

PERSONAL EXPLANATION

Mr. ROTHMAN. Mr. Speaker, On roll-call vote No. 467, I was unavoidably detained in New Jersey attending funeral services for Florence Rothman. Had I been present, I would have voted "yes."

Mr. McDADE. Mr. Speaker, pursuant to House Resolution 254, I call up the conference report on the bill (H.R. 2203), making appropriations for energy and water development for the fiscal year ending September 30, 1998, and for other purposes.

The Clerk read the title of the bill.

The SPEAKER pro tempore (Mr. NEY). Pursuant to House Resolution 254, the conference report is considered as having been read.

(For conference report and statement, see proceedings of the House of September 16, 1997, at page H7917.)

The SPEAKER pro tempore. The gentleman from Pennsylvania [Mr. McDADE] will be recognized for 30 minutes, and the gentleman from California [Mr. FAZIO] will be recognized for 30 minutes.

The Chair recognizes the gentleman from Pennsylvania [Mr. McDADE].

□ 1145

GENERAL LEAVE

Mr. McDADE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on the pending bill and that I may be permitted to include tabular and extraneous material.

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

There was no objection.

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

Mr. Speaker, I rise, of course, in support of this conference report and urge my colleagues to do likewise. We are delighted, all of us on both sides of the subcommittee, to present this bill before the close of the fiscal year, and may I say to my colleagues that this required cooperative efforts on both sides of this aisle and on both sides of the Capitol to get this done.

We met in conference and concluded last Wednesday, after a very difficult series of negotiations with the Senate. The key numbers are that this bill is \$2 billion, roughly, lower than the administration's budget request appropriating \$20.7 billion. It is also lower than the Senate level. And of the total amount, \$20.7 billion, roughly 56 percent of it is devoted to the atomic energy defense activities, the 050 account within the Department of Energy.

We had a lot of difficult issues, Mr. Speaker, and I am pleased that we were able to work them out in a manner that protected the Members of the House and the prerogatives of the House. As a consequence of all of that, the final appropriation for the Corps of Engineers is \$3.9 billion, which is very roughly, almost to the penny, the amount that was agreed upon when we left the House.

In addition to that, Mr. Speaker, may I say that there were a number of initiatives that were agreed upon by the House, numbering about seven general provisions, all of which in one form or another survived the conference. I want to say to my colleagues in the House that they bear a bit of their attention because they do represent significant reforms with respect to the Department of Energy.

As we went through this account exercising our duty for general oversight, we discovered, to our shock, that the Department of Energy had the authority to enter into M&O contracts without ever going to competitive bid. The worst case that we found, Mr. Speaker, was a bid that had been outstanding and extended periodically, since the Manhattan Project, 40 years ago. I am talking about a contractor, Mr. Speaker, for 40 years not having to bid on a contract.

There are other examples, as well. That is the worst case. We denied them the opportunity of getting to go to a no-bid unless there is a unique research project, like hiring Albert Einstein, in which case we might consider a waiver. But they must get a waiver and they must consult with us.

We found out, as well, that the same sort of exemption removed the Federal acquisition regulations from the Department of Energy. In other words, they could not only go out and do a no-bid contract, but they could do one that need not comply with the Federal regulations on acquisition which apply to every other agency of the Government.

Mr. Speaker, those Federal acquisition rules and the requirement for competition are the taxpayers' guarantee that we will have competition and, therefore, lower prices and higher quality work. There will not be any rip-offs or abuses, or at least as few as we can help. And we hope we do not have any within the Department.

Perhaps the most difficult issue that we had as we went through the debate with the Senate was the issue of TVA. As my colleagues will recall, there was a zero appropriation for appropriated accounts within the TVA. We met with the Senate, which had a substantial amount; and we finally agreed, as we should have, on a number that represents a 33-percent reduction in appropriated funds for the TVA for the last fiscal year. And perhaps most importantly, working with all of my colleagues who have great interests, in return for that we agreed that this would be the final year in which TVA will receive any kind of appropriated dollars.

An item of great interest to the Members is the Bay-Delta Environmental Enhancement and Water Supply project in California; \$85 million is included in the bill for that important project that affects the San Francisco Bay-Sacramento-San Joaquin Delta estuary in Northern California.

The amount is less than the \$120 million that we appropriated, with the

great help of my friend from California. But it is considerably more than the \$50 million that the Senate included. And I think everybody's last analysis is this will really kick-start the project and get it moving expeditiously.

Mr. Speaker, there were several other items that were within the conference report with which we had great difficulties. We have resolved them. This is a unanimous conference report. Every single conferee has agreed to the provisions.

I want to say to my colleagues, Mr. Speaker, that without the able cooperation of the gentleman from California [Mr. FAZIO], the ranking member, we would not have achieved that kind of unanimity. I want to commend every single member of the subcommittee. Every one of them has put an imprint and a footprint on this bill and a positive one.

Finally, Mr. Speaker, I want to thank the very able staff members, who burn the midnight oil 24 hours a day, many days a week to bring this work product to us. I hope that there will be a resounding vote in the House to adopt it.

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

Mr. Speaker, I am pleased that the conference agreement on energy and water development is being considered by the House before the expiration of the current fiscal year. Getting this agreement to the floor expeditiously required the concerted and cooperative efforts of the conferees from both sides of the Hill and both sides of the aisle. I am especially proud of the managers on the part of the House, whose dedicated work produced a fair compromise agreement.

The conference on the energy and water bill concluded last Wednesday night after difficult negotiations with the Senate. The total amount of spending in the conference agreement is \$20.7 billion. This represents an increase of \$729 million above the House level and \$782 million over the fiscal year 1997 level. This amount, however, is \$1.9 billion lower than the administration's budget request and \$58 million below the Senate recommendation for fiscal year 1998. Of the \$20.7 billion appropriated, \$11.5 billion or 56 percent is committed to the atomic energy defense activities of the Department of Energy.

Negotiations were particularly arduous this year because of the substantial differences between the House and Senate versions of the legislation. I am pleased to report that the House conferees successfully defended the House position on a great number of items in disagreement between the two Chambers. In particular, the House conferees protected the interests of Members in water infrastructure development; as a consequence, the conference committee agreed to a final appropriation of \$3.9 billion for the water resource programs of the Army Corps of Engineers. This amount, which is nearly identical to the House-passed level, is \$262 million higher than had been included in the Senate bill.

Furthermore, the final agreement includes a number of initiatives recommended by the

House, including: General provisions to promote greater accountability and efficiency within the U.S. Department of Energy; transfer of the Formerly Utilized Sites Remedial Action Program from the Department of Energy to the Corps of Engineers; and a requirement for external review of DOE construction projects. The conferees crafted a delicate compromise with respect to the Tennessee Valley Authority. For fiscal year 1998, TVA will receive \$70 million for its nonpower programs; this represents a 33-percent reduction from both the fiscal year 1997 level and the fiscal year 1998 budget request. For fiscal year 1999 and thereafter, the Authority will have to pay for these programs with internally generated revenues and savings.

The conference agreement also includes \$85 million for the Bay-Delta Environmental Enhancement and Water Supply project, a new multiagency effort to protect and enhance water resources in the San Francisco Bay/Sacramento-San Joaquin Delta estuary (the bay-delta) in northern California. Although this amount is less than the \$120 million recommended by the House, it is considerably more than the \$50 million included in the Senate bill. We are confident that this sum, representing a generous first-year installment on a multiyear Federal commitment, will be sufficient to kick-start the effort to save the bay-delta.

As previously noted, the conference agreement includes a number of general provisions within the Department of Energy title of the

bill. These provisions, originally recommended by the House, are intended to enhance accountability, promote efficiency, and control mission creep at the Department of Energy. One of these provisions, section 301, requires the Department to competitively bid all contracts, unless the Secretary of Energy determines that a waiver of this requirement is necessary and notifies Congress of the waiver 60 days in advance. These are contracts at the Department of Energy which have not been competed since the Manhattan project. Section 301 is designed to vigorously promote competition, an effective tool for reducing costs and increasing contractor accountability.

Another provision, section 302, requires the Department of Energy to adhere to the Federal Acquisition Regulation. As observed by the General Accounting Office, the Department has its own unique procurement regulations which permit deviations from normal contracting requirements used by most Federal agencies. These nonstandard contract clauses can limit DOE's ability to adequately protect the Government's interests and ensure the efficient use of contract funds. The conferees have directed the Department to ensure that Federal Acquisition Regulation policies are used in drafting new contracts or amending or modifying existing contracts. Along with competition in awarding contracts, consistency in contract requirements is a critical element in increasing contractor accountability.

Mr. Speaker, due to a production error, report language agreed to by conferees from the

House and the Senate was inadvertently excluded from the joint statement of the managers. The text of that language follows:

With respect to funds appropriated in fiscal year 1993 and made available to the Center for Energy and Environmental Resources, Louisiana State University, Baton Rouge, Louisiana, the conferees strongly recommend that the Department disperse these funds only in accordance with the original intent to place the facility on property owned by the Research Park Corporation in Baton Rouge, Louisiana or contiguous property thereto owned by Louisiana State University, Baton Rouge.

We fully expect that the Department of Energy and interested stakeholders will regard this language as though included in full in the joint explanatory statement of the committee of conference.

