want to see further litigation and we do not want to break our word to these native Americans. That is why section 507 was included.

Second, a question may arise as to what the conferees meant by the words ''timely implementation'' and ''without delay'' is simple. Timely implementation means, right now. That is why they choose the words, ''without delay.'' They could have said, without one year's delay. They could have said, without undue delay. Instead, they chose the unambiguous, without delay. The Secretary should have no trouble interpreting this unambiguous language.

I reiterate that this is primarily an issue of fair dealing with native Americans. Nearly 125 years ago the United States promised these two tribes water to make their reservations a homeland. In 1988 Congress reaffirmed that promise and, in return for this promise, the tribes set aside their most valuable tribal asset—their senior water rights in exchange for the promised project. They in good faith agreed not to seek to take water away from their non-Indian neighbors, but instead to share water with them. Congress now must ensure that the United States lives up to its end of the deal.

The Secretary of Interior has the responsibility under the 1988 legislation to build the Animas-La Plata project. In hearings on the fiscal year 1994 Energy and water development appropriations bill, Secretary Babbitt stated: ''I understand that Congress has mandated that this project get going, and I will comply with that mandate.''

The Secretary now has yet another mandate from the Congress. Section 507 provides him with the necessary tools to move forward and build this project in accordance with obvious congressional intent. I urge Secretary Babbitt to move forward and build the Animas-La Plata project immediately so that the United States may preserve the integrity of the water rights settlement.

I urge my colleagues to support the adoption of this rule.

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

A–LP FOES ARE ALL WET

It's been suggested in some quarters of late that supporters of the Animas-La Plata water project near Durango are trying to slip something past the public and the Congress.

What hogwash.

In reality, the efforts under way this month are aimed at keeping on track a project that was long-ago approved—and has subsequently been re-approved—by Congress, by the states of Colorado and New Mexico, by voters in the local water district and by two Ute Indian tribes.

Environmental groups, led by the Sierra Club Legal Defense Fund, continue to work behind the scenes and in court to halt a project that has been legitimately approved by both houses of Congress and signed into law as a treaty obligation to Colorado's long-suffering native Indian tribes.

The current debate, like much that has surrounded the Animas-La Plata since it was authorized by Congress in 1968, is filled with misinformation and half-truths.

For example, one Front Range newspaper said that before Congress approves the project it must be certain that it isn't adding to the list of broken promises to the Indians.

There are several things wrong with that. First is the fact that Congress has already approved the project, initially when it was authorized in 1968; later, through annual appropriations bills; and most importantly, when it adopted the 1988 Indian Water Rights Settlement Act.

Secondly, the 1988 act wasn't approved only by Congress, but by the states of Colorado and New Mexico, and by the Ute Mountain Utes and Southern Ute Indian Tribes. Essential to that act is the construction of the Animas-La Plata to provide water to the Indian tribes, a provision the Indians accepted in return for dropping their long-standing claims under the Winters Doctrine to water in rivers of the region.

If Animas-La Plata isn't built by the deadlines set in that agreement, the Indians are free to go back to court and win a much more costly settlement from the U.S. government. But the Indians have said repeatedly that they want the water the project will provide, not a prolonged court battle.

Much is also made of the fact the Animas-La Plata will be built in two phases, and there is no guarantee the second phase, which won't have federal involvement, will ever be constructed. Therefore, critics charge, there is no guarantee the Indians will get the water due them from the project.

But the Indians will receive 60,000 acre feet of water from Phase 1 of the Animas-La Plata project, no small amount of water currency. (It's instructive to note that when critics talk about the cost of the Animas-La Plata, they use the most recent figures for both Phase 1 and Phase 2, approximately $710 million, not the roughly $525 million for Phase 1. But when they talk about the benefits of the project, they only mention Phase 1.)

In 1991, the U.S. Fish and Wildlife Service acknowledged that the primary features of the project could be constructed with no threat to the endangered Colorado squawfish and issued a final biological opinion stating as much. The sufficiency language now proposed in Congress would simply require construction of what was allowed under that opinion.

However, the 1991 opinion was a disappointment to Sierra Club officials, who have vowed to keep the project tied up in litigation for 40 years. They immediately filed a lawsuit claiming the project violated the National Environmental Policy Act on the grounds that ''all reasonable and prudent alternatives'' to the project were not adequately examined. Unfortunately, the Sierra Club got a federal judge to agree, forcing the U.S. Bureau of Reclamation to halt its construction plans and file a supplemental Environmental Impact Statement. That supplement is expected to be completed later this year.

This project has had agonizing environmental examination, as well as broad-based official approval. Congress should adopt the language in the appropriations bill and allow the project to proceed.

Mr. QUILLEN. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Pennsylvania [Mr. GEKAS].

