about the provisions of the Kyoto protocol. But we cannot wait for a smoking gun or the perfect treaty to make a start now on developing the technologies that we may well need ten or fifteen or even twenty years from now. By cutting off this research now, we are choking off our future options and saddling those that follow us with harder, not easier, choices. This is an abdication of responsibility for future generations.

Mr. Speaker, funding solar and renewable energy R&D is the right thing to do. It is not a backdoor implementation of the Kyoto protocol. There's nothing mandatory, there's nothing regulatory, about energy research and development programs. These are win-win investments that meet our energy needs while giving us some options for addressing the greenhouse problem.

I certainly hope that the Chairman and the Ranking Member of the Subcommittee on Energy and Water can find a way to increase the funding for DOE's solar and renewable programs when they go to conference.

H.R. 4060 SECTION 306 PROVISIONS ON LAB COMPETITION

Finally, I note Section 306 of the bill, which addresses a very serious issue of Energy labs competing with the private sector. We place labs in a precarious position to do work that is in the public's interest and for which there may not be an obvious commercial interest and simultaneously to behave in a more profit-oriented manner. It is my understanding that Sec. 306 is intended to address a rather narrow, though disturbing, instance of a lab hijacking technology already developed in the private sector.

My concern with the language in the bill is that it is overly broad and will place a horrific bureaucratic burden on the Department at the same time that we want them to work leaner and smarter. I hope that we can work together to improve this language at conference or find another solution to this issue so that language of such sweeping magnitude is unnecessary. I want to assure those concerned about this issue that I would be happy to have the Science Committee investigate this issue and hold hearings on it.

Mr. PACKARD. Mr. Chairman, I rise today to convey my deepest gratitude to two of my colleagues. Both the Chairman and Ranking Minority of the Energy and Water Appropriations Committee, JOE MCDADE and VIC FAZIO, will soon leave this body and both will be deeply missed.

I've known both of these men for the entirety of my time here in Congress and I have been fortunate enough to work with them both on many occasions. As a Californian, I feel especially grateful to Mr. FAZIO for his unwavering commitment to our state. He has been one of the most dedicated Members of this House and has consistently supported the interests of not only his constituents, but of all Californians.

As a fellow Appropriations Subcommittee Chairman, I have a deep appreciation for the remarkable job JOE MCDADE does in bringing a fair, responsible bill to this floor each year. His hard work and dedication consistently results in legislation capable of stretching federal dollars to respond to the many needs across the nation under the jurisdiction of his Subcommittee.

Mr. Chairman, this year is no exception. The legislation both Mr. MCDADE and Mr. FAZIO have brought before this House is nothing short of exceptional. I fully support it and urge my colleagues to vote in its favor.

Mr. Chairman, both of these men have been true leaders of this House and true American champions. Their presence here will be missed, but their legacies will not be soon forgotten.

Mr. PAYNE. Mr. Chairman, I rise in strong support of the Energy and Water Appropriations Bill. Let me add my voice to those ex-

pressing gratitude to Chairman MCDADE and Ranking Member FAZIO for their hard work. I would also like to personally thank my New Jersey colleague who serves on the Subcommittee, RODNEY FRELINGHUYSEN, for his responsiveness to my request for funding for a major economic development project in my home city of Newark. I was pleased to have the opportunity to testify before the Subcommittee earlier this year, as I have many times in the past, in behalf of the development of the Joseph Minish Waterfront park and Historic Area in downtown Newark.

The \$5 million included in this bill for the development of the waterfront will allow us to continue moving forward with the project, which has already received \$10 million for construction. In recent years, the city of Newark, the nation's third oldest major city, has been greatly enhanced by a number of improvements and additions. We are especially proud of our new Performing Arts Center, a world class cultural center which has already attracted visitors from around the world. The development of the waterfront will complement the Performing Arts Center and provide a great attraction for both visitors and local residents. Specifically, the funding will allow us to proceed with the restoration of 3000 feet of riverbank and wetlands as well as the construction of one thousand feet of bulkhead along the river.

Mr. Chairman, this funding represents a solid investment in the future of a great city. Again, in behalf of my constituents, I thank the Subcommittee for its support of this key economic development initiative.

Mr. MILLER of California. Mr. Chairman, I rise in support of H.R. 4060, making Appropriations for Energy and Water Development for Fiscal Year 1999.

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

I am particularly pleased that the Committee's bill will assist in the continuation of funding Federal participation in the Bay-Delta ecosystem restoration programs authorized by the California Bay-Delta Environmental Enhancement and Water Security Act. However, I note that the FY 1999 appropriation for Bay-Delta is significantly less than the requested amount, and also reflects a reduction from the FY 1998 funding level. I encourage our Conferees to restore funding for this important program. Funding the Bay-Delta programs at the FY 1998 level will allow us to continue critical work to restore the many components of this huge area that have been damaged by human activity.

The Committee bill raises for the second year a problem with the Central Valley Project Restoration Fund. According to the Committee Report, appropriations for the Restoration Fund will be severely reduced again in FY 1999. This reduction is misguided and jeopardizes important environmental programs.

The projects financed with the CVP Restoration Fund are broadly supported and many are non-discretionary projects that must be completed in a limited amount of time. I hope there will be opportunities to reconsider the reductions to the Restoration Fund.

Language in the report for this bill directs the Bureau of Reclamation to use its \$3 million appropriation for the Animas-LaPlata

project to "implement the modification to the project required by the proposed amendments to the Colorado Ute Indian Water Rights Settlement Act." In effect, the report tells the Bureau to build a controversial project that has not been authorized by the Congress.

The Bureau should not follow this unwise dictate since there is no legislation authorizing the modification to the project.

I am pleased that bill includes \$200,000 that the Administration requested for the Army Corps of Engineers to initiate a feasibility study on the removal of the underwater hazards to navigation near Alcatraz Island. Although submerged even at low tide, these rock outcroppings could be struck by deep draft container and especially oil tanker vessels that frequently pass nearby, posing a substantial risk of an oil spill.

The feasibility study will investigate environmental impacts and mitigation, and develop project implementation alternatives and cost estimates. I appreciate the Subcommittee's continuing support of this important navigation project to protect both the environment and the economy of San Francisco Bay.

I thank the Committee for its hard work on this legislation, and I urge my colleagues to support H.R. 4060.

Mr. BEREUTER. Mr. Chairman, this Member would like to commend the distinguished gentleman from Pennsylvania (Mr. MCDADE), the Chairman of the Energy and Water Development Appropriations Subcommittee, and the distinguished gentleman from California (Mr. FAZIO), the Ranking Member of the Subcommittee for their exceptional work in bringing this bill to the Floor.

This Member recognizes that extremely tight budgetary constraints made the job of the Subcommittee much more difficult this year. Therefore, the Subcommittee is to be commended for its diligence in creating such a fiscally responsible bill. In light of these budgetary pressures, this Member would like to express his appreciation to the Subcommittee and formally recognize that the Energy and Water Development appropriations bill for fiscal year 1999 includes funding for several water projects that are of great importance to Nebraska.

This Member greatly appreciates the \$8 million funding level provided for the four-state Missouri River Mitigation Project. This represents a much-needed increase over the Administration's insufficient request for this important project. The funding is needed to restore fish and wildlife habitat lost due to the Federally sponsored channelization and stabilization projects of the Pick-Sloan era. The islands, wetlands, and flat floodplains needed to support the wildlife and waterfowl that once lived along the river are gone. An estimated 475,000 acres of habitat in Iowa, Nebraska, Missouri and Kansas have been lost. Today's fishery resources are estimated to be only one-fifth of those which existed in pre-development days.

In 1986, the Congress authorized over \$50 million to fund the Missouri River Mitigation Project to restore fish and wildlife habitat lost due to the construction of structures to implement the Pick-Sloan plan.

In addition, this bill provides additional funding for flood-related projects of tremendous importance to residents of Nebraska's 1st Congressional District. Mr. Chairman, flooding in 1993 temporarily closed Interstate 80 and

seriously threatened the Lincoln municipal water system which is located along the Platte River near Ashland, Nebraska. Therefore, this Member is extremely pleased the Committee agreed to continue funding for the Lower Platte River and Tributaries Flood Control Study. This study should help formulate and develop feasible solutions which will alleviate future flood problems along the Lower Platte River and tributaries. In addition, a related study was authorized by Section 503(d)(11) of the Water Resources Development Act of 1996.

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

Antelope Creek, which was originally a small meandering stream, became a straightened urban drainage channel as Lincoln grew and urbanized. Resulting erosion has deepened and widened the channel and created an unstable situation. A ten-foot by twenty-foot (height and width) closed underground conduit that was constructed between 1911 and 1916 now requires significant maintenance and major rehabilitation. A dangerous flood threat to adjacent public and private facilities exists.

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

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

Finally, Mr. Chairman, this Member recognizes that H.R. 4060 also provides funding for Army Corps projects in Nebraska at the following sites: Harlan County Lake; Papillion Creek and Tributaries; Gavins Point Dam, Lewis and Clark Lake; Salt Creek and Tributaries; and Wood River.

Again, Mr. Chairman, this Member commends the distinguished gentleman from Pennsylvania (Mr. MCDADE), the Chairman of the Energy and Water Development Appropriations Subcommittee, and the distinguished gentleman from California (Mr. FAZIO), the

ranking member of the Subcommittee for their support of projects which are important to Nebraska and the First Congressional District, as well as to the people living in the Missouri River Basin. Since the distinguished gentleman from Pennsylvania (Mr. MCDADE) earlier announced his intention not to seek reelection to the House, may I most sincerely commend, congratulate and thank the gentleman for the tremendous contributions he has made to America by the extraordinary effort and leadership he has demonstrated on the Appropriations Committee and through other responsibilities he has so ably discharged in his public service while a Member of the House. I recall as if it was only yesterday how the gentleman gave such friendly and quality advice and assistance to this Member when I arrived to serve on the House Small Business Committee in 1979 where the gentleman from Pennsylvania served as the ranking minority member. Thank you, my colleague and friend and very best wishes to you and your family during the remainder of this year and after you leave the House.

The CHAIRMAN. All time for general debate has expired.

Pursuant to the rule, the bill shall be considered for amendment under the 5-minute rule.

During consideration of the bill for amendment, the Chair may accord priority in recognition to a Member offering an amendment that he has printed in the designated place in the CONGRESSIONAL RECORD. Those amendments will be considered read.

The Chairman of the Committee of the Whole may postpone a request for a recorded vote on any amendment and may reduce to a minimum of 5 minutes the time for voting on any postponed question that immediately follows another vote, provided that the time for voting on the first question shall be a minimum of 15 minutes.

The Clerk will read.

The Clerk read as follows:

*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, 1999, 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, \$162,823,000, to remain available until expended, of which funds are provided for the following projects in the amounts specified:

Delaware Bay Coastline, Delaware and New Jersey, \$570,000;

Tampa Harbor, Alafia Channel, Florida, \$200,000;

Barnegat Inlet to Little Egg Harbor Inlet, New Jersey, \$322,000;

Brigantine Inlet to Great Egg Harbor Inlet, New Jersey, \$313,000;

Great Egg Harbor Inlet to Townsends Inlet, New Jersey, \$300,000;

Lower Cape May Meadows—Cape May Point, New Jersey, \$100,000;

Manasquan Inlet to Barnegat Inlet, New Jersey, \$400,000;

Raritan Bay to Sandy Hook Bay, New Jersey, \$1,100,000;

Townsends Inlet to Cape May Inlet, New Jersey, \$500,000; *Provided*, That the Secretary of the Army, acting through the Chief of Engineers, is directed to use \$700,000 of the funds appropriated in Public Law 102-377 for the Red River Waterway, Shreveport, Louisiana, to Daingerfield, Texas, project for the feasibility phase of the Red River Navigation, Southwest Arkansas, study; *Provided further*, That the Secretary of the Army is directed to use \$500,000 of the funds appropriated herein to implement section 211(f)(7) of Public Law 104-303 (110 Stat. 3684) and to reimburse the non-Federal sponsor a portion of the Federal share of project costs for the Hunting Bayou element of the project for flood control, Buffalo Bayou and tributaries, Texas; *Provided further*, That the Secretary of the Army is directed to use \$300,000 of the funds appropriated herein to implement section 211(f)(8) of Public Law 104-303 (110 Stat. 3684) and to reimburse the non-Federal sponsor a portion of the Federal share of project costs for the project for flood control, White Oak Bayou watershed, Texas.