Mr. Speaker, I would like to once again thank and commend the Members of the House Subcommittee on Energy and Water Development for their extraordinary efforts with respect to this conference agreement. I am especially indebted to the ranking minority member, the Honorable VIC FAZIO, whose good will and cooperation were essential to the expeditious conclusion of conference.

Mr. Speaker, I urge all of my colleagues in the House to support the conference agreement to accompany H.R. 2203, making appropriations for energy and water development in fiscal year 1998.

ENERGY AND WATER DEVELOPMENT APPROPRIATIONS, 1998 (H.R. 2203)

	FY 1997 Enacted	FY 1998 Estimate	House	Senate	Conference	Conference compared with enacted
TITLE I - DEPARTMENT OF DEFENSE - CIVIL						
DEPARTMENT OF THE ARMY						
Corps of Engineers - Civil						
General investigations.....	153,872,000	150,000,000	157,260,000	164,065,000	156,804,000	+2,932,000
Construction, general.....	1,081,942,000	1,062,470,000	1,475,892,000	1,284,266,000	1,473,373,000	+391,431,000
(By transfer).....	(1,000,000)					(-1,000,000)
Flood control, Mississippi River and tributaries, Arkansas, Illinois, Kentucky, Louisiana, Mississippi, Missouri, and Tennessee.....	310,374,000	266,000,000	285,450,000	289,000,000	296,212,000	-14,162,000
Emergency appropriations (P.L. 105-18).....	20,000,000					-20,000,000
Operation and maintenance, general.....	1,697,015,000	1,618,000,000	1,726,955,000	1,661,203,000	1,740,025,000	+43,010,000
Emergency appropriations (P.L. 104-208).....	19,000,000					-19,000,000
Emergency appropriations (P.L. 105-18).....	150,000,000					-150,000,000
Regulatory program.....	101,000,000	112,000,000	112,000,000	106,000,000	106,000,000	+5,000,000
Flood control and coastal emergencies.....	10,000,000	14,000,000	14,000,000	10,000,000	4,000,000	-6,000,000
Emergency appropriations (P.L. 105-18).....	415,000,000					-415,000,000
Formerly utilized sites remedial action program.....			110,000,000		140,000,000	+140,000,000
General expenses.....	149,000,000	148,000,000	148,000,000	148,000,000	148,000,000	-1,000,000
Total, title I, Department of Defense - Civil.....	4,107,203,000	3,370,470,000	4,029,557,000	3,662,534,000	4,064,414,000	-42,789,000
(By transfer).....	(1,000,000)					(-1,000,000)
TITLE II - DEPARTMENT OF THE INTERIOR						
Central Utah Project Completion Account						
Central Utah project construction.....	25,827,000	23,743,000	23,743,000	23,743,000	23,743,000	-2,084,000
Fish, wildlife, and recreation mitigation and conservation.....	11,700,000	11,610,000	11,610,000	11,610,000	11,610,000	-90,000
Utah reclamation mitigation and conservation account.....	5,000,000	5,000,000	5,000,000	5,000,000	5,000,000	
Program oversight and administration.....	1,100,000	800,000	800,000	800,000	800,000	-300,000
Total, Central Utah project completion account.....	43,627,000	41,153,000	41,153,000	41,153,000	41,153,000	-2,474,000
Bureau of Reclamation						
General investigations.....	16,650,000					-16,650,000
Construction program.....	394,056,000					-394,056,000
Operation and maintenance.....	267,876,000					-267,876,000
Emergency appropriations (P.L. 105-18).....	7,355,000					-7,355,000
Water and related resources.....		651,552,000	651,931,000	688,379,000	694,348,000	+694,348,000
California Bay-Delta ecosystem restoration.....		143,300,000	120,000,000	50,000,000	85,000,000	+85,000,000
Loan program.....	12,715,000	10,425,000	10,425,000	10,425,000	10,425,000	-2,290,000
(Limitation on direct loans).....	(37,000,000)	(31,000,000)	(31,000,000)	(31,000,000)	(31,000,000)	(-6,000,000)
Policy and administration.....	46,000,000	47,658,000	47,658,000	47,558,000	47,558,000	+1,558,000
Colorado River Dam fund (by transfer, permanent authority).....	(-3,774,000)			(-5,592,000)	(-5,592,000)	(-1,818,000)
Central Valley project restoration fund.....	38,096,000	39,130,000	39,130,000	33,130,000	33,130,000	-4,966,000
Total, Bureau of Reclamation.....	782,748,000	892,065,000	869,144,000	829,492,000	870,461,000	+87,713,000
Total, title II, Department of the Interior.....	826,375,000	933,218,000	910,297,000	870,645,000	911,614,000	+85,239,000
(By transfer).....	(-3,774,000)			(-5,592,000)	(-5,592,000)	(-1,818,000)
TITLE III - DEPARTMENT OF ENERGY						
Energy supply.....	2,699,728,000	2,999,497,000	880,730,000	953,915,000	906,807,000	-1,792,921,000
Energy assets acquisition.....		43,582,000		13,025,000		
Uranium supply and enrichment activities.....	43,200,000					-43,200,000
Gross revenues.....	-42,200,000					+42,200,000
Net appropriation.....	1,000,000					-1,000,000
Non-defense environmental management.....			497,619,000	664,684,000	497,059,000	+497,059,000
Uranium enrichment decontamination and decommissioning fund.....	200,200,000	248,788,000	220,200,000	230,000,000	220,200,000	+20,000,000
Science.....	996,000,000	875,910,000	2,207,632,000	2,084,567,000	2,235,708,000	+1,239,708,000
Science assets acquisition.....		110,250,000		138,510,000		
Nuclear Waste Disposal Fund.....	182,000,000	190,000,000	160,000,000	160,000,000	160,000,000	-22,000,000
Departmental administration.....	215,021,000	232,604,000	214,723,000	220,847,000	218,747,000	+3,726,000
Miscellaneous revenues.....	-125,388,000	-131,330,000	-131,330,000	-131,330,000	-131,330,000	-5,942,000
Net appropriation.....	89,633,000	101,274,000	83,393,000	89,517,000	87,417,000	-2,216,000
Office of the Inspector General.....	23,853,000	29,499,000	27,500,000	27,500,000	27,500,000	+3,647,000
Environmental restoration and waste management:						
Defense function.....	(5,619,304,000)	(6,058,499,000)	(5,263,270,000)	(5,654,974,000)	(5,520,238,000)	(-99,066,000)
Non-defense function.....	(791,911,000)	(933,472,000)	(717,819,000)	(894,684,000)	(717,259,000)	(-74,652,000)
Total.....	(6,411,215,000)	(6,991,971,000)	(5,981,089,000)	(6,549,658,000)	(6,237,497,000)	(-173,718,000)

ENERGY AND WATER DEVELOPMENT APPROPRIATIONS, 1998 (H.R. 2203) — continued

	FY 1997 Enacted	FY 1998 Estimate	House	Senate	Conference	Conference compared with enacted
Atomic Energy Defense Activities						
Weapons activities.....	3,911,198,000	3,576,255,000	3,943,442,000	4,302,450,000	4,146,692,000	+ 235,494,000
Defense environmental restoration and waste management.....	5,459,304,000	5,052,499,000	5,263,270,000	5,311,974,000	4,429,438,000	-1,029,866,000
Defense facilities closure projects.....					890,800,000	+ 890,800,000
Defense environmental management privatization.....	160,000,000	1,006,000,000		343,000,000	200,000,000	+ 40,000,000
Subtotal, Defense environmental management.....	5,619,304,000	6,058,499,000	5,263,270,000	5,654,974,000	5,520,238,000	-99,066,000
Other defense activities.....	1,605,733,000	1,605,981,000	1,580,504,000	1,637,981,000	1,666,008,000	+ 60,275,000
Defense nuclear waste disposal.....	200,000,000	190,000,000	190,000,000	190,000,000	190,000,000	-10,000,000
Defense asset acquisition.....		2,166,859,000				
Total, Atomic Energy Defense Activities.....	11,336,235,000	13,597,594,000	10,977,216,000	11,785,405,000	11,522,938,000	+ 186,703,000
Power Marketing Administrations						
Operation and maintenance, Alaska Power Administration.....	4,000,000	1,000,000	1,000,000	3,500,000	3,500,000	-500,000
Capital assets acquisition.....				20,000,000	10,000,000	+ 10,000,000
Operation and maintenance, Southeastern Power Administration.....	16,359,000	14,222,000	12,222,000	12,222,000	12,222,000	-4,137,000
Operation and maintenance, Southwestern Power Administration.....	25,210,000	26,500,000	25,210,000	26,500,000	25,210,000	
Construction, rehabilitation, operation and maintenance, Western Area Power Administration.....	182,230,000	194,334,000	189,043,000	180,334,000	189,043,000	+ 6,813,000
(By transfer, permanent authority).....	(3,774,000)			(5,592,000)	(5,592,000)	(+ 1,818,000)
Falcon and Amistad operating and maintenance fund.....	970,000	1,065,000	970,000	1,065,000	970,000	
Total, Power Marketing Administrations.....	228,769,000	237,121,000	228,445,000	243,621,000	240,945,000	+ 12,176,000
Federal Energy Regulatory Commission						
Salaries and expenses.....	146,290,000	167,577,000	162,141,000	162,141,000	162,141,000	+ 15,851,000
Revenues applied.....	-146,290,000	-167,577,000	-162,141,000	-162,141,000	-162,141,000	-15,851,000
Total, title III, Department of Energy.....	15,757,418,000	18,433,515,000	15,282,735,000	16,390,744,000	15,898,574,000	+ 141,156,000
(By transfer).....	(3,774,000)			(5,592,000)	(5,592,000)	(+ 1,818,000)
TITLE IV - INDEPENDENT AGENCIES						
Appalachian Regional Commission.....	160,000,000	165,000,000	160,000,000	160,000,000	170,000,000	+ 10,000,000
Defense Nuclear Facilities Safety Board.....	16,000,000	17,500,000	16,000,000	17,500,000	17,000,000	+ 1,000,000
Nuclear Regulatory Commission:						
Salaries and expenses.....	471,800,000	476,500,000	462,700,000	476,500,000	468,000,000	-3,800,000
Revenues.....	-457,300,000	-457,500,000	-446,700,000	-457,500,000	-450,000,000	+ 7,300,000
Subtotal.....	14,500,000	19,000,000	16,000,000	19,000,000	18,000,000	+ 3,500,000
Office of Inspector General.....	5,000,000	4,800,000	4,800,000	4,800,000	4,800,000	-200,000
Revenues.....	-5,000,000	-4,800,000	-4,800,000	-4,800,000	-4,800,000	+ 200,000
Subtotal.....						
Total.....	14,500,000	19,000,000	16,000,000	19,000,000	18,000,000	+ 3,500,000
Nuclear Waste Technical Review Board.....	2,531,000	3,200,000	2,400,000	3,200,000	2,600,000	+ 69,000
Tennessee Valley Authority: Tennessee Valley Authority Fund...	106,000,000	106,000,000		86,000,000	70,000,000	-36,000,000
Total, title IV, Independent agencies.....	299,031,000	310,700,000	194,400,000	285,700,000	277,600,000	-21,431,000
Grand total:						
New budget (obligational) authority.....	20,990,027,000	23,047,903,000	20,416,989,000	21,209,623,000	21,152,202,000	+ 162,175,000
Appropriations.....	(20,378,672,000)	(23,047,903,000)	(20,416,989,000)	(21,209,623,000)	(21,152,202,000)	(+ 773,530,000)
Emergency appropriations.....	(611,355,000)					(-611,355,000)
(By transfer).....	(1,000,000)					(-1,000,000)