Mr. GEKAS. Mr. Speaker, I thank the gentleman for yielding me time.

Mr. Speaker, this rule, which I support, gives evidence of how well our conference system works. Many times, as in this case in title IV, the House which provided no moneys, shall we say, for the Delaware River Basin Commission or the Susquehanna River Basin Commission, an ongoing independent agency, in both cases the Senate, in its wisdom, did something different. Then the conference, in its own type of wisdom, was able to strike a compromise and bring in amounts of money that reflect the desire of the Congress to continue the operation of some of these independent agencies, albeit with a warning that in years to come more and more responsibility for their activities will have to be placed within their own bailiwicks in their local governments.

□ 1315

In the compact types of commissions like the Susquehanna River Basin Commission, New York, Pennsylvania, and Maryland, they will, in due time, be able to reconstruct their funding streams in such a way that they will be able to continue their activities well. They could not do it, though, with a zeroing out of their funding for this particular year.

Hence, the conference saved the ongoing stream of funding for the Susquehanna River Basin Commission, but at a lower level. The conference has worked. The people's will has been met through the work of the House and the Senate.

Mr. Speaker, I urge adoption of the rule.

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

Mr. QUILLEN. Mr. Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. MYERS of Indiana. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on the bill (H.R. 1905) making appropriations for energy and water development for the fiscal year ending September 30, 1996, and for other purposes, and that I may include tabular and extraneous material.

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

There was no objection.

CONFERENCE REPORT ON H.R. 1905, ENERGY AND WATER DEVELOPMENT APPROPRIATIONS ACT, 1996

Mr. MYERS of Indiana. Mr. Speaker, pursuant to the provisions of House Resolution 248, I call up the conference report on the bill (H.R. 1905), making appropriations for energy and water development for the fiscal year ending September 30, 1996, and for other purposes.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Pursuant to rule XXVIII, the conference report is considered as having been read.

(For conference report and statement, see prior proceedings of the House of October 26, 1995, at page H10913.)

The SPEAKER pro tempore. The gentleman from Indiana [Mr. MYERS] will be recognized for 30 minutes, and the gentleman from Alabama [Mr. BEVILL] will be recognized for 30 minutes.

The Chair recognizes the gentleman from Indiana [Mr. MYERS].

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

Mr. Speaker, on July 12 of this year, the House passed H.R. 1905, and on August 1, the Senate passed similar legislation.

Mr. Speaker, after the August recess, our conferees, from both the House and Senate, started working through September and most of October trying to work out the differences in the bills between the two bodies.

The major difference was that the Senate had about a billion and a half more 602(b) allocation than the House had to work with. We had a reallocation, but we still had some problems about the priorities of what programs we would fund and at what figure.

So, Mr. Speaker, we have worked diligently, and for this I thank the members of the conference and the staff who have been working almost daily since the middle of September trying to resolve the differences. We thank all of them and, again, I thank particularly the gentleman from Alabama [Mr. BEVILL]. The gentleman and I have worked together for almost 30 years now, most of which have been on this subcommittee and under the chairmanship of the gentleman. More recently, under my chairmanship, we have continued to work together closely.

Mr. Speaker, the conference report is $19.3 billion, which is $654 million more than the House-passed version; however, it is $833 million less than the Senate. The important thing is that the bill is $707 million below the level appropriated for 1995.

Mr. Speaker, we have moved in the right direction. The conference report is $1.23 billion less than the President requested. This is the lowest appropriations for energy and water since 1990. We are heading in the right direction.

We have downsized Government. We have made some significant reductions. We have 35 programs that we have terminated. As has been mentioned by the gentleman from Pennsylvania [Mr. GEKAS], we have a few other programs that we intend to terminate next year, but we are giving warning that we just cannot continue to fund some of the responsibilities that rightfully could be the States', and should be the States', or that should not be funded at all.

Mr. Speaker, in no instance did an agency or department funded by this energy and water bill receive appropriations exceeding last year's level. The one exception is in defense. The nondefense discretionary amount is $8.7 billion, which is a 13 percent reduction from last year.

In those reductions, we reduced the Corps of Engineers by $138 million from last year's level. The Bureau of Reclamation has been reduced by $31 million from last year's level. The Department of Energy, including defense, has been reduced by $173 million. ARC, the Appalachian Regional Commission, has been reduced by $102 million.

The gentleman from Tennessee [Mr. QUILLEN] mentioned the Tennessee Valley Authority. We reduced that by $29 million. The Federal Energy Regulatory Commission is reduced by $35 million. The Nuclear Regulatory Commission was reduced by $52 million. This is to mention just a few of the significant reductions that we did make.

However, we did increase defense spending. A lot of my colleagues do not realize that a large amount of our funding is in defense. Nearly 60 percent of our bill is defense. Most of it, of course, is in the nuclear side of defense.

