

1998, 1999, 2000, 2001, and 2002 to carry out this Act, which may remain available until expended.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New Jersey [Mr. SAXTON] and the gentleman from California [Mr. FARR], each will control 20 minutes.

The Chair recognizes the gentleman from New Jersey [Mr. SAXTON].

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

Mr. SAXTON. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, we are now considering H.R. 2233, the Coral Reef Conservation Act of 1997.

The gentleman from Hawaii [Mr. ABERCROMBIE] and I and the gentleman from California [Mr. FARR] introduced this bill to promote conservation of coral reef ecosystems.

The Committee on Resources Subcommittee on Fisheries Conservation, Wildlife, and Oceans, which I chair, had two coral-reef-related hearings this year, and it is very clear that coral reefs are an important natural resource for coastal nations worldwide and many U.S. States and territories. Reefs generate significant tourism, provide habitat for many commercial fisheries, and protect coastlines from storm damage.

Unfortunately, coral reefs worldwide are also in great danger from both natural and human-induced causes. In the U.S. waters near Florida, six new coral reef diseases have been identified in the last 5 years, and they are spreading rapidly. In the Philippines, an astounding 70 percent of native reef environments have been obliterated by destructive fishing practices such as, believe it or not, dynamiting and cyanide fishing.

This bill establishes a coral reef conservation fund which is modeled after existing programs such as the very successful African elephant conservation program. This fund will contain both appropriated moneys and donations. Grants from the fund will support conservation projects which benefit coral reefs worldwide.

The bill authorizes \$1 million to be appropriated into the fund annually for the next 5 years and requires that all grants be matched by other funds on a one-to-one basis.

Mr. Speaker, this type of conservation approach has been very successful for African elephants and other threatened species. I believe that this bill can make a difference in reducing damage to coral reefs worldwide. I urge my colleagues on both sides of the aisle to support the bill.

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

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

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

I rise in support of H.R. 2233. This bill will help provide much needed funding

for research and conservation projects at coral reef ecosystems. The health of these ecosystems is in decline globally due to a wide range of threats, including nonsource pollution, destructive fishing practices, unwise coastal development, and global climate change. If we do not act decisively and soon, there will be no reefs left to save in just a few years.

Why is it important to save it? The reefs essentially are the rain forests of the ocean. That is where most of the biological life live. If we lose these reefs, we lose much more than just their picturesque beauty, we lose a world class storehouse of marine biodiversity and a renewable economic resource that is vital to coastal and insular nations.

H.R. 2233 is a good first step in addressing these problems. The amendment before the House requires a match for every Federal dollar so that research funds can even go further than originally drafted. I support the amendment. I urge all my colleagues on this side of the aisle to do so as well.

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

Mr. SAXTON. Mr. Speaker, I yield myself such time as I may consume.

I would just conclude by saying that the gentleman from California [Mr. FARR] and I made note of some successes that we have had over the last decade in terms of protecting the ocean habitat.

While this is one of the great failures of humankind in the way we have taken the coral reef systems for granted and the practices that we have continued to perpetuate that have caused great damage to the coral reef systems, which, as Mr. FARR eloquently pointed out, are immensely important to the ocean ecosystems and the interdependence of life in the oceans, when we held our hearings and it was brought to light publicly that two of the ways, two of the techniques of fishing are through the use of dynamite and cyanide, I looked at those issues with some disbelief. But we should not look at those issues with disbelief because they are, in fact, practices that are used which do cause great damage not only to the coral reef system but, obviously, to other life in the oceans as well.

While we have had some successes over the last 10 years, it is pretty obvious that our work is not completed. Passage of this bill is perhaps a good first step in addressing the problems that are still to be addressed.

Mr. YOUNG of Alaska. Mr. Speaker, I rise in support of H.R. 2233, the Coral Reef Conservation Act, a bill introduced by our colleagues JIM SAXTON and NEIL ABERCROMBIE.