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

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

Mr. Speaker, I rise today in strong support of H.R. 2203, the Energy and water conference report for fiscal year 1998.

I want to thank the gentleman from Pennsylvania [Mr. McDADE] for all the work he has done to bring about a balanced, reasonable, and fair bill that provides adequate funding for not only important water projects all over this country, but for vital energy programs as well.

I want to say on behalf of my Democratic colleagues on the subcommittee, the gentleman from Indiana [Mr. VISCLOSKEY], the gentleman from Arizona [Mr. PASTOR], and the gentleman from Texas [Mr. EDWARDS], how much we appreciate the way in which the majority has worked with us, and also thank the staff for the degree to which they have cooperated in our mutual goal of bringing a bipartisan bill to the floor.

Mr. Speaker, Chairman McDADE has reached out to Members on both sides of the aisle to try to move infrastructure-related projects to completion and to begin a limited number of reconnaissance and feasibility studies mandated by the Water Resources Development Act of 1996. We have all read in the Washington Post how some of these projects may be subjected to the line-item veto.

I think there is a serious question worth considering here: our continued commitment to the types of infrastructure funding that we present in this bill.

There is little debate about the need for a Transportation appropriations bill or an ISTEA bill to authorize and fund our highways and mass transit systems.

I believe the projects presented in this bill—projects that contribute to building our modern harbors and keeping them serviceable; projects that contribute to the flood control systems that protect our communities; and projects that contribute to our abundant production agriculture—these projects are equally important and equally worthy of both congressional and administration support.

For example, in the Sacramento area, the bill supplies funding for the long-term flood control improvements pointed out not by this year's floods, but by the flooding of 1986. However, funding is also provided for a comprehensive study of the Sacramento and San Joaquin River Basins, based on this year's flood event, to determine what additional flood control measures may need to be adopted. An important component of such a comprehensive study will be the post-flood assessment and a hydraulic/hydrologic model of the entire system.

Other Members can testify to the importance of these projects to the infrastructure in their own regions which the Nation depends upon for interstate commerce and sustained economic development.

I also want to particularly highlight a new program in our bill that has been generously funded—the CalFed initiative for San Francisco-Sacramento Bay-Delta. The Bay-Delta is a source of drinking water for 20 million people and irrigation water for over 200 crops—45 percent of the Nation's produce.

The people of the State of California made a significant commitment to this ecosystem restoration by approving a nearly \$1 billion bond issue in 1996. There has been a bipartisan effort by a united California congressional delegation, and by urban and agricultural water users as well as the environmental community to acquiring the Federal share of ecosystem restoration projects. I am pleased to see that \$85 million has been provided in this bill, and I can assure you that California will use this money well.

I also want to comment briefly on a complicated subject—the Central Valley project restoration fund. This fund is generated by assessments on water and power users, and is devoted to ecosystem restoration. The conferees ultimately settled on a \$7 million reduction in the restoration fund, an even split between the Houses. Although this amount does not fully fund the restoration fund for 1998, the conference did well given California's extensive priorities.

The conferees were able to voice the limitations on the 1998 funding in terms that do not amend the Central Valley Project Improvement Act, and therefore will not affect restoration fund collections or appropriations in any other year.

The CVPIA's restoration fund provisions are confusing, contradictory, unfair, and counterproductive. They should be reformed by the authorizing committee as soon as possible.

On the energy side, this bill continues our investment in the development of alternative energy sources. Finding alternative means to help meet the energy needs of our growing economy is critical if we are to tackle air pollution and other environmental threats. Our strategy to reduce greenhouse gas emissions that contribute to global climate change assumes that cleaner solar and renewable energy sources will be available and economically viable in the future, and this bill supports that goal. Alternative energy sources are also critical to our energy security by helping reduce our reliance on foreign oil.

The bill invests \$302 million in research and development into a range of promising technologies that make use of a variety of potential energy sources, including solar and photovoltaics, biomass, hydrogen, geothermal sources, and wind. And it does so while encouraging industry interest and commitment through cost-share programs that will later ensure the technologies will be commercially viable.

The bill also continues vital research and development in fusion energy, supports the national laboratories, and provides for national security by supporting the development of critical verification technology to assess the safety and reliability of our nuclear stockpile. It also funds the cleanup of the nuclear weapons complex to fulfill the country's obligation to restore those sites. The subcommittee has worked hard to encourage the Department to be more efficient and effective, and Secretary Peña has been highly responsive to this concern.

In short, this is a balanced bill, but one that should have the support of every Member and the administration as well. I ask that we support the work of our committee and the work of the House-Senate conference with a "yes" vote.

Mr. Speaker, if appropriate at this time, I would place my remarks in the

RECORD and yield to Members who have an interest in colloquies.

Mr. Speaker, I yield 1½ minutes to the gentleman from Washington [Mr. DICKS], a colleague on the Committee on Appropriations.

Mr. DICKS. Mr. Speaker, I would like to engage the gentleman from Pennsylvania [Mr. McDADE] and the gentleman from California [Mr. FAZIO] in a brief colloquy with regard to language in the conference report.

As the chairman will recall, during the deliberations over the conference report on the Energy and Water Appropriations Act for fiscal year 1998, both Senators from the State of Washington and I were interested in clarifying Senate language that addressed the Corps of Engineers' actions with regard to the Terminal 5 expansion project at the Port of Seattle. We appreciate the conference committee's decision to include a statement urging the corps to make a final decision with regard to the Port of Seattle permit application.

However, events that have occurred after the conference committee adjourned have rendered the language unnecessary. Specifically, the Muckleshoot Indian Tribe, which had been opposing the terminal 5 expansion, has now adopted a resolution approving a settlement that has been reached between the tribe and the port, including significant mitigation and enhancement measures that will benefit the tribes who utilize the Duwamish River fishery.

In this resolution of approval, the Muckleshoot Tribe has requested recognition in Congress that the language inserted in the conference report relating to the terminal 5 project is no longer necessary. We appreciate the committee's assistance in this project, which is critically important to the further development of international trading opportunities at the Port of Seattle.

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

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

Mr. McDADE. Mr. Speaker, let me say to my friend, the gentleman from Washington [Mr. DICKS], that I appreciate the information that he has provided to update the Committee on the status of the terminal 5 expansion project in Seattle. We are grateful for his input.

Mr. FAZIO of California. Mr. Speaker, if the gentleman will yield, that certainly satisfies me. I appreciate the information the gentleman from Pennsylvania [Mr. McDADE] provides.

Mr. DICKS. Mr. Speaker, reclaiming my time, I would take the remaining time to thank the chairman and ranking member for all the help for our State. We have many important projects, and they have done an outstanding job. We strongly support the bill.

Mr. FAZIO of California. Mr. Speaker, I yield as much time as she may consume to the gentlewoman from

Connecticut [Ms. DELAURO] for purposes of a colloquy.

Ms. DELAURO. Mr. Speaker, I rise to engage in a colloquy with the subcommittee chairman.

I would like to applaud both the gentleman from Pennsylvania [Mr. MCDADE] and the gentleman from California [Mr. FAZIO], the ranking member, for the work that has been done to put this bipartisan bill together.