Mr. Speaker, we have a 16-percent cut in DOE administrative costs with the exception of defense. We require the Department of Energy to reduce its support contracts by 50 percent. It is shocking to see how many employees they have. DOE has many more contract employees doing various types of work than they have of their own departmental employees.

Defense spending is $10.6 billion. That is a $550 million increase from last year, all in defense. We have increased defense cleanup, environmental restoration and waste management. Last year we appropriated $4.9 billion, and this year we have included $5.556 billion, which is an increase of 13.5 percent.

Mr. Speaker, this is the only dramatic increase that we have in our bill. It is the one area where we were probably a little bit more generous than we should have been. We recognize that there are some defense production sites in this country where there is a cleanup job to be done. But DOE has done a miserable job of cleaning up most of these sites.

Mr. Speaker, they have been wasting money. More people and more money is just not the answer. We have somewhat of an agreement with the Senate that we are going to manage this a little bit better. We will have to help the DOE with some changes in legislation to help them do a better job, because there is an enormous job to be done here.

We recognize that this bill is larger than the House passed bill. We have made some significant reductions that I have not mentioned. Reductions in fusion are larger than some people would have liked. I am sure we are going to hear about the reduction we made in solar. But we have no choice but to make these reductions.

Mr. Speaker, this is a good bill. It is not the bill that many of us would have liked to have seen, but it is a bill that I think we all can live with. I urge that all my colleagues support the conference report.

Again, I thank those staff and members of the conference who struggled since August to get to this point today.

Mr. Speaker, I rise today in support of the conference report on H.R. 1905, a bill making appropriations for energy and water development for the fiscal year ending September 30, 1996, and for other purposes.

Mr. Speaker, the conference report on H.R. 1905 is in my judgment, balanced and fair. It begins the difficult job of reducing the cost, size, and scope of Federal programs within the jurisdiction of the Subcommittee on Energy and Water Development. At the same time, the conference report continues to fund critical priorities and necessary governmental activities.

At this time, I would like to thank my colleagues from the other body for their efforts in reaching agreement on this bill. The chairman of the Senate Subcommittee on Energy and Water Development, Senator PETE DOMENICI, captained his maiden voyage aboard the S.S. Energy and Water with the skill of an old salt. The conference committee benefited from the experience and knowledge of Senator BENNETT JOHNSTON, ranking minority member and former chairman. Senator MARK HATFIELD, the Chairman of the Senate Committee on Appropriations, and Senator ROBERT BYRD, the ranking minority member, both actively participated in the conference and helped produce a balanced agreement.

Special recognition is due the Members of the House Subcommittee on Energy and Water Development who participated as conferees. Their tenacity, fair-mindedness, and spirit of team play animated their able and vigorous representation of the House. The entire body owes them its gratitude. I am also appreciative of the efforts and guidance of the distinguished chairman of the Appropriations Committee, the Honorable BOB LIVINGSTON.

Mr. Speaker, the conference committee on H.R. 1905 concluded its work on Wednesday, October 25 after 2 days of difficult negotiations. The biggest difficulty confronting the conferees concerned the overall size of the bill. The Senate-passed version of the bill totalled $20.2 billion, nearly $1.5 billion more than the House total of $18.7 billion. In the end, it was necessary for the House conferees to accept more spending than contained in the original House bill. Consistent with the budget resolution and the majority's commitment to national security, however, the increase was devoted almost entirely to the atomic energy defense activities of the Department of Energy.

At $19.3 billion, the conference report is approximately $650 million higher than the House-passed bill. On the other hand, the conference report is: $833 million below the Senate-passed bill; $707 million below the fiscal year 1995 level; and $1.23 billion below the Senate-passed bill; $707 million below the fiscal year 1995 level; and $1.23 billion below the Administration's request. Most remarkably, the conference report is $272 million below the subcommittee's 602(b) allocation of new budget authority. In other words, the bill is

$272 million less than the conference committee was entitled to appropriate pursuant to the joint budget resolution for fiscal year 1996.

Before proceeding to specific highlights of the bill, I would remind the Members that H.R. 1905 passed the House on July 12 by a vote of 400 to 27. The House conferees were mindful and appreciative of this overwhelming expression of support and sought to protect and fortify that support in conference. I believe we have produced an agreement that all Members can support and which the President can sign. The President, by the way, has not issued a veto threat in respect to H.R. 1905.

Title I of H.R. 1905 includes appropriations for the Army Corps of Engineers. At $3.2 billion, spending in this title is $138 million below the fiscal year 1995 level. Savings were accomplished through the elimination of several programs and projects that are ancillary to the principal missions of the Corps. Program terminations include: Environmental Service Partnerships; Economic Impacts of Global Warming Research; River Confluence Ice Research; and the Real Time Water Control Research Program.