#### 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), \$1,456,529,000, to remain available until expended, of which such sums as are necessary for the Federal share of construction costs for facilities under the Dredged Material Disposal Facilities program shall be derived from the Harbor Maintenance Trust Fund, as authorized by Public Law 104-303; and 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; Lock and Dam 14, Mississippi River, Iowa; Lock and Dam 24, Part 1, Mississippi River, Illinois and Missouri; and Lock and Dam 3, Mississippi River, Minnesota, projects, and of which funds are provided for the following projects in the amounts specified:

Norco Bluffs, California, \$4,400,000;

Tybee Island, Georgia, \$1,200,000;

Indianapolis Central Waterfront, Indiana, \$4,000,000;

Indiana Shoreline Erosion, Indiana, \$700,000;

Ohio River Flood Protection, Indiana, \$1,700,000;

Harlan/Clover Fork, Williamsburg, Middlesboro, Martin County, Pike County, and Town of Martin elements of the Levisa and Tug Forks of the Big Sandy River and Upper Cumberland River, Kentucky, \$26,730,000;

Southern and Eastern Kentucky, Kentucky, \$4,000,000;

Lake Pontchartrain and Vicinity (Hurricane Protection), Louisiana, \$18,000,000;

Lake Pontchartrain (Jefferson Parish) Stormwater Discharge, Louisiana, \$3,000,000; Southeast Louisiana, Louisiana, \$85,200,000;

Jackson County, Mississippi, \$7,000,000;

Passaic River Streambank Restoration, New Jersey, \$5,000,000;

Lackawanna River, Olyphant, Pennsylvania, \$14,400,000;

Lackawanna River, Scranton, Pennsylvania, \$43,551,000;

South Central Pennsylvania Environment Improvement Program, \$45,000,000, of which \$15,000,000 shall be available only for water-related environmental infrastructure and resource protection and development projects in Lackawanna, Lycoming, Susquehanna, Wyoming, Pike, and Monroe counties in Pennsylvania in accordance with the purposes of subsection (a) and requirements of subsections (b) through (e) of section 313 of the Water Resources Development Act of 1992, as amended;

Wallisville Lake, Texas, \$5,500,000;

Virginia Beach, Virginia (Hurricane Protection), \$13,000,000;

West Virginia and Pennsylvania Flood Control, West Virginia and Pennsylvania, \$750,000: *Provided*, That the Secretary of the Army is directed to incorporate the economic analyses for the Green Ridge and Plot sections of the Lackawanna River, Scranton, Pennsylvania, project with the economic analysis for the Albright Street section of the project, and to cost-share and implement these combined sections as a single project with no separable elements, except that each section may be undertaken individually when the non-Federal sponsor provides the applicable local cooperation requirements; *Provided further*, That any funds heretofore appropriated and made available in Public Law 103-126 for projects associated with the restoration of the Lackawanna River Basin Greenway Corridor, Pennsylvania, may be utilized by the Secretary of the Army in carrying out other projects and activities on the Lackawanna River in Pennsylvania; *Provided further*, That the Secretary of the Army is directed to use \$6,000,000 of the funds appropriated herein to implement section 211(f)(6) of Public Law 104-303 (110 Stat. 3683) and to reimburse the non-Federal sponsor a portion of the Federal share of project construction costs for the flood control components comprising the Brays Bayou element of the project for flood control, Buffalo Bayou and tributaries, Texas.

Mr. FAZIO of California. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I think there has been a lot of very legitimate discussion on this bill and on the rule leading up to it about what has been presented to us by the administration in their Corps budget this year.

The gentleman from Pennsylvania (Mr. MCDADE) and I worked very, very hard to get back to a figure which is \$200 million below what we should be spending this year. We came from \$900 million down. The administration's budget was terribly troubling to all of us, but I think we have got to put this in a larger context, and that is the declining nondefense discretionary programs.

As we can see, the funding freeze, which is essentially what we are learning to live with, based on the agreement made last year between the two parties, is trending downward. Repub-

licans have talked about reductions of an even greater amount.

Current services are going, in effect, off the chart. The demand for the Corps' program vastly exceeds what any of us envision being able to provide. If I could see the next chart, I would like to point out that the Corps itself is telling us that the legitimate requests made of it, program needs, are far beyond what is going to be available under the spending caps that we just agreed to.

My purpose is not to make a partisan speech on the quintessential non-partisan bill of the year. My point is simply to say, yes, the administration's budget was too deeply cut, but so will others in the future be if we keep on the trend line we have been on on nondefense discretionary spending.

I am very concerned about this because the Corps' construction budget is being augmented by a tremendous infusion of State and local funding. We have, as I said earlier, done away with those carryover balances that this committee used to utilize very effectively, at one time as much as \$800 million. That is gone. We have lost that flexibility.

All I am saying is that none of us can be critical of budgets that will be presented to this Congress in the future by any administration of either party when we have this kind of nondefense discretionary future out there ahead of us.

The Corps' programs are good and worthy. They are legitimate. They need to be funded. As we view not only the highway bill this year or the authorization for the research in the Agriculture Department, as we look at all of the proposed budget resolutions still to be resolved out there ahead of us, we see, I think, a recipe for disaster in the Corps budget. I hope we can, frankly, all get beyond the partisanship and understand that the future for the things that our constituents demand of us in this area is bleak.

Mr. HASTINGS of Washington. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I would like to enter into a colloquy with the gentleman from Pennsylvania (Mr. MCDADE), the chairman. First, I would like to say how much I appreciated working with the gentleman and the ranking member during these past 2 years. Both of them have worked closely with us to make sure that critical nuclear clean-up efforts are fully funded and effectively managed. I wish the both of them the very best.

Mr. Chairman, I wanted to raise an issue for the Committee's consideration as this bill moves into conference. As the gentleman knows, research into the field of medical isotopes has moved forward at a record pace over the past several years. In one recent clinical trial, medical isotope therapy demonstrated a 75 to 80 percent success rate against non-Hodgkins lymphoma patients diagnosed as termi-

nal. New research into alpha-emitting isotopes appears to be even more promising. Yet, today more than 90 percent of our research and treatment isotopes are imported. A recent strike at a Canadian reactor threatened to undermine diagnostic medical treatments nationwide.

A state-of-the-art facility in my district, the Fast Flux Test Facility, is now under consideration for production of these valuable cancer fighting tools. In addition, the facility could serve as an interim or backup source of tritium, at a savings of billions of dollars over other alternatives.

As the chairman knows, the House fully funded the President's request but transferred that request into the Department's environmental management account. The Senate, on the other hand, cut \$4 million from the program, but placed it into the energy research account as requested.

Although the \$31 million provided for the program is inadequate to fund either start-up or shutdown, I understand that the administration is working to correct this situation.

I wonder if the gentleman from Pennsylvania (Mr. MCDADE) might be willing to work with us on these two issues.

Mr. MCDADE. Mr. Chairman, will the distinguished gentleman yield to me?

Mr. HASTINGS of Washington. I am happy to yield to yield to the gentleman from Pennsylvania.

Mr. MCDADE. Mr. Chairman, I want to say how grateful we are to the gentleman for bringing this forcefully to our attention. It is our intention to work with him to ensure the program is appropriately funded and in the accurate place.

Mr. HASTINGS of Washington. Good. I thank the gentleman. If the gentleman would continue into a colloquy, I have one more inquiry.

During a June 10 hearing in the Committee on Resources, witnesses from the National Park Service testified that the U.S. Army Corps of Engineers is not properly complying with the implementing regulations of the Native American Graves Protection and Repatriation Act of 1990, or NAGPRA. These witnesses indicated that errors on the part of the Corps have resulted in a lawsuit against the Federal Government for mishandling cultural resources found on land owned by the Corps.

Mr. Chairman, it was my intention to offer an amendment to set aside \$10,000 to the U.S. Army Corps of Engineers overhead account to pay for a study on the Corps' compliance with NAGPRA. However, after discussions with the committee staff, I believe that the Corps could be persuaded to review this issue without amending the bill before us today.

Would the gentleman from Pennsylvania be willing to join me in a letter to the U.S. Army Corps of Engineers requesting a review of its compliance with this law?

Mr. Chairman, I will yield to the gentleman from Pennsylvania.

Mr. MCDADE. Mr. Chairman, may I say to my friend, I would be delighted to join in such a letter. The subcommittee is deeply interested in the issue. We will be happy to work with the gentleman.

Mr. HASTINGS of Washington. Good. I appreciate the gentleman's assistance with us on this matter.

Once again, I add my congratulations to the gentleman for a successful tenure here and success in getting this bill through the House tonight.

Mr. SKAGGS. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I would like to join in the shameless piling on of compliments and bouquets being thrown at the gentleman from Pennsylvania (Mr. MCDADE) and the gentleman from California (Mr. FAZIO) who are gentlemen, I think, that really set the standard for mutual respect, good working relationships, good humor, basic decency, care for the institution, and all manner of good things.

I was going to say I will miss you, but I will be gone next year, too. If I had the foresight to pattern my career after the gentleman from California (Mr. FAZIO), I would have gotten a lot further, but I did not think of doing it early enough. Anyway, my respects and high regard to both of the gentlemen.

I wanted to thank the subcommittee and its good staff in particular for the provisions that are included in the bill with regard to nuclear weapons plant cleanup. I think the very farsighted provision for funding the Rocky Flats closure fund even somewhat higher than the President's request, really will enable progress to be made there toward the hope for a closure by the year 2006, and in the process saving the taxpayers something on the order of \$1 billion. So I really appreciate the help there.

There is, however, one provision in the Senate bill that may complicate life for us with regard to both the Rocky Flats situation and elsewhere, and I would like to engage the gentleman from Pennsylvania (Mr. MCDADE) briefly in a discussion about that.

Section 306 of the Senate bill would apparently prohibit any steps to decrease radioactive concentration of wastes in order to meet the criteria for wastes that can be shipped to the Waste Isolation Pilot Project in New Mexico.

□ 1845

I do not know what the rationale for this provision may be, but I am informed that it could make it much less likely that wastes from Rocky Flats could be sent to WIPP in accordance with the current timetable. In fact, it could mean that the Department of Energy would have to use money that could go for cleanup instead to build a new facility at Rocky Flats to store

wastes that otherwise could be sooner sent to WIPP. Estimates are that this might cost \$20 million to \$40 million for construction, and another \$10 million a year to operate.

I am sure the chairman, at least I hope the chairman agrees that this would be an undesirable result, and I hope he will work to resolve this matter in conference and eliminate whatever confusion this Senate bill provision may have sown into this matter.

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

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

Mr. MCDADE. I thank the gentleman for yielding. May I say to him that one of the highlights of my service in the Congress was the opportunity to serve with him as a member of the Committee on Appropriations for more decades than we probably both want to admit. He will be missed. I hope to continue our relationship in life on the outside of the Capitol.

Let me say that we have no higher priority than concluding the cleanup site at Rocky Flats. We believe it is working well, we have put a lot of money on that effort, and we do not intend to back off it. I am not sure where that provision came from, but I want to assure the gentleman, it has our attention and we appreciate him bringing this to our attention again.

Mr. SKAGGS. Mr. Chairman, I thank the gentleman very much. I just in closing wanted to note two other provisions. As the chairman is aware, the bill provides somewhat less funds than were requested for the section 3161 program, the transition support for workers that are being phased out of these weapons plants around the country. I am fully aware of the difficult budget circumstances but just wanted to flag that item in hopes that both we can replenish some of the funding and also be at least open to the possibility that there will be out-year needs beyond the cutoff date currently included in the bill.

Mr. GIBBONS. Mr. Chairman, I move to strike the last word.