As my colleagues know, I have been concerned about the delays in contracting out the Point Beach, Milford Plain Army Corps of Engineers project. This project would enlist Army Corps of Engineers' assistance in raising 58 homes above flood level. The Corps of Engineers is authorized to provide this type of assistance to communities such as Milford under the Rivers and Harbors Act of 1962.

After consultation with Members of both the authorizing and appropriations committees, it is my understanding that no further authorization and no earmarked appropriation is necessary for the Corps to bid out this project.

Is that the understanding of the gentleman from Pennsylvania [Mr. MCDADE] as well?

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

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

Mr. MCDADE. That understanding is mine completely.

Ms. DELAURO. Mr. Speaker, reclaiming my time, this is good news for the people of Milford, whose homes can now be made safe from flooding. I thank the chairman of the authorizing committee for clarification, and I thank the ranking member.

Mr. FAZIO of California. Mr. Speaker, I yield such time as he may consume to the gentleman from Colorado [Mr. SKAGGS] for purposes of a colloquy as well.

Mr. SKAGGS. Mr. Speaker, I thank the gentleman from California [Mr. FAZIO] for yielding me the time.

I need to ask the chairman's assistance in clarifying one aspect of the conference report. Section 304 of the conference report says that DOE cannot use funds from other accounts to augment the funds provided for "severance payments and other benefits and community assistance grants authorized under section 3161" of the 1993 Defense Authorization Act.

As the author of section 3161, I am aware that severance payments and other payments are authorized under it. I am also aware that sometimes DOE makes severance payments in order to comply with other contract provisions.

Am I right, Mr. Chairman, that section 304 should be understood as not intending to restrict DOE's ability to fulfill such contractual requirements but merely sets a ceiling on payments not required by contract but made under 3161?

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

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

Mr. MCDADE. May I say to my friend, the gentleman from Colorado [Mr. SKAGGS], his understanding is absolutely correct.

Mr. SKAGGS. Mr. Speaker, I thank the gentleman from Pennsylvania.

Mr. MCDADE. Mr. Speaker, I yield such time as he may consume to the distinguished gentleman from Missouri [Mr. TALENT].

Mr. TALENT. Mr. Speaker, I thank the chairman for yielding me the time.

I ask the chairman of the Appropriations Subcommittee on Energy and Water if he would engage me in a colloquy regarding the transfer for a FUSRAP to the Army Corps of Engineers.

Mr. Speaker, I thank the gentleman from Pennsylvania [Mr. MCDADE] for his patience in this issue. Mr. Chairman, my district in Missouri has a major FUSRAP site which contains nuclear contamination from the Manhattan Project and other hazardous waste. For 15 years, we have worked with the Department of Energy to clean up this site.

Finally, in just the past 2 weeks, after much frustration and delay, we have come to the point where DOE has begun preliminary cleanup efforts. Given this recent progress, the news of the FUSRAP program's transfer out of DOE has, quite understandably, caused a great deal of distress in the community.

While we are by no means questioning the corps' ability to handle the FUSRAP project, we are concerned that potential delays caused by the transfer will undo much of the recent progress.

With site recommendations already made, feasibility studies concluded, and contracts let, it is important that the corps honor the preliminary groundwork laid by DOE in order to avoid any further delays.

Will the corps be willing to respect these studies, site plans, and contracts?

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

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

Mr. MCDADE. Mr. Speaker, let me say to my distinguished colleague from Missouri, Mr. TALENT, that the committee fully intends that the feasibility studies and the site recommendations prepared by the DOE will be accepted and carried out by the Corps of Engineers.

Furthermore, may I say to my friend that the Energy and Water Development Conference Report for fiscal year 1998 specifically contains language requiring the Corps to honor all existing contracts.

Mr. TALENT. Mr. Speaker, reclaiming my time, I thank the gentleman from Pennsylvania [Mr. MCDADE] for his concern.

One further issue: The local community has been very involved in design-

ing a plan to clean up the site. They are concerned that the administration of the cleanup will be moved away from the St. Louis area to Omaha or Kansas City, reducing their input and influence on the cleanup process.

When the Army Corps of Engineers takes over the FUSRAP program, will the St. Louis program be managed out of the St. Louis Corps' office?

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

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

Mr. MCDADE. Mr. Speaker, let me say to my friend that it is the understanding of the committee that the cleanup and restoration of contaminated sites following within the purview of FUSRAP will be managed and executed by the nearest civil works district of the Corps of Engineers which has been designated as an improved design center for handling hazardous, toxic, and radioactive wastes.

Local communities throughout the country have been very involved in designing cleanup plans at FUSRAP sites, and this strategy effectively maintains community input in the process.

Mr. TALENT. Mr. Speaker, I thank the gentleman from Pennsylvania for his assurances and his assistance.

Mr. FAZIO of California. Mr. Speaker, I yield 1 minute to the gentleman from North Dakota [Mr. POMEROY], who has had so much influence on the amount of funds for his State in this bill.

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

This Chamber at its best moments represents their work on a bipartisan basis of Members coming together to address problems, problems that really mean something to the people who are struggling with them. In representing the State of North Dakota, I would wager to say that the population I represent per capita has more, and verified, water problems than any other State in the entire country.

I rise to express particular personal gratitude to the chairman, to the chairman's staff, to the ranking member, and the ranking member's staff for all of the patience and time they have spent with me in understanding our problems and in crafting a bill that responds in a meaningful way to those problems.

Mr. Speaker, we did not get everything we wanted. Certainly some of the funding limits and some of the limiting language we would have liked to have had something different. But in balance, I mean it, this really is a responsive and meaningful effort to help the people of North Dakota with the problems that presently plague them. I am very, very grateful for this effort and have enjoyed working with my colleagues in this regard. I urge support for the bill.

Mr. FAZIO of California. Mr. Speaker, I yield 1 minute to the gentleman from West Virginia [Mr. WISE], a member of the authorizing committee, who worked so hard for his State and is so influential in this bill.

Mr. WISE. Mr. Speaker, I want to thank the gentleman from Pennsylvania [Mr. MCDADE] and the ranking member, the gentleman from California [Mr. FAZIO], and rise in strong support of this conference report.

Very important in this legislation is language including \$1.8 million for the Marment Locks, and the action of the gentleman from Pennsylvania [Mr. MCDADE] and the ranking member, the gentleman from California [Mr. FAZIO], begin to end a lot of uncertainty for 200 families in the affected Belle area, in the affected construction area of the Marment Locks.

The conference report also provides money for the Appalachian Regional Commission which is crucial to Appalachia, and I would like to make a tribute at this point, and I would like to take a moment to pay tribute to one of its adopted sons, Michael Wenger, the Appalachian Regional Commission's State representative.

Mike has a long and distinguished history with the ARC beginning 20 years ago when, under then Governor Rockefeller, he served as the West Virginia Governor's alternate to the ARC. He ably represented West Virginia in that role. Four years later, he began representing all 13 States of Appalachia as the State's Washington representative to the ARC. In this capacity, Mike has spent many years working with local development districts, States' alternates, and Members of Congress, defending the agency and its priorities through the 1980's and into the 1990's. He has provided the States' good perspective in discussions of commission programs and ensured that the Nation keeps its commitments to the people of Appalachia.

I am going to miss Mike's detailed knowledge of the ARC's history, its politics, and its policy. I wish Mike well in his new role as deputy director of the President's Advisory Board on Race Relations. A job well done.

Mr. MCDADE. Mr. Speaker, I yield such time as he may consume to the very distinguished gentleman from Michigan [Mr. KNOLLENBERG], an able member of the subcommittee.

Mr. KNOLLENBERG. Mr. Speaker, I thank the gentleman for yielding this time to me. The gentleman from Pennsylvania [Mr. MCDADE] has done, I think, an extraordinary job, and I rise in strong support of this conference report.

I could express my appreciation to the gentleman from Pennsylvania [Mr. MCDADE] in many ways, but I think he has shepherded through not just an extraordinary bill but, frankly, something that I think is a credit to the gentleman, to the man, and it is not an easy job, as everybody knows, to perform this so-called miracle, if my colleagues will.

I also want to express my thanks to the ranking member, the gentleman from California [Mr. FAZIO]. Mr. FAZIO has again been also a strong contributor to bringing about some collegiality, some understanding, and it really has been a bipartisan effort.

I would be remiss if I did not also thank the staff. They have all been monumentally resourceful about this whole thing in bringing about closure on some very, very difficult points that we have brought to closure in a way that I think benefits everybody.

Mr. Speaker, I will have my statement, which is a longer version in support of H.R. 2203, included in the appropriate place in the CONGRESSIONAL RECORD.

I rise in strong support of this conference report. I want to reexpress my appreciation to Chairman MCDADE and Ranking Member FAZIO for their efforts and assistance with this bill. I also want to give a big thanks to the Energy and Water Subcommittee staff who were always ready and able to assist me and my staff on this bill.

H.R. 2203 includes several very important reforms that should have a dramatic impact on accelerating the environmental management cleanup of the Department of Energy and moving the Department forward after years of too little progress. Among the reforms are a funding mechanism to bring closure to the Rocky Flats site and the Ferndale site; transferring FUSRAP to the Corps of Engineers, who have been successfully completing similar low level cleanup programs for the Department of Defense; and stopping the flow of funding away from the mission-related work of the environmental management program to pay for separation benefits for workers who are displaced because of efficiency decisions of their employers. And, although not related to DOE, this bill contains another very important reform—the end of TVA appropriated funding after fiscal year 1998.

Mr. Speaker, I want to be clear about our resolve on the Department's efforts to accelerate cleanup. We support the vision brought forth by the Department but we were very discouraged in June with the 10-year plan—Accelerating Cleanup: Focus on 2006, Discussion Draft—that was brought forth. After a year of preparation, the result appeared to be nothing more than a top-level framework to begin the planning process. It was a document not supported by the details or by what could be realistically achieved. With this in mind, it is essential that DOE bring forth with next year's budget request, a detailed and defensible closure plan, based on aggressive but realistic estimates—that is, budget quality data—of the most that can be completed and closed out within the 10-year timeframe. I strongly believe that this vision can be accomplished by doing more sooner rather than later, by substantial mortgage and risk reduction, and by leveraging technology. As I've said many times before, it's time to get on with it.

One provision I worked with the committee to have included in H.R. 2203 is bill and report language under the Worker and Community Transition Program authorized under section 3161 of the 1993 National Defense Authorization Act. This year's appropriation stops the flow of funding from mission accomplishment

to fund worker separations that are due to business and efficiency decisions. I believe this will be a tremendous benefit to the environmental management program, who has been required to bear the cost of the more than \$500 million spent thus far on these types of separations. This bill provides more than enough funds to protect this narrow class of workers, displaced from current defense missions of the Department, who are the often unrecognized heroes of the cold war.

However, the enormous task of cleaning up the former nuclear defense facilities has been estimated to cost over \$200 billion. Far too many dollars have been diverted away from the primary missions at these sites—to clean the environment. This bill protects those workers who may be displaced due to the end of the cold war, but it also protects the workers and nearby communities by keeping the clean-up dollars focused on cleanup.

Since its inception, more than 37,000 workers at Department of Energy sites across the Nation have benefited from the worker transition program. In fact, since that time, Congress has spent over \$650 million providing very generous severance packages to workers displaced from the former nuclear weapons production sites. Of this, it is estimated that at least \$500 million have been taken from mission-related funds of the environmental management program to fund separation benefits to workers, all of whom are being displaced not because of a current change in defense mission but because of business and efficiency decisions of their employers. Further, an additional \$168 million has been provided to communities surrounding former nuclear weapons production sites for economic development activities.

It's been 6 years since we won the cold war and ceased nuclear weapons production. Most of these production sites have moved on to new missions and to cleaning up the legacy waste. Most of those who worked during the production era left these sites long ago or are protected under a seniority system of employment.

This bill says that it is no longer reasonable or sustainable to provide extraordinary benefits, to those who do not meet the original intent of section 3161 of the 1993 Defense Authorization Act. The \$61 million provided for worker and community transition is more than enough to fund all cold war warriors who still work for a current or former nuclear facility and who would like to voluntarily separate during the next fiscal year. Frankly, I believe it is time to move toward giving the contractors more autonomy—those companies who are cleaning up the environmental management sites should manage and right-size their own work force without Federal subsidies.

Additionally, I would tell you that this program has been plagued by mismanagement and by questionable practices. The General Accounting Office has reported that individuals received extraordinary severance packages, in some cases in excess of \$90,000 per person. Further, many of the workers receiving Federal assistance were hired in the years after the end of the cold war. Finally, the program has been criticized for providing benefits to terminate positions that were later refilled or rehired at added cost to the Government.

As I said before, the Department of Energy has provided over \$168 million in economic assistance to the local communities surrounding DOE defense nuclear sites. Not only do I

believe that this is not a proper allocation of Federal dollars, but I believe that these dollars have not yielded the desired results.

Take the Savannah River site in South Carolina as an example—3 years ago, the South Carolina Regional Diversification Initiative was set up as an economic development initiative to help offset layoffs at the former defense plant. According to newspaper report, only 34 jobs have been created with a Federal investment of \$7 million. My understanding is that the majority of the money was spent on studies and administration. Not exactly the return on investment or track record that would justify additional Federal investment. However, very recently, when the local community leaders met with the Department of Energy, they were given another \$4.6 million for this initiative.

It is time to fund this program within its authorized and appropriate levels—to provide help to the true cold war warriors—but stop diverting the money away from cleanup of the environmental management sites. This money should be used to accelerate cleanup and get this show on the road.

Mr. FAZIO. Mr. Speaker, I yield 2 minutes to the gentleman from Oregon [Mr. DEFAZIO].

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

I would first like to congratulate the gentleman from Pennsylvania [Mr. MCDADE] and the gentleman from California [Mr. FAZIO] for their work on essential parts of this bill that contribute to the national infrastructure and to vital concerns of ports and other infrastructure concerns in my region.

I would like to go back to something that was vigorously debated in a somewhat confusing manner during the original consideration of the bill, and that was the DeFazio-Fazio amendment process regarding Animas La Plata.

Besides confusing the pronunciation of our names, many Members were confused over exactly what they were voting on, and when I look at the report from the committee, I think it is not quite on target if one refers back to the debate and would like to make that point here today.

The key point in the debate made with the Fazio amendment to the DeFazio amendment was that we were funding a process, the Romer-Schoettler process, to go forward and come up with a new proposal, all sides having admitted that the original Animas La Plata project was not affordable and was not going to go forward in its entirety.

Yet the report urges that the Corps of Engineers or Bureau of Reclamation go ahead with great dispatch in terms of beginning parts which were proved under the Endangered Species Act should be constructed without delay. I think that contradicts the debate we had here on the floor. Later on it does mention the Romer-Schoettler process and working toward a compromise.

I think it would be a great mistake if construction went forward at this point in time when the emphasis in the

debate, in the close vote we had here on the floor of the House, was, no, we are going to develop an alternative that is cost effective and environmentally responsible.

So I would like to suggest that perhaps the drafting of the report is such that there could be a problem in dealing with the Bureau of Reclamation and would want the Bureau to refer back to the debate and the vote rather than looking at the report language.

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

Mr. Speaker, I just wanted to simply read the language in the report. It says the conferees directed funds previously appropriated for the project and still available, part to be used for the project and advancement of a modified project from the process which meets the original intent of the settlement.

So I think what we are saying here is, we are not restricting prior appropriations, but we are looking for the modification of the project, and the money that has been prior appropriated would be available for that purpose.

Mr. Speaker, 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. Speaker, like my colleagues on both sides of the aisle, I would like to rise today to thank both the chairman and ranking member, the gentleman from Pennsylvania [Mr. MCDADE] and the gentleman from California [Mr. FAZIO], for their fairness and courtesy to many Members, and also to the only Texas Member on the Subcommittee on Energy and Water, my colleague, the gentleman from Texas, Mr. CHET EDWARDS, who was instrumental in helping this project begin this year.

The Port of Houston is so important to many levels, not only to the Houston region, but also to the State and outlining our Nation. More than 5,535 vessels navigate the channel. It is the eighth largest port in the world, and with this startup money for the 45-foot depth and the 520-foot widening, it is so important to be competitive in this day and time. In fact, yesterday's Journal of Commerce talked about the importance of ports being at least 45 feet in depth.

Again, I would like to thank the chairman and the ranking member and the staff working on this and appreciate the first money for the startup here, and we will be back again.

Mr. FAZIO of California. Mr. Speaker, I yield such time as he may consume to another gentleman from Houston, TX, Mr. BENTSEN.

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

Mr. BENTSEN. Mr. Speaker, I thank my colleague from California, Mr. FAZIO for yielding this time to me.

First of all, let me tell my colleagues I rise in strong support of H.R. 2203, the

fiscal year 1998 Energy and Water Appropriations conference report. I want to thank the chairman, the gentleman from Pennsylvania [Mr. MCDADE], the ranking member, the gentleman from California [Mr. FAZIO], as well as my colleague, the gentleman from Texas [Mr. EDWARDS], who has done a lot of work on behalf of the Harris County delegation.

H.R. 2203 includes vital funding for several flood control projects in the Houston, TX area. These projects include Sims, Brays, Clear Creek, Greens, and White Oak Bayous, as well as Hunting Bayous, and provided much needed protection for our communities.

I am most grateful for the committee's decision to fully fund the Sims Bayou project at \$13 million in fiscal year 1998 which will allow for speeding up construction of this much needed project to improve flood protection for an extensively developed urban area along Sims Bayou in southern Harris County.

Additionally, I appreciate the committee's decision to fully fund the Harris County Flood Control District's efforts to carry out three flood control projects on Brays, Hunting, and White Oak Bayous that were authorized last year in Public Law 104-303, the Water Resources Development Act of 1996, for some language that my colleague, the gentleman from Texas [Mr. DELAY], and I had pursued.

This is a new direct grant program to the counties, and I appreciate the fact that the committee has specifically included in the bill the implementation of section 211(f)(6) in funding \$2 million for the reimbursement to the Harris County Flood Control District for Brays Bayou. This is an innovative program that the Congress authorized last year, as I mentioned, and the fact that the committee is doing this, I believe, sends a message to the Corps of Engineers to follow through with the word of the bill and the language in that, and I appreciate the members of the subcommittee for doing that.

Mr. Speaker, I am also pleased that this legislation provides \$20 million to begin construction to the Houston Ship Channel expansion project which was also authorized in the word of the bill.

What is particularly important about this is not the fact that it is more than what was in the original request or the Senate request, although that is important, but also what is important is that it directs the Corps to move forward and implement a project cooperation agreement for the entire project. Had that not been done, there was some question, based upon the administration's original request, whether or not both Houston and Galveston authorities would be included in that.