Significantly, both the House and Senate emphatically rejected the proposed new policy of the Corps of Engineers, which would have effectively eliminated the traditional role of the Corps in local flood control, beach protection, and small harbor maintenance. The conferees recognized the imperative to prioritize projects and realize savings in other areas before compromising core missions and functions of this critical agency.

Title II of the bill contains funding for certain functions of the Department of the Interior, particularly the Bureau of Reclamation. Title II contains spending of $800 million, $31 million below the fiscal year 1995 level. The House and Senate both appropriated $10 million for construction of the Animas-LaPlata project in Colorado. The conferees also included legislative language directing the Secretary of the Interior to proceed without delay with the construction of this important reclamation project. The conferees are hopeful that the promises of this project will be finally realized and that the terms of the Colorado Ute Indian Water Rights Settlement Act of 1988 will soon be fulfilled.

Title III of H.R. 1905 contains funding for the Department of Energy. Major savings are realized through reductions in the domestic discretionary functions of the Department. In respect to these functions, the budget is reduced by $727 million or 13 percent from last year's level. Administrative operations are reduced by approximately 16 percent.

Funding for specific programs includes: $275 million for solar and renewable energy programs, $148 million below the budget request; $231 million for nuclear energy programs; $149 million below the budget request; $244 million for fusion energy, $119 million below the budget request; $792 million for basic energy sciences, $14 million below the budget request; and $981 million for general science and research, $31 million below the budget request. Among other things, the conference agreement terminates the Gas Turbine Modular Helium Reactor program, In-House Energy Management, and the Russian Replacement Power Initiative.

The atomic energy defense activities of the Department of Energy are funded at a level of $10.6 billion, approximately $554 million above the fiscal year 1995 level. The largest increase in defense programs is for environmental restoration and waste management at the Nation's nuclear production facilities. The appropriation for this account is $5.56 billion, an increase of $665 million over the fiscal year 1995 level. The agreement also includes $37 million, the same as the budget requests, for the National Ignition Facility.

The conference agreement provides a total of $400 million for the Department's civilian radioactive waste program. The agreement makes $85 million of this total available only for an interim storage facility for nuclear waste and only upon the enactment of specific statutory authority. The conference committee deferred to the authorizing committees of jurisdiction to enact necessary programmatic reforms to both the nuclear waste disposal and clean-up programs.

Title IV of the bill contains funding for several independent agencies. Total funding for these agencies is $312 million, a $144 million or 32 percent reduction from the fiscal year 1995 level. The conference report requires dramatic decreases for the Appalachian Regional Commission, −$102 million; the Tennessee Valley Authority, −$29 million; and the Nuclear Regulatory Commission, −$52 million. Final year funding is provided for the Susquehanna River Basin Commission, the Delaware River Basin Commission, and the Interstate Commission on the Potomac River Basin.

At the insistence of the Senate and with the support of House Members from the Pacific Northwest, the conference agreement includes a general provision to permit the Bonneville Power Administration to sell excess power, under certain contractual conditions, outside the Pacific Northwest. The provision also gives the Administrator of BPA the authority to offer certain separation incentives to facilitate agency downsizing.

Mr. Speaker, I note that the CONGRESSIONAL RECORD of Thursday, October 26 contains numerous typographical errors in respect to the conference report on H.R. 1905 and the accompanying joint statement of managers that are printed in that edition. I ask that I may be permitted at this point in the proceedings to include an errata sheet correcting those errors. I would also like to include a tabular summary of the energy and water appropriations for fiscal year 1996 at this point in the RECORD.

ERRATA SHEET FOR CONGRESSIONAL RECORD, THURSDAY, OCTOBER 26, 1995

On page H10914, column 3, line 42: insert a comma before the word ''where''.

On page H10914, column 3, line 64: insert the word ''be'' after the word ''may''.

On page H10915, column 1, line 22: strike ''Prestonburg'' and insert ''Prestonsburg''.

On page H10915, column 2, line 69: strike the period.

On page H10915, column 2, line 70: strike ''And'' and insert ''; and''.

On page H10915, column 3, line 60: insert a period before the word ''The''.

On page H10916, column 1, line 50: insert the word ''and'' after the word ''Planning''.

On page H10916, column 3, line 69: strike the comma after the word ''project'' and insert a period.

On page H10918, column 1, line 82: strike ''$2,000,000'' and insert ''$200,000''.

On page H10918, column 3, line 77: strike ''wit'' and insert ''with''.

On page H10919, column 3, line 29–30: strike ''requirement. Between'' and insert ''requirements between''.

On page H10919, column 3, line 55: strike ''Prestonburg'' and insert ''Prestonsburg''.

On page H10936: Above the heading ''Alabama'', insert the following center head: ''CORPS OF ENGINEERS—OPERATION AