

## ELECTION OF MEMBER TO COMMITTEE ON ENERGY AND COMMERCE

Mr. HASTINGS of Washington. Mr. Speaker, by direction of the House Republican Conference, I send to the desk a privileged resolution (H. Res. 496) and ask for its immediate consideration in the House.

The Clerk read the resolution, as follows:

## H. RES. 496

*Resolved*, That the following member be, and is hereby, elected to the following standing committee of the House of Representatives.

COMMITTEE ON ENERGY AND COMMERCE.—Mr. Gillmor, to rank after Mr. Stearns.

The resolution was agreed to.

A motion to reconsider was laid on the table.

## VACATING ORDERING OF YEAS AND NAYS ON S. 1352, DR. FRANCIS TOWNSEND POST OFFICE BUILDING

Mr. VISCOSKY. Mr. Speaker, I ask unanimous consent that the ordering of the yeas and nays be vacated with respect to the motion to suspend the rules and pass S. 1352 to the end that the Chair put the question *de novo*.

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

There was no objection.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Illinois (Mr. DAVIS) that the House suspend the rules and pass the Senate bill, S. 1352.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the Senate bill was passed.

A motion to reconsider was laid on the table.

## PERMISSION TO REDUCE TIME FOR ELECTRONIC VOTING DURING CONSIDERATION OF H.R. 2641, ENERGY AND WATER DEVELOPMENT AND RELATED AGENCIES APPROPRIATIONS ACT, 2008

Mr. VISCOSKY. Mr. Speaker, I ask unanimous consent that, during consideration of H.R. 2641 pursuant to House Resolution 481, the Chair may reduce to 2 minutes the minimum time for electronic voting under clause 6 of rule XVIII.

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

There was no objection.

## GENERAL LEAVE

Mr. VISCOSKY. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on H.R. 2641, and that I may include tabular material on the same.

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

There was no objection.

## ENERGY AND WATER DEVELOPMENT AND RELATED AGENCIES APPROPRIATIONS ACT, 2008

The SPEAKER pro tempore. Pursuant to House Resolution 481 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the consideration of the bill, H.R. 2641.

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## IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 2641) making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2008, and for other purposes, with Mr. DAVIS of Alabama in the chair.

The Clerk read the title of the bill.

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

The gentleman from Indiana (Mr. VISCOSKY) and the gentleman from Ohio (Mr. HOBSON) each will control 30 minutes.

The Chair recognizes the gentleman from Indiana.

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

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

Mr. VISCOSKY. Mr. Chairman, it is my privilege to submit to the House for its consideration H.R. 2641, the Energy and Water Development Appropriations bill for fiscal year 2008.

I want to first thank all the members of the Energy and Water Development Subcommittee for their help in bringing this bill to the floor today. I particularly want to thank my partner and ranking member, Mr. HOBSON of Ohio, for his extraordinary friendship and cooperation this year.

I would parenthetically point out that for the last 8 years, Mr. HOBSON has come to this floor as chairman of an appropriations subcommittee to manage a bill. I am wiser and richer because of the advice and counsel of Mr. HOBSON throughout the development of this bill, and I thank my friend deeply.

This is a truly bipartisan bill that represents a fair and balanced compromise. I believe this is the way our constituents expect Representatives to work together, and I am proud of our bipartisan process. I also want to thank the chairman of the Appropriations Committee, Mr. OBEY, and the ranking minority member, Mr. LEWIS, for their support.

And I deeply want to thank all of the staff of the subcommittee, Dixon Butler, Scott Burnison, Terry Tyborowski,

Taunja Berquam, Lori Maes, Kevin Cook, Rob Blair, and Ben Nicholson, for their very hard work on this bill. I want to also thank both Shari Davenport of my office and Kenny Kraft of Mr. HOBSON's office. And I would also acknowledge our agency detailee, Chris Frabotta from the Corps of Engineers, for his assistance in putting this bill and report together. These people form a great team and their work has been invaluable. I would also note for the membership that Chris has served two tours of duty in Iraq as part of the Army Corps of Engineers and Taunja has also served our country in Iraq on one tour also with the Army Corps of Engineers.

Total funding for the Energy and Water Development in fiscal year 2008 is \$31.603 billion. This bill cuts lower priority programs. These spending cuts include 37 programs in weapons under the Department of Energy, totaling \$632 million below the President's request, and 20 other programs, totaling \$280 million below the President's request.

On the other hand, this bill funds the most worthwhile projects and programs at or above the requested level. It reduces some programs that are less valuable or less urgent and redirects funding from previous years that has not been obligated or spent.

All our constituents are in shock at the high price of gas. There is nearly half a billion dollars provided in this bill for research, development, and demonstration efforts in biofuels and vehicle technologies. I would also note that this subcommittee has been working to provide additional funding for this critical area for 3 years, first of all, under the leadership of Mr. HOBSON and, more recently, myself. We are today funding above the President's request for biofuels and vehicle technologies over fiscal year 2006. Together we again increase funding in 2007, and this subcommittee this year made additional investments in vehicle technologies and biofuels for fiscal year 2008. Compared to the President's 2006 request, the subcommittee has worked in a bipartisan fashion to address the energy crisis by increasing funding for these areas by over 100 percent.

These efforts will not bring down the price of gas immediately, but they will help put us on a path to decrease dependence on imported oil and greater fuel efficiency. These are critical steps we must take today.

One of the reasons for our current energy price crisis is the past lack of investment in energy. In fiscal year 2006, adjusted for inflation, government funding for energy research, development, and demonstration had fallen to less than one-quarter of its 1980 levels. In the fiscal year 2007 year-long continuing resolution, Congress began to address this by increasing funding for energy efficiency and renewable energy activities at the Department of Energy by \$300 million. For example, in fiscal year 2006, adjusted for inflation, government funding for conservation R&D

was 49.2 percent of where it was in 1980. This year it will be 68.7 percent. The bill provides increased funding for energy efficiency and renewable energy that is \$400 million above 2007 levels.

Energy consumption can be cut in the near term through increased funding for weatherization assistance. This bill provides \$245 million in weatherization grants and is an increase of \$100 million from the President's request. In addition, the bill redirects fossil energy funding to emphasize carbon capture and sequestration.

Increased funding is included for nuclear energy as well, balancing support for licensing new light water nuclear reactors, the kind that currently provide 20 percent of our electricity, for demonstrating the safer Gen IV helium-cooled nuclear reactor technology and for research and development, particularly on the nuclear fuel cycle.

Nuclear weapons or weapons material in the hands of terrorists is acknowledged by the President and others to be the number one terrorist threat to the United States. The Department of Energy takes the lead in combating this threat by advancing international efforts to prevent nuclear proliferation with an \$878 million, or 74 percent, increase to the President's proposed operating level for legitimate nuclear nonproliferation programs.

Testimony before our committee has made clear that there are significant opportunities for protecting such nuclear material where it exists, enhancing monitoring systems that detect it should it be moved illegitimately, and transferring it to safer locations. This bill also redirects funding provided in 1999 but never spent to initiate a nuclear fuel bank under the auspices of the International Atomic Energy Agency. This fuel bank, conceived originally by former Senator Nunn and others, is intended to remove the motivation for countries that wish to rely on nuclear energy to develop their own uranium enrichment capabilities. This is the precise concern that the U.S. and many other nations have today with the country of Iran.

Nuclear nonproliferation activities have included parallel efforts for the United States and Russia to dispose of surplus weapons-origin plutonium. The U.S. has pursued fabrication of mixed oxide fuels, so-called MOX, for use in commercial nuclear reactors followed by disposal in Yucca Mountain as its strategy. It is assumed that Russia will eventually agree to follow a similar path. Russia prefers a different path to dispose of its weapons-origin plutonium by using it to fuel breeder reactors. This approach would result in more plutonium, not less. The administration and the defense authorizers ended a direct linkage between the U.S. and Russian programs last year. Therefore, with no expectation of any Russian plutonium disposition occurring under this program, the U.S. MOX facility is no longer a nuclear nonproliferation activity. And very impor-

tantly, and I would emphasize this, the subcommittee transfers the project to the nuclear energy program along with enough funding to allow construction to proceed. This funding for MOX will be accompanied by continuous oversight. This subcommittee will closely monitor the progress of the MOX facility. If mistakes continue to be made, the Department of Energy will find it very difficult to make a successful case for any further support.

Without question, Mr. Chairman, there is a need for a comprehensive nuclear defense strategy and stockpile plan to guide transformation and downsizing of the stockpile nuclear weapons complex; and until progress is made on this crucial issue, there will be no new facilities or Reliable Replacement Warhead. Only when a future nuclear weapons strategy is established can the Department of Energy determine the requirements for the future of nuclear weapons stockpile and nuclear weapons complex.

Further, testimony before this subcommittee has pointed to the potential for the international community to misunderstand development by the United States of a new nuclear weapon. Moreover, for the last decade, the administration has said that stockpile stewardship was a path to maintain the safety, security, and reliability of the nuclear stockpile. Now, with three major facilities that we were told were needed for stockpile stewardship all overbudget, all over their deadlines, and all not completed, we are told "let's do something else."

Given the serious international and domestic consequences of the U.S. initiating a new nuclear weapons production activity, it is critical that the administration lay out a comprehensive course of action before funding is appropriated. Major transformation of the weapons complex can only be produced with significant bipartisan support, lasting over multiple sections of Congress and multiple administrations. Given the track record of mismanagement at the agency for projects that have a plan, I don't think it is asking too much for a comprehensive nuclear strategy before we build a new nuclear weapon.

People work hard for their money before they pay their Federal taxes. The Department of Energy has squandered vast sums of this money. Project management at the Department of Energy must be reformed. The Department of Energy is the largest civilian contracting agency of the Federal Government and spends over 90 percent of its annual budget on contracts. In 1990 the Government Accountability Office, the GAO, began an annual assessment resulting in a list of programs that are at high risk for waste, abuse, and mismanagement. DOE contract management has been on that list year in and year out for 17-long miserable years. GAO has found that since October 2002, alone, DOE has achieved its performance goal of implementing projects

within 10 percent of cost and schedule baselines only about one-third of the time.

One of the management failures is the waste treatment plant at Hanford, Washington, where the construction cost overrun now exceeds \$8 billion. This is just one example of inexcusable, ineffective, and wasteful project management at the Department of Energy. DOE's inability to effectively manage critical projects has real consequences for our Nation and calls into question their ability to ensure that we are prepared to meet important challenges.

In the bill, DOE is directed to work with the GAO to develop a concrete plan to get off the GAO high-risk list.

There are also elements in this bill, important ones, dedicated to the environmental cleanup responsibilities of the Department and for the Army Corps of Engineers, as well as the Bureau of Reclamation.

I do believe, Mr. Chairman, this is a very good bill and would recommend it to my colleagues' attention and would request their support.

Mr. Chairman I reserve the balance of my time.

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

First of all, let me thank Mr. OBEY, the chairman of the committee, for his good work with us on this bill. And I want to add my support to Chairman VISCHOSKY on doing a good job on his first bill, and I will talk about that a little bit further.

This is the first Energy and Water appropriation bill that my colleague from Indiana has developed and brought to the floor. The first one, I found out, is always the hardest one, but he has done a great job and it is a good bill; and I have certainly enjoyed working with him this year in a new position for me also as the ranking member on this bill.

It certainly helps to have an allocation that is \$1.1 billion over the administration's request. However, I do not disagree with the major funding decision that the chairman has made in this bill.

This bill is a very thoughtful approach to some very difficult issues, including investing in our Nation's water infrastructure, developing domestic energy sources with less impact on global climate, and fostering our national security through rational efforts on nuclear nonproliferation and nuclear weapons.

I want to comment briefly on a couple of specific programs and projects, including several that Chairman VISCHOSKY has just recently discussed. I fully support the increased spending for water resources infrastructure. We have chronically underinvested in this infrastructure in recent years both in this administration and, frankly, in the previous administration.

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And the hurricanes of 2005 taught us some very hard lessons about the consequences of such underinvestment.

The Corps already has a significant backlog of construction projects, a backlog that, frankly, is only going to get larger with the next Water Resources Development Act, which we don't have the money to fund that.

I'm very pleased that the chairman maintains the continuing contracts and financial management reforms for the Army Civil Works program. These reforms are critical if the Corps is to get its house in order, and if it is to make responsible use of the \$5.5 billion we provide in this bill. And let me say that not fixing the Corps' problems has cost us a lot of money, because when we don't complete projects on time or don't complete parts of projects, those projects grow in cost and it makes the problem even worse. And therefore, the underfunding of this by the administration, and not just this administration, but previous administrations, has not been helpful.

I generally agree with the majority's priorities for the Department of Energy. It is essential that we develop advanced energy technologies that increase our energy security by reducing greenhouse gas emissions and lessening our dependence on foreign oil. However, I will caution that increased spending on these technologies is no guarantee of increased results, especially at the Department of Energy.

I want to briefly talk on this subject of loan guarantees. I will state up front that I have no confidence whatsoever that the Department of Energy is capable of managing this program in a responsible manner. That said, I recognize the congressional and industry pressure in favor of loan guarantees.

You may hear two complaints about our bill, that we do not provide the full administration request of \$9 billion for loan guarantees, and that we did not include nuclear power plants in the \$7 billion. Those criticisms miss one essential fact: that Congress already provided DOE with \$4 billion for loan guarantees in the fiscal year 2007 continuing resolution that was not restricted to any particular energy technologies. The Department could apply all \$4 billion to nuclear power plants if they so choose. But let me tell you, they don't have any expertise over there on this, and it's going to be a mess because they don't know how to handle it and they don't know how to underwrite these loans. But they're going ahead with the program because Congress is pushing them into it.

Now I want to talk about nuclear weapons.

I share the majority's concerns on the reliable replacement warhead. The concept of RRW has merit if it allows us to have a smaller stockpile of more reliable weapons that will not require nuclear testing. But all we have right now is a vague promise. What we need to see is a significant stockpile plan from the administration that shows how developing the RRW will actually get us to a much smaller future stockpile. Such a stockpile plan is also es-

sential before we invest significant resources in modernizing the DOE's nuclear weapons complex. For that reason our bill does not fund RRW, and makes roughly a 10 percent reduction in the weapons account activities.