I appreciate the committee for doing that, and in addition, by putting in the funding level and working with the Corps of Engineers, they ensured that the project will meet the 4-year time line which is critical to its implementation in the economic basis.

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

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

Mr. MILLER of California. Mr. Speaker, I thank the gentleman for his work on this bill and the committee's work.

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

This conference report provides funds for critical flood control and navigation projects in Contra Costa County and the San Francisco Bay area of California. Also included is \$1.5 million to begin construction of fish screens for the Contra Costa Water District's intake at Rock Slough. The screens are needed to reduce the number of fish drawn into the system's pumping and storage facilities. Securing the funding is critical not only as part of fishery protection efforts but also to ensure that the district's Los Vaqueros Reservoir will be completed on schedule. I appreciate the committee's continued support for these projects.

I am particularly pleased that the conference report provides \$85 million to fund the initial share of Federal participation in the bay-delta programs authorized last fall in the California Bay-Delta Environmental Enhancement and Water Security Act. Funding the bay-delta programs will allow us to begin a comprehensive effort to restore the many components of this huge area that have been damaged by human activity.

The bill also contains a prohibition on taking steps to build the San Luis drain, a huge canal that would convey contaminated agricultural waste water up to the Sacramento-San Joaquin Delta, where it would be discharged. I firmly believe that this drain should not be built, as it would allow the export of toxic pollution to the delta.

In addition, the bill contains \$100,000 to begin studying the removal of underwater rock formations near the mouth of San Francisco Bay that threaten oil tankers and other deep-draft vessels. This funding will be used to assess the benefits of oil spill avoidance and improved navigation relative to the cost of the project.

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

Mr. FAZIO of California. Mr. Speaker, I yield such time as she may consume to the gentlewoman from California [Mrs. TAUSCHER] for a colloquy.

Mrs. TAUSCHER. Mr. Speaker, I thank the gentleman for yielding this time to me.

Mr. Speaker, I rise in support of H.R. 2203. This spending bill makes a number of important commitments to improve our environment, and I want to also congratulate the gentleman from California [Mr. FAZIO] and the distinguished chairman of the subcommittee, the gentleman from Pennsylvania [Mr. MCDADE], for their leadership in this effort.

Mr. Speaker, H.R. 2203 also includes language that will allow the Corps of Engineers to participate in projects

that will improve aquatic ecosystems such as the San Francisco Bay delta.

I would ask the distinguished ranking Democrat to clarify my understanding that the conference committee agreement allows the Corps of Engineers to work with the East Bay Municipal Utility District and the State of California on this project.

Mr. FAZIO of California. Mr. Speaker, will the gentlewoman yield?

Mrs. TAUSCHER. I yield to the gentleman from California.

Mr. FAZIO of California. Mr. Speaker, I would be happy to answer the gentlewoman's inquiry. She is correct that the agreements permit the Corps of Engineers to participate at the site of the Penn Mine.

The conference agreement provides that the Corps of Engineers shall have \$6 million to support eligible projects which include that Penn Mine site as well as others. I would encourage the Corps to make available necessary funds for this project.

Mrs. TAUSCHER. Mr. Speaker, I thank the gentleman for his clarification on this important environmental issue.

Mr. FAZIO of California. Mr. Speaker, having no further requests for time, I yield back the balance of my time.

Mr. CRANE. Mr. Speaker, I just wanted to take this opportunity to express my support for the conference report on H.R. 2203, the Energy and Water Appropriations bill for fiscal year 1998.

While I would have preferred the version of H.R. 2203 that was passed by the House in July, this bill has much to be said for it. Not only does it keep spending within 1 percent of last year's level, but it helps address a long-standing inequity that the distinguished chairman of the Rules Committee reminded us of in a Dear Colleague distributed to all Members on August 28 of this year.

Attached to that Dear Colleague was a chart prepared by the Tax Foundation of Washington D.C. Entitled "Federal Tax Burden by State," that chart compared all the taxes paid by each state to the federal government in 1996 to the total amount spent by Uncle Sam on those states in that year. Its figures are indeed interesting, reaffirming what those of us from the great state of Illinois have known for a long time. Our state continues to be one of the biggest of all donor states, only getting 73 cents back for every federal tax dollar it sent to Washington last year.

Mr. Speaker, according to the Tax Foundation's figures, only two other states in the country have a lower ratio of taxes paid to dollars returned than does Illinois. Therefore, it is important for a bill like this not to forget the needs of the Prairie State and this bill does not. Not only does the conference report on H.R. 2203 provide needed moneys for two projects in which I have a particular interest—the internationally recognized Des Plaines River Wetlands Demonstration Project [DPRWDP] and the Fox River Floodgate Installation Project [FRFIP]—but it also funds at least 10 other water-related projects that will benefit Chicago and some of the suburbs to the north and west. As a result, over \$20 million will be coming back to the Chicago area this coming fiscal year that will be put to good

use combatting the threat of flooding, promoting the preservation of wetlands, dealing with shoreline erosion and maintaining harbors.

With all the flooding the Chicagoland has suffered in recent years, this assistance could not come at a better time. That being the case, I want to express my particular thanks to the chairman of the Appropriations Committee, to the chairman of its Energy and Water Development Subcommittee, and to the conferees on H.R. 2203 for their support of such Chicago area projects as the Des Plaines River Wetlands Demonstration Project and the Fox River Floodgate Installation Project. Not only do I appreciate it but I am sure many others, who want to get a good return on the tax dollars they invest in our government, will as well.

Mr. PACKARD. Mr. Speaker, I would like to take this opportunity to personally congratulate Chairman JOE MCDADE and ranking member VIC FAZIO for crafting a bill that recognizes the vital energy and water needs of California while maintaining the needed funding levels required for the balanced budget agreement.

Despite fiscal constraints, my colleagues and I were able to secure funding for a variety of projects designed to help alleviate southern California's continual water problems including needed construction funding, flood control programs, beach erosion studies and financial support of operation and maintenance for navigation.

Mr. Speaker, I was very pleased to see that several projects that will greatly assist my constituents received adequate levels of funding. Key projects that directly impact my district include the Oceanside Harbor Maintenance and Operation Dredging program. Although it was not included in the President's budget request, we were able to secure \$900,000 in funding for this important project. This project is seen as critical to the military, industrial and recreational communities that rely on Oceanside Harbor.

The Santa Ana River Mainstem Flood Control Project is another project that is of fundamental importance to the citizens of the 48th District and its surrounding communities. The funding provided will prove both important and essential for all three of my counties—Riverside, Orange and San Diego.

Mr. Speaker, let me once again commend the fine work of Chairman MCDADE and Mr. FAZIO for their fine work on the Energy and Water Appropriations Bill for FY 1998. Their hard work and dedication not only insured that critical projects received needed funding, but that they did so within the framework of a balanced budget.

Mr. LIPINSKI. Mr. Speaker, I rise in support of the Conference Report on the FY 1998 Energy and Water Development Appropriations bill. This legislation is very important in that it funds a number of vitally important flood control projects across the nation. I thank Chairman MCDADE, the ranking Democrat, Mr. FAZIO, and the other conferees on all the hard work they put into crafting this important of legislation. In particular, I would especially like to thank them for funding two Army Corps flood control projects in my district.

This legislation provides \$250,000 for a feasibility study of Stoney Creek and \$200,000 for a study of Tinley Creek. I strongly believe that this is a prudent allocation of federal funds. Funding the feasibility studies for these Army Corps projects is an important step in eliminating the flooding problems.

The flooding problems attributable to these creeks affect a number of communities in my district: Oak Lawn, Crestwood, Alsip, and the unincorporated Bluecrest subdivision of Worth Township. I have visited these communities in the aftermath of heavy rains and flooding, and I have seen firsthand the structural damages caused by the floods. It is estimated that average annual damages resulting from these floods total over one million dollars, and this does not even begin to take into account all of the heartache and grief experienced by the residents of the affected communities.

Mr. Speaker, I urge my colleagues to support this measure. We need to pass this important piece of legislation to bring much needed funds for communities that live under the constant threat of floods.

Mr. WELDON of Florida. Mr. Speaker, I rise in strong support of the conference report and want to thank Chairman McDADE and Ranking Member FAZIO for their hard work. I know they had a difficult task balancing hundreds of requests.

It is important to note the importance and priority the Congress has again placed on federal beach renourishment projects. As a member of the Coastal Caucus I believe it is critical that we pass this important legislation.

As the chairman is aware, we have experienced unprecedented erosion along the beaches in Brevard and Indian River counties in Florida. These beaches are not only important for our tourism industry, but they are home to the largest concentration of endangered sea turtle nests along our Nation's Atlantic coast. The failure to move forward with these beach renourishment efforts will continue erosion of this critical habitat.

Most of the erosion in Brevard County is directly attributable to the construction of the Canaveral Inlet by the Federal Government in the 1950's. Since that time homes and infrastructure that once stood 400 yards from the breaking waves are now at the water's edge. Indeed, study after study has shown that the inlet has acted as a barrier and has stopped sand from flowing to the beaches south of the inlet.

More than 300 residents of Brevard County whose property is in danger of falling into the Atlantic have filed suit against the federal government. This has the potential of costing the federal government hundreds of millions of dollars. The conference report before us moves forward with the Brevard County Storm Damage Prevention project and will help the U.S. government avoid several hundred million dollars in liability.