While there may be only a few scattered corals in Alaska, coral reefs represent a new frontier source for medicines and lifesaving products. In addition, they provide natural protection for coastlines from high waves, storm surges, coastal erosion, and accompanying threats to human life and property.

Furthermore, coral reefs are particularly important in generating tourism, and they contain some of the world's most productive marine habitats. These reefs make a real contribution to the economies where they are located.

This bill is a positive effort to protect our Nation's coral reefs, and I am confident that the Department of Commerce will effectively manage the Coral Reef Conservation Fund.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New Jersey [Mr. SAXTON] that the House suspend the rules and pass the bill, H.R. 2233, as amended.

The question was taken.

Mr. CONDIT. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Pursuant to clause 5 of rule I and the Chair's prior announcement, further proceedings on this motion will be postponed.

The point of no quorum is considered withdrawn.

#### GENERAL LEAVE

Mr. SAXTON. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and include extraneous material on H.R. 2233, the bill just passed.

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

There was no objection.

#### CANADIAN RIVER RECLAMATION PROJECT

Mr. THORNBERRY. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2007) to amend the Act that authorized the Canadian River reclamation project, Texas, to direct the Secretary of the Interior to allow use of the project distribution system to transport water from sources other than the project, as amended.

The Clerk read as follows:

H.R. 2007

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

#### SECTION 1. USE OF DISTRIBUTION SYSTEM OF CANADIAN RIVER RECLAMATION PROJECT, TEXAS, TO TRANSPORT NONPROJECT WATER.

The Act of December 29, 1950 (chapter 1183; 43 U.S.C. 600b, 600c), authorizing construction, operation, and maintenance of the Canadian River reclamation project, Texas, is amended by adding at the end the following new section:

"SEC. 4. (a) The Secretary of the Interior shall allow use of the project distribution system (including all pipelines, aqueducts, pumping plants, and related facilities) for transport of water from the Canadian River Conjunctive Use Groundwater Project to municipalities that are receiving water from the project. Such use shall be subject only to such environmental review as is required under the Memorandum of Understanding,

No. 97-AG-60-09340, between the Bureau of Reclamation and the Canadian River Municipal Water Authority, and a review and approval of the engineering design of the interconnection facilities to assure the continued integrity of the project. Such environmental review shall be completed within 90 days after the date of enactment of this section.

"(b) The Canadian River Municipal Water Authority shall bear the responsibility for all costs of construction, operation, and maintenance of the Canadian River Conjunctive Use Groundwater Project, and for costs incurred by the Secretary in conducting the environmental review of the project. The Secretary shall not assess any additional charges in connection with the Canadian River Conjunctive Use Groundwater Project."

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Texas [Mr. THORNBERRY] and the gentleman from California [Mr. FARR], each will control 20 minutes.

The Chair recognizes the gentleman from Texas [Mr. THORNBERRY].

(Mr. THORNBERRY asked and was given permission to revise and extend his remarks and to include extraneous material.)

Mr. THORNBERRY. Mr. Speaker, I yield myself such time as I may consume.

I rise in support of H.R. 2007. This bill directs the Secretary of the Interior to allow the use of the Bureau of Reclamation facilities in Texas for the transport of water from the proposed Canadian River conjunctive use ground-water project to municipalities receiving water from the existing reclamation project.

This additional water is needed because the yield of the Reclamation's Canadian River project is less than originally anticipated and because of ongoing water quality problems associated with the Federal project.

The Canadian River Municipal Water Authority has a proposal to construct this ground-water project in order to supplement project water supplies with better quality ground water. The proposed ground-water project will not require Federal funding. It would be interconnected with the existing Canadian River project facilities in order for the ground water to be mixed with project water and distributed throughout the existing conveyance system.

This legislation is needed because questions have been raised about the authority of the Bureau of Reclamation to allow the interconnection of the non-Federal ground-water project with the Federal Canadian River project facilities. This bill will also ensure that the environmental review of the interconnection facilities is completed in a timely manner.