We should not be spending billions to modernize a Cold War footprint of the weapons complex until the Department of Defense defines what kind of future stockpile DOE will have to support. I don't think most people are really aware of how this all works, but the Defense Department is the customer, DOE is the provider.

I am aware that there are Members' and administration concerns about the effect these cuts may have on weapons facilities. I will address these concerns later in my discussions.

Now let me talk about one that really gets me going.

There is really only one place in this bill, and I see the chairman smiling, where I have a really significant difference of opinion with the majority, and that is funding for the MOX plant. For those Members who are not familiar with this project, let me do a little quick review.

In early 2000, the United States and Russia agreed for each country to dispose of 34 metric tons of excess weapons-usable plutonium. Each country had a preferred technology for plutonium disposition. The U.S. wanted immobilization, and Russia wanted fast reactors. So, they reached a compromise to convert the plutonium into mixed oxide fuel to be burned in existing commercial lightwater reactors. The U.S. and Russia were supposed to proceed in parallel with their respective MOX projects. Well, guess what? The Russians are coming. Last year, Sergey Kiriyenko, the head of ROSATOM in Russia, told the chairman and myself that MOX is an obsolete and expensive technology, and Russia has no intention of building a MOX plant unless the international community pays 100 percent of the cost. If Russia has to spend any of its own money for plutonium disposition, then it will use fast reactors. He couldn't believe that we were dumb enough to still want to build a MOX plant in the United States. Well, guess what? We are going to build one because we are that dumb, I guess, because DOE and some in Congress still think we should proceed with construction of this plant.

The project was sold to Congress as costing only \$1 billion. That's where it started out. The latest estimate, and they haven't broken ground yet, is \$4.7 billion. And that's before construction actually starts. Given DOE's dismal track record of controlling costs, the final price tag will certainly be much higher. The total set of facilities and operations that must be completed to dispose of the 34 metric tons of U.S. plutonium has an estimated life-cycle cost of \$11 billion. And the project is now a mere 11 years behind schedule.

So, what has been the response of this cost growth and schedule slipping

and the Russian abandonment of the MOX approach? The authorizers delinked the U.S. and Russia project, meaning they want the U.S. MOX project to go forward with or without any Russian progress. The U.S. material, frankly, is not at risk. What we really wanted to do was to eliminate the 34 metric tons of the Russians. So now, what is the incentive for the Russians to go forward and eliminate theirs? So, we lost all our leverage.

This is not about nonproliferation, it's all about jobs and economic development in South Carolina. Without any competition, DOE picked the Savannah River site as the place for the MOX project. Some claim that South Carolina only accepted this mission with great reluctance, and insisted on DOE building a MOX plant so that plutonium would have an assured path out of the State. Well, that argument is bogus for two reasons.

First, the 34 metric tons of plutonium is not presently at Savannah River. The vast majority of it is stored at the Pantex plant in Texas. The government does not have an obligation to get this material out of South Carolina because this material isn't in South Carolina.

Second, some folks assume that construction operation of the MOX plant somehow guarantees this plutonium material will leave their State. Well, it doesn't. We have testimony on the record from DOE making very clear that Yucca Mountain will be full to its authorized capacity by the year 2010. Any material generated after that date, whether spent MOX reactor fuel or even vitrified plutonium, will remain in storage onsite until Yucca is expanded or a second repository is built. That means this plutonium material will remain in South Carolina for a long time. And during that time, they're going to be able to sue us for \$100 million a year because we haven't moved it. Does this sound dumb? Does this sound like smart business? Not to this Member.

I had high hopes that the Secretary of Energy had the background and skills to make a real difference at DOE, and certainly on this project he could have made a difference. But I have lost confidence in him, and it started over his unwillingness to change course on the MOX project when circumstances changed.

There is plenty of blame to go around. Not only has the administration stubbornly insisted on "staying the course" on this troubled project, but the authorizing committees with jurisdiction have failed to exercise oversight and taken action on MOX. Even the fiscal conservatives in my own party, who were so anxious to criticize every earmark, miss the fact that this project will waste \$11 billion of taxpayer dollars. I want you to know under my watch, when I was chairman of this, we gave it zero funding. And I would have liked to have done that. But I understand the pressures on the

chairmen on both the committee and the subcommittee. And frankly, they have reduced the level significantly from the requested amount.

I really appreciate the fact that the chairman of the full committee and Mr. VISCOSKY made a statement, the statement was actually by Mr. VISCOSKY and supported by Chairman OBEY. And the chairman said, "The MOX plant is one of only a few construction activities supported in the bill. And DOE is put on notice that the first sign of significant cost growth, schedule slip or requirements change, the committee will shut this project down." In future years, maybe this project will run off the rails, and I want Members to see what happens here.

I offered to the administration and to others not to build this plant the way they're building it. I think it's silly to build 34 metric ton capacity and then have to tear the plant down and send it out to Utah and put it underground. What I really wanted to do, and offered to do, was build a plant that we could design up front to where we could do other types of fuels in this, rather than the weapons-grade plutonium, but nobody seems to be listening anywhere at this point. But I do appreciate the full chairman and the chairman of the subcommittee and their comments.

I want to talk about the policy on earmarks. I think we've got that straightened out now. I wish it had been in this bill, but I think it's going to move forward. And I think we fail in our responsibility if we don't do oversight. I think it's good to take out both the President's earmarks and our earmarks. I did that before. Any new starts that were in the bill, I took them out when I was chairman, and I want to congratulate the chairman now for doing the same thing. We need to provide more oversight.

I really get upset that the way the Corps of Engineers is done today is we get no real input into that. It's all basically done by an agency within the White House and by some people that we don't even meet with and we don't even know. They are saying what's going to go forward in somebody's community or not going forth in somebody's community; and frankly, we're here and know our communities better than somebody in some agency that we can't find.

I want to just conclude by saying I am pleased that Chairman VISCOSKY has continued the bipartisan cooperation in this bill. I am proud to be a part of a subcommittee that focuses on getting the job done efficiently and does not let partisanship get in the way of doing the right thing for the American people.

This subcommittee could not get the job done so well without exceptional staff. I want to thank Dixon Butler, Taunja Berquam, Scott Burnison, Terry Tyborowski and Lori Maes on the majority side for their hard work and dedication. I might say, many of

those people worked when I was the chairman before, and I thank the majority for keeping them, and for the good work that all of them have done.

I also want to thank Chris Frabotta, our Corps detailee this year, who comes from the Corps' Wilmington District and has served in Iraq. I also want to thank Kevin Cook, Ben Nicholson and Rob Blair on our minority subcommittee staff, and Shari Davenport on the chairman's personal staff and Kenny Kraft on my staff for a great job. We have all worked together on this bill for a number of years, and we are continuing to do that.

I just really want to thank my chairman, my partner on this bill. I frankly intend to be as good a partner to the chairman as he was to me when I was the chairman. And the only way we can solve some of the problems of the Corps of Engineers and the Department of Energy is, frankly, for us to continue working together.

Despite my concerns about the level of spending without congressional direction, I intend to support this bill to the full. And I encourage the other members of the committee to do so as well.

Once again, I thank the chairman for his courtesy, and I look forward to working with him for a number of years.

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

Mr. VISCOSKY. Mr. Chairman, I would just make a few comments. One is, I do not believe that Mr. HOBSON was on the floor when I thanked him for his sage advice.

As he mentioned in his opening remarks, as I did in mine, he has chaired eight times and has brought bills to the floor eight times on appropriation subcommittees. He has been a great friend and a great teacher. I would suggest that the mistakes I make are my own and not a failure of Mr. HOBSON or the ably trained staff on the committee.

I would also simply point out in all seriousness that the differences, so to speak, between Mr. HOBSON and myself on MOX are marginal and at a matter of degrees. We are agreed as far as the failure of the Department of Energy and their management practices. We are agreed that they are forewarned that they had better not make one mistake in South Carolina on this project. And I would very strongly emphasize that the moneys for MOX are where they should be and where I certainly want them to remain, and that is within the energy programs of the Department of Energy because MOX no longer has anything to do with proliferation, and if left in that account, would have eaten half of that very important program alive from a monetary standpoint.

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I would emphasize this is not simply an issue of money, but keeping that money in its appropriate account, and

that is in the energy account at the Department of Energy. Again I would thank the gentleman for his words on this project on this House floor.

Mr. Chairman, I yield such time as he may consume to the gentleman from Wisconsin (Mr. OBEY), the chairman of the full committee.

Mr. OBEY. Mr. Chairman, I thank the gentleman for the time, and I want to congratulate the gentleman from Indiana and the gentleman from Ohio for doing a first-rate piece of work on this legislation. They know their business, they work with each other well, and I am proud of both of them. I would like to discuss two matters. The first is the question of congressional earmarks, and the second is the actual substance of this bill.

We have seen much attention paid over the past several months to the practice of Congress earmarking certain projects.

This bill is a project-oriented bill, and so there will be quite a lot of that going on before the bill is finished. But I would like to put that in context. The fact is that the administration has requested far more dollars for earmark projects for this bill than the Congress traditionally provides.

Example: in fiscal year 2006, which is the last year we had a completed bill, the President asked for 987 specific earmark projects in the budget for the Army Corps of Engineers, costing \$3.8 billion. The Congress appropriated \$1.1 billion for projects that it ranked as high priority.

The result: 77 percent of the Army Corps budget went for projects earmarked by the administration; 23 percent went for projects earmarked by the Congress of the United States.

In fact, this is a copy of the report for that 2006 bill. The list of administration project earmark requests goes on for 46 pages, and I would submit that if the administration had been Democratic, it would have been the same result.

Now, how does the administration decide how to allocate money to specific projects? Here is what the instruction sheet reads for the Corps of Engineers: "To be included in the recommended program and considered for the ceiling program for fiscal 2008, a construction project or separate element must be consistent with policy."

Well, guess what? That is the same policy that Congress provides. Projects have to be consistent with policy in order to be included.

The document from the Army Corps of Engineers also says it must have a decision document for which executive branch review has been completed. And then it goes on to say, each project or separable element must meet at least one of nine criteria, which are listed. But then it goes on to say, "however, the agency may propose to relax those criteria, to use additional criteria, or to include special cases."

Guess what? That is exactly what the Congress does in determining which projects it feels are high priority.

Now, let's turn to 2008. This year, the administration has requested some 991 projects. If you string them end to end, that is how long their project list is for this year. I would submit, in the end, this will be a longer list than the project list provided by the Congress in this bill.

So let me simply state that whether projects are funded because of directed spending on the part of the administration or directed spending on the part of the Congress, the result is the same: public money is expended on projects that either the executive branch or the legislative branch thinks represent high priority needs. So much for earmarks in this bill.

Now, let me simply discuss the substance. There are three major areas of funding critical to our country's future in the bill: climate change, the energy crisis, and nuclear policy.

This bill includes more than \$1 billion above the President's request for climate change. Funding goes to energy research, for development and demonstration of energy technologies that don't release greenhouse gases. They include conservation, research and development, and demonstration to reduce energy consumption in buildings, vehicles and energy-intensive industries. They include deployment of conservation measures in Federal buildings. They include demonstration of capture and sequestration of carbon dioxide.

In the 1970s, the United States responded to the energy crisis in those days with substantially increased funding for energy research, for development and demonstration. But with the collapse of oil prices in the eighties, the interests of the administrations and the interests of Congress, unfortunately, subsided. So the result is that by fiscal 2006, after adjusting for inflation, research budgets for renewable energy were only 20 percent of what they were in real terms in 1980. Research budgets for fossil energy were only 25 percent of 1980 levels. Funding for conservation research was only 49 percent of 1980 levels.

In the year-long continuing resolution which we passed just 3 months ago, we raised those percentages considerably. So 2007 funding for renewable energy was boosted up to 38 percent of 1980 levels, and 2007 funding for conservation was boosted to 54 percent of 1980 levels.

This bill continues that effort: 2008 funding for renewable energy will now under this bill be upped to 47 percent of 1980 levels, 2008 funding for fossil energy will be upped to 31 percent of 1980 levels, and 2008 funding for conservation will be up to 67 percent of 1980 levels.

This bill also provides for a \$2 billion operating level for the nuclear non-proliferation activities of the Department of Energy.

This bill does not fund new nuclear weapons nor major new weapons facilities, because the administration has

not developed a strategy for strategic nuclear weapons in the post-Cold War era.

So let me simply say in conclusion that this bill reverses a quarter century of decline in energy research. It increases critical funding to prevent nuclear weapons or material from falling into the hands of terrorists. It represents a responsibly balanced bill. I congratulate both gentlemen for producing this, and I would urge strong support for its passage.

Mr. HOBSON. Mr. Chairman, I yield 3 minutes to the gentleman from Tennessee (Mr. WAMP), a member of the committee.

Mr. WAMP. Mr. Chairman, I thank the distinguished ranking member.

Mr. Chairman, I want to talk for a minute about process, because I have been on the Appropriations Committee 11 years and on this subcommittee for 9 years. I have served on half a dozen subcommittees of appropriations, and I have seen no subcommittees exert more or better oversight to the programs that they are responsible for than this committee.

First under Chairman HOBSON, now under Chairman VISCOSKY, the two have worked as brothers very effectively to hold accountable these agencies. You heard them both express consternation with the Department of Energy. In my 12½ years here, the first 6 years it was Democratic leadership of that Department, and now Republican leadership of that Department. Both could improve, and both must improve. But these gentlemen are trying to hold these programs accountable.

There are two issues here on responsibility. One is just holding the line on spending. The other is exerting the Congress' responsibility to make sure these programs work and that we get the bang for the buck, spend the money and get the return. Oftentimes, the bureaucracy and the waste and the mismanagement are more important than the dollars that are being spent. They are doing something about it, and doing it extremely well.

Now, I am also for holding the line on spending in a big way. But if you ask the American people right now which one of these appropriations bills should you be spending more money in, they would say energy independence first. It is the biggest national security issue we have now. It is the confluence of the natural environment, our energy independence, and national security.

So all I would say is, let's be careful we are not penny-wise and pound-foolish. We should be spending more money on renewables and energy efficiency and energy research. We should be trying to encourage biomass and new fuels and new vehicles. So let's be careful, okay?

I definitely want to hold the line on spending. There are going to be some vetoes, and rightly so. But I want to make sure that this particular bill at the end of the day better funds these programs that we are all for.

Remember, "conservative" means conserve energy, save energy, more efficient energy. These are important programs. They can be managed better.

This is also the bill that funds nuclear nonproliferation, a big issue right now. We have got weapons activities. HEATHER WILSON of New Mexico spoke at our conference this morning about things that actually are not in this bill and should be in this bill.

So this is the beginning of the process. I know Senator DOMENICI is going to weigh in. I love it, because these House leaders have given the House a better position to negotiate this bill from than we have ever had in my tenure here, because we need that leverage. Frankly, the Senate has rolled us on this bill for many years. Not any more. We get fair treatment. We can go in there and negotiate our priorities and come away with a good product.

So I am not going to say this bill is perfect, but I have to tell you, they have done a great job putting it together. We are going to end up with a great bill in the final analysis. Congratulations to all, and thanks to the staff.

Mr. VISCOSKY. Mr. Chairman, I yield 2 minutes to the gentleman from Colorado (Mr. PERLMUTTER).

Mr. PERLMUTTER. Mr. Chairman, I thank Mr. VISCOSKY for yielding me time.

Mr. Chairman, this bill really, I think Mr. WAMP said it is best, is one about efficiency and it is about how we spend our money when it comes to energy independence. There is no question that the people of this country understand it very well, that this bill is good for national security, it is good for the climate and it is good for jobs, because it promotes energy efficiency, it promotes renewable energy and alternative sources of energy, and it adds sufficient funding to the Department of Energy so that it can really boost its Office of Science and its Office of Energy Efficiency.

I am fortunate to have in the Seventh Congressional District of Colorado the National Renewable Energy Lab, which is the finest laboratory of its kind in the world, to promote renewable energy and energy efficiency. This bill will help the Department of Energy continue to support the National Renewable Energy Lab as it works with the private sector to come up with new ways to power America and the rest of the globe.

This is a fine bill. I thank the committee for developing this. I support it, and I ask wholehearted support from the Congress, because this, as I said, is good for national security, it is good for the climate, and it is good for jobs.

Mr. HOBSON. Mr. Chairman, I yield 3 minutes to the gentleman from Michigan (Mr. KNOLLENBERG) for a colloquy with the chairman of the subcommittee.

Mr. KNOLLENBERG. Mr. Chairman, I thank the gentleman for yielding. I do want to enter into a colloquy with Chairman VISCOSKY.

Today I rise to highlight the importance of research of advanced battery technology and our efforts to reduce our country's dependence on Mideast oil, also increase energy efficiency, cut emissions and strengthen the manufacturing sectors, all of which is all so vital to our economy. The U.S. automotive industry understands these goals and is currently working to meet them. I believe Congress should continue to assist The Big Three in reaching these goals.

□ 1130

There are many ideas that show promise of accomplishing these critical goals; but alternative and renewable fuels are an essential part of the equation and many promising technologies are being developed. Ethanol and biofuels are encouraging, but the technology and infrastructure simply are not there to make them viable solutions right away.

Hybrid-electric technology has already shown its capability to dramatically increase fuel efficiency and has proven to be acceptable to the American car consumer. However, gas-electric hybrid vehicles do not represent the end of this avenue. If we invest valuable research and development dollars into leap-ahead technology such as advanced batteries, we can move past the tailpipe entirely with fully electric automobiles.

The Japanese Government invests heavily in advanced battery research which benefits Toyota directly. The American auto companies asked President Bush and Congress for a modest investment of \$500 million over the next 5 years for advanced battery technology research and development. This research, which would be conducted by USCAR, is critical to making the plug-in hybrids a reality.

While I understand the limitations that you face with your allocation, Mr. Chairman, it is my hope we will be able to work together to increase funding for advanced battery research and the development that goes with it as this bill works its way to conference.

I yield to the chairman.

Mr. VISCLOSEKY. I appreciate the gentleman's comments, and I thank the gentleman for his concern about this important topic.

I agree with him that advanced battery research and development is essential in our goals to increase energy efficiency and reduce emissions. That is why we have included an additional \$10 million over the President's request in this bill for advanced battery R&D.

Mr. KNOLLENBERG. I thank the chairman for his support and am greatly appreciative of his commitment to such an important endeavor. However, the U.S. automotive industry believes that a significant increase of Federal investment in the development of advanced batteries will not only improve fuel efficiency and reduce the emissions, but it will also help them compete with foreign automakers whose

countries have already committed to provide significant funding for advanced battery R&D. The U.S. automakers believe that an additional \$100 million this year for advanced battery R&D would considerably promote current efforts to develop the technology and become a leader in the production of advanced lithium ion batteries.

Mr. VISCLOSEKY. I thank the gentleman for his passionate support of the domestic automotive industry and appreciate the industry's effect on the national economy because I have a strong manufacturing presence in my district. Technology development is vital to the success of the manufacturing sector, and Congress should continue its support of R&D.

I also thank the gentleman for his acknowledgment of our budget constraints. The subcommittee will be happy to work with him and the rest of our colleagues as we work our way through conference.

Mr. KNOLLENBERG. I thank the gentleman.

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

Mr. HOBSON. Mr. Chairman, I yield 3 minutes to the gentlewoman from Illinois (Mrs. BIGGERT).

(Mrs. BIGGERT asked and was given permission to revise and extend her remarks.)

Mrs. BIGGERT. I want to thank the ranking member of the subcommittee for yielding me the time.

I know that both the chairman and the ranking member share my great frustration that again this year the Department of Energy failed to request funding for the university reactor infrastructure and education assistance program. That is why I was extremely concerned to learn that this bill included no funding for this program.

At the same time I recognize that the subcommittee has provided \$15 million in funding for the Nuclear Regulatory Commission to support university programs, but that spending will be limited to scholarships and fellowships and "human infrastructure" programs. And I understand that Assistant Secretary Spurgeon has indicated publicly that DOE plans to support universities, faculty and students with over \$60 million in funding from its core research programs.

I would ask this of the ranking member: Does the subcommittee expect the DOE to fulfill this commitment? And, furthermore, is the \$15 million in NRC funding in this bill in addition to DOE's commitment?

I yield to Mr. HOBSON.

Mr. HOBSON. I thank the gentlewoman from Illinois (Mrs. BIGGERT) for her interest in this area. She is correct; the committee fully expects DOE to fulfill its commitment, recognizing the exact amount will change because the core research funding in this bill deviates from the President's request. And this DOE funding is in addition to the \$15 million the subcommittee is providing NRC to support university programs.

Mrs. BIGGERT. To ensure that the DOE fulfills this commitment, would the ranking member be willing to request that DOE submit a detailed report on how much the DOE would spend on university nuclear programs within the funding levels provided in this bill?

Mr. HOBSON. In reply, yes, we will make that request. And should the subcommittee find the DOE's response unacceptable or not receive a response by the deadline stipulated, I commit to working in conference to direct the DOE to support university nuclear programs using core research program funding.

Mrs. BIGGERT. I thank the gentleman. I am also concerned that the bill does not provide sufficient funding for research reactor infrastructure support and upgrades. Would the ranking member be willing to work with me and other interested Members to ensure that the needs of our Nation's research reactor infrastructure are met in fiscal year 2008?

Mr. HOBSON. I would be happy to work with my colleague on this issue. The subcommittee recognizes support for university-based research reactors is an important part of the Federal stewardship role for the U.S. nuclear science and engineering enterprise.

Mrs. BIGGERT. I thank the gentleman.

Finally on a separate and unrelated issue, I remain concerned that there is no funding in this bill for the Army Corps' dispersal barrier on the Chicago Ship and Sanitary Canal, which is designed to keep aquatic invasive species like the Asian carp from reaching the Great Lakes and devastating the ecosystem.

I recognize the bill contains no funding for the barriers because the bill identifies no projects, and because additional authority included in WRDA is required for the Corps to complete and operate the barriers. If for some reason WRDA isn't enacted before conference begins on this bill, will the ranking member agree to help address the outstanding authorization issues and appropriate the necessary funds for these barriers in conference?

Mr. HOBSON. I am committed to addressing any outstanding issues related to the barriers in conference, if necessary.

Mrs. BIGGERT. And then, Mr. Chairman, do you share these concerns about both the barriers and DOE's university nuclear programs, and will you support the approach the ranking member and I are proposing to take to address these concerns?

I yield to Mr. VISCLOSEKY.

Mr. VISCLOSEKY. I will assure the gentlewoman that I do, and I will.

Mrs. BIGGERT. I thank the chairman and the ranking member for their efforts in this area.

Mr. VISCLOSEKY. How much time remains on both sides?

The CHAIRMAN. Both sides have 6 minutes remaining in debate.

Mr. VISCOSKY. Mr. Chairman, I recognize the gentlewoman from Texas (Ms. JACKSON-LEE) for a unanimous consent request.

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

Ms. JACKSON-LEE of Texas. Mr. Chairman, because of the flood mapping crisis in Houston, Texas, and the need for flood control, let me add my appreciation and submit my statement for the RECORD in support of this legislation.

Thank you, Mr. Chairman. I rise to speak in strong support of H.R. 2641, the “Energy and Water Appropriations Act of 2007.” I also rise to express my sincere appreciation to Mr. VISCOSKY, the chairman of the Energy and Water Subcommittee and his ranking member, Mr. HOBSON of Ohio, for working together in a constructive effort to renew America’s dependence on foreign oil and cutting greenhouse gas emissions.

Moreover, this bill merits our support because it increases the Nation’s commitment to long-term basic research by increasing the Federal investment that is so critical to developing the next generation of scientific breakthroughs. Federal funding for research and development has declined steadily over the last decade, and sound science has been compromised by political interference. This legislation takes a giant step toward reversing this disturbing trend.

Mr. Chairman, in the 1970s, our Nation faced an energy crisis unlike any we had ever experienced before. The OPEC oil embargo of 1973 led to skyrocketing prices, long gas lines, gas sales only every other day, and shortages where gas was simply unavailable. We experienced another oil shock in the late 1970s and under the leadership of President Jimmy Carter, America responded with unprecedented initiatives for energy research. But over the years, gas prices came down, incentive was lost, and these efforts fell by the wayside.

Today, we again face an energy crisis, only this time it is coupled with the enormous challenge of addressing the reality of global climate change. H.R. 2641 attempts to face these twin crises with over three billion dollars to address global climate change—researching its effects and working on technologies to slow it down—and investment in renewable energy programs that both reduce greenhouse gases and help our nation meet its energy needs.

The bill cuts funding for poorly thought-out plans for nuclear weapons recognizing that because of the enormous cost and the importance to our national security they require smart strategies not blank checks. Instead it works to keep Americans safe with a 75 percent increase in funding for nuclear non-proliferation efforts. It also funds the Army Corps of Engineers, strengthening our Nation’s navigation infrastructure and improving flood control programs.

Before I highlight some of the more attractive provisions of this legislation, which by the way contains no earmarks, let me explain briefly why this energy and water legislation is so near and dear to the people I represent in the Eighteenth Congressional District of Texas.

In the past 2 years, Houston, the center of my district, has experienced some of the most devastating acts of nature in its history.

Six years ago this month, in June 2001, Tropical Storm Allison hit southeast Texas. Until Hurricane Katrina, this storm would become the costliest tropical storm in United States history. Flash flooding initiated quite rapidly during Houston’s rush hour late Friday afternoon and on into the evening hours. Widespread street flooding was the initial threat, but the high rainfall amounts forced almost all the major Houston area bayou systems into severe flooding, with some to record levels. All major freeways in the Houston area were severely flooded in at least one location during this event. During this single event alone, rainfall in Harris County ranged from just 2 inches in the extreme west to in excess of 20 inches over Green’s Bayou in the east. Countywide, the average rainfall was 8 inches with over two-thirds of the county receiving over 10 inches.

The total damage across southeast Texas approached \$5 billion, \$4.88 billion in Harris County alone. Twenty-two deaths were caused by Allison, with each of these fatalities occurring in Harris County. At this time, thunderstorms began to train and merge across the Houston metro area, and the system evolved into a powerful complex right over the most populated portion of our CWA that evening. This complex progressed south and east into the early morning hours of Saturday, June 9. Very heavy rainfall was observed for up to 10 hours in some locations, and rainfall rates of 4 inches or more per hour were observed throughout the night. A station in northeast Houston recorded over 26 inches of rain in almost 10 hours.

In response, the Tropical Storm Allison Recovery Project was launched. TSARP is a joint study effort by the Federal Emergency Management Agency, FEMA, and the Harris County Flood Control District, the District. The purpose of the TSARP project is to develop technical products that will assist the local community in recovery from the devastating flooding, and provide the community with a greater understanding of flooding and flood risks. The end product of the study is new flood insurance rate maps.

TSARP mission statement is: to assist residents of Harris County in recovery from Tropical Storm Allison and minimize damages from future floods by investigating the flood event and by developing current, accurate, and timely flood hazard information.

TSARP uses state-of-the-art technology. TSARP has yielded many products that will help us better understand our flood risk. These products will assist citizens in making important decisions, and will assist public agencies in infrastructure planning. The hoped for end result of TSARP is a more informed and disaster resistant community and one that is better prepared.

Purchasing flood insurance before June 18 allowed people to “grandfather” their existing floodplain status and pay lower premiums for flood insurance. Once the maps became official on June 18 residents and business owners whose properties are categorized in higher-risk flood zones on the new maps may pay higher rates.

According to FEMA, a “Regulatory Floodway” means the channel of a river or other watercourse and the adjacent land areas that

must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than a designated height. Communities must regulate development in these floodways to ensure that there are no increases in upstream flood elevations. For streams and other watercourses where FEMA has provided Base Flood Elevations, BFEs, but no floodway has been designated, the community must review floodplain development on a case-by-case basis to ensure that increases in water surface elevations do not occur, or identify the need to adopt a floodway if adequate information is available.

FEMA regulations say “Communities must regulate development in these floodways to ensure that there are no increases in upstream flood elevations.” The city of Houston interprets that as no development within the floodway. This is not necessarily correct. Construction can take place but it cannot obstruct the water. Elevating the structure gets the same effect but the city denies this as they said debris may collect under the structure. They will only allow a remodeling permit if the improvements do not exceed 50 percent of the structures value.