The project doesn't propose putting the beach back like it was. It would create a 50 foot buffer to protect properties and rectify some of the damage caused by the federal inlet.

Additionally, I am pleased that the Committee has included \$500,000 that I requested for environmental restoration efforts along the Indian River Lagoon. This funding will help us move forward with the C-1 diversion project which will help us reduce the flow of fresh water and sediment into this Estuary of National Significance. This will improve the health of the lagoon and benefit the manatee and the lagoon aquaculture industry.

I thank the Chairman and the conferees for their support of these projects.

Mrs. CLAYTON. Mr. Speaker, I rise in support of the Conference Report. On June 30 of

this year, I toured the State Port Authority at Wilmington, NC with local and federal elected officials. Congressman VIC FAZIO joined us, and I thank him for that.

The Port of Wilmington has historically served as one of the greatest sources of revenue along the East Coast. While generating over \$300 million in state and local taxes, the port creates over 80,000 jobs.

Along with North Carolina, many of the landlocked states of the South East have used the Port of Wilmington, and the Cape Fear River, as a conduit to the Atlantic Ocean and the rest of the world. The Cape Fear River has always been a vital resource for American overseas shipping.

The maximum water level is at an approximate depth of 38 feet, which is too shallow to accommodate the girth and weight of the larger commercial shipping vessels, which can carry more than 100 tons of goods, the kind of which are now being used. There is a plan to increase the draft space by four feet. This would allow the new, larger, vessels to use the Cape Fear River, as well as the Port of Wilmington, at an extremely faster rate than at the present time.

In the past, there have been three separate plans to improve the conditions of the Cape Fear River: widening the channel; deepening the river upstream of the Cape Fear Memorial Bridge; deepening the remainder of the river. The three proposals were considered individually, thereby financed separately. As distinct and separate projects, they would be far more costly and time consuming than necessary. Consolidating these three proposals into a single plan, results in the entire process costing considerably less time and money, and could be enacted with a heightened level of efficiency.

The Port of Wilmington is at a prime location for the overseas shipping of goods. Along with accommodating special purpose subzones, Wilmington can lower, defer, or avoid import duties. There is a 117,000 square foot heated on-dock warehouse, which is equipped with portable fumigation tents. There is also nearly one-half million square feet of warehouse space dedicated to forest products.

The larger vessels that would be permitted to use the Cape Fear River, as a result of the deepening and widening of the channel, possess a far greater load capacity. The increased speed and efficiency with which the new ships could travel the Cape Fear River would be a strong benefit for all manufacturers, transporters, distributors, and purchasers of any of the goods shipped on vessels coming to or from the Port of Wilmington.

Following the tour, as part of the Energy and Water Development Appropriations Bill, the Subcommittee on Energy and Water did pass a provision that embraces the consolidation, funds the first year effort and commits to funding the full project.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise in support of H.R. 2203, the Energy and Water Development Appropriations for fiscal year 1998. I support this bill mainly because it provides \$413 million which is (39 percent) more for the Army Corps of Engineers construction programs than requested by the Administration. The Administration originally requested \$9.5 million for the construction of the Sims Bayou Project in Houston, Texas.

The Subcommittee on Energy and Water Development specifically earmarked an addi-

tional \$3.5 Million bringing the total funding for the project to \$13 Million.

Mr. Speaker, 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. Speaker, because the subcommittee has earmarked in this bill \$13 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 \$3.5 million for the construction of this Sims Bayou project and it remains in this conference report. I am quite certain, Mr. Speaker, 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. Speaker, 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.

Mrs. ROUKEMA. Mr. Speaker, I rise in strong support of this important legislation and want to take this opportunity to thank Chairman McDADE for his continued support for the Ramapo River at Oakland Flood project.

This has been a long and hard-fought battle. And it has been a cooperative effort with Mayor Peter Kendall and the Oakland Council and State Senator McNamara and Assemblymen Felice and Russo all working effectively. With the funds included in this bill, we can finally make this project a reality for my constituents in Oakland. This is government doing what government should do—putting taxpayers to work helping real people with real problems.

Flooding along the Ramapo River has occurred 15 times in the past 24 years. The 330 families that live along the 3.3-mile stretch cannot continue to endure the repeated hardship and personal turmoil that the flood waters bring.

The principal problems along the Ramapo River are flooding caused by the backwater effect produced by the Pompton Lake Dam, the hydraulic constrictions produced by bridges crossing the river, and insufficient channel capacity.

The project is now ready to move into the construction stage. The overall cost of the project through construction is estimated at \$12.2 million. This cost is shared by the Federal Government, 75 percent, and the State, 25 percent.

The \$2.5 million included in this bill will allow construction to advance by 1 year and substantially complete the first piece of the project. The completion of the first piece, the channel widening, would provide immediate flood reduction benefits to Oakland.

Flood protection is about more than money. The emotional price of being forced from your home by raging flood waters and returning only to find your most prized possessions ruined with mud and water goes far beyond the economic price.

On behalf of those families who have endured these floods I support this appropriation and thank Chairman MCDADE and Congressman FRELINGHUYSEN.

Mr. SHUSTER. Mr. Speaker, I rise in support of H.R. 2203, the Energy and Water Development Appropriations Act for fiscal year 1998. This bill provides needed funding for the Nation's water resources infrastructure through such agencies as the Army Corps of Engineers.

H.R. 2203 includes funding for many of the critically needed Flood Control and Navigation Infrastructure projects that were contained in the Water Resources Development Act of 1996.

I would like to thank my colleague from Pennsylvania, Mr. MCDADE, for his leadership and cooperation and for clarifying several provisions in the Senate bill within the jurisdiction of the Transportation and Infrastructure Committee. While in a perfect world there would be no authorizing language at all in an appropriations bill, most of the authorizing provisions contained in this legislation have taken into account concerns of the authorizing committee. For example, the conferees have significantly limited the scope of the Senate provision regarding environmental infrastructure to take our concerns into account.

The conference report also includes provisions on Devils Lake, ND, addressing the emergency flooding conditions that continue to threaten citizens, property and the environment. I want to assure the North Dakota delegation and Governor Schafer, who have worked tirelessly on this issue, that we will continue to look for appropriate, long-term solutions that help to stabilize the lake levels and balance the concerns of citizens within and beyond the watershed.

I would also like to address provisions relating to the Tennessee Valley Authority. The final compromise language reflects the views of many that TVA must change. As chairman of the authorizing committee, I expect we will continue our review of TVA's appropriated and nonappropriated programs.

On the transfer of the formerly Utilized Remedial Action Program [FUSRAP] to the Army Corps of Engineers, I would simply note that it is not our intent—and I have been assured by the chairman of the House Energy and Water Development Subcommittee that it is not his intent—to affect the jurisdiction of the authorizing committee. For example, the Transportation and Infrastructure Committee will obviously continue to exercise jurisdiction over Corps of Engineers civil works programs, including its support for others program that

involves activities to clean up hazardous, toxic, and radioactive wastes. I would also note that the statement of managers provides that "overall program management, schedule and resource priority setting and principal point of contact responsibilities for FUSRAP are to be handled as part of, and integrally with, the overall civil works program of the corps."

H.R. 2203 is a good bill and I urge my colleagues to support it.

□ 1215

Mr. MCDADE. Mr. Speaker, I have no further requests for time, I yield back the balance of my time, and I move the previous question on the conference report.

The previous question was ordered.

The SPEAKER pro tempore [Mr. NEY]. The question is on the conference report.

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

The vote was taken by electronic device, and there were—yeas 404, nays 17, not voting 12, as follows:

[Roll No 468]

YEAS—404

Abercrombie	Clay
Ackerman	Clement
Aderholt	Clyburn
Allen	Coble
Andrews	Coburn
Archer	Collins
Armey	Combest
Bachus	Condit
Baessler	Conyers
Baker	Cook
Baldacci	Cooksey
Ballenger	Costello
Barcia	Coyne
Barr	Cramer
Barrett (NE)	Crane
Barrett (WI)	Crapo
Bartlett	Cubin
Barton	Cummings
Bass	Cunningham
Bateman	Danner
Becerra	Davis (FL)
Bentsen	Davis (IL)
Bereuter	Davis (VA)
Berman	DeFazio
Berry	DeGette
Bibray	Delahunt
Bilirakis	DeLauro
Bishop	DeLay
Blagojevich	Deutsch
Bileley	Diaz-Balart
Blumenauer	Dickey
Blunt	Dicks
Boehlert	Dingell
Boehner	Dixon
Bonilla	Doggett
Bonior	Dooley
Bono	Doolittle
Borski	Doyle
Boswell	Dreier
Boucher	Duncan
Boyd	Dunn
Brady	Edwards
Brown (FL)	Ehlers
Brown (OH)	Ehrlich
Bryant	Emerson
Bunning	Engel
Burr	Eshoo
Burton	Etheridge
Buyer	Evans
Callahan	Everett
Calvert	Ewing
Camp	Farr
Canady	Fattah
Cannon	Fawell
Capps	Fazio
Cardin	Filner
Carson	Flake
Castle	Foglietta
Chabot	Foley
Chambliss	Forbes
Christensen	Ford