H.R. 2007 further stipulates that all of the costs for construction, operation, and maintenance of the ground-water project are the responsibility of the Canadian River Municipal Water Authority. This bill goes a long way to resolving at no cost to the Federal Government the water quality and water supply issues facing 11 cities in the High Plains area of Texas, includ-

ing Lubbock and Amarillo. I urge my colleagues to support this bill.

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

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

Mr. FARR of California. Mr. Speaker, I yield myself such time as I may consume, and I rise in opposition to H.R. 2007.

Mr. Speaker, this bill amends the authorization for the Canadian River project in Texas. I think while the project underlying this bill represents a worthwhile effort to improve water quality for several communities in the High Plains of Texas, the bill itself is entirely unnecessary.

The bill would grant the local water authority the right to use excess capacity of the Bureau of Reclamation facilities to manage non-Federal ground water through the Canadian River Authority's conjunctive use ground-water project. That project would make necessary improvements to the urban water quality. However, the project is already going forward under existing authorization for the Canadian River project.

The Bureau of Reclamation has entered memorandums of understanding with the Canadian River Authority and has begun environmental review of the project. The Bureau can incorporate the ground-water conjunctive use project within the existing project's authority. There is simply no need for this bill. It is not only unnecessary but the big problem is, it would constrain the Bureau of Reclamation's review of the ground-water project under the National Environmental Policy Act.

The administration has expressed continuing concerns regarding the bill's potential to override NEPA. Yet the bill proponents have been unwilling to remove the NEPA language from the bill.

I want to thank the chairman of the subcommittee, the gentleman from California [Mr. DOOLITTLE], for the work his staff has put into improving the language of this bill. The bill now provides the Bureau of Reclamation to approve the engineering designs in order to avoid potential problems with the system. It also includes language to ensure the local water district that it pay for the expenses associated with the project. However, as long as the override of the NEPA policy act is in the bill, I must oppose the legislation as unnecessary and inappropriate.

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

Mr. THORNBERRY. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I think it is helpful for someone who has been involved in this project from the beginning to give a brief review of some of the difficulties that has made this legislation necessary.

As a matter of fact, there have been 88 changes to the project over time, none of which have caused any sort of question to arise from the Bureau of Reclamation as for the authority to tie in privately financed changes into the existing project. And this project itself has been on the drawing books for at least 5 years. The Bureau knew about it every step of the way, and yet not until February of this year did they raise any questions about it.

I will make part of the RECORD some of the letters that the Municipal Water Authority has received from the Bureau questioning whether the Bureau has even the authority to allow this project to go forward.

As a matter of fact, I will quote briefly from a February 21, 1997, letter signed by Mrs. Elizabeth Cordova-Harrison, area manager, that says:

The implementation of the current proposal to convey groundwater via the pipeline project would require new or amendatory legislative authority.

Of course, then they study it a little bit more; and on April 1997 they write back, I will put the full letter in the RECORD, but basically they believe, well, maybe we find that we do have the authority after all.

The point of that is that there is at least some question, at least with some people in the Bureau, about whether there is the legislative authority to allow this privately financed, independently-obtained groundwater supply and mix it with the current supplies.

H.R. 2007 has been amended. It requires an environmental review. That environmental review is going to be paid for by the water district itself, not by the Federal Government. We have bent over backward to make sure that all of the provisions of this measure are consistent with the intent of this Congress, but also that there are not unnecessary bureaucratic delays because of some confusion as far as the legislative authority by the Bureau of Reclamation.

That is why this legislation exists. We have worked in a bipartisan way with Members on the other side of the aisle to come up with this language, and I believe it makes a lot of sense.