There is one neighborhood along White Oak Bayou that is greatly affected. The homes are of higher value than most of the district. Alternatives to resolve their issue include widening the bayou or diverting floodwater.

The Harris County Flood District is now investigating these alternatives. Otherwise the only solution would be a change in the city’s ordinance allowing construction in the floodway.

I am looking forward to working with colleagues on the Energy and Water Appropriations Subcommittee to explore ways and means of resolving this problem so that Houstonians will not be forced out of their homes and unable to afford flood insurance.

Mr. Chairman, let me provide this partial listing of some of the many good provisions in this legislation. First, H.R. 2641 will improve U.S. waterways and flood protection by increasing funding for the Army Corps of Engineers by \$713.4 million above the President’s request to address a \$1 billion backlog of operations and needed maintenance. This backlog needs to be addressed to sustain the coastal and inland navigation infrastructure critical to the U.S. economy, and the gaps in flood protection highlighted in Hurricane Katrina.

Second, the legislation will help reduce dependence on foreign oil and cut greenhouse gas emissions. Renewable energy and energy efficiency programs are funded at \$1.9 billion—a 50 percent increase in energy efficiency and renewable energy above the President’s request for energy efficiency and renewable energy programs. This is in addition to the additional \$300 million added in the FY 2007 joint resolution. In contrast, the President’s FY 2008 request for renewable energy and energy efficiency research is the same as it was in 2001 in real terms.

Funding for research and development of alternative fuels such as corn based and cellulosic ethanol and biodiesel is increased by 40 percent above the President’s request. Solar Energy demonstration projects receive a 34 percent increase above the President’s request. There is also \$22 million to research new ways of generating power from water flow, and \$44.3 million for geothermal energy,

neither of which were funded in the President's request. This is on top of the \$95 million for upgrades to existing hydropower dams funded under the Army Corps.

I could go on and on. This thoughtful legislation provides funding to invest in new vehicle technology; energy efficient buildings; weatherization; carbon capture and sequestration; and climate change science. And it cuts wasteful spending as well.

For example, H.R. 2641 directs the Energy Department to develop a concrete plan to improve its contract management. The Energy Department has been on the GAO list of programs that are at high-risk for waste, fraud, abuse and mismanagement for 17 years in a row.

The bill also cuts Global Nuclear Energy Partnership, GNEP, funding by \$285 million below the President's request and \$47.5 million below 2007 for this initiative to reprocess spent nuclear fuel and burn long-lived radioactive materials. There are concerns that this project is unsafe, will cost tens of billions of dollars, and could make it far easier for terrorists to obtain plutonium to make nuclear weapons.

The bill also secures substantial savings by cutting wasteful and unnecessary nuclear weapons programs by \$5.9 billion, \$632 million below the President's request and \$396 million below 2007. It cuts 37 specific weapons program accounts, including the Reliable Replacement Warhead program. The existing stockpile will continue to provide the Nation's nuclear deterrent for the next two decades, and certainly until the President develops a strategic nuclear weapons plan to transform the nuclear weapons complex away from its expensive cold war configuration to a more affordable, sustainable structure.

Mr. Chairman, I strongly support H.R. 2641 and urge my colleagues to join me. I thank Chairman VISCOSKY for his fine work in bringing this exceptional legislation to the House floor where it should receive an overwhelmingly favorable vote.

Mr. VISCOSKY. Mr. Chairman, I yield to the gentleman from Massachusetts (Mr. OLVER), a member of the subcommittee, for 3 minutes.

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

First of all, I want to commend the chairman and the ranking member and all of the staff on both sides of the aisle for this excellent bill. I hope that all of the Members on both sides will find it is something that they can support. Particularly I want to commend the chairman, this chairman and his ranking member, for the very amicable and nonpartisan way that they have conducted the work of the subcommittee. I think that is a wonderful picture for all of us as chairs and ranking members for the way that they have done this.

A great deal has been said about energy independence for this country, and I would say, I would assert that it is truly a matter of national security that we maximize the efficiency and conservation of energy in this country. We use 100 quads of energy; 100 quads is 100 quadrillion Btus of energy in this country for 5 percent of the world's

population. The world as a whole uses about 400 quads of energy. So we, for 5 percent of the population, are using 25 percent of the whole world's energy usage.

Early in our hearings process this year we had a series of theme hearings, and we had many expert witnesses. The most dramatic testimony that I heard there that is easily conveyable is that we could save of our energy usage some 50 percent; all across all of our uses of energy, 50 percent of what we presently use. That same testimony indicated that since 1973 when the first oil crisis hit, we had saved already some 47 quads of energy in that roughly 40 years since the first energy crisis, a little less than 40 years. So we could save a huge amount more.

I just want to make three points about this very good bill. The bill recognizes that energy efficiency is one of the Nation's largest underutilized energy sources. It provides \$146 million more for building technologies which is an increase of \$60 million above the President's request; this, in an area where 40 percent of all of the energy we use is related to our buildings, our industrial, our commercial and our residential buildings. So there alone we can save a huge amount of energy, and the bill recognizes that and puts money where it will do the most good to try to improve our energy efficiency in our buildings.

But it also provides \$23 million to address the backlog of equipment standards and analysis, \$10 million above the President's request, which goes to accelerate the approval and the updating of appliance and equipment efficiency standards which we know that the Department of Energy is very much behind on. They are behind on at least 20 different standards related to appliance and equipment that we could be saving a lot more energy if those standards were brought up to date. And the Lawrence Berkeley National Laboratories estimates that the administration's negligence will cost an estimated \$28 billion in foregone savings.

Mr. HOBSON. Mr. Chairman, I yield 3 minutes to the gentlewoman from New Mexico (Mrs. WILSON).

Mrs. WILSON of New Mexico. Mr. Chairman, I want to bring to the attention of the House something that is being done in this bill that I think has received insufficient discussion and debate.

This Energy and Water appropriations bill includes in it the most radical shift in U.S. policy on nuclear weapons that I have seen at least since the mid-1990s, that will lead us either to be forced to return to nuclear testing or to abandon nuclear deterrence because we stop maintaining the stockpile.

Without any debate, we have made this drastic change in this bill that is devastating to American nuclear weapons capabilities and will significantly change our policy on nuclear weapons without any discussion at all of any substance.

In 1992, the United States stopped nuclear testing. In 1996 we joined the moratorium on nuclear testing and said we will continue to maintain the stockpile through something called science-based stockpile stewardship. It is kind of like if you had a car that was a 1980s car and you said okay, we are never going to turn the key, but every year through science and engineering we are going to be able to tell the President, if we turned the key we believe it would be safe, secure and reliable.

The car would go on. It won't be turned on unless we turn the key; and, Mr. President, we are confident of that.

□ 1145

This bill devastates that capability with respect to our nuclear weapons. It has a 20-percent reduction in 1 year in the engineering laboratory that is solely responsible for over 6,000 parts in our nuclear weapons. It has a 40-percent reduction at Los Alamos National Lab's nuclear weapons program. And 80 percent of the existing stockpile is designed by Los Alamos. They are responsible for being able to tell us if these weapons are safe, secure and reliable.

What does this mean? It means we will not be able to achieve the stockpile reductions we're trying to achieve because the labs will not have the sense of reliability of the stockpile. Your percentage of reliability determines how low you can bring the stockpile.

Second, we are increasing the likelihood of the need to go back to underground testing, because at some point in the future, the lab directors will not be able to certify the reliability of the stockpile. There will be a problem, as there is every year; and they won't have the tools to be able to assess that problem without nuclear testing.

And, third, you are undermining allied confidence in the American nuclear umbrella. Mr. OBEY, my colleague, said they're devastating this program because there's been no strategy for post-Cold War nuclear weapons. That is a complete fallacy. It is rubbish. We signed the Moscow treaty to reduce the size of our deployed stockpile. We have gone to a policy of no underground testing. We have gone to a policy of science-based stockpile stewardship and the majority in this House is moving toward a nuclear freeze and unilateral disarmament without any debate whatsoever.

I would urge my colleagues to oppose this bill.

Mr. VISCOSKY. Mr. Chairman, I would recognize the gentleman from Massachusetts (Mr. MARKEY) for 1½ minutes.

Mr. MARKEY. Mr. Chairman, I rise to commend Chairman VISCOSKY and Ranking Member HOBSON for their clear vision and their courage in producing this bill. This bill represents an historic shift in policy, and that is why this bill deserves such strong support.

This bill almost doubles the funding for real nuclear nonproliferation programs, both in the former Soviet Union and around the world, adding close to \$1 billion for the most effective programs. The bill provides dramatic increases over the President's request for the program, and I commend Mr. VISCOSKY and Mr. HOBSON for their crucial, long overdue investment in the security of the United States. We are here only because of their leadership.

Secondly, while the President wants to build thousands of new warheads at a price tag of up to \$100 billion, this bill puts a brake on the Reliable Replacement Warhead program and it demands an explanation of why the United States needs to build thousands of new nuclear weapons even as we are, with agreements with the Russians, trying to reduce the number of nuclear weapons in this world.

I commend the chairman and the ranking member of the subcommittee for dramatically realigning our nuclear priorities in such a positive manner. I urge adoption of this historic measure.

Mr. HOBSON. Mr. Chairman, I yield 1 minute to the gentleman from Virginia (Mr. WOLF).

Mr. WOLF. I thank the gentleman.

There will be a vote on the Hinchey amendment later on today. It doesn't repeal section 1221, but it slows it down. There was never a hearing on this. There was never a vote on this in the Congress. This whole power line issue in corridors, which in this area will go through Antietam, will include Gettysburg and First Manassas, will be coming to your area.

So when given the opportunity if you look at all the groups that support the Hinchey amendment, we strongly urge you to support the Hinchey amendment. On the current language, no environmental impact statement, no consideration of energy efficiency, no consideration of historic lands.

The Hinchey amendment is good for the country.

Mr. HOBSON. Mr. Chairman, might I ask the time left on each side.

The CHAIRMAN. The gentleman from Ohio has 2 minutes remaining. The gentleman from Indiana has 1½ minutes remaining.

Mr. VISCOSKY. I assume the majority has the right to close general debate?

The CHAIRMAN. The gentleman is correct.

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

Mr. HOBSON. I have 2 minutes left. I yield it to a member of the subcommittee, the gentleman from Idaho (Mr. SIMPSON).

Mr. SIMPSON. I thank the gentleman for yielding.

Once again this year, the bill before us is the result of a bipartisan atmosphere in the Energy and Water Subcommittee that has been fostered by Chairman VISCOSKY and Ranking Member HOBSON. I want to thank both of them for the manner in which they

approached the many issues before this committee and for producing a bill that will pass today, I believe, with little opposition.

First, the Energy and Water bill enjoyed unanimous support in the subcommittee and near unanimous support in the full committee for the balanced and thoughtful way in which it addresses the complex energy and water challenges facing this Nation.

Second, the bill makes tremendous investments in our Nation's critical science and energy-related programs. Third, the bill promotes two areas that I believe are critical to address the energy supply challenges we face, nuclear and alternative fuels, by employing the vast knowledge and expertise of our national labs that includes the Idaho National Laboratory which is in my district.

Finally, the bill continues its pressure on DOE to improve project management, contain costs and stick to schedules which are among DOE's most chronic and persistent problems.

In closing, I want to again recognize the bipartisan manner in which this bill was written and acknowledge the tremendous work of all the professional staff on this subcommittee.

I urge my colleagues to support this bill, and I thank the chairman and the ranking member for their work on this bill.

The CHAIRMAN. The gentleman from Ohio has 45 seconds remaining. The gentleman from Indiana has 1½ minutes remaining.

Mr. VISCOSKY. Mr. Chairman, I only have one more speaker and I would close with that speaker, Mr. SPRATT from South Carolina, if there are no further speakers on Mr. HOBSON's side.

The CHAIRMAN. Does the gentleman from Ohio have additional speakers?

Mr. HOBSON. No, but I will yield my extra 45 seconds to the gentleman from South Carolina.

The CHAIRMAN. The gentleman from South Carolina is recognized for the balance of the time.

Mr. SPRATT. Let me thank both the chairman and the ranking member for this gracious yielding of time but, in addition, for the excellent work they have done on this bill. As they know, there is a bone of contention in the bill where we have had a disagreement. It is called MOX fuel. I think it's a good idea. For some time we've had an understanding with the Russians that they and we would build MOX fuel disposition plants so that we could take weapons grade plutonium and convert it into reactor fuel, burn it and dispose of it so it would no longer be usable for weapons. This bill took the President's request of \$333 million and basically cut it in half to 167. But when I sat down with the chairman, he pointed out to me that there were prior-year balances that would augment that amount of money and, all in all, there was a total of \$698 million available which would be enough to move the

project forward in the next fiscal year. Unfortunately, when we explored those unspent balances, we found that the numbers were a bit out of date, according to the Department of Energy, and that the available funds would add up to only about \$326 million, which is about half of what is needed for the project next year.

So I rise simply to say that in conference or somewhere along the way before this finally becomes law, we would like to reengage about the amount of money that is available for the MOX plant. I'm not offering an amendment today. I know it would be defeated. It would also be ingratitude for the work that the chairman and the ranking member have already committed to work with us on this project.

But I do say, number one, I appreciate your efforts and, number two, we'll visit this number in conference with the conferees if at all possible.

There are some other issues here, the H Canyon, there's \$85 million taken out of it. It's the only plutonium processing line of its kind we have operating in the country today. That money may render it difficult to operate it through the rest of the year. And there is also a question of where the pit disassembly process will be located. I understand that has been resolved and will be resolved with an amendment offered by the gentlewoman from California (Mrs. TAUSCHER).

Let me thank the chairman and the ranking member for their assistance in this matter and say that we still have some work to do on the adequate amount of money for the MOX fuel plant before the bill is ready.

Mr. HALL. Mr. Chairman, later today we begin work on important legislation to finally help America end its dependence on foreign oil and pursue newer, cleaner forms of energy.

I'm excited that the Energy and Water Appropriations bill that we will pass this week will take the long-overdue step of setting a new course for our energy future by making significant investments in renewables and efficiency.