Mr. Chairman, first of all I would like to join my colleagues also in extending my congratulations to the gentleman from Pennsylvania (Mr. MCDADE) and the gentleman from California (Mr. FAZIO) for their hard work on this bill. Both their time here, their commitment and service to America is certainly and greatly appreciated by me as well as the entire Congress.

Mr. Chairman, the reason I am here is to discuss the ability of the State of Nevada and all affected local governments to carry out their oversight authority on the proposed Yucca Mountain project in Nevada. This oversight authority was granted to them in the Nuclear Waste Policy Act of 1982. Currently the Department of Energy is conducting tests to determine if the Yucca Mountain site will be a permanent repository for nuclear waste.

When the Nuclear Waste Policy Act of 1982 was created, Members of this

body felt that it was imperative for the State of Nevada and all affected local governments to have sufficient resources to carry out their own oversight. These necessary funds are used to properly oversee tests the Department of Energy is carrying out to determine whether or not Yucca Mountain is suitable or not suitable as a permanent nuclear waste site.

This was a very critical part of the 1982 act, because it allowed Nevada, and particularly the citizens and residents of that State, to have confidence in the scientific studies and especially the validity of those tests that the Department of Energy has been conducting. These resources will allow for State and local governments to continue to perform their own independent validation tests to ensure the best science is used to determine site suitability.

It has been my experience that these local and State scientists have been unbiased in their work and as such have produced needed assurances that only the best scientific data is used to determine the hydrologic and geologic character of Yucca Mountain.

Mr. Chairman, we have over 1.8 million people in Nevada, and their safety and quality of life in this debate should not be ignored, making it imperative that we provide the financial resources to ensure the State of Nevada and affected local governments are able to monitor and report on this activity.

Therefore, I would ask that the House conferees work with me to get \$4.875 million for the State of Nevada and \$5.54 million for affected local governments included in this appropriation. These appropriation amounts are consistent with the moneys appropriated in the Senate fiscal year 1999 Energy and Water Development Appropriations Act.

As the Federal Government moves to designate Yucca Mountain as a permanent nuclear waste repository, it becomes imperative that we address the scientific and safety concerns of the citizens of Nevada.

Again, I would like to thank the gentleman from Pennsylvania (Mr. MCDADE) and the gentleman from California (Mr. FAZIO) for their work on this bill. I would appreciate their willingness to work with me on this very important issue.

Mr. WAMP. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I certainly want to stop, too, as a member of the Committee on Appropriations and pay my respects to the gentleman from California (Mr. FAZIO) and the gentleman from Pennsylvania (Mr. MCDADE). In my 2 years, a short term on the committee, I have just thoroughly enjoyed the working relationship that I have with these two men and am constantly amazed at how much they know about the work that they do. Sometimes in this institution Members do not follow in the level of detail what these two gentlemen do day in and day out on the

Subcommittee on Energy and Water Development, knowing every single program area, the funding amounts, the priorities, somehow keeping it all in perspective and serving this institution so well. I could not be more unhappy that two people are leaving this body at the same time as the gentleman from California and the gentleman from Pennsylvania. They have served our country with such distinction. They will be sorely missed.

Mr. Chairman, as they know, I have been an advocate for the environmental cleanup efforts in Oak Ridge, Tennessee. Following the successful Manhattan Project and winning the Cold War and our nuclear buildup, now we have got the responsibility of cleaning it up. They also know that of the three gaseous diffusion plants in this country, one of them is in Oak Ridge, Tennessee. The Energy Policy Act of 1992 very specifically told the Congress to fund the cleanup at these sites in the future. We had those funding requests made for this fiscal year. Unfortunately at a time which they have articulated so well of declining discretionary accounts, we did not have the funding to fully fund the President's request for this coming year for the decontamination and decommissioning of these gaseous diffusion plants. The President asked for \$277 million. The Senate marked up a \$200 million level at the committee, and then reduced it by \$3 million on the Senate floor last week. So the Senate is at \$197 million. The President's request was at \$277 million. The House did add money back in and brought us to a \$225 million level.

I just appeal to the conferees as we come to the floor today to clear what I hope to be unanimous certification of our Energy and Water bill here today, and they deserve a unanimous vote from the full House, I want the conferees to know that the \$225 million even that the House Committee on Appropriations passed is still not sufficient. We need really \$15 million more to get to a level of \$240 million in order to not miss a stride in the environmental cleanup which is so important to all three gaseous diffusion sites, but particularly in the State of Tennessee where we constantly wrestle with the State of Tennessee on meeting our compliance levels and meeting our timing on the environmental cleanup as called for in the Energy Policy Act which we all know was a comprehensive piece of legislation affecting all of the nuclear sites in America.

I appeal to the conferees with much gratitude that the House appropriators saw fit to increase the level from the Senate mark to \$225 million, I just appeal that we find \$15 million more somehow as we approach the final Energy and Water conference report for fiscal year 1999, trying to get us to the \$240 million level so that this important cleanup can continue.

Mr. DEFAZIO. Mr. Chairman, I move to strike the last word.

Mr. Chairman, some Members might remember the rather confusing battle of the Fazio-DeFazio amendments last year. Unfortunately we will be deprived of that confusion in the future with the retirement of the gentleman from California. But the issue over which we disagreed will be before the Congress in future years. I have concerns in the way it is presented in the report language here. I decided to forgo an amendment this year since we are in limbo on the Animas-La Plata project; that is, it is not determined how or if it will go forward and in what form, so I decided not to come to the floor this year with an amendment to delete the funds. But what we find in the bill is language that says they should go ahead post haste with an alternative, whatever that might be, which of course is not authorized by law. Perhaps it would be the alternative advocated by the gentleman from Colorado (Mr. MCINNIS) who represents that district who has a bill, H.R. 3478, which has not even yet had a hearing. I think it would be most unusual and probably illegal for the Bureau of Reclamation to begin a project which has not even had a hearing in Congress, let alone being authorized. I would suggest that that language in the report should be, and probably will be, ignored by the administration.

The point here, this project was not justifiable, the massive amount of money. It was being sold as settling the legitimate claims of the Ute Indian tribe. However, it was much, much more than that, many hundreds of millions of dollars more, and it was not going to deliver water to that tribe. So some alternatives have been proposed. No one has as of yet authorized any of those alternatives. One called Animas-La Plata Lite is favored by the gentleman who represents the district, but it has not been heard, it has not been voted on, it is not law, and you cannot lawfully spend money on that project.

There are other alternatives that have been proposed. At some point, the committee of jurisdiction on which I sit, the authorizing committee, is going to have to hold hearings, puzzle through the potential alternatives, and come up with a solution which settles the legitimate claims of that tribe and protects the taxpayers at the same time. I do not believe we quite have that formula before us.

Mr. Chairman, I am rising just to point out this language in the report. Since the language would order the Bureau to do something which is illegal, I assume that the language will not be quite worth the paper it is printed on. I look forward to future discussion of this issue in committee and on the floor of the House as we move forward to authorizing a fair and just settlement but something which also protects the Federal Treasury.

Mr. LEWIS of California. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I rise today not to complain a bit about the work of the

gentleman from Pennsylvania (Mr. MCDADE) or the gentleman from California (Mr. FAZIO) in terms of the subcommittee report that is before us, but rather to say that a very interesting experience has been mine in recent weeks as I have observed these two gentlemen approaching today, for as has been said many a time before today, they both are contemplating leaving the House at the end of this session.

In beautiful northern California, in spite of the fact that there is a propensity even in that great State for people surrounding the State capital to often point a finger at elected officials and wonder what they are all about, in the last several weeks, suddenly out of the woodwork all kinds of people are saying, "Oh my God, what are we going to do? VIC FAZIO is not going to be there to represent us anymore." Suddenly citizens are beginning to realize that, unnoticed in many ways, almost never has there been quite the contribution to their community that has been made by their Congressman from Sacramento and regions that surround.

In beautiful downtown Scranton, Pennsylvania, a similar occurrence of people for years and years and years have been pointing around at what local officials in one location or another have not quite done to their satisfaction, and they too in the last many weeks have begun to say, "Oh my God, what are we going to do without JOE MCDADE to take care of our problems" that we ask about always at the last moment.

Mr. Chairman, it is important for us to note that in public affairs, most problems have absolutely very little to do with partisan politics. If there are two gentlemen who serve this House well who recognize that more than these two, I do not know who they are. Both the gentleman from Pennsylvania and the gentleman from California have been a great tribute to the House of Representatives. It has been my privilege to know them as human beings and as personal friends, but most important to have the opportunity to rise and say that I am proud just to be their colleague.

Mr. FAZIO of California. Mr. Chairman, I move to strike the last word.

The CHAIRMAN. Without objection, the gentleman from California is recognized for 5 minutes.

There was no objection.

Mr. FAZIO of California. Mr. Chairman, first of all let me say how much I appreciate the gentleman from California (Mr. LEWIS) and want him to know that in the future when people come to me and ask how we are going to accomplish this or that, I am going to simply refer them to him, because I know his interest in the region personally and in our State generally will motivate him to take up any unfulfilled task. I do appreciate him very much.

Mr. Chairman, I wanted to simply for the record indicate that the committee

has taken no position on Animas-La Plata this year. The money in the bill was the administration's budget request to fund ongoing activities of the Romer-Schoettler process, which is the Governor and Lieutenant Governor trying to find a solution to this problem at Animas-La Plata. Included in that request of the administration is funding for data collection, analysis of endangered species issues and other environmental, cultural and hydrological issues. It is obviously our understanding that the Colorado delegation is pursuing this project through the normal authorization process.

□ 1900

The proposed project has been reduced from a price tag that was originally about \$750 million to currently an estimate of around \$250 million. The proposal by environmental groups to give the Utes a cash settlement has been rejected by both the Tribal Council of the Ute and the Mountain Ute Nations.

This is a subject that has been debated for 30 years, and I know the gentleman from Pennsylvania (Mr. MCDADE) joins me in hoping that we are about to see a successful conclusion to this controversy brought about in terms of fulfilling our responsibilities to both the Indian tribes. I certainly hope that we can at least stay the course with this issue so that the process of accommodation that is underway in Colorado can be completed.

The CHAIRMAN. The Clerk will read. The Clerk read as follows:

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), \$312,077,000, to remain available until expended.

#### 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, \$1,637,719,000, 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 such sums as become available from the special account established by the Land and Water Conservation Act of 1965, as amended (16 U.S.C. 4601), may be derived from that Fund for construction, operation, and maintenance of outdoor recreation facilities, and of which \$4,200,000 is provided for repair of Chickamauga Lock, Tennessee, subject to authorization.

#### REGULATORY PROGRAM

For expenses necessary for administration of laws pertaining to regulation of navigable

waters and wetlands, \$110,000,000, to remain available until expended.

#### FORMERLY UTILIZED SITES REMEDIAL ACTION PROGRAM

For expenses necessary to clean up contaminated sites throughout the United States where work was performed as part of the Nation's early atomic energy program, \$140,000,000, 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, the Water Resources Support Center, and headquarters support functions at the USACE Finance Center; \$148,000,000, to remain available until expended: *Provided*, 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 executive direction and management activities of the division offices: *Provided further*, That none of these funds shall be available to support an office of congressional affairs within the executive office of the Chief of Engineers.

#### ADMINISTRATIVE PROVISION

Appropriations in this title shall be available for official reception and representation expenses (not to exceed \$5,000); and 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.

#### TITLE II

#### DEPARTMENT OF THE INTERIOR

##### CENTRAL UTAH PROJECT

##### CENTRAL UTAH PROJECT COMPLETION ACCOUNT

For carrying out activities authorized by the Central Utah Project Completion Act, and for activities related to the Uintah and Upalco Units authorized by 43 U.S.C. 620, \$39,665,000, to remain available until expended, of which \$15,476,000 shall be deposited into the Utah Reclamation Mitigation and Conservation Account: *Provided*, That of the amounts deposited into that account, \$5,000,000 shall be considered the Federal contribution authorized by paragraph 402(b)(2) of the Central Utah Project Completion Act and \$10,476,000 shall be available to the Utah Reclamation Mitigation and Conservation Commission to carry out activities authorized under that Act.