Fowler
Fox
Frank (MA)
Franks (NJ)
Frelinghuysen
Frost
Furse
Gallegly
Ganske
Gejdenson
Gekas
Gephardt
Mascara
Gilchrest
Gillmor
Gilman
Goode
Goodlatte
Goodling
Gordon
Goss
Graham
Granger
Green
Greenwood
Gutierrez
Gutknecht
Hall (OH)
Hall (TX)
DeLay
Hamilton
Hansen
Harman
Hastert
Hastings (FL)
Hastings (WA)
Hayworth
Hefley
Hefner
Henger
Hill
Hilleary
Hilliard
Hinchey
Hinojosa
Hobson
Holden
Hooley
Horn
Hostettler
Houghton
Hoyer
Hulshof
Hunter
Hutchinson
Hyde
Inglis
Istook
Jackson (IL)
Jackson-Lee
(TX)
Jefferson
Jenkins

John
Johnson (CT)
Johnson (WI)
Johnson, E. B.
Johnson, Sam
Jones
Kanjorski
Kaptur
Kasich
Kelly
Kennedy (MA)
Kennedy (RI)
Kennelly
Kildee
Kilpatrick
Kim
Kind (WI)
King (NY)
Kingston
Klink
Knollenberg
Kolbe
Kucinich
LaFalce
LaHood
Lampson
Lantos
Largent
Latham
LaTourette
Lazio
Leach
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
Livingston
LoBiondo
Lofgren
Lowey
Lucas
Luther
Maloney (CT)
Maloney (NY)
Manton
Manzullo
Markey
Martinez
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCrery
McDade
McDermott
McGovern
McHale
McHugh
McInnis
McIntosh
McIntyre
McKeon
McKinney
McNulty
Meehan
Meek
Menendez
Metcalf
Mica
Millender-McDonald
Miller (CA)

Miller (FL)
Minge
Mink
Moakley
Mollohan
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Nadler
Neal
Nethercutt
Ney
Northup
Norwood
Nussle
Oberstar
Obey
Olver
Ortiz
Owens
Oxley
Packard
Pappas
Parker
Pascrell
Pastor
Paxon
Payne
Pease
Pelosi
Peterson (MN)
Peterson (PA)
Pickering
Pitts
Pombo
Pomeroy
Porter
Portman
Poshard
Price (NC)
Pryce (OH)
Quinn
Radanovich
Rahall
Rangel
Redmond
Regula
Reyes
Riggs
Riley
Rivers
Rodriguez
Roemer
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Roukema
Roybal-Allard
Rush
Ryun
Sabo
Salmon
Sanchez
Sanders
Sandlin
Sawyer
Scarborough
Schaefer, Dan
Schaffer, Bob
Schumer
Scott
Serrano

Sessions
Shadegg
Shaw
Sherman
Shimkus
Shuster
Sisisky
Skaggs
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (TX)
Smith, Adam
Smith, Linda
Snowbarger
Snyder
Solomon
Souder
Spence
Spratt
Stabenow
Stark
Stearns
Stenholm
Stokes
Strickland
Stump
Stupak
Talent
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Thomas
Thompson
Thornberry
Thune
Thurman
Tiahrt
Tierney
Torres
Towns
Trafficant
Turner
Upton
Velazquez
Vento
Visclosky
Walsh
Wamp
Waters
Watkins
Watt (NC)
Watts (OK)
Waxman
Weldon (FL)
Weldon (PA)
Weller
Wexler
Weygand
White
Whitfield
Wicker
Wise
Wolf
Woolsey
Wynn
Yates
Young (AK)
Young (FL)

NAYS—17

Campbell	Klecicka	Royce
Chenoweth	Klug	Sanford
Deal	Neumann	Sensenbrenner
Ensign	Paul	Shays
Gibbons	Petri	Sununu
Hoekstra	Ramstad	

NOT VOTING—12

Brown (CA)	English	Rothman
Clayton	Gonzalez	Saxton
Cox	Pallone	Schiff
Dellums	Pickett	Smith (OR)

□ 1235

Mr. KLUG changed his vote from "yea" to "nay."

So the conference report was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. ROTHMAN. Mr. Speaker, on rollcall vote No. 468, I was unavoidably detained in New Jersey attending funeral services for Florence Rothman. Had I been present, I would have voted "yes."

PERSONAL EXPLANATION

Mr. FARR of California. Mr. Speaker, I rise for the purpose of explaining my absence on the last vote. Mr. Speaker, I was unavoidably absent during the last rollcall vote No. 467, the passage of the rule on the Energy and Water Appropriations Conference Report. I was in a lecture with a group of foreign military officers who are attending the naval postgraduate school in my district, and I was unable to return to the Chamber in time for the vote. Had I been present I would have voted "aye."

REAUTHORIZATION OF THE EXPORT-IMPORT BANK

Mr. DREIER. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 255 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 255

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 1(b) of rule XXIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 1370) to reauthorize the Export-Import Bank of the United States. The first reading of the bill shall be dispensed with. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chairman and ranking minority member of the Committee on Banking and Financial Services. After general debate the bill shall be considered for amendment under the five-minute rule. It shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule the amendment in the nature of a substitute recommended by the Committee on Banking and Financial Services now printed in the bill. The committee amendment in the nature of a substitute shall be considered as read. Points of order against the committee amendment in the nature of a substitute for failure to comply with clause 7 of rule XVI are waived. No amendment to the committee amendment in the nature of a substitute shall be in order except those printed in the report of the Committee on Rules accompanying this resolution. Each amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. The Chairman of the Committee of the Whole may: (1) postpone until a time during further consideration in the Committee of the Whole a request for a recorded vote on any amendment; and (2) reduce to

five minutes the minimum time for electronic voting on any postponed question that follows another electronic vote without intervening business, provided that the minimum time for electronic voting on the first in any series of questions shall be fifteen minutes. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. Any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the committee amendment in the nature of a substitute. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

The SPEAKER. The gentleman from California [Mr. DREIER] is recognized for one hour.

Mr. DREIER. Mr. Speaker, for purposes of debate only, I yield the customary 30 minutes to my very hard-working friend, the gentleman from South Boston, Massachusetts [Mr. MOAKLEY], who is carrying his second rule of the day for the minority, and I am sure he will do so very ably. All time that I will be yielding will be for debate purposes only.

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

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

Mr. DREIER. Mr. Speaker, this rule provides for consideration of H.R. 1370, legislation to reauthorize the U.S. Export-Import Bank, an organization often referred to as the Eximbank. The Eximbank provides the most significant direct U.S. government support for American exporters, a subsidized loan rate to some foreign entities that buy American-made products.

This is a modified closed rule providing 1 hour of general debate, divided equally between the chairman and ranking minority member of the Committee on Banking and Financial Services. The rule provides for consideration of the committee amendment in the nature of a substitute as an original bill for purpose of amendment under the 5-minute rule. The rule waives points of order against the amendment in the nature of a substitute for failure to comply with clause 7 of rule XVI, relating to germaneness.

In order to provide for orderly consideration of this bipartisan legislation, the rule makes in order only those amendments printed in the Committee on Rules report. However, I must note, Mr. Speaker, that the Committee on Rules made in order every germane amendment that was submitted to our committee in a timely fashion.

The amendments must be offered in the order printed in the report by the Member designated, shall be considered as read, shall be debatable for the time specified, shall not be subject to amendment, and shall not be subject to a division of the question in the House or the Committee of the Whole.

The rule also grants the authority to the chairman of the Committee of the Whole to postpone recorded votes on amendments and to reduce the voting time on amendments to 5 minutes, provided that the first vote in a series is not less than 15 minutes. Finally, the rule provides for one motion to recommit, with or without instructions.

Mr. Speaker, in requesting a rule for consideration of this legislation, the chairman and ranking member of the Committee on Banking and Financial Services presented a unified front in support of this export financing organization, praising both the goals and operations of the Eximbank. The charter of the Eximbank expires at the end of this year, making action necessary to avoid a very disruptive break in its operations.

Many of my colleagues know that I have been a strong and vocal advocate for unfettered free trade. At the same time, I am not fond of export subsidies. I believe that the best thing for our economy and the economies of our trading partners around the world would be an end to government trade subsidy programs like the Eximbank.

However, Mr. Speaker, I do not believe in unilateral disarmament. The United States should try to eliminate export subsidies through a multilateral agreement, the way we have tried to end shipbuilding subsidies, for example. The global trading system would be better off without the distorting effects of subsidies.

I believe the American taxpayers should know that the Eximbank has been involved in just such efforts. The bank has helped lead U.S. efforts within the Organization for Economic Cooperation and Development, the [OECD] to reach agreement limiting the export subsidies of developed countries.

The Eximbank's "tied aid war chest" has been used successfully to bring down this trade-distorting practice by 75 percent since 1991.

□ 1245

Mr. Speaker, I believe the best near-term trade policy is served by enacting H.R. 1370 and extending the charter of the Eximbank through September 30, 2001. Currently, the bank helps finance \$15 billion in U.S. exports each year.

We must be clear about the fact that the Eximbank does not entail U.S. taxpayers buying products that are then given away overseas. This is not, I underscore again, this is not, Mr. Speaker, foreign aid. Instead, this agency provides a slightly subsidized loan rate that permits overseas buyers to purchase American-made products. They buy the products, and they pay for the products.

While the Eximbank is only involved in 2 percent of total United States sales abroad, it is critical to sales in certain big-ticket capital projects, particularly in developing countries in Asia, Latin America, Eastern Europe, and the former Soviet Union.