For too many years, working families have felt the sting of high prices at the gas pump and rising home energy costs. Our economy has been made vulnerable to the whims of OPEC, and our reliance on fossil fuels has polluted our air and exacerbated climate change.

All the while state and local governments have been forced to try to fill the leadership vacuum left by the previous Congress and this President.

No more. The new Congress is prepared to meet our nation's energy challenges head on. To do so, this bill provides almost \$2 billion for renewables and efficiency, significantly more than the President requested.

This funding includes \$200 million to get more solar projects on the market, \$250 million to help develop domestically produced biofuels and over \$235 million for new vehicle technologies to alleviate our demand for foreign oil, about \$390 million for efficiency and weatherization grants to cut energy use in buildings, and over \$110 million to expand and develop hydropower across the United States.

This funding is an investment in America's future prosperity. By supporting these technologies, we will be able to produce energy sources here at home that do not rely on fossil fuels and do not emit greenhouse gases, particulate matter, and other pollutants that threaten our environment and health.

However, if there is one area where I feel the bill strays off course it is in its continued financial support for nuclear power. I am deeply concerned that the bill continues to provide unwarranted taxpayer subsidies for nuclear power that hide the true consumer costs of this power source and obscure the safety and environmental threats posed by nuclear energy. I am specifically troubled by the provision of \$120 million for the Global Nuclear Energy Partnership and almost \$200 million for new reactor construction and technology development through the Nuclear Power 2010 and Generation IV programs. I believe that we need to curtail these subsidies to make the nuclear industry stand on its own and to make its true costs transparent to the public.

Although I have reservations about the spending on nuclear power in the bill, I am pleased that it does not include funding for the Reliable Replacement Warhead, and requires the President to come forward with a plan to adapt to the realities of a post-Cold War world by transforming and reducing our nuclear arsenal.

Overall, the Energy appropriations bill contains significant investments for solar, wind, hydropower, biofuels, efficiency, and other technologies that will help America's families gain cleaner, more secure, more affordable energy. This bill is a significant accomplishment and I urge my colleagues to support it.

Mr. LANGEVIN. Mr. Chairman, I rise in support of H.R. 2641, the Energy and Water Appropriations Act for fiscal year 2008. I commend Chairman VISCHOSKY for his efforts on this measure and for investing in the needs of our Nation's future.

As a former member of the House Armed Services Committee and as chair of the Homeland Security Subcommittee on Emerging Threats, Cybersecurity and Science and Technology, I am particularly pleased that this bill recognizes the importance of nuclear non-proliferation efforts. I have become convinced that the nuclear terrorist threat is real, requiring the full and urgent attention of our government. We have learned about the relative ease with which a terrorist can build a crude nuclear device, and we need to do all we can to prevent the nightmare scenario in which someone smuggles a device onto U.S. soil and detonates it in a city.

We must pursue a three-pronged approach of prevention, detection, and response. I have supported efforts to increase our radiation detection capabilities at our ports of entry, as well as to improve our government response efforts if our nation is ever attacked with a nuclear or radiological device.

This bill addresses the third component of that strategy—securing nuclear material at its source. This measure increases funds for the National Nuclear Security Administration to secure nuclear weapons and materials in the former Soviet Republic. The NNSA's efforts are vital to improving the security of nuclear materials at civilian, naval, and nuclear weapons complex facilities, and helping Russia dispose of plutonium removed from nuclear weapons.

However, the challenge of fissile material security goes far beyond Russia and the former Soviet Union and will require our government to expand its non-proliferation programs outside of the former Soviet Union. The revelations of A.Q. Khan's black market proliferation network, for example, provided a striking wake-up call that we must focus on other nuclear states if we are going to be successful in deterring nuclear terrorism. Consequently, the bill more than doubles funding—providing \$251 million—for the Global Threat Reduction Initiative, which aims to identify, secure, remove, and facilitate the disposition of high-risk, vulnerable nuclear and radiological materials and equipment around the world.

Again, I thank Chairman VISCHOSKY for his leadership on nuclear non-proliferation programs and for his fine work in crafting this bill.

The CHAIRMAN. All time for general debate has expired.

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

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

The Clerk will read.

The Clerk read as follows:

H.R. 2641

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for energy and water development and related agencies for the fiscal year ending September 30, 2008, and for other purposes, namely:*

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

Mr. Chairman, I want to thank Chairman VISCHOSKY and Ranking Member HOBSON for a very strong bill that reflects wonderful bipartisan consensus. I especially want to thank them as a new member of this subcommittee for allowing all of the members to have more input into this bill than I thought was possible.

Mr. Chairman, I am a new member of this subcommittee, and I joined this subcommittee to fight for sensible and critical investments in renewable energy and energy efficiency. Before joining this subcommittee, I served for 4 years on the House Armed Services Committee and came to the conclusion that every military challenge that we confront as a Nation is exacerbated by one fact and, that is, that we have to rely on our adversaries to sell us the fuel to power our military to protect us from our adversaries.

Now, this has been a 30-year problem. Thirty years ago, President Carter addressed the Nation, declared the moral equivalent of war on foreign oil, and the only thing we've been able to do in the past 30 years since then is to double the amount of our oil imports from the Middle East and cut renewable energy investments by 80 percent. We've

had 30 years of missteps, backsteps, and half steps.

This bill is the most important step forward in correcting that course that we have seen in 30 years. It puts us back on course. It increases investments in energy efficiency and renewable energy by \$638 million over the administration request. It inserts language that I requested to create a new Federal advisory council on investment and finance so that we can unleash the entrepreneurial spirit of the investment community in helping us to solve this problem. It invests an additional \$70 million in biomass and biorefinery. It invests an additional \$51.6 million in solar. Mr. Chairman, we are now behind Germany and Japan in solar. This will help us leap ahead. It invests an additional \$17 million in wind. Mr. Chairman, of the top 10 wind manufacturers in the world, only one is American. This will push us ahead.

It invests an additional \$59.7 million in vehicle technologies. Mr. Chairman, we are now falling behind Japan in the development and manufacturing of an advanced battery capable of deploying plug-in hybrids. This will give us an important boost. It provides \$60 million in new investments in green buildings. We are now falling behind China in the development of green-building technologies. This will put us ahead. It invests an additional \$101 million in weatherization, a critically important program for energy efficiency.

This solves a fundamental military problem that we have confronted and that problem is this: we are now borrowing money from China to fund our military, to buy oil from the Persian Gulf, to fuel our Air Force to protect us from China and the Persian Gulf. This is not just an environmental or an energy problem. This is a fundamental national security problem. This bill puts us where we need to be, not only protecting ourselves from our adversaries, not only strengthening our military capabilities which need strengthening but creating the next generation of green jobs, creating a new generation of manufacturing jobs that will put us ahead of our economic competitors in these new and critically growing technologies.

So I want to again thank Mr. VISCHOSKY and Mr. HOBSON for their bipartisan leadership, thank them for involving all of their members in this debate, and urge my colleagues to support this bill which is one of the most important investments that we can make and will change that 30-year record of half steps, missteps and backsteps into a giant leap forward for humankind.

□ 1200

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

I ask Chairman VISCHOSKY to enter into a colloquy with myself and Congressman COSTELLO.

As Chairman VISCHOSKY is aware, our home State of Illinois has two sites

currently being reviewed by the Department of Energy and the FutureGen Alliance as potential locations for the final selection of the FutureGen project.

FutureGen is President Bush's initiative to design, build and operate the first near-zero emissions coal-fueled power plant. It is recognized worldwide as one of the most significant projects in the world to address climate change concerns.

We appreciate Chairman VISCOSKY's support of the FutureGen project by fully funding it in this year's Energy and Water appropriations bill. However, Congressman COSTELLO and I have two points of clarification with the report language as currently written, and we appreciate your willingness to address these two points.

I yield to my colleague and friend, Congressman COSTELLO.

Mr. COSTELLO. Mr. Chairman, I thank my friend from Illinois (Mr. SHIMKUS) for yielding, and I also thank Chairman VISCOSKY for his support of the FutureGen project.

FutureGen is on a fast track to break ground by 2009 and be on line by 2012. I would ask the chairman of the committee if he can assure us that it is the intent of the committee not to delay the FutureGen project.

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

Mr. SHIMKUS. I yield to the gentleman from Indiana.

Mr. VISCOSKY. Mr. Chairman, to both Mr. SHIMKUS, as well as my friend Mr. COSTELLO, I can assure the gentlemen from Illinois that it is the intention of the committee not to delay FutureGen.

And I would add parenthetically that the changes made by the committee are to ensure that this project does proceed.

Mr. COSTELLO. I thank the chairman for his response, and I seek clarification from the chairman as to the committee's intentions with regard to the nature of FutureGen as a research and demonstration project. FutureGen is focused as an integrated gasification combined-cycle plant with carbon capture and sequestration. Is it the intention of the committee to alter the nature of the project?

Mr. VISCOSKY. It is the committee's intention not to change or alter the focus of the project as described by the gentleman. The committee is concerned with the ability of the Department of Energy to complete construction projects of all kinds on time and within budget, and that's why the actions were taken.

Mr. COSTELLO. I thank Chairman VISCOSKY for this colloquy, for his response, and for his support for FutureGen.

Mr. SHIMKUS. Mr. Chairman, I thank my friend. We look forward to working with Chairman VISCOSKY as the appropriations process moves forward to ensure we continue to use coal, which provides half of our Nation's

electricity, in an efficient and environmentally friendly way.

Mr. VISCOSKY. For both yourself and Mr. COSTELLO, as I tell people, I grew up in Gary, Indiana, with about four integrated steel facilities. I'm a carbon guy. We have a significant issue as far as the use of carbon in this country, and one of the ways to solve it is to proceed with FutureGen. So I do look forward to working with both of you as we proceed.

Mr. SHIMKUS. I thank the chairman. He's been very gracious in walking us through this process.

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

Mr. Chairman, I'd like to engage in a colloquy with Chairman VISCOSKY and my colleague RUSH HOLT. I'd like to thank the chairman for including \$22 million in funding for hydropower energy at the Department of Energy.

As the chairman well knows, U.S. wave and current energy resource potential that could be credibly harnessed is about 400 TerraWatt hours per year. That's about 10 percent of our total national energy demand. Just like the wind, coal, gas, oil, geothermal, conventional hydropower, and nuclear power industries have been nurtured through Federal research and development and other industry incentives, this new renewable energy source needs support from our government to get started.

The U.S. stands poised to take advantage of many of the technological opportunities available to ocean, wave and tidal power. While the Europeans profited in the early years of wind energy development, we're poised to lead the world in marine renewable energy technology development.

Early successes will lead to continued investment. Success begets success. The investor community is carefully watching and waiting to see what the government is going to do to help this industry, just like the research and development funding and tax subsidies we provided to all of the other renewable energy industries.

With that, I'd like to yield to my colleague Mr. HOLT, who's been a leader on energy issues.

Mr. HOLT. Mr. Chairman, I thank my friend Mr. INSLEE from the State of Washington, and I would add that we believe that the Department of Energy should consider both conventional hydropower energy provided through dams, as well as hydropower through the movement of waves, tides, and currents in the oceans and free flowing rivers, lakes and streams. Each of these forms of hydropower holds the potential to improve greatly the way we generate energy.

We're pleased that the Appropriations Committee has recommended that the Department of Energy use some of this funding for nonimpounded marine renewable technologies, and we think it's important for the subcommittee to continue to provide oversight of the Department of Energy in

support of this form of sustainable energy research.

Will the chairman and the committee continue to investigate the potential of this energy source by working with and providing oversight of the Department of Energy and look for increased opportunities for funding in the future?

I yield back to my colleague from Washington to obtain a response from the chairman.

Mr. INSLEE. Mr. Chairman, I yield to the chairman.

Mr. VISCOSKY. I can assure the gentlemen from both Washington and New Jersey that the committee is aware of this sustainable energy source and will continue to work with and provide oversight of the Department of Energy to ensure that renewable marine and hydroenergy development, both from the oceans, waves, tides and streams, as well as for energy from hydroelectric dams is a priority of the agency. It is the committee's intention to fund these new technologies for \$6 million for research, development, and demonstration for new waterpower technologies.

Part of our approach to the energy crisis is the support of a broad range of energy and conservation technologies so that we have the best chance of meeting the challenge before us. A diverse energy supply for portfolio is key to providing reliable electricity for all of America's homes and businesses.

And I deeply appreciate the gentleman raising this important issue.

Mr. INSLEE. Mr. Chairman, thank you. We look forward to working with you. We think the tide is coming in on marine renewables. Thank you very much.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

TITLE I—CORPS OF ENGINEERS—CIVIL  
DEPARTMENT OF THE ARMY

CORPS OF ENGINEERS—CIVIL

The following appropriations shall be expended under the direction of the Secretary of the Army and the supervision of the Chief of Engineers for authorized civil functions of the Department of the Army pertaining to rivers and harbors, flood and storm damage reduction, aquatic ecosystem restoration, and related purposes.

INVESTIGATIONS

(INCLUDING RESCISSON OF FUNDS)

For expenses necessary for the collection and study of basic information pertaining to river and harbor, flood and storm damage reduction, aquatic ecosystem restoration, and related projects; restudy of authorized projects, miscellaneous investigations; and, when authorized by law, surveys and detailed studies, and plans and specifications, of proposed projects, \$120,100,000, to remain available until expended: *Provided*, That of the funds provided under this heading of Public Law 106-554, \$100,000 are rescinded.

AMENDMENT OFFERED BY MR. WESTMORELAND

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

The Clerk read as follows:

Amendment offered by Mr. WESTMORELAND:

Page 2, line 18, after the dollar amount, insert "(reduced by \$30,000,000)".

Mr. WESTMORELAND. Mr. Chairman, I almost feel like rather than offering an amendment that I need to ask everybody to stand up and we'll hold hands and sing Kumbaya, but I guess it's easy and people are in a good mood and very agreeable when you're talking about spending other people's money.

And in this case, we're talking about spending taxpayers' hard-earned dollars where we have very little control over how hard it is for them to make their money, but we spend it pretty easily.

This amendment takes \$30 million out of the Corps of Engineers' investigation budget. It brings it down to the spending level that the President has requested in his budget request.

The Energy and Water appropriations bill is \$1.1 billion over the President's request, and this amendment would reduce the funding for the investigation account under the Corps of Engineers by the \$30 million, bringing it back down to the President's original request.

The investigations and construction funding is used to collect and study the basic information pertaining to local water projects such as flood and storm damage reduction. The funding is also used to restudy projects already authorized by Congress which can lead to additional Federal spending on local projects that have already received Federal funds.

Let me say that on some of these projects that we've heard about today from the delays, and Ranking Member HOBSON mentioned the MOX project which has been delayed for a number of years, probably that's not only due to funding but in these additional re-studies that the Corps of Engineers has had to do on the project. The Corps of Engineers has greatly expanded over the last decade.

In addition, according to the administration, the Corps already has a large backlog of ongoing construction work, and the President's budget limits funding for the study and design of additional projects. So, in other words, by limiting new Corps investigations, this amendment would ensure that the current Corps projects move forward at a pace to bring them to completion without further delays.

So far there has been at least a \$105.5 billion in new Federal spending over the next 5 years that has been authorized by this new leadership, the democratically controlled Congress this year, in enacting the largest tax increase in American history, the Democrat budget allows for \$23 billion in spending over the President's budget's request.

This amendment is designed to save the taxpayers \$30 million, only a small amount, just a small dent, in the unnecessary increase in Federal spending this year, and this again is fueled by the largest tax increase in the history of this country.

So, Mr. Chairman, I ask that all Members support this amendment. It is

a small dent in the large increase in Federal spending.

The CHAIRMAN. Does any Member seek time in opposition to the amendment of the gentleman from Georgia?

Mr. VISCHOSKY. I would rise in opposition, Mr. Chairman.

The CHAIRMAN. Does the gentleman move to strike the last word?

Mr. VISCHOSKY. Then I would move to strike the last word.

The CHAIRMAN. The gentleman is recognized for 5 minutes.

#### PARLIAMENTARY INQUIRY

Mr. VISCHOSKY. Mr. Chairman, can I ask a parliamentary inquiry, please.

The CHAIRMAN. The gentleman would state his inquiry.

Mr. VISCHOSKY. It would be my understanding that on this particular amendment, because I have moved to strike the last word per the Chair's suggestion, that I can only speak once on the amendment?

The CHAIRMAN. The gentleman's correct.

Mr. VISCHOSKY. As opposed to rising in opposition to the amendment.

The CHAIRMAN. Either way, the gentleman may speak but once on this amendment. The gentleman is recognized for 5 minutes.

Mr. VISCHOSKY. Mr. Chairman, I rise in opposition to the amendment offered by Mr. WESTMORELAND.

First of all, he did indicate that he was concerned about reinvestigations. I would simply indicate to my colleagues that the world changes every day, and there are times when we need to reassess the circumstances so that we can spend the taxpayers' dollars as wisely as possible.

The fact is that the Nation's investment in our water resources infrastructure has declined over the last three decades, from \$6 billion per year to less than \$4 billion in constant dollars.

If the tragedy in New Orleans has taught us anything, I hope it is that we have neglected our infrastructure. If the suffering of the residents in the gulf doesn't illustrate the point, simple fiscal prudence should. The cost of recovery in New Orleans will far exceed what it would have cost to provide additional flood and storm protection.

There are large cities that face high and increasing risk of catastrophic flooding. Sacramento is just one example.

We have high-hazard dams with safety issues. There are countless communities that do not have flood protection commensurate with the risk to those communities.

Much of our infrastructure is reaching its design life. Over 50 percent of the locks and dams owned by the Corps of Engineers are in this category. Aging infrastructure brings increasing costs, yet the funding for accounts at the Army Corps for this particular function have been flat over the last 30 years.

Circumstances have changed from the time much of our infrastructure has been designed, development pat-

terns have changed, transportation networks and requirements have evolved. Yet we are not investing enough today to maintain what we already own or complete projects that are in progress today, much less plan for the future needs for the safety of our citizens and economic viability of our transportation system.

Due to insufficient funding, schedules are slipping and costs are growing, as we piecemeal these projects, if we do not act in a timely fashion.

There is a significant and growing backlog of civil works projects. Current estimates are as high as \$60 billion. Funding for studies and investigations must be adequately funded so that we can proceed with these very important projects. And given the backlog in construction projects, the funding for investigations account is less than the current year.

The bill focuses funding on completing ongoing projects and maintaining existing infrastructure. However, it is very important, obviously, to plan for the future.

I would ask that my colleagues oppose the amendment.

□ 1215

Mr. HENSARLING. Mr. Chairman, I move to strike the last word, and I yield to the gentleman from Georgia.

Mr. WESTMORELAND. I thank the gentleman from Texas for yielding.

Mr. Chairman, I would just like to comment on the chairman's comment about rules change every day. They do change every day, but when someone has based a project on the prior rules and regulations of the Corps, and they have based their whole project, and proceeded with that project, when the rules change and they come back to re-investigate, that's no way to do business.

Mr. HENSARLING. I was happy to yield to the gentleman, and I want to thank him for his leadership.

Mr. Chairman, I want to encourage the House to adopt this amendment.

Right now on the heels of our Democrat colleagues enacting the single largest increase in history, we should leave no stone unturned in trying to find more ways that we can help the poor beleaguered taxpayer, who actually pays for all of these programs.

Now, I have no doubt that there are many good things in this legislation, and I know we in Congress are only limited by our imagination on how we can spend the taxpayers' money.

Already, just with the programs that are already on the books with the Federal Government before people create new programs, we're on a collision course. We're on a collision course to either, one, have taxes doubled on the next generation, just to pay for government we have, or within one generation there is only going to be, for all intents and purposes, a Federal Government consisting of Medicare, Medicaid, and Social Security.

Now, many people don't understand how the institution works, but already

so much of the Federal spending is on automatic pilot, so-called entitlement spending. This is actually one of the few opportunities that Members have to come to the floor of the House and actually try to save taxpayers' money.

Now, we know that the President has issued a veto threat, and there is a \$23 billion savings that he's trying to achieve.

For many of us, we believe the President is trying to spend too much money. But the President is the President, and the President is the one who has the veto pen.

If we would adopt the gentleman's amendment, the gentleman from Georgia, we would at least take one small step towards the pathway of saving that \$23 billion and maybe, maybe take one small step towards saving the next generation from that nasty fiscal fork in the road to where either, one, they are going to have their taxes doubled, right on the heels, again, of the single largest tax increase in American history that the Democrats have brought to us, or we are going to see a Federal Government consisting of little more than Medicare, Medicaid, and Social Security.

What's ironic about this, Mr. Chairman, is if we don't start taking steps to save money today, and this amendment would save \$30 million, if we don't start taking these steps today, tomorrow there might not be an Energy and Water appropriations bill. All the money would go somewhere else, and we continue as an institution to kick the can down the road.

Now, some in this body say fiscal responsibility simply means balancing the budget no matter what the cost. Well, for those who are going to have to have their taxes doubled in the next generation, they may differ with that assessment of what fiscal responsibility is.

Again, as the gentleman from Georgia has said, the Corps already has a large background of ongoing construction work. We know that; all Members know that. By limiting the Corps investigations, this amendment would help ensure that current Corps projects are completed.

Again, it's one very, very small step; but we cannot send this country again under Democrat leadership into some kind of tax-and-spend economic death spiral. We have to take every step possible to save the American people from, number one, the single largest tax increase in American history that threatens to impose over a 5-year period up to \$3,000 of taxes per family. We have to save them from that. Then we have to save them from the other spending.

So this is a very modest amendment that would put us on a pathway to ensure that the President doesn't veto this bill and that we achieve some level of fiscal responsibility.

I urge the House to adopt the amendment of the gentleman from Georgia.

The CHAIRMAN. The question is on the amendment offered by the gen-

tleman from Georgia (Mr. WESTMORELAND).

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

Mr. WESTMORELAND. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Georgia will be postponed.

The Clerk will read.

The Clerk read as follows:

CONSTRUCTION

(INCLUDING RESCISSIONS OF FUNDS)

For expenses necessary for the construction of river and harbor, flood and storm damage reduction, aquatic ecosystem restoration, and related projects authorized by law, including a portion of the expenses for the modifications authorized by section 104 of the Everglades National Park Protection and Expansion Act of 1989; for conducting detailed studies, and plans and specifications, of such projects authorized or made eligible for selection by law (but such detailed studies, and plans and specifications, shall not constitute a Federal commitment to construction); \$2,008,874,000, to remain available until expended, of which such sums as are necessary to cover one-half of the costs of construction, replacement, and expansion of inland waterways projects shall be derived from the Inland Waterways Trust Fund; and of which \$8,000,000 shall be exclusively for projects and activities authorized under section 107 of the River and Harbor Act of 1960; and of which \$45,000,000 shall be exclusively available for projects and activities authorized under section 205 of the Flood Control Act of 1948; and of which \$10,000,000 shall be exclusively for projects and activities authorized under section 14 of the Flood Control Act of 1946; and of which \$25,000,000 shall be exclusively for projects and activities authorized under section 1135 of the Water Resources Development Act of 1986; and of which \$25,000,000 shall be exclusively for projects and activities authorized under section 206 of the Water Resources Development Act of 1996: *Provided*, That of the funds provided under this heading the following amounts are rescinded: from Public Law 101-101, \$435,000; from Public Law 102-377, \$1,740,000; from Public Law 103-126, \$797,000; from Public Law 105-245, \$1,716,000.

Mr. KLEIN of Florida. Mr. Chairman, I move to strike the last word.

I rise for the purpose of engaging in a brief colloquy with the subcommittee chairman and the ranking member regarding the Corps' regulatory program.

As you are aware, shore protection is a concern not only to residents along the coast but to all residents, all Americans who come to our beaches to relax, fish, boat, and dive. But our coasts are facing a real crisis. They have become seriously eroded, endangering both the personal property and personal safety of countless residents.

This is not a crisis limited to my constituents in south Florida. In my conversations with other Members representing coastal communities, I know that shore protection is a major issue facing our great country.

Mr. Chairman, among its many duties, the U.S. Army Corps of Engineers is entrusted to regulate the permitting of projects affecting U.S. waters. Comprised of many honorable and hard-

working civil servants and military officers, the Army Corps has a long history of dedicated service towards the preservation of our natural resources.

I reluctantly rise today to voice my grave concern that the regulatory process under the Army Corps is simply taking too long. Critical erosion control projects that local communities wish to undertake to protect their people from the very real dangers posed by hurricanes or other deadly storms are languishing under the inertia of bureaucracy.

Mr. Chairman, the residents of Singer Island in Palm Beach County where I reside cannot wait 2 years for the Army Corps to complete their environmental impact statement. That means two more hurricane seasons and two more chances to have their lives literally washed away.

Singer Island isn't alone. Up and down the coast, local communities are in the same dire situation waiting for the Army Corps to act upon the regulatory authority. I know that you have heard the identical concerns during the many lengthy hearings that the committee has held. I understand that the chairman is willing to work with me to bring transparency and efficiency to the Army Corps regulatory process when you go to conference.

I want to thank you for your leadership on this issue, Mr. Chairman, and I look forward to our working together.

Mr. Chairman, I yield to the distinguished gentleman from Indiana.

Mr. VISCLOSEKY. I want to thank the distinguished gentleman for bringing this to the attention of the committee. He is correct, it has been a subject of our hearing process as well. For some time now the committee has been concerned that the Corps' regulatory process is not being undertaken in an expeditious manner.

I want to assure the gentleman and all of my colleagues that we on the subcommittee have every intention of helping him bring greater transparency and efficiency to the Army Corps' regulatory process, both in terms of your particular concerns, as well as those nationwide.

Mr. KLEIN of Florida. I appreciate the chairman's attention to this issue.

Mr. HOBSON, would you also agree with the need to address these concerns? Would you also help us with the regulatory process?

Mr. HOBSON. Absolutely.

Mr. KLEIN of Florida. I thank the distinguished chairman and the ranking member.

Mr. BROWN of South Carolina. Mr. Chairman, I move to strike the last word.

I rise to engage in a brief colloquy with the subcommittee chairman and ranking member regarding the Corps' regulatory program.

On June 19, 2006, the United States Supreme Court issued a decision regarding the scope of the Federal Government's jurisdictions over wetlands and other water bodies under the Clean

Water Act. Just last week, almost a year after the Rapanos decision was issued, the Army Corps and EPA issued joint field guidance interpreting the decision.

Because this guidance took almost a year to develop and issue, Corps districts around the country have thousands of backlog applications and projects seeking jurisdictional determinations and permits. Unfortunately, while the newly issued guidance sets targets for the Corps to complete and review applications, it did not review any plan for dealing with the current backlog. It also neglects to provide Congress and the American people with the work plan showing how Corps resources should be allocated to ensure that the application deadlines contained in the guidance of already existing statutes are met.

I thank you for the substantial increase in regulatory funding that is contained in this bill. These funds will go a long way towards ensuring that the Corps has the resources to meet the requirements as outlined in the June 5 guidance.

However, we need to ensure that the Corps focuses those resources where they are most needed, toward ending the backlog of over 20,000 outstanding applications and making certain it does not happen again.

I hope that you and the committee, Mr. Chairman, will recognize the importance of this issue and work in conference to include language requiring the Corps to show Congress that it is addressing the wetlands permit backlog and has the plan in place to meet the additional review requirements under the newly issued guidance.

Mr. VISCOSKY. I appreciate the gentleman raising the issue. There is a theme in the last two colloquies, and it's a regulatory process. I certainly agree with the gentleman that the Corps' regulatory program needs to do a better job meeting its deadlines, especially with regard to section 404 permits under the newly issued guidance.

The gentleman's concerns are very timely, and they are warranted. I assure him that the subcommittee will work hard to address this issue as the bill moves to conference.

Mr. BROWN of South Carolina. I appreciate the chairman's attention to this issue.

Mr. HOBSON, would you agree with the need to address these concerns with the regulatory program?

Mr. SIMPSON. In the place of the ranking member, absolutely.

AMENDMENT NO. 26 OFFERED BY MR. WESTMORELAND

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

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 26 offered by Mr. WESTMORELAND:

Page 3, line 8, after the dollar amount, insert "(reduced by \$481,186,000)".

Mr. WESTMORELAND. Mr. Speaker, this amendment would reduce the amount by \$481,186,000. It's in the area of construction.