In addition, for necessary expenses incurred in carrying out related responsibilities of the Secretary of the Interior, \$1,283,000, 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:

##### WATER AND RELATED RESOURCES

##### (INCLUDING TRANSFER OF FUNDS)

For management, development, and restoration of water and related natural resources and for related activities, including the operation, maintenance and rehabilitation of reclamation and other facilities, participation in fulfilling related Federal responsibilities to Native Americans, and related grants to, and cooperative and other agreements with, State and local governments, Indian Tribes, and others, \$622,054,000, to remain available until expended, of which \$1,873,000 shall be available for transfer to

the Upper Colorado River Basin Fund and \$49,908,000 shall be available for transfer to the Lower Colorado River Basin Development Fund, and of which such amounts as may be necessary may be advanced to the Colorado River Dam Fund: *Provided*, That such transfers may be increased or decreased within the overall appropriation under this heading: *Provided further*, That of the total appropriated, the amount for program activities that can be financed by the Reclamation Fund or the Bureau of Reclamation special fee account established by 16 U.S.C. 4601a(i) shall be derived from that Fund or account: *Provided further*, That funds contributed under 43 U.S.C. 395 are available until expended for the purposes for which contributed: *Provided further*, That funds advanced under 43 U.S.C. 397a shall be credited to this account and are available until expended for the same purposes as the sums appropriated under this heading: *Provided further*, That of the total appropriated, \$25,800,000 shall be derived by transfer of unexpended balances from the Bureau of Reclamation Working Capital Fund.

##### BUREAU OF RECLAMATION LOAN PROGRAM ACCOUNT

For the cost of direct loans and/or grants, \$12,000,000, to remain available until expended, as authorized by the Small Reclamation Projects Act of August 6, 1956, as amended (43 U.S.C. 422a-422i): *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 \$38,000,000.

In addition, for administrative expenses necessary to carry out the program for direct loans and/or grants, \$425,000, to remain available until expended: *Provided*, That of the total sums appropriated, the amount of program activities that can be financed by the Reclamation Fund shall be derived from that 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, \$33,130,000, to be derived from such sums as may be 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, to remain available until expended: *Provided*, That the Bureau of Reclamation is directed to assess and collect the full amount of the additional mitigation and restoration payments authorized by section 3407(d) of Public Law 102-575.

##### CALIFORNIA BAY-DELTA ECOSYSTEM

##### RESTORATION

##### (INCLUDING TRANSFER OF FUNDS)

For necessary expenses of the Department of the Interior and other participating Federal agencies in carrying out the California Bay-Delta Environmental Enhancement and Water Security Act consistent with plans to be approved by the Secretary of the Interior, in consultation with such Federal agencies, \$75,000,000, to remain available until expended, of which such amounts as may be necessary to conform with such plans shall be transferred to appropriate accounts of such Federal agencies: *Provided*, That such funds may be obligated only as non-Federal sources provide their share in accordance with the cost-sharing agreement required under section 102(d) of such Act: *Provided further*, That such funds may be obligated prior to the completion of a final programmatic environmental impact statement only if: (1) consistent with 40 CFR 1506.1(c); and (2) used

for purposes that the Secretary finds are of sufficiently high priority to warrant such an expenditure.

## POLICY AND ADMINISTRATION

For necessary expenses of policy, administration, and related functions in the office of the Commissioner, the Denver office, and offices in the five regions of the Bureau of Reclamation, to remain available until expended, \$46,000,000, to be derived from the Reclamation Fund and be nonreimbursable as provided in 43 U.S.C. 377: *Provided*, That no part of any other appropriation in this Act shall be available for activities or functions budgeted as policy and administration expenses.

## ADMINISTRATIVE PROVISION

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

## TITLE III

## DEPARTMENT OF ENERGY

## ENERGY PROGRAMS

## ENERGY SUPPLY

For expenses of the Department of Energy activities including the purchase, construction and acquisition of plant and capital equipment and other expenses necessary for energy supply, and uranium supply and enrichment 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 not to exceed 22 passenger motor vehicles for replacement only, \$882,834,000, of which not to exceed \$3,000 may be used for official reception and representation expenses for transparency activities.

Mr. MCDADE (during the reading). Mr. Chairman, I ask unanimous consent that the bill through page 15, line 25, 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 Pennsylvania?

There was no objection.

The CHAIRMAN. Are there amendments to that portion of the bill?

## AMENDMENT NO. 1 OFFERED BY MR. FOLEY

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

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 1 offered by Mr. FOLEY:

Page 15, line 23, after the first dollar amount, insert the following: "(reduced by \$5,000,000)".

Mr. MCDADE. Mr. Chairman, I ask unanimous consent that all debate on this amendment and all amendments thereto close in 20 minutes and that the time be equally divided.

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

There was no objection.

The CHAIRMAN. The gentleman from Florida (Mr. FOLEY) will control 10 minutes.

Is there an opponent?

Mr. MCDADE. Mr. Chairman, I rise in opposition to this amendment.

The CHAIRMAN. As the opponent of the amendment, the gentleman from Pennsylvania (Mr. MCDADE) will control 10 minutes.

The Chair recognizes the gentleman from Florida (Mr. FOLEY).

Mr. FOLEY. Mr. Chairman, I yield myself 2 minutes.

Mr. Chairman, I want to thank the gentleman from Pennsylvania (Mr. MCDADE) for his fine work and particularly for all he has done for the Everglades and so many Florida projects which our entire State and Nation have benefited from.

And I hate to spoil the parade. I do have an amendment today on his bill that would strike \$5 million in funding for the Department of Energy's newly proposed Nuclear Energy Research Initiative, also known as NERI, and I am not opposed, Mr. Chairman, to nuclear power or its research. In fact, I have a reactor in my district and I fully support its continued existence, but I will not allow taxpayers to pay for research that benefits an industry that had \$141 billion in revenue last year alone.

Mr. Chairman, everything but the kitchen sink seems to be fair game for this program. They want R&D funds to focus on their competitiveness including operations, maintenance and fuel costs. This program contains large elements of the Nuclear Energy Security program that Congress choose not to fund last year. NES and NERI both would fund efforts to examine reactor aging issues, fuel economics and advanced instrumentation and controls. Some of this same research is already performed by the Nuclear Regulatory Commission.

The proponents of this program claim it is independently peer reviewed, but the reviewers are from universities, national labs and industry, the very same people who will receive the funds. Where exactly is the independence in that?

Our constituent tax dollars should not be spent on new and questionable Department of Energy programs for an already mature industry, yet this is exactly what the DOE is suggesting we do in the newly-proposed and unauthorized Nuclear Energy Research Initiative. This program is clear-cut corporate welfare. While it benefits a whole industry, it nevertheless benefits them with taxpayers' money, and that is wrong.

Mr. Chairman, I yield 2½ minutes to the gentleman from Ohio (Mr. KUCINICH).

Mr. KUCINICH. Mr. Chairman, I rise to ask my colleagues to support the Foley-Miller-Markey-Kucinich-Sanders amendment. Our amendment would strike the Nuclear Energy Research Initiative. It is a \$5 million subsidy that props up the commercial nuclear power industry and may keep open aging and potentially dangerous plants beyond the initial term of their licenses.

There are two powerful reasons to support our amendment:

First, giving more money to the nuclear industry is throwing good money after bad. Since 1950 taxpayers have handed the nuclear industry \$47 billion in subsidies. In addition to the billions in Federal subsidies, nukes have cost American consumers a bundle. According to Komanoff Energy Associates, nuclear power has cost ratepayers a premium of \$160 billion for electricity between 1968 and 1990. After all these billions we have already spent propping up the nuclear industry, there is no good reason for throwing away more taxpayer money.

Second, subsidizing nuclear power is bad environmental policy. Nuclear power poisons the environment with radiation emissions and creates tons of radioactive waste. Far from being clean, nuclear power is toxic. If there is something to spend money on, it would be on how to deal safely with the waste the nukes have already created.

Right now we do not have a policy to safely move the waste, we do not have a policy to safely store the waste. This policy here only creates more of it. It is time we put an end to it.

Support the Foley-Miller-Markey-Kucinich-Sanders amendment. Join all the other interest groups from all over the country who are concerned about good neighborhoods, safe neighborhoods, and are concerned about utility ratepayers. Support this amendment.

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

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

Mr. Chairman, I rise in opposition to this amendment. My good friend from Florida, as usual, does his homework very well and presents a good case, but unfortunately I believe it is the wrong case.

This Nation depends on nuclear power for about 20 percent of its electricity generation. Within the umbrella of energy resources in this bill there was appropriated \$880 million for energy supply research activities, and this \$5 million sum is included in the bill for scientific research.

Now it seems to me that is a reasonable course for the committee to pursue. It is reasonable, I think, for us to put out that amount of money to make sure that the 20 percent we are talking about, and who knows what tomorrow may bring, will have scientific research behind it.

Mr. Chairman, I yield such time as he may consume to the distinguished gentleman from Michigan (Mr. KNOLLENBERG).

Mr. KNOLLENBERG. Mr. Chairman, I rise in very strong opposition to this amendment.

Mr. Chairman, I understand the moves that the gentlemen are taking here. It is good to cut spending. Spending is an excess that we could, of course, look at in a number of areas but, very honestly, not at the heart of something like this.

The NERI program is designed to reinvigorate the Department of Energy's

nuclear energy R&D based on competitive, and I will explain that in just a moment, competitive and peer-reviewed applications concerning such issues as more efficient reactor designs, lower costs, improved safety, better onsite storage techniques and proliferation-resistant reactors.

Now PCAST, the President's Committee of Advisers on Science and Technology panel, recommended further nuclear energy research and development to ensure our Nation's nuclear energy program is strong and growing. Specifically they encouraged R&D in the areas of nuclear waste, non-proliferation and nuclear safety. They also expressed a concern about whether nuclear energy is economically viable. With the NERI program we will conduct research that will address these concerns and pave the way for nuclear energy to emerge as a more prominent energy source for the United States.

There is no shortage of funding for the other areas of energy supply research. The chairman alluded to that. Last year we appropriated \$296 million for solar and renewables R&D. This year we recommended \$351 million, and the Senate has over \$4 million assigned to solar and renewables. This includes \$70 million for photovoltaics, \$33 million for wind energy and \$101 million for biomass/biofuels research, and fossil energy R&D last year received \$362 million and will likely receive a similar amount this year.

In contrast, last year nuclear energy received only, the research end of it, only \$7 million. This bill has increased the funding level for nuclear energy research to a total of \$17 million, \$5 million for NERI and \$12 million for the university research programs which I also support.

Now the gentlemen have talked about some of the money that has been spent in nuclear research. A lot of that was weapons research. Let me tell my colleagues since 1976 we have spent \$1.45 billion on solar and renewable energy sources, which generates below 1 percent of this country's electricity supply. Alternatively, since 1973 we have spent \$1 billion on nuclear R&D, and nuclear energy plants produced nearly 20 percent of the Nation's electricity, let me remind my colleagues of this, and they produced 40 percent of all new electricity generation since 1973.

This year let us make sure we get an appropriate level of funding for nuclear R&D for this year. As I have already stated, it is the safe, clean and reliable energy source to carry us into the future.

The NERI program is set up with competitive peer-reviewed research that will be a coordinated effort between the national laboratories, universities and industry. Now what does that mean, competitive peer-reviewed research? What it means is we will get the best science available with no favoritism toward any specific university, Federal laboratory, company or

industry. Instead they will have to compete for the research grant, which will ensure we get the best science available, perhaps to a university in one of my colleague's States.

There are some who might claim this is corporate welfare. This is simply untrue, and those who are claiming that ought to study the solar and renewable energy research and development which is rife with technology transfer programs and commercialization, and very little, if any, that is peer-reviewed science. To the contrary, the NERI program will be competitive, peer-reviewed research that is basic research to continue this safe, clean, low-emission energy source.