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

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

Mr. Speaker, let me point out to my colleagues what the problem is, as expressed in a letter from the Secretary of Interior, the Assistant for Water and Science, Patricia Beneke. In that letter to the chairman of the committee, the gentleman from California [Mr. DOOLITTLE], she points out that

The intent of referencing the MOU seems to be to limit the scope of required environmental review, because the MOU itself is expressly limited to preparation and finalization of an environmental assessment.

And she goes on to say,

While the MOU itself does not preclude a full environmental impact statement, as

well as full compliance with other environmental laws, its reference in the legislation, its incorporation in the legislation, could be construed as a limitation on the scope of the environmental review. This part of the bill thus arguably legislatively prejudices that the project will pose no significant impacts and that an environmental assessment fulfills our NEPA requirement.

Similarly, in another part of the bill,

the bill would mandate that any environmental review be completed within 90 days after the date of enactment. This too prejudices the project that the project will not require a full environmental impact statement. Moreover, a portion of the work is being conducted by the Authority's contractor, and Reclamation has no control over the quality or timing of the contractor's project.

So there are, essentially, two concerns that the administration is raising about this bill which I bring to the House, which seems to me could be addressed by appropriate amendments. Those amendments have not come forth, and so at this point we object to the legislation.

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

Mr. THORNBERRY. Mr. Speaker, I have no further requests for time at this point, and I continue to reserve the balance of my time until the time on the other side is yielded back.

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

Mr. THORNBERRY. Mr. Speaker, I include the following two letters for the RECORD:

U.S. DEPARTMENT OF THE INTERIOR,  
BUREAU OF RECLAMATION, GREAT  
PLAINS REGION, AUSTIN RECLAMA-  
TION OFFICE,

*Austin, TX, April 10, 1997.*

Mr. JOHN WILLIAMS, P.E.,

*General Manager, Canadian River Municipal  
Water Authority, Sanford, TX.*

Subject: Use of Project Conveyance Facilities—Canadian River Project, Texas.

DEAR MR. WILLIAMS: This is in reference to our letter dated February 21, 1997, concerning the augmentation of existing Canadian River Project (Project) water supplies with groundwater from wells located east of the Project. As explained in the letter, our preliminary evaluation indicated the lack of general authority to allow the use of reclamation project facilities for storing or conveying non-project water, and that such use of project facilities would require new or amendatory legislation.

A more comprehensive review of Reclamation laws has revealed existing statutes which provide sufficient authority to allow the incorporation of the proposed ground water project's facilities and water into the Canadian River Project. This can be accomplished administratively without further legislative action, but would require review, approval and compliance under existing processes and regulatory laws, including the National Environmental Policy Act.

If you would like to pursue the option outlined above, we recommend that a meeting be scheduled to discuss the administrative process required for incorporating the ground water project into existing facilities.

If you have any questions, or need any additional information, please contact me or Mike Martin of this office at telephone No. (512) 916-5641.

Sincerely,

ELIZABETH CORDOVA-HARRISON,  
*Area Manager.*

U.S. DEPARTMENT OF THE INTERIOR,  
BUREAU OF RECLAMATION, GREAT  
PLAINS REGION, OKLAHOMA-TEXAS  
AREA OFFICE,

*Oklahoma City, OK, February 21, 1997.*

Mr. JOHN WILLIAMS, P.E.,

*General Manager, Canadian River Municipal  
Water Authority, Sanford, TX.*

Subject: Use of Project Facilities for Conveyance of Non-Project Water, Canadian River Project, Texas.

DEAR MR. WILLIAMS: This follow up letter is in reference to our meeting at your office on January 22, 1997, during which we discussed various matters concerning the Canadian River Project. Among the issues covered were the transfer of title to project aqueduct facilities, project financial concerns, and the augmentation of existing project water supplies with groundwater from wells located in Hutchinson County, Texas. The need for compliance with provisions of the National Environmental Policy Act (NEPA) and other applicable statutes for title transfer and modification of a Federal project was also addressed.