Last year, \$2.37 billion was spent. The President requested \$1.5 billion, and the proposed budget is a little over \$2 billion.

Mr. Chairman, we have talked about the overspending, and we have just heard about the 404 permitting process and the regulatory process. Let me say that the Corps of Engineers is a great organization. They do a wonderful job.

The problem is that they have a general or colonel, depending on what area of the country it is, that rotates in or out, and what we are left with are life-long bureaucrats that control the Corps of Engineers. I appreciate listening to the chairman of the subcommittee and the ranking member and others as they have promised to get into speeding up the process and going through these regulations and making sure that these projects that are so important to our citizens move along at a pace and not impaired by just red tape and bureaucracy.

This construction area is somewhere that we have spent a lot of dollars.

The President came back, and as we mentioned in the last amendment that we had, and said, look, we have got such a backlog of projects already, why don't we make sure and get those out of the way before we go on to spending more money.

Let me say this, even though we may look at this as a construction, when you put more money into these agencies, it does nothing but build a bureaucracy and broaden the red tape that our citizens have to go through to deal with these agencies.

As I made the last comment on the last amendment, there has been at least \$105 billion in new Federal spending over the next 5 years that has been authorized, and will be authorized by this new Democratic Congress, the leadership of this House. In enacting the largest tax increase in American history, this Democratic budget will allow for \$23 billion in spending over what the President's budget request was.

□ 1230

We, as a party, as a former majority party, the Republican Party, understood that people got tired of their government growing at a rate so much faster than the population of this country and the excessive spending that we did. It's time for us to try to get back the confidence of the American people, not just Republicans, or the minority party, but Congress in general. The ratings of this Congress is at a record low, record low.

The majority seems to think that they've heard the voice last November of the American people. Well, I hope that they're listening to the voice now because their rating is even lower than what the Republican rating was last November.

But this amendment is designed to save the taxpayers about \$480 million, and although, there again, the last amendment was just for \$30 million, this one's for \$481 million, it's just a small dent in the amount of money that we're spending here. But I think it is a small indication to the people of this country that we're willing to be wise stewards of their money.

So I ask all of the Members here today if they would support this amendment to reduce the construction in the Corps of Engineers by \$481 million.

Mr. VISCOSKY. Mr. Chairman, I rise in opposition to the gentleman's amendment, but I don't disagree with everything he has enunciated in his defense of his position.

The two previous speakers before the gentleman talked about red tape and delay in the regulatory process with Army Corps. I would assume that every member of this subcommittee has had those meetings with the Corps, and we are certainly trying to rectify that problem on the theory that the sooner projects can be completed, the more benefit will ensue to the taxpayers of this country and its citizens.

The gentleman's also right to enumerate the large backlog that we have on construction and other Corps facilities in this country, and that is one of the things that we are trying to address in this bill.

I would point out that the approach that we have taken, not just for the fiscal year 2008 bill, but in the last several years under the leadership of then-Chairman HOBSON, was to make sure that we face the challenges of the future in a very disciplined and rigorous approach that encompasses a broader context.

The bill continues the financial management contractor reforms to ensure that the Corps manages its budget to the best interest of the taxpayers. The recommendations include direction that the Corps continues to take action in considering additional factors as they proceed in the planning process.

And again, it has been the custom of this subcommittee in designing and structuring bills for the last several years to look at projects and marshal our resources so that some are completed, as opposed to bumbling on forever. And I wouldn't argue with the gentleman about that concern.

We have, again, done that in this bill to make sure that those additional construction dollars that the gentleman seeks to remove from the bill are put to good and rigorous use. And I would point out that this is not an abstraction. This goes to the core of people's health and safety.

Two floods ago, on the little Calumet River in Northwest Indiana, we had a gentleman in Highland, Indiana, lose his life. He was only one life in one flood. But for that man, and for his family, and for that community, it was a tragedy. We are constructing a flood control project that insures that that never happens again.

That's why we have flood control programs in the city of Dallas and its vicinities, to make sure that when you have significant events, as we have had this week in the State of Texas, that you do not have loss of life and, hopefully, you can diminish the loss of property.

We have huge commercial centers, ports like Long Beach, ports like the city of New York, ports like Baltimore, up and down our coast. We want to make sure that the commerce of this country moves as efficiently as possible, so that our economy grows and we can provide good paying jobs for all of our residents.

We have a State capitol in the most populous State in this country, Sacramento, California, one dike a way from a catastrophic event as far as the loss of human life and the destruction of properties.

Those are the types of projects, and those are the types of priorities that we are attempting to get at in this bill. And that's why these moneys are set aside, and would be opposed to their removal from this bill.

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

Mr. Chairman, I rise in opposition of the amendment to reduce funding for the Corps of Engineers construction account. And let me give you some perspective on this.

This account is already chronically underfunded by the administration, and it has been in the past. And there's already a backlog of several billion dollars of Corps construction projects.

Projects already underway, I'm going to talk about one here, just to give you an example of what happens, such as the Olmsted Lock and Dam, wind up costing far more and taking far longer to complete because of funding constraints in this account.

The subcommittee is trying to do the responsible thing by dedicating sufficient funds to address this backlog. Our priority is on completing projects that are already underway and limiting new starts. And I can tell you there were a lot of Members when I was chairman that got really ticked off at me, especially new Members, because they had new starts and we wouldn't do them because we said we've got to finish what we've got before we go on to other things.

The Olmsted Dam, an example. It was supposed to be completed in 20 years and for a cost of \$700 million. Because we didn't do it and fund it right, and money was taken and put into other accounts, that's now grown to \$1.5 billion to finish this very needed dam on the Ohio River. And the project still isn't done. We don't have the money to fund all that they could use on this project in any one year.

Part of the problem is that this Congress, over the years, keeps adding projects to our account, and then we don't fund them, or we fund them partially, and the cost goes up.

I think it would be irresponsible, at this point, with the things that we've

put into effect, to stop new starts, to complete projects and get them finished and stop this cost growth, to take this money out now. Frankly, this is one account where I think we could have used more money over the years and we could have done a better job.

He is right when we talk about Sacramento. Sacramento, those levees were built years ago, some of them by farmers, some of them by we don't know who. And they haven't been maintained to the degree they should be maintained. And it's a problem waiting to happen.

We're trying to take responsible steps, but we've run into the red tape and stuff. The Corps is trying. We've tried to do some things with the Corps. We're continuing to improve the Corps.

Frankly, 4 years ago when I became chairman, there were a lot of things wrong with the Corps that we've made right. I think the Corps is doing a much better job today. They've got a lot of new management techniques that we're using that they weren't doing in the past.

I'll give you an example. When I became chairman I asked to see their vision for this country and the waterways. They didn't have one. We asked them, What is your 5-year development plan for the waterways of this country? They didn't have one. But they do now.

Now is not the time to stop them, because under Chairman VISCOSKY, and previously, we've started to do the right thing to stop this cost increase and to get this under control. And frankly, if we would take this amendment, we would do great damage to the infrastructure or the future infrastructure of this country.

So I would urge a "no" vote on this amendment.

Mr. HENSARLING. Mr. Chairman, I move to strike the last word. I yield to the gentleman from Georgia (Mr. WESTMORELAND).

Mr. WESTMORELAND. Mr. Chairman, I just wanted to point out to the ranking member that he's exactly right. And if you look at the bill, I think it will talk about that specific amounts of this money has been itemized to go to section 107 of the River Harbor Act of 1960; \$45 million to go to the Flood Control Act of 1948; \$10 million to go to the Flood Control Act of 1946; \$25 million to go exclusively for projects of the Water Resource Development Act of 1986; \$25 million for the Water Resource Act of 1996. This is all because we have continued to put money into construction, and I hope that what the ranking member was saying is that there's no new projects in here. And maybe this is to finish up some of the projects. Maybe we can go back and finish some of the projects of the 1946 act or the 1986 act.

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

Mr. HENSARLING. I yield to the gentleman from Ohio.

Mr. HOBSON. There are no new projects in this bill because there are

no new projects proposed in the bill at this point. There could be later. I would hope not.

And I want to tell you, we also in the past took out the President's new starts too, not just the Congress's. We took out the President's.

Mr. WESTMORELAND. I'm glad to hear that from the ranking member.

But let's have a start. Let's prioritize. Let's tell the Corps with this amendment that we're going to cut this money, and that we need to see a prioritization schedule from them on how we're going to spend it; that we're going to be responsible for taxpayers' money.

Mr. HENSARLING. Again, I thank the gentleman from Georgia for his leadership and trying to bring some level of fiscal sanity and fiscal accountability back to this body.

And I'm not unsympathetic to what I just heard our ranking member say. But I guess I get somewhat frustrated when I see spending bill after spending bill after spending bill, and I see the largest single tax increase in American history enacted by the new majority.

I see absolutely no effort on the part of the new majority to do anything to rein in out-of-control entitlement spending. Unfortunately, there are few opportunities to try to save the poor, beleaguered, American taxpayer some of his funds.

And again, I'm not sure that this bill is being shortchanged. It does exceed the President's request. It does provide funding above last year, in this case, increasing funding by roughly twice the rate of inflation.

There are many American families who don't have the luxury of seeing their incomes go up by twice the rate of inflation. Why are we expecting families to do with less so that government can do with more?

And again, I'm not unsympathetic to what the ranking member had to say. But there are so few opportunities.

And I understand good things can be done with these funds. But occasionally, Mr. Chairman, we have to stop and we have to take a look at where this funding is coming from. And I talk about the poor, beleaguered, American taxpayer who, if the Democrats have their way and the largest single tax increase in American history is allowed to be imposed upon the American people, will see their taxes go up by roughly \$3,000 a year.

And I hear from some of those taxpayers from around the country. I heard from Debbie in Lake Zurich, Illinois. She writes, "I cannot survive a \$3,000 tax hike. I am a single, 53-year old woman living in Lake Zurich who is drowning in taxes. Because of taxes I've been forced to put my house on the market. Any more tax increases will create a huge financial burden."

I heard from Rose in Turnersville, New Jersey. "As an older adult still in the work force, I'm living paycheck to paycheck. Between property taxes and all the other taxes I pay, I will soon

give up my home. Just affording gas to get to work in my car is now a trial. Please keep the tax cuts we already have."

As we talk about things we're going to do to safeguard people's homes, how ironic it is, with the largest tax increase in history we're going to spend the money and help take their homes away.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Georgia (Mr. WESTMORELAND).

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

Mr. WESTMORELAND. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Georgia will be postponed.

□ 1245

Ms. BERKLEY. Mr. Chairman, I rise to strike the last word.

Mr. Chairman, 20 years ago Congress declared that my home State of Nevada would become this Nation's nuclear garbage dump. The legislation is known in the State of Nevada as the "Screw Nevada Bill."

Two decades later, the families I represent remain overwhelmingly opposed to having toxic nuclear waste buried 90 minutes from their homes, businesses, and where their children play. They have seen the mismanagement at Yucca Mountain, the lack of quality assurance and recent scandals where workers admitted to having falsified work on the site.

Nevada families know that there is currently no canister capable of storing nuclear waste for thousands of years and that, once inside of Yucca Mountain, corrosive elements will cause the canisters that do exist to rapidly fail, corrode, releasing radioactivity into nearby water supplies. Moms and dads fear thousands of truckloads of nuclear waste barreling down the highways of southern Nevada, home to more than 2 million families and a destination that attracts more than 40 million visitors a year. They have seen over the past 25 years how promises for "fair treatment" and "sound science" have been trumped by raw politics. And in 2002 they watched as Congress ignored Nevada's objections and declared that Yucca Mountain should go forward in spite of serious unresolved scientific issues that linger to this very day.

The circuit court of appeals decision that threw out the 10,000-year EPA radiation standards, there is a reason that they threw it out. Currently, no radiation standards exist for Yucca Mountain because they would have to find radiation standards for a 300,000-year time, leaving most of us to wonder if the financial status of the nuclear industry is more important than protecting the public safety and lives of American citizens.

Fortunately, Nevadans are not alone in opposing Yucca Mountain. Across this Nation, communities that face decades of nuclear waste shipments have raised their voices in opposition to Yucca Mountain. They share our concerns about terrorist attacks or an accident involving this lethal cargo. One nuclear waste spill could threaten thousands of lives, shut down rail lines and highways, and cost millions of dollars to clean up. Who is going to pay for that cleanup?

Post-9/11 we know all too well that there are those who will stop at nothing to strike at this Nation. Terrorists seeking to release radioactive materials or to secure a dirty bomb could target these waste shipments for attack, making each train or truckload a disaster waiting to happen. Our communities do not have the resources and our first responders simply do not have the training to deal with this threat.

Mr. Chairman, there are more reasons to oppose Yucca Mountain. This literal hole in the Nevada desert has already cost taxpayers \$12 billion, and the sky is the limit when it comes to future spending: \$100 billion, \$200 billion, \$300 billion? Nobody can tell us and nobody knows. The last time the DOE updated the cost analysis for Yucca Mountain was 2001. The Department of Energy said in 2006, and again this year, they will provide updated cost analysis. They haven't yet done that because they don't know. The DOE's failure to provide us with an up-to-date life-cycle cost analysis for this project is just one more reason to oppose this multibillion dollar boondoggle.

And here is another: Yucca Mountain is even further away today than it was 20 years ago when we first started down this path. After \$12 billion in spending, Yucca Mountain is now so far behind schedule that it will not even open until 2020 or beyond. Remember, it was supposed to be 1998. Meanwhile, the last shipments will not even leave the nuclear reactor sites until 2047. That is 40 years from today.

Mr. Chairman, we have a better solution. The first step is to keep nuclear waste where it is now in hardened dry-cask storage containers that can be secured for the next 100 years. End Yucca Mountain before we waste another \$200 billion to \$300 billion. And then, finally, find a real solution to securing this Nation's nuclear waste.

I urge you to vote to cut wasteful spending at Yucca Mountain, protect 50 million Americans in the communities all across our Nation who will be in danger from nuclear waste shipments and the families who oppose plans to turn Nevada into a radioactive garbage dump.

Before I yield back, I want to thank both Mr. HOBSON and Mr. VISCOSKY for yielding me this time. I appreciate their courtesy that is of monumental importance to the people I represent, the citizens of Nevada, and those who are living on these very dangerous transportation routes.

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

MISSISSIPPI RIVER AND TRIBUTARIES

For expenses necessary for flood damage reduction projects and related efforts in the Mississippi River alluvial valley below Cape Girardeau, Missouri, as authorized by law, \$278,000,000, to remain available until expended, of which such sums as are necessary to cover the Federal share of operation and maintenance costs for inland harbors shall be derived from the Harbor Maintenance Trust Fund.

AMENDMENT NO. 24 OFFERED BY MR. WESTMORELAND

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

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 24 offered by Mr. WESTMORELAND:

Page 4, line 9, after the dollar amount, insert "reduced by \$18,000,000".

Mr. WESTMORELAND. Mr. Chairman, what this amendment does is it cuts \$18 million from the \$278 million authorized under this bill. It is a small cut. Although \$278 million is already authorized in current law, it is what the President's request was; and even though we have looked at other amendments and, hopefully, the whole House will see to do some cuts, this appropriations bill is \$1.1 billion over the President's request. So this \$18 million simply brings back the President's request for the Mississippi River and Tributaries program.

The Mississippi River and Tributaries last year was \$396.6 million in 2007. There has been plenty of money there, I think, to look at these harbors, look at the flood damage, look at the things that should be done there; and this is a mild decrease of the \$18 million.

But let me again reiterate, as I did on the previous two amendments, that this is in addition to \$105 billion in new Federal spending over the next 5 years that has been authorized by the new leadership in this House. It has been done by enacting the largest tax increase in American history. And this budget that we are looking at for 2008 allows \$23 billion in new spending that will be funded by the largest tax increase in American history. This amendment, while being only \$18 million, is a small dent. I can't believe that I have been in Congress long enough to say "only \$18 million," because that is more money than most American families will see in one lifetime or two lifetimes. It is just a small dent in this year's budget. And, Mr. Chairman, I hope that all Members will see their way to cut this amount of money out of this particular appropriations bill.

Mr. VISCOSKY. Mr. Chairman, I rise in opposition to the gentleman's amendment.

I again would reference some of his words where he indicated that \$18 million is no small sum of money. It is a very significant sum of money, and I

would agree with him. It is a significant sum of money, and it is very important to the programs that comprise the Mississippi River and Tributaries Program. And my concern is, if you would, carving out a particular geographic region for this particular cut and would emphasize that while it is but one geographic region and water system within our country, there are consequences of the amendments because channel improvement programs in Arkansas, Illinois, Kentucky, Louisiana, Mississippi, Missouri, and Tennessee would be affected. There are levees for the Mississippi River in States like Arkansas, Illinois, Kentucky, Louisiana, Mississippi, Missouri, and Tennessee. There is a flood waste system in the State of Louisiana, and there are operation and maintenance costs.

These are all significant and important programs dealing, again, with the priority of people's health and safety, the movement of commerce, and the protection of property.

I strongly oppose the gentleman's amendment.

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

Again I want to commend the gentleman from Georgia for his amendment in this series of amendments, which, as I understand it, would bring the funding to the President's level, which, in most cases for many of us, is still too much.

As I stated earlier in the debate, Mr. Chairman, I am still concerned that although clearly good cases are made for how these funds can be used, I look at the larger picture. We still have a bill before us that is growing this part of government at over twice the rate of inflation. Again, we are asking American families to somehow do more with less, and sometimes you wonder if government isn't doing less with more.

This is on top of the pressure that has been put on the family budget by the new Democrat majority's enacting the largest single tax increase in American history in their budget. This is on top of the Democrat majority that is trying to increase what we call non-defense discretionary spending by \$23 billion above the level of last year. This is in addition to the \$6 billion, Mr. Chairman, that they added to the omnibus spending bill at the first of the Congress and the \$17 billion in non-emergency spending that they tried to put into the emergency supplemental to support our troops that somehow we all know ended up with funding for peanuts and spinach and many other items that many Americans would consider being part of a pork-barrel spending effort.

So, again, I would have more sympathy with those who oppose the bill if I saw any indication whatsoever that the new Democrat majority was trying to save the family budget from the Federal budget. And, instead, I see this explosion of spending, and I haven't even included what the gentleman from Georgia aptly observed, that we hadn't

even completed 6 months of the year but already the new Democrat majority, on top of all the old spending, has now authorized over the next 5-year budget window an additional \$105 billion of new spending. And you wonder where does it all end? Where does it all end?

I said earlier that I wish we could be debating on this floor opportunities to actually reform entitlement spending. We are dealing with a smaller portion of the Federal budget now, but we know that the longest journey starts with the first step. And, Mr. Chairman, we need to observe, and don't take my word for it, about what is going to happen to the American family and the American economy if we don't take some small steps to try to reduce the rate of growth of government.

□ 1300

Let's listen to our Federal Reserve Chairman, Ben Bernanke, who was quoted in a House Budget Committee. Without "early and meaningful action" to address the growth in entitlement spending, "the U.S. economy could be seriously weakened, with future generations bearing much of the cost."

Let's listen to the Comptroller General, our chief fiduciary officer in the United States. He said, "The rising costs of government entitlements are a fiscal cancer that threatens catastrophic consequences for our country and could bankrupt America." Instead, this body kicks the can down the road.

And now we have a bill before us which, although it does many worthy things, is increasing the rate of spending of this part of government twice the rate of inflation; again, taking money away from American families after the single largest tax increase in history, threatening to double taxes on their children.

And so, we've had three amendments here in a row that would take incredibly modest steps to try to reduce the rate of growth of government. You don't even have to cut government, you just have to reduce the rate of growth to bring some fiscal sanity from this new spending and tax economic debt spiral that the Democrats seem to want to foist us into.

So, I would urge the House to adopt the amendment of the gentleman from Georgia. I wish we could do more, but it is a modest start on a very, very long journey.

Mr. RYAN of Ohio. I move to strike the last word, Mr. Chairman.

First, I would like to lend my support to my chairman of this subcommittee, and also Mr. HOBSON, for their great work on this bill. I think it's a great bill. I think you have really shown the rest of us in Congress how a committee can and should work together for the good of the country.

I would like to address a few issues that have been brought up, not necessarily related to the bill at hand, with regard to spending. And I am glad to see a couple of my friends on the Re-

publican side have found some religion over the past few months. These were the same Members who were here over the past 6 years, Republican control of the House, Republican White House, and ran up \$4 trillion in debt for the United States of America. We didn't hear boo from them while all this was going on. And the biggest problem has been most of that money was borrowed from foreign countries, Japan, China, OPEC countries; \$4 trillion mostly borrowed from foreign countries by the Republican Party.

They've also mentioned that there has been stress on families. Well, I'm glad they finally came around to understand that, too. And some of the things that we have already done, Mr. Chairman, have addressed those issues: \$700 increase in the Pell Grant, that will relieve some pressure for families; student loans rates being cut in half, that will reduce pressure on families; increase in the minimum wage, which begins this summer; increased SCHIP coverage; increased coverage for women's health care needs. These are issues that are going to relieve the pressure that most American families are feeling, and it took a Democratic Congress to implement that.

Now, to the heart and soul of this bill. I think this bill does two things, Mr. Chairman. One, this is a national security issue. What Mr. HOBSON and Mr. VISCOSKY have done here is increase the security of this country by reducing our dependence on foreign oil, by increasing our funding for the "loose nukes" program so that we can be safer. And this dovetails perfectly into what we've already been doing here with the Homeland Security bill, where we're going to have 3,000 more Border Patrol agents, where we are going to have technology for our ports so we are making sure we cover the cargo in. This bill fits directly in with that. Money for our first responders, COPS program. This all fits together as a piece of a national security bill.

And this bill also, I think equal to the national security provisions, this is a bill about economic development. The problems we have been having over the last 30 years is that wages have been stagnant. And Rose in Illinois and some of the other people that my friend from Texas have mentioned have had stagnant wages for 30 years. This bill makes the kind of investments that the study from the National Academy of Sciences recommended, "Rising Above the Gathering Storm." The head of that study was the former CEO of Lockheed Martin. And he noted, along with a very distinguished panel, that the connection between research and development and growth cannot be understated, especially research in the physical sciences. And when you look at what this bill does, 3,500 researchers are funded through this bill; \$93 million for research with hybrid cars, \$49 million for advanced combustion research, \$48 million for materials research for

fuel efficient cars, \$23 million for fuels technology, \$708 million for coal energy research.

This is an economic development bill. When we began to fund NASA, that created thousands and thousands and thousands of jobs in science and engineering. This bill will do the same thing. It will give Rose in Illinois and all of those other folks who have had stagnant wages an opportunity to go into a field that is growing with public research and private research. This is a jobs bill, this is an economic development bill for a lot of the regions who have suffered under the global economy.

I appreciate what the chairman has done, I appreciate what the ranking member from the great State of Ohio has done with this bill. This is a jobs bill and this is a national security bill. I urge its passage, and I urge that this amendment go down.

Mr. VISCOSKY. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. GENE GREEN of Texas) having assumed the chair, Mr. DAVIS of Alabama, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 2641) making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2008, and for other purposes, had come to no resolution thereon.

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REPORT ON H.R. 2771, LEGISLATIVE BRANCH APPROPRIATIONS ACT, 2008

Ms. WASSERMAN SCHULTZ, from the Committee on Appropriations, submitted a privileged report (Rept. No. 110-198) on the bill (H.R. 2771) making appropriations for the legislative branch for the fiscal year ending September 30, 2008, and for other purposes, which was referred to the Union Calendar and ordered to be printed.

The SPEAKER pro tempore. Pursuant to clause 1, rule XXI, all points of order are reserved on the bill.

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ENERGY AND WATER DEVELOPMENT AND RELATED AGENCIES APPROPRIATIONS ACT, 2008

The SPEAKER pro tempore. Pursuant to House Resolution 481 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the further consideration of the bill, H.R. 2641.

□ 1307

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H.R. 2641) making appropriations for energy and water development and related agencies for the fiscal year ending Sep-

tember 30, 2008, and for other purposes, with Mr. DAVIS of Alabama in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. When the Committee of the Whole rose earlier today, pending was amendment No. 24 by the gentleman from Georgia (Mr. WESTMORELAND).

Mr. SESSIONS. Mr. Chairman, I move to strike the last word, and I yield to the gentleman from Georgia.

Mr. WESTMORELAND. I want to thank my friend from Texas for yielding.

I just wanted to make a few comments about my friend Mr. RYAN, who I listened to many nights, Mr. Chairman, while I was up in the chair where you're at. Many nights, I listened to the 30-something Group get up and rail and talk about all the wasteful spending and about how much money we were spending and about how we had gone into debt and about what the debt was. And I hear Mr. RYAN stand up and talk about economic development. I'm going to tell you the best bills this country has ever had for economic development was the Bush tax cuts. Those were the best economic bills we've had for economic development in this country. Look at where the Dow is today at 13,000-plus. I haven't been keeping up with it, I don't really have a lot of money in the market. But we have busted records continually, and it has been because of those economic growth tax cut bills that we have had and the economic policies of this White House.

And as my gentleman friend from Texas (Mr. HENSARLING) said, we don't necessarily agree with the President's recommendation. We feel like that's probably more money than we need to spend. But at least it is a recommendation that we need to go back to from the proposal of what the Democratic leadership has proposed.

And you know, if you talk about striking any money from an agency's budget, I think you get their attention. The ranking member was telling me that when he was the chairman 2 years ago, he asked for the Corps to send 10 of their most important projects that need to be completed. He hasn't heard from them yet. And so we need to send a message to some of these agencies and say look, you are going to give us the information we want, you are going to be accountable, and you are going to be under some authority.

So, I think we need to send that message loud and clear. And although some of these cuts are mighty small, I think they will do a good job in getting some attention. I'm glad to see that the 30-something Group is now, and that the Blue Dogs, or whatever kind of dogs they are, that I listened to also, Mr. Chairman, when I was up there late at night, listened to them for hours at a time talk about wasteful spending. I hope that they will join me in an hour, in Special Orders, when we talk about the largest tax increase in the history

of this country and the runaway spending that we now have, even larger spending than it was when we were in charge. I hope they will join me in that hour and we can get up and talk about being good stewards of the taxpayers' dollars.

Mr. SESSIONS. Mr. Chairman, this Republican minority is intensely interested in making sure that we do the right thing for the country, but it should be noted that these bills should not be about economic development, they should be about solving water problems that we have with the dollars that are generated by the taxpayer to solve problems with water, with flooding and with the various elements of ensuring we have clean and better water that is available.

This should not be an economic development spending bill. I disagree with the gentleman from Ohio, and it is my hope that this body will recognize this economic development spending bill for what it is, as opposed to a water resources bill. I am disappointed to hear that it's characterized that way. And that is why we support the gentleman from Georgia with his amendment.

Mr. GENE GREEN of Texas. Mr. Chairman, I move to strike the last word.

I wish to engage Subcommittee Chairman Mr. VISCOSKY in a colloquy for purposes of underscoring the strategic role of petroleum coke gasification to reduce dependence on the foreign supply of energy, and illustrating the technological feasibility of petroleum coke gasification projects to sequester carbon.

Mr. Chairman, the Energy and Policy Act of 2005, Public Law 109-58, has a specific provision, section 415, 42 U.S.C. 15975, authorizing the Secretary of Energy to provide loan guarantees for at least five petroleum coke gasification projects. Petroleum coke gasification projects are also qualified under title 17, the Innovative Technology Loan Guarantee Program under 1703 (c) 2 and (c) 3 as an industrial gasification project and pet coke gasification project, respectively. This provision of the law recognizes the critical importance of these projects in promoting efficient management of energy sources within the United States.

Domestic gasification of "petcoke," as it is also called in the U.S. refining industry, will reduce foreign exports of this product. Reducing exports of petcoke will result in reduced emissions of hydrocarbons, carbon dioxide and other gases resulting from production, transportation and burning of fossil fuels associated with energy sources currently being used instead of petcoke. Globally, it would also result in lower emissions from petcoke since this product often is not being burned in clean processes when it is exported.

Technology exists today to sequester carbon dioxide byproduct from the petcoke gasification process, pressurize the gas, and inject it underground as a