The Clinton administration has requested \$24 million for this program. I support a higher level of funding. I am glad to see we provide some funding for this important program.

Another good reason to support nuclear R&D such as the NERI program is as follows:

As many of my colleagues might know, I and some others had the opportunity to attend the global climate change meeting in Kyoto back in December. That is where the administration signed on to an agreement to reduce the U.S. greenhouse gas emissions to 7 percent below 1990 levels by the years 2008 through 2012. I have been quite critical about the U.S. supporting a treaty which places the U.S. and other industrial nations at a competitive disadvantage to the 132 nations which have no reduction requirements.

In Kyoto, Japan was a strong proponent for placing strict reductions on greenhouse gas emissions on the industrial nations. However, they also have an existing plan for reaching their reduction requirement. With 44 existing commercial nuclear power plants already, they have a construction plan to build at least 20 more. Since nuclear power emits no greenhouse gas emissions, this alone will allow them to reach their reduction target. In the U.S. there appears to be no similar plan to use new commercial nuclear energy plants to reduce the U.S.'s greenhouse gas emissions, and in fact in a deregulated electricity market we may see some of our older plants shut down.

We have a great opportunity, I believe, to bring America back to the option of nuclear energy. Nuclear energy such as they have in Europe and Japan and elsewhere has provided safe, reliable energy, a source that does not emit greenhouse gases. Support the NERI program. Make sure the best nuclear minds in the world are right here in the U.S.

I urge my colleagues to oppose this amendment.

□ 1915

Mr. FOLEY. Mr. Chairman, I yield 3 minutes to the gentleman from Massachusetts (Mr. MARKEY).

Mr. MARKEY. Mr. Chairman, this is a great amendment. Do you remember

the old horror movie, *The Night of the Living Dead*, where the dead came back from their graves to stalk the Earth again? Well, that is what this program is, it is a dead government program.

We killed almost the identical program last year, but Adam Smith spins in his grave as we stand out here trying to figure out how to give subsidies to Westinghouse and General Electric and other Fortune 500 companies, for them to figure out how to develop nuclear energy electrical generating capacity, when they have been in that business for 50 years.

It would be one thing if they are starving. They are the wealthiest companies in the United States. The electric utility industry is the wealthiest industry in the United States. Over a 50-year period, we here on the floor of Congress have given this industry \$47 billion in subsidies.

What is the net result? We are now debating here in Congress, and in every State legislature in the country, something called stranded investments in electrical restructuring. What does stranded investments mean? Well, it is a euphemism for the word nuclear power plant, meaning how do we get this off of our books? How do we have ratepayers subsidize this boondoggle?

In the marketplace, oil is cheaper in generating electricity, gas is cheaper in generating electricity, coal is cheaper in generating electricity and wind is cheaper in generating electricity, but we are supposed to subsidize Fortune 500 companies in a technology that is more expensive?

Mr. Chairman, no electric utility has purchased one of these since 1973. If they think it is such a great idea, why do they not build them themselves? They have got more money than the Federal Government, if they want to invest in it. But asking the taxpayers to have themselves tipped upside down and shake another 5 or 10 million bucks out of them for an industry that has not been able to figure out in 50 years how to make this technology effective in the marketplace, is just a complete and total waste of money.

Mr. Chairman, the Foley amendment, on a bipartisan basis, Democrat and Republican, is something that each one of us should be able to back tonight to prove that we are faithful to the taxpayers' message to us that we should stop squandering their money, handing it over to the private sector, investing in programs that would not work in the real world marketplace.

Vote "yes" on the Foley amendment.

Mr. McDADE. Mr. Chairman, I yield 2 minutes to the distinguished gentleman from California (Mr. FAZIO), the able ranking member of the subcommittee.

Mr. FAZIO of California. Mr. Chairman, I thank the gentleman for yielding me this time.

Mr. Chairman, I rise in opposition to the amendment and want to state unequivocally the administration's opposition to it as well. This is not the nuclear energy security program that I

think some of the critics of NERI are attacking today. This program is not a program that has risen from the dead. It is a new program which has within it the potential of bringing together universities, the National Laboratories and the private sector to spend a very, very small amount of the Department of Energy's research funding, less than one-half of 1 percent of their total DOE research funding, as a matter of fact. One-fifth of the amount in this bill is what is left of the administration's request, which was far greater, a \$50 million request made by the President's science and technology advisors, transformed to a \$24 million request by OMB, and all we provided for was \$5 million, a very small contribution to keep a seat at the table in the ongoing international discussions over nuclear energy technology.

Mr. Chairman, I think it would be foolish for this Congress to zero out this very modest funding for an area of energy supply that still presents 20 percent of the total electrical generation in this country, and, regrettably, I am sure, from the perspective of a number of those who have cosponsored this amendment, continues to be not only internationally on the offensive, an increasingly large provision of electrical generation in Europe and Japan, but also, as the gentleman from Michigan (Mr. KNOLLENBERG) has said, potentially a major contribution to the issues of global climate change. I know we have had some controversy around that issue.

Mr. Chairman, for us to turn down this very small sum of money at this point in our history, I think, would be very foolish.

Mr. Chairman, I include for the RECORD a letter to the chairman of the Subcommittee on Energy and Water Development from William D. Magwood, IV, the acting director of the Office of Nuclear Energy, Science and Technology.

DEPARTMENT OF ENERGY,  
Washington, DC, June 22, 1998.

Hon. JOSEPH M. MCDADE,  
Chairman, Subcommittee on Energy and Water  
Development, Committee on Appropriations,  
U.S. House of Representatives, Washington,  
DC.

DEAR MR. CHAIRMAN: We understand that when the Energy and Water Development Appropriations bill comes to the floor for consideration by the full House, an amendment will be offered to strike funding for the Department of Energy's Nuclear Energy Research Initiative (NERI). Opponents of this research program characterize it as a "corporate welfare" program that is simply a repackaging of the unfunded Nuclear Energy Security program the Department proposed for FY 1998. These characterizations are inaccurate, and the Department urges you to oppose any amendment to remove funding for this important initiative.

Since the end of fiscal year 1997, the Departmental has engaged experts from U.S. universities, the national laboratories, and industry to help develop a new approach to nuclear energy research and development. In particular, we have heeded the recommendations of the President's Committee of Advisors on Science and Technology on nuclear

energy research and development. As a result, our fiscal year 1999 proposals represent a significant departure from past nuclear research and development programs.

Our proposed NERI program, if funded, will help the United States maintain its scientific and technological leadership by sponsoring research to address the complex, long-term problems associated with nuclear energy—such as proliferation, waste, economics, and safety. The program will apply independent, National Science Foundation-style peer review to competitively select the best research proposals from among a wide range of sources including national laboratories, academia, and industry.

In addition, the Nuclear Energy Research Initiative will benefit from the advice of the Nuclear Energy Research Advisory Committee which is being formed to help guide these and other Office of Nuclear Energy, Science and Technology programs. The advisory committee will include both proponents and critics of nuclear power, and will allow the Department to more effectively engage the academic community, national laboratories, and other interested parties in the planning and execution of our programs.

In contrast, the Nuclear Energy Security program proposed for FY 1998 was a narrowly focused program designed to address specific technical issues. The program was to be directed by Department of Energy staff with little opportunity for input from industry, academia, or critics of nuclear technology and without the benefit of an independent advisory committee. Also unlike NERI, the Nuclear Energy Security program was focused on working with commercial utilities in the near-term to relicense existing nuclear power plants. NERI, on the other hand, will support research that goes far beyond that envisioned under the Nuclear Energy Security program. The technologies to be investigated under NERI could provide long-term benefits that transcend simple economics and help address important national issues such as nuclear waste generation and proliferation.

The \$5 million in the House bill for NERI represents one-fifth of the amount proposed by the Department and less than one-half of one percent of the total DOE energy research funding in the House bill, while nuclear power provides over 20 percent of the electricity produced in the United States. While a very modest investment, this funding will enable the United States to join other advanced countries in conducting long-term, advanced research into nuclear technology. In doing so, the United States can explore new technologies that may be vital in the future, reassert its leadership role in nuclear technology, and maintain its endangered "seat at the table" in the on-going international discussion over nuclear energy technologies and issues.

We believe that the proposed program will help maintain the continued viability of nuclear power in the United States, and the Department asks you to oppose any amendment to strike funding for this program.

Sincerely,  
WILLIAM D. MAGWOOD, IV  
Acting Director,  
Office of Nuclear Energy, Science and  
Technology.

Mr. FOLEY. Mr. Chairman, I yield 2 minutes to the gentleman from Vermont (Mr. SANDERS).

Mr. SANDERS. Mr. Chairman, I thank the gentleman for yielding me time.

Mr. Chairman, I rise in strong support of this amendment, which cuts the remaining \$5 million from the nuclear

energy research initiative to zero, and that is precisely where this appropriation should be. I want to congratulate the gentleman from Florida (Mr. FOLEY), the gentleman from California (Mr. MILLER), the gentleman from Ohio (Mr. KUCINICH) and the gentleman from Massachusetts (Mr. MARKEY) for their strong efforts in this area.

Mr. Chairman, now is not the time to continue our investment in nuclear energy. It is time to put increased Federal resources into renewable sources of energy, including solar and wind research and other sustainable and potentially inexpensive sources of energy.

This Nation has poured \$47 billion into the nuclear industry since 1950 and, frankly, that is enough. Renewable sources of energy did not even receive support until 1974, and since then these clean energy sources have been funded at far lower levels than nuclear energy.

Mr. Chairman, the fact is that nuclear energy produces radioactive waste that must go somewhere, and that waste will pollute the environment for thousands of years. I have heard some reference to the fact that nuclear energy is clean energy. If those Members think it is so clean, they may want to stand up and volunteer to be the recipients of the nuclear waste that is being produced all over this country. But I am not so sure they are prepared to accept that "clean waste." After all of the discussion, after all of the billions of dollars, the fact is, we simply today still do not know how to get rid of nuclear waste.

Mr. Chairman, this is a good amendment. It is supported and endorsed by the Friends of the Earth, the League of Conservation Voters, Public Citizen, Safe Energy Communication Council, the Sierra Club, the U.S. Public Interest Research Group, and the Natural Resources Defense Council. Let us save the taxpayers money. Let us not pour another \$5 million into corporate welfare. Let us support this amendment.

Mr. MCDADE. Mr. Chairman, I yield such time as he may consume to the gentleman from Idaho (Mr. CRAPO).

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

Mr. CRAPO. Mr. Chairman, I rise in opposition to this amendment.

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

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

Mr. MCDADE. Mr. Chairman, I want to underline to the House that the money contained in this bill is for science, pure science. There is no money going to the Fortune 500 that my friend referred to. It is going to be peer-reviewed science, in order that we as a Nation may be assured that we are getting the best science in a very complicated area.

Let me just indicate to the House three possible areas that are on the

table to be peer-reviewed and to which money will be allocated at some point.

Number one, proliferation-resistant reactor and fuel technologies. Proliferation-resistant fuels, one of the great issues that exists in our country. If we went to Russia we would find material floating all over the country that is capable of being converted to weapons grade compounds.

Secondly, nuclear safety and risk analysis. If we look at that issue, you can find units all over the world that are modeled on Chernobyl that need science, and that is another issue this program addresses.

Let me just point out the third one: new technologies for nuclear wastes. There is no more vexing problem in this country than the cleanup problem that is needed to bring our country back to where it was in the era before the creation of atomic weaponry. Nobody has a solution to it. It is costing us a fortune. This science will be used to try to find a solution.

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

Mr. MCDADÉ. I yield to the gentleman from New York.

Mr. SOLOMON. Mr. Chairman, just for 5 seconds, everyone should come over here and defeat this amendment. This amendment is a disaster. I thank the gentleman for his comments. I concur with them.

Mr. FOLEY. Mr. Chairman, I yield myself the balance of my time.

The CHAIRMAN. The gentleman from Florida is recognized for 1 minute.