We have reviewed existing laws relating to the use of Reclamation projects for storing or conveying non-project water (water from outside the originally authorized project). Based on this preliminary evaluation, it appears that the authority for allowing such use of project facilities is limited solely to water for irrigation purposes. Presently, we are without adequate authority to allow the use of Canadian River Project facilities for the storage or conveyance of non-project water for municipal and industrial purposes. Accordingly, the implementation of the current proposal to convey groundwater via the project pipeline would require new or amendatory legislative authority.

If you have any questions, or need any additional information, please contact me or Mike Martin at (512) 916-5641.

Sincerely,

ELIZABETH CORDOVA-HARRISON,  
*Area Manager.*

Mr. Speaker, the final comment I would make is that there has been no suggestion by any party, anyone associated, that there is any environmental problem or potential problem associated here; and that is one of the reasons that I think the negotiations are currently going at a rapid pace.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Texas [Mr. THORNBERRY] that the House suspend the rules and pass the bill, H.R. 2007, as amended.

The question was taken.

Mr. CONDIT. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Pursuant to clause 5 of rule I, and the Chair's prior announcement, further proceedings on this motion will be postponed.

The point of no quorum is considered withdrawn.

GENERAL LEAVE

Mr. THORNBERRY. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and include extraneous material on H.R. 2007, the bill just considered.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas [Mr. THORNBERRY]? There was no objection.

## MICCOSUKEE SETTLEMENT ACT OF 1997

Mr. THORNBERRY. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1476) to settle certain Miccosukee Indian land takings claims within the State of Florida.

The Clerk read as follows:

H.R. 1476

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

### SECTION 1. SHORT TITLE.

This Act may be cited as the "Miccosukee Settlement Act of 1997".

### SEC. 2. CONGRESSIONAL FINDINGS.

Congress finds and declares that—

(1) there is pending before the United States District Court for the Southern District of Florida a lawsuit by the Miccosukee Tribe which involves the taking of certain tribal lands in connection with the construction of highway interstate 75 by the Florida Department of Transportation;

(2) the pendency of this lawsuit clouds title of certain lands used in the maintenance and operation of the highway and hinders proper planning for future maintenance and operations;

(3) the Florida Department of Transportation, with the concurrence of the board of trustees of the Internal Improvements Trust Fund of the State of Florida, and the Miccosukee Tribe have executed an agreement for the purpose of resolving the dispute and settling the lawsuit, which agreement requires consent of the Congress in connection with contemplated land transfers;

(4) the settlement agreement is in the interests of the Miccosukee Tribe in that the tribe will receive certain monetary payments, new reservation land to be held in trust by the United States, and other benefits;

(5) land received by the United States pursuant to the settlement agreement is in consideration of Miccosukee Indian Reservation land lost by the Miccosukee Tribe by virtue of transfer to the Florida Department of Transportation under the settlement agreement, and such United States land therefore shall be held in trust by the United States for the use and benefit of the Miccosukee Tribe as Miccosukee Indian Reservation land in compensation for the consideration given by the tribe in the settlement agreement; and

(6) Congress shares with the parties to the settlement agreement a desire to resolve the dispute and settle the lawsuit.

### SEC. 3. DEFINITIONS.

For the purposes of this Act—

(1) the terms "Miccosukee Tribe" and "tribe" mean the Miccosukee Tribe of Indians of Florida, a tribe of American Indians recognized by the United States and organized under section 16 of the Act of June 18, 1934 (48 Stat. 987; 25 U.S.C. 476), and recognized by the State of Florida pursuant to chapter 285, Florida Statutes;

(2) the term "Miccosukee land" means land held in trust by the United States for the use and benefit of the Miccosukee Tribe as Miccosukee Indian Reservation land which is identified pursuant to the settlement agreement for transfer to the Florida Department of Transportation;

(3) the term "Florida Department of Transportation" means the executive branch department and agency of the State of Florida