Mr. FOLEY. Mr. Chairman, in closing, let me suggest to Members that when we had debate in the committee on this very issue, we asked Mr. Magwood who would be responsible for the implementation of the language. Is there any possibility of major advanced reactor programs which had been terminated by Congress being funded by this program? He said, "I guess from the legal perspective, it is not precluded, so clearly this could open up the door."

Mr. Chairman, this is a \$20 billion bill: \$2.4 billion for research for high-energy nuclear physics, basic energy services; \$232 for fusion energy R&D; \$228 million for nuclear energy programs. We are not asking to cut a lot of money. We are asking for \$5 million of savings on a \$20 billion bill.

The program is ill-defined. It does not provide any guidelines that I think we can successfully track. Congress last year cut the funding for these programs. So I would suggest to my colleagues, in the interests of fairness, to support our amendment and save the government \$5 million.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Florida (Mr. FOLEY).

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

Mr. FOLEY. Mr. Chairman, I demand a recorded vote, and pending that, I

make the point of order that a quorum is not present.

The CHAIRMAN. Pursuant to House Resolution 478, further proceedings on the amendment offered by the gentleman from Florida will be postponed.

The point of no quorum is considered withdrawn.

The Clerk will read.

The Clerk read as follows:

#### NON-DEFENSE ENVIRONMENTAL MANAGEMENT

For Department of Energy expenses, including the purchase, construction and acquisition of plant and capital equipment and other expenses necessary for non-defense environmental 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, \$466,700,000, to remain available until expended.

#### 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, \$225,000,000, to be derived from the Fund, to remain available until expended: *Provided*, That \$30,000,000 of amounts derived from the Fund for such expenses shall be available in accordance with title X, subtitle A, of the Energy Policy Act of 1992.

#### SCIENCE

For expenses of the Department of Energy activities including the purchase, construction and acquisition of plant and capital equipment and other expenses necessary for science 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, and purchase of not to exceed 5 passenger motor vehicles for replacement only, \$2,399,500,000, to remain available until expended: *Provided*, That in addition, \$7,600,000 of the unobligated balances originally available for Superconducting Super Collider termination activities shall be made available for other activities under this heading.

#### NUCLEAR WASTE DISPOSAL FUND

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, \$160,000,000, to remain available until expended, to be derived from the Nuclear Waste Fund: *Provided*, That none of the funds provided herein shall be distributed to the State of Nevada or affected units of local government (as defined by Public Law 97-425) by direct payment, grant, or other means, for financial assistance under section 116 of the Nuclear Waste Policy Act of 1982, as amended: *Provided further*, That the foregoing proviso shall not apply to payments in lieu of taxes under section 116(c)(3)(A) of the Nuclear Waste Policy Act of 1982, as amended.

#### DEPARTMENTAL ADMINISTRATION

For salaries and expenses of the Department of Energy necessary for departmental administration 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 \$5,000), \$175,365,000, to remain avail-

able 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 \$136,530,000 in fiscal year 1999 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 31 U.S.C. 3302: *Provided further*, That the sum herein appropriated shall be reduced by the amount of miscellaneous revenues received during fiscal year 1999 so as to result in a final fiscal year 1999 appropriation from the General Fund estimated at not more than \$38,835,000.

#### 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, \$14,500,000, 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; the purchase of not to exceed one fixed wing aircraft; and the purchase of passenger motor vehicles (not to exceed 32 for replacement only, and one bus), \$4,142,100,000, to remain available until expended.

##### DEFENSE ENVIRONMENTAL RESTORATION AND WASTE MANAGEMENT

For Department of Energy expenses, including the purchase, construction and acquisition of plant and capital equipment and other 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 3 new sedans and 6 for replacement only, of which 3 are sedans, 2 are buses, and 1 is an ambulance), \$4,358,554,000, to remain available until expended.

##### DEFENSE FACILITIES CLOSURE PROJECTS

For expenses of the Department of Energy to accelerate the closure of defense environmental management sites, including the purchase, construction and acquisition of plant and capital equipment and other necessary expenses, \$1,038,240,000, to remain available until expended.

##### DEFENSE ENVIRONMENTAL MANAGEMENT PRIVATIZATION

For Department of Energy expenses for privatization projects necessary for atomic energy defense environmental management activities authorized by the Department of Energy Organization Act (42 U.S.C. 7101, et seq.), \$286,857,000, to remain available until expended.

##### OTHER DEFENSE ACTIVITIES

For Department of Energy expenses, including the purchase, construction and acquisition of plant and capital equipment and

other expenses necessary for atomic energy defense, 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, \$1,761,260,000, 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, \$190,000,000, to remain available until expended.

#### POWER MARKETING ADMINISTRATIONS

##### BONNEVILLE POWER ADMINISTRATION FUND

Expenditures from the Bonneville Power Administration Fund, established pursuant to Public Law 93-454, are approved for official reception and representation expenses in an amount not to exceed \$1,500.

During fiscal year 1999, no new direct loan obligations may be made.

##### 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, \$8,500,000, to remain available until expended; in addition, notwithstanding 31 U.S.C. 3302, not to exceed \$28,000,000 in reimbursements, of which \$20,000,000 is for transmission wheeling and ancillary services and \$8,000,000 is for power purchases at the Richard B. Russell Project, 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 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, \$24,710,000, to remain available until expended; in addition, notwithstanding the provisions of 31 U.S.C. 3302, not to exceed \$4,200,000 in reimbursements, to remain available until expended.

##### CONSTRUCTION, REHABILITATION, OPERATION AND MAINTENANCE, WESTERN AREA POWER ADMINISTRATION

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. 7152), 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, \$205,000,000, to remain available until expended, of which \$195,787,000 shall be derived from the Department of the Interior Reclamation Fund: *Provided*, That of the amount herein appropriated, \$5,036,000 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.

##### FALCON AND AMISTAD OPERATING AND MAINTENANCE FUND

For operation, maintenance, and emergency costs for the hydroelectric facilities at the Falcon and Amistad Dams, \$970,000, to remain available until expended, and to be

derived from the Falcon and Amistad Operating and Maintenance Fund of the Western Area Power Administration, as provided in section 423 of the Foreign Relations Authorization Act, Fiscal Years 1994 and 1995.

#### 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, the hire of passenger motor vehicles, and official reception and representation expenses (not to exceed \$3,000), \$166,500,000, to remain available until expended: *Provided*, That notwithstanding any other provision of law, not to exceed \$166,500,000 of revenues from fees and annual charges, and other services and collections in fiscal year 1999 shall be retained and used for necessary expenses in this account, and shall remain available until expended: *Provided further*, That the sum herein appropriated from the General Fund shall be reduced as revenues are received during fiscal year 1999 so as to result in a final fiscal year 1999 appropriation from the General Fund estimated at not more than \$0.

#### GENERAL PROVISIONS

##### DEPARTMENT OF ENERGY

SEC. 301. (a) None of the funds appropriated by this Act or any prior appropriations Act may be used to award a management and operating contract unless such contract is awarded using competitive procedures or the Secretary of Energy grants, on a case-by-case basis, a waiver to allow for such a deviation. The Secretary may not delegate the authority to grant such a waiver.

(b) At least 60 days before a contract award, amendment, or modification for which the Secretary intends to grant such a waiver, the Secretary shall submit to the Subcommittees on Energy and Water Development of the Committees on Appropriations of the House of Representatives and the Senate a report notifying the subcommittees of the waiver and setting forth the reasons for the waiver.

SEC. 302. (a) None of the funds appropriated by this Act or any prior appropriations Act may be used to award, amend, or modify a contract in a manner that deviates from the Federal Acquisition Regulation, unless the Secretary of Energy grants, on a case-by-case basis, a waiver to allow for such a deviation. The Secretary may not delegate the authority to grant such a waiver.

(b) At least 60 days before a contract award, amendment, or modification for which the Secretary intends to grant such a waiver, the Secretary shall submit to the Subcommittees on Energy and Water Development of the Committees on Appropriations of the House of Representatives and the Senate a report notifying the subcommittees of the waiver and setting forth the reasons for the waiver.

SEC. 303. None of the funds appropriated by this Act or any prior appropriations Act may be used to—

(1) develop or implement a workforce restructuring plan that covers employees of the Department of Energy; or

(2) provide enhanced severance payments or other benefits for employees of the Department of Energy; under section 3161 of the National Defense Authorization Act for Fiscal Year 1993 (Public Law 102-484; 106 Stat. 2644; 42 U.S.C. 7274h).

SEC. 304. None of the funds appropriated by this Act or any prior appropriations Act may be used to augment the \$29,800,000 made available for obligation by this Act for severance payments and other benefits and com-

munity assistance grants under section 3161 of the National Defense Authorization Act for Fiscal Year 1993 (Public Law 102-484; 106 Stat. 2644; 42 U.S.C. 7274h).

SEC. 305. None of the funds appropriated by this Act or any prior appropriations Act may be used to prepare or initiate Requests For Proposals (RFPs) for a program if the program has not been funded by Congress.

SEC. 306. (a) Except as provided in subsection (b), none of the funds appropriated by this Act or any prior appropriations Act may be used by any program, project, or activity of the Department of Energy to produce or provide articles or services for the purpose of selling the articles or services to a person outside the Federal Government, unless the Secretary of Energy determines that the articles or services are not available from a commercial source in the United States.

(b) Subsection (a) does not apply to the transmission and sale of electricity by any Federal power marketing administration.

#### (TRANSFERS OF UNEXPENDED BALANCES)

SEC. 307. The unexpended balances of prior appropriations provided for activities in this Act may be transferred to appropriation accounts for such activities established pursuant to this title. Balances so transferred may be merged with funds in the applicable established accounts and thereafter may be accounted for as one fund for the same time period as originally enacted.

Mr. McDADE (during the reading). Mr. Chairman, I ask unanimous consent that the bill through page 28, line 2, 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 Pennsylvania?

There was no objection.

AMENDMENT OFFERED BY MR. DAN SCHAEFER OF COLORADO

Mr. DAN SCHAEFER of Colorado. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. DAN SCHAEFER of Colorado:

Page 28, insert after line 2 the following:

#### WASTE ISOLATION PILOT PLANT LAND WITHDRAWAL ACT

SEC. 308. None of the funds appropriated by this Act or any prior appropriations Act may be used to provide economic assistance or miscellaneous payments under section 15 of the Waste Isolation Pilot Plant Land Withdrawal Act (Public Law 102-579, 106 Stat. 4777) until the Waste Isolation Pilot Plant commences disposal operations.

Mr. McDADE (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

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

There was no objection.

□ 1930

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

Mr. DAN SCHAEFER of Colorado. I yield to the gentleman from Pennsylvania.

Mr. McDADE. Mr. Chairman, may I say to my distinguished friend, the gentleman from Colorado, and the distinguished chairman of one of the most important committees of the Congress, he has kept us totally informed. We are

in support of his amendment, and we accept it.

Mr. DAN SCHAEFER of Colorado. Mr. Chairman, I thank the gentleman from Pennsylvania.

Mr. FAZIO of California. Mr. Chairman, will the gentleman yield?

Mr. DAN SCHAEFER of Colorado. I yield to the gentleman from California.

Mr. FAZIO of California. Mr. Chairman, I certainly understand the concern that moves the gentleman to bring this amendment. I am sure we will examine this issue further as we prepare for conference.

Mr. DAN SCHAEFER of Colorado. Mr. Chairman, I thank both gentlemen, and I particularly thank both gentlemen for their long service here in the Congress.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Colorado (Mr. DAN SCHAEFER).

The amendment was agreed to.

The CHAIRMAN. Are there further amendments to the bill?

Mr. McDADDE. Mr. Chairman, I ask unanimous consent that the remainder of the bill through page 37, line 13, 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 Pennsylvania?

There was no objection.

The text of the remainder of the bill through page 37, line 13, is as follows:

#### 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, for necessary expenses for the Federal Co-Chairman and the alternate on the Appalachian Regional Commission, for payment of the Federal share of the administrative expenses of the Commission, including services as authorized by 5 U.S.C. 3109, and hire of passenger motor vehicles, \$65,900,000, to remain available until expended.

###### 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, \$16,500,000, to remain available until expended.

###### NUCLEAR REGULATORY COMMISSION

##### SALARIES AND EXPENSES

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 official representation expenses (not to exceed \$5,000); \$462,700,000, to remain available until expended: *Provided*, That of the amount appropriated herein, \$14,800,000 shall be derived from the Nuclear Waste Fund: *Provided further*, That revenues from licensing fees, inspection services, and other services and collections estimated at \$444,700,000 in fiscal year 1999 shall be retained and used for necessary salaries and expenses in this account, notwithstanding 31

U.S.C. 3302, and shall remain available until expended: *Provided further*, That \$3,200,000 of the funds herein appropriated for regulatory reviews and other assistance provided to the Department of Energy and other Federal agencies shall be excluded from license fee revenues, notwithstanding 42 U.S.C. 2214: *Provided further*, That the sum herein appropriated shall be reduced by the amount of revenues received during fiscal year 1999 so as to result in a final fiscal year 1999 appropriation estimated at not more than \$18,000,000.

##### OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, as amended, \$4,800,000, to remain available until expended: *Provided*, That the sum herein appropriated shall be reduced by the amount of revenues received during fiscal year 1999 so as to result in a final fiscal year 1999 appropriation estimated at not more than \$0.

###### NUCLEAR WASTE TECHNICAL REVIEW BOARD

##### SALARIES AND EXPENSES

For necessary expenses of the Nuclear Waste Technical Review Board, as authorized by Public Law 100-203, section 5051, \$2,600,000, to be derived from the Nuclear Waste Fund, and to remain available until expended.

#### TITLE V—GENERAL PROVISIONS

SEC. 501. None of the funds appropriated by this Act may be used in any way, directly or indirectly, to influence congressional action on any legislation or appropriation matters pending before Congress, other than to communicate to Members of Congress as described in section 1913 of title 18, United States Code.

SEC. 502. (a) PURCHASE OF AMERICAN-MADE EQUIPMENT AND PRODUCTS.—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.

(c) PROHIBITION OF CONTRACTS WITH PERSONS FALSELY LABELING PRODUCTS AS MADE IN AMERICA.—If it has been finally determined by a court or Federal agency that any person intentionally affixed a label bearing a "Made in America" inscription, or any inscription with the same meaning, to any product sold in or shipped to the United States that is not made in the United States, the person shall be ineligible to receive any contract or subcontract made with funds made available in this Act, pursuant to the debarment, suspension, and ineligibility procedures described in sections 9.400 through 9.409 of title 48, Code of Federal Regulations.

SEC. 503. (a) None of the funds appropriated or otherwise made available by this Act may be used to determine the final point of discharge for the interceptor drain for the San Luis Unit until development by the Secretary of the Interior and the State of California of a plan, which shall conform to the water quality standards of the State of California as approved by the Administrator of the Environmental Protection Agency, to minimize any detrimental effect of the San Luis drainage waters.

(b) The costs of the Kesterson Reservoir Cleanup Program and the costs of the San Joaquin Valley Drainage Program shall be classified by the Secretary of the Interior as

reimbursable or nonreimbursable and collected until fully repaid pursuant to the "Cleanup Program—Alternative Repayment Plan" and the "SJVDP—Alternative Repayment Plan" described in the report entitled "Repayment Report, Kesterson Reservoir Cleanup Program and San Joaquin Valley Drainage Program, February 1995", prepared by the Department of the Interior, Bureau of Reclamation. Any future obligations of funds by the United States relating to, or providing for, drainage service or drainage studies for the San Luis Unit shall be fully reimbursable by San Luis Unit beneficiaries of such service or studies pursuant to Federal Reclamation law.

SEC. 504. None of the funds made available in this or any other Act may be used to restart the High Flux Beam Reactor.

SEC. 505. Section 6101(a)(3) of the Omnibus Budget Reconciliation Act of 1990, as amended, (42 U.S.C. 2214(a)(3)) is amended by striking "September 30, 1998" and inserting "September 30, 1999".

SEC. 506. (a) Funds appropriated for "Nuclear Regulatory Commission—Salaries and Expenses" shall be available to the Commission for the following additional purposes:

- (1) Employment of aliens.
- (2) Services authorized by section 3109 of title 5, United States Code.
- (3) Publication and dissemination of atomic information.
- (4) Purchase, repair, and cleaning of uniforms.

(5) Reimbursements to the General Services Administration for security guard services.

(6) Hire of passenger motor vehicles and aircraft.

(7) Transfers of funds to other agencies of the Federal Government for the performance of the work for which such funds are appropriated, and such transferred funds may be merged with the appropriations to which they are transferred.

(8) Transfers to the Office of Inspector General of the Commission, not to exceed an additional amount equal to 5 percent of the amount otherwise appropriated to the Office for the fiscal year. Notice of such transfers shall be submitted to the Committees on Appropriations.

(b) Funds appropriated for "Nuclear Regulatory Commission—Office of Inspector General" shall be available to the Office for the additional purposes described in paragraphs (2) and (7) of subsection (a).

(c) Moneys received by the Commission for the cooperative nuclear research program, services rendered to State governments, 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 (42 U.S.C. 2169) may be retained and used for salaries and expenses associated with those activities, notwithstanding 31 U.S.C. 3302, and shall remain available until expended.

(d) This section shall apply to fiscal year 1999 and each succeeding fiscal year.

SEC. 507. Sec. 505 of Public Law 102-377, the Fiscal Year 1993 Energy and Water Development Appropriations Act, and section 208 of Public Law 99-349, the Urgent Supplemental Appropriations Act, 1986, are repealed.

##### IMPLEMENTATION OF EXTERNAL REGULATION

SEC. 508. (a) TRANSFER OF AUTHORITY.—Notwithstanding any other provision of law, no later than March 31, 1999, the Department of Energy shall not implement and enforce its own regulatory system, through rules, regulations, orders, or standards, with regard to the Ernest Orlando Lawrence Berkeley National Laboratory for environment, safety, and health, but shall be regulated by

the appropriate Federal, State, and local agencies as provided by the applicable Federal, State, and local laws and regulations: *Provided*, That for this facility, the Department shall be deemed to be a "person" under the Atomic Energy Act of 1954, as amended.

(b) DEPARTMENT OF ENERGY REPORTING REQUIREMENT.—By October 31, 1998, the Secretary of Energy shall transmit to the Congress a plan for termination of its authority to regulate its contractors and to self-regulate its own operations in the areas of environment, safety, and health at the facility named in section (a). The report shall include—

(1) A detailed transition plan, giving the schedule for termination of self-regulation authority as outlined in section (a), including the activities to be coordinated with the Nuclear Regulatory Commission (NRC) and the Occupational Safety and Health Administration (OSHA);

(2) A description of any issues remaining to be resolved with the NRC and OSHA or other external regulators, and a timetable for resolving such issues before March 31, 1999; and

(3) An estimate of the current annual cost of administering and implementing self-regulation of environment, safety, and health activities at all Department of Energy facilities, and an estimate of the number of Federal and contractor employees currently administering and implementing self-regulation of environment, safety and health activities at each of the facilities. For the Lawrence Berkeley National Laboratory, there should also be an estimate of the cost of the external regulators based on the pilot project of simulated NRC regulation which has already been conducted; an estimate of the cost and number of Federal and contractor employees currently administering and implementing self-regulation of environment, safety and health activities at the Laboratory; and an estimate of the extent and schedule by which the Department and Laboratory staffs will be reduced as a result of implementation of section (a).

(c) NUCLEAR REGULATORY COMMISSION REPORTING REQUIREMENT.—By January 30, 1999, the Chairman of the Nuclear Regulatory Commission shall submit to Congress a plan for regulating accelerator-produced radioactive material, and ionizing radiation generating machines at Department of Energy facilities. The report shall:

(1) Recommend what statutory changes, if any, would be needed to provide the Commission with the authority to regulate accelerator use at Department of Energy facilities;

(2) Identify what additional Commission resources would be needed to accomplish such regulation; and

(3) Identify any existing technical or regulatory obstacles to the Commission regulation of accelerator use.

The CHAIRMAN. Are there any further amendments?

AMENDMENT OFFERED BY MR. FOLEY

The CHAIRMAN. If not, the pending business is the demand for a recorded vote on the amendment offered by the gentleman from Florida (Mr. FOLEY) on which further proceedings were postponed and on which the noes prevailed by a voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 147, noes 261, not voting 25, as follows:

[Roll No. 252]

AYES—147

Abercrombie  
Allen  
Andrews  
Bachus  
Baldacci  
Barrett (WI)  
Bass  
Billbray  
Blagojevich  
Blumenauer  
Bonior  
Brown (OH)  
Campbell  
Capps  
Chabot  
Christensen  
Clay  
Coble  
Coburn  
Conyers  
Cox  
Danner  
Davis (FL)  
Davis (IL)  
Deal  
DeFazio  
DeLahunt  
DeLauro  
Doggett  
Duncan  
Engel  
English  
Ensign  
Evans  
Farr  
Foley  
Frank (MA)  
Franks (NJ)  
Furse  
Gejdenson  
Gephardt  
Gibbons  
Harman  
Hastings (FL)  
Hefley  
Hilliard  
Hinchey  
Hooley  
Hulshof

Hutchinson  
Inglis  
Jackson (IL)  
Kasich  
Kennedy (MA)  
Kennedy (RI)  
Kennelly  
Kildee  
Kilpatrick  
Kind (WI)  
Kingston  
Klecza  
Klug  
Kucinich  
LaHood  
Lampson  
Lantos  
Largent  
Lee  
Levin  
Lewis (GA)  
Lipinski  
LoBiondo  
Lofgren  
Serrano  
Luther  
Maloney (CT)  
Markey  
McCarthy (MO)  
McCarthy (NY)  
McDermott  
McGovern  
McInnis  
McIntosh  
McKinney  
Meeke (NY)  
Menendez  
Metcalf  
Miller (FL)  
Minge  
Mink  
Moakley  
Morella  
Neal  
Neumann  
Ney  
Oberstar  
Olver  
Pallone

NOES—261

Aderholt  
Archer  
Armey  
Baesler  
Ballenger  
Barcia  
Barr  
Barrett (NE)  
Bartlett  
Barton  
Bateman  
Bentsen  
Bereuter  
Berman  
Berry  
Bilirakis  
Bishop  
Bliley  
Blunt  
Boehlert  
Boehner  
Bonilla  
Bono  
Borski  
Boswell  
Boucher  
Boyd  
Brady (PA)  
Brady (TX)  
Brown (CA)  
Brown (FL)  
Bryant  
Bunning  
Burr  
Burton  
Buyer  
Callahan  
Calvert  
Camp  
Canady  
Cardin

Castle  
Chambliss  
Chenoweth  
Clayton  
Clement  
Clyburn  
Collins  
Combest  
Condit  
Cook  
Cooksey  
Costello  
Coyne  
Cramer  
Crane  
Crapo  
Cubin  
Cummings  
Cunningham  
Davis (VA)  
DeGette  
DeLay  
Deutsch  
Diaz-Balart  
Dickey  
Dicks  
Dingell  
Dixon  
Dooley  
Doolittle  
Doyle  
Dreier  
Dunn  
Edwards  
Ehlers  
Ehrlich  
Emerson  
Eshoo  
Etheridge  
Everett  
Ewing

Horn  
Hostettler  
Houghton  
Hoyer  
Hunter  
Hyde  
Istook  
Jackson-Lee  
(TX)  
Jefferson  
Jenkins  
John  
Pelosi  
Peterson (MN)  
Petri  
Johnson (WI)  
Johnson, E. B.  
Johnson, Sam  
Jones  
Kanjorski  
Kaptur  
Kelly  
Rothman  
Kim  
King (NY)  
Klink  
Knollenberg  
Kolbe  
LaFalce  
Latham  
LaTourette  
Lazio  
Leach  
Lewis (CA)  
Lewis (KY)  
Linder  
Lucas  
Manton  
Manzullo  
Martinez  
Mascara  
Snowbarger  
Stabenow  
Stark  
Stearns  
Stokes  
Sununu  
Talent  
Thune  
Tierney  
Velazquez  
Vento  
Waters  
Waxman  
Wexler  
Weygand  
Whitfield  
Woolsey  
Yates

Mica  
Millender-McDonald  
Mollohan  
Moran (KS)  
Moran (VA)  
Murtha  
Myrick  
Nethercutt  
Northup  
Norwood  
Nussle  
Obey  
Ortiz  
Packard  
Parker  
Pastor  
Pease  
Peterson (PA)  
Pickering  
Pickett  
Pombo  
Pomeroy  
Porter  
Price (NC)  
Pryce (OH)  
Quinn  
Radanovich  
Rahall  
Redmond  
Regula  
Reyes  
Riggs  
Riley  
Rodriguez  
Roemer  
Rogan  
Rogers  
Ryun  
Sandlin  
Sawyer  
Saxton  
Schaefer, Dan  
Scott  
Sessions  
Shimkus  
Shuster

Sisisky  
Skaggs  
Skeen  
Skelton  
Slaughter  
Smith (MI)  
Smith (OR)  
Smith (TX)  
Smith, Linda  
Snyder  
Solomon  
Souder  
Spence  
Spratt  
Stenholm  
Strickland  
Stump  
Stupak  
Tanner  
Tauscher  
Tauzin  
Taylor (MS)  
Taylor (NC)  
Thomas  
Thompson  
Thornberry  
Thurman  
Tiahrt  
Traficant  
Turner  
Upton  
Visclosky  
Walsh  
Wamp  
Watkins  
Watt (NC)  
Watts (OK)  
Weldon (PA)  
Weller  
White  
Wicker  
Wise  
Wolf  
Wynn  
Young (AK)  
Young (FL)

NOT VOTING—25

Ackerman  
Baker  
Becerra  
Cannon  
Carson  
Gonzalez  
Gordon  
Gutierrez  
Livingston

Maloney (NY)  
McNulty  
Meehan  
Miller (CA)  
Nadler  
Owens  
Oxley  
Pascrell  
Portman

Poshard  
Rangel  
Rush  
Schumer  
Torres  
Towns  
Weldon (FL)

□ 1952

Mrs. NORTHUP and Messrs. RODRIGUEZ, SPRATT, GOSS, WELLER, DAVIS of Virginia, EHLERS, HOSTETTLER and EHR-LICH changed their vote from "aye" to "no."

Ms. DELAURO, Ms. KILPATRICK, and Messrs. BACHUS, LEWIS of Georgia, DEAL of Georgia, and BOB SCHAFFER of Colorado changed their vote from "no" to "aye."

So the amendment was rejected. The result of the vote was announced as above recorded.

The CHAIRMAN. The Clerk will read the final lines of the bill.

The Clerk read as follows:

This Act may be cited as the "Energy and Water Development Appropriations Act, 1999".

The CHAIRMAN. If there are no further amendments, under the rule the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. LATOURETTE) having assumed the chair, Mr. BARRETT of Nebraska, 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.

4060) making appropriations for energy and water development for the fiscal year ending September 30, 1999, and for other purposes, pursuant to House Resolution 478, he reported the bill back to the House with an amendment adopted by the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

The question is on the amendment.

The amendment was 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.

Pursuant to clause 7 of rule XV, the yeas and nays are ordered.

Without objection, the proceedings on H.R. 4059 will resume immediately after this vote, and the Chair will reduce to 5 minutes the minimum time for any electronic vote on the passage of H.R. 4059.

There was no objection.

The vote was taken by electronic device, and there were—yeas 405, nays 4, not voting 24, as follows:

[Roll No. 253]

YEAS—405

Abercrombie	Castle	Eshoo
Aderholt	Chabot	Etheridge
Allen	Chambliss	Evans
Andrews	Chenoweth	Everett
Archer	Christensen	Ewing
Armey	Clay	Farr
Bachus	Clayton	Fattah
Baesler	Clement	Fawell
Baldacci	Clyburn	Fazio
Ballenger	Coble	Filner
Barcia	Coburn	Foley
Barr	Collins	Forbes
Barrett (NE)	Combest	Ford
Barrett (WI)	Condit	Fossella
Bartlett	Conyers	Fowler
Barton	Cook	Fox
Bass	Cooksey	Frank (MA)
Bateman	Costello	Franks (NJ)
Bentsen	Cox	Frelinghuysen
Bereuter	Coyne	Frost
Berman	Cramer	Furse
Berry	Crane	Galleghy
Bilbray	Crapo	Ganske
Billirakis	Cubin	Gejdenson
Bishop	Cummings	Gekas
Blagojevich	Cunningham	Gephardt
Bliley	Danner	Gilchrest
Blumenauer	Davis (FL)	Gillmor
Blunt	Davis (IL)	Gilman
Boehlert	Davis (VA)	Goode
Boehner	Deal	Goodlatte
Bonilla	DeFazio	Goodling
Bonior	DeGette	Goss
Bono	Delahunt	Graham
Borski	DeLauro	Granger
Boswell	DeLay	Green
Boucher	Deutsch	Greenwood
Boyd	Diaz-Balart	Gutknecht
Brady (PA)	Dickey	Hall (OH)
Brady (TX)	Dicks	Hall (TX)
Brown (CA)	Dingell	Hamilton
Brown (FL)	Dixon	Hansen
Brown (OH)	Doggett	Harman
Bryant	Dooley	Hastert
Bunning	Doolittle	Hastings (FL)
Burr	Doyle	Hastings (WA)
Burton	Dreier	Hayworth
Buyer	Duncan	Hefley
Callahan	Dunn	Hefner
Calvert	Edwards	Hergert
Camp	Ehlers	Hill
Campbell	Ehrlich	Hilleary
Canady	Emerson	Hilliard
Capps	Engel	Hinchea
Cardin	English	Hinojosa

Hobson	McHugh	Sawyer
Hoekstra	McInnis	Saxton
Holden	McIntosh	Scarborough
Hoolley	McIntyre	Schaefer, Dan
Horn	McKeon	Schaefer, Bob
Hostettler	McKinney	Scott
Houghton	Meek (FL)	Serrano
Hoyer	Meeks (NY)	Sessions
Hulshof	Menendez	Shadegg
Hunter	Metcalf	Shaw
Hutchinson	Mica	Shays
Hyde	Millender-	Sherman
Inglis	McDonald	Shimkus
Istook	Miller (FL)	Shuster
Jackson (IL)	Minge	Sisisky
Jackson-Lee	Mink	Skaggs
(TX)	Moakley	Skeen
Jefferson	Mollohan	Skelton
Jenkins	Moran (KS)	Slaughter
John	Moran (VA)	Smith (MI)
Johnson (CT)	Morella	Smith (NJ)
Johnson (WI)	Murtha	Smith (OR)
Johnson, E. B.	Myrick	Smith (TX)
Johnson, Sam	Neal	Smith, Adam
Jones	Nethercutt	Smith, Linda
Kanjorski	Neumann	Snowbarger
Kaptur	Ney	Snyder
Kasich	Northup	Solomon
Kelly	Norwood	Souder
Kennedy (MA)	Nussle	Spence
Kennedy (RI)	Oberstar	Spratt
Kennelly	Obey	Stabenow
Kildee	Olver	Stark
Kilpatrick	Ortiz	Stearns
Kim	Packard	Stenholm
Kind (WI)	Pallone	Stokes
King (NY)	Pappas	Strickland
Kingston	Parker	Stump
Kleczka	Pastor	Stupak
Klink	Paxon	Sununu
Klug	Payne	Talent
Knollenberg	Pease	Tanner
Kolbe	Pelosi	Tauscher
Kucinich	Peterson (MN)	Tauzin
LaFalce	Peterson (PA)	Taylor (MS)
LaHood	Petri	Taylor (NC)
Lampson	Pickering	Thomas
Lantos	Pickett	Thompson
Largent	Pitts	Thornberry
Latham	Pombo	Thune
LaTourette	Pomeroy	Thurman
Lazio	Porter	Tiahrt
Leach	Price (NC)	Tierney
Lee	Pryce (OH)	Traficant
Levin	Quinn	Turner
Lewis (CA)	Radanovich	Upton
Lewis (GA)	Rahall	Velazquez
Lewis (KY)	Ramstad	Vento
Linder	Redmond	Visclosky
Lipinski	Regula	Walsh
Livingston	Reyes	Wamp
LoBiondo	Riggs	Waters
Lofgren	Riley	Watkins
Lowe	Rivers	Watt (NC)
Lucas	Rodriguez	Watts (OK)
Luther	Roemer	Waxman
Maloney (CT)	Rogan	Weldon (PA)
Manton	Rogers	Weller
Manzullo	Rohrabacher	Wexler
Markey	Ros-Lehtinen	Weygand
Martinez	Rothman	White
Mascara	Roukema	Whitfield
Matsui	Roybal-Allard	Wicker
McCarthy (MO)	Royce	Wise
McCarthy (NY)	Ryun	Wolf
McCollum	Sabo	Woolsey
McCrery	Salmon	Wynn
McDade	Sanchez	Yates
McDermott	Sanders	Young (AK)
McGovern	Sandlin	Young (FL)
McHale	Sanford	

NAYS—4

Ensign	Paul
Gibbons	Sensenbrenner

NOT VOTING—24

Ackerman	Maloney (NY)	Portman
Baker	McNulty	Poshard
Becerra	Meehan	Rangel
Cannon	Miller (CA)	Rush
Carson	Nadler	Schumer
Gonzalez	Owens	Torres
Gordon	Oxley	Towns
Gutierrez	Pascrell	Weldon (FL)

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. LATOURETTE). Pursuant to the provisions of clause 5, rule 1, the Chair will now put the question on each question on which further proceedings were postponed earlier today in the following order:

H.R. 4059, by the yeas and nays; House Concurrent Resolution 288, by the yeas and nays; House Resolution 452, by the yeas and nays; approval of the Journal, de novo.

Pursuant to the previous order of today, the Chair will reduce to 5 minutes the time for each electronic vote, including the first such vote in this series.

MILITARY CONSTRUCTION APPROPRIATIONS ACT, 1999

The SPEAKER pro tempore. The pending business is the question of passage of the bill, H.R. 4059, on which further proceedings were postponed.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the passage of the bill.

Pursuant to clause 7 of rule XV, the yeas and nays are ordered.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 396, nays 10, not voting 27, as follows:

[Roll No. 254]

YEAS—396

Abercrombie	Brown (FL)	Davis (IL)
Aderholt	Brown (OH)	Davis (VA)
Allen	Bryant	Deal
Andrews	Bunning	DeFazio
Archer	Burr	DeGette
Armey	Burton	Delahunt
Bachus	Buyer	DeLauro
Baesler	Callahan	DeLay
Baldacci	Calvert	Deutsch
Ballenger	Camp	Diaz-Balart
Barcia	Campbell	Dickey
Barr	Canady	Dicks
Barrett (NE)	Capps	Dingell
Barrett (WI)	Cardin	Dixon
Bartlett	Castle	Doggett
Barton	Chabot	Dooley
Bass	Chambliss	Doolittle
Bateman	Chenoweth	Doyle
Bentsen	Christensen	Dreier
Bereuter	Clay	Duncan
Berman	Clayton	Dunn
Berry	Clement	Edwards
Bilbray	Clyburn	Ehlers
Billirakis	Coble	Ehrlich
Bishop	Coburn	Emerson
Blagojevich	Collins	Engel
Bliley	Combest	English
Blumenauer	Condit	Engish
Blunt	Cook	Eshoo
Boehlert	Cooksey	Etheridge
Boehner	Costello	Evans
Bonilla	Cox	Everett
Bonior	Coyne	Ewing
Bono	Cramer	Farr
Borski	Crane	Fattah
Boswell	Crapo	Fawell
Boucher	Cubin	Fazio
Boyd	Cummings	Filner
Brady (PA)	Cunningham	Foley
Brady (TX)	Danner	Forbes
Brown (CA)	Davis (FL)	Ford

□ 2010

So the bill was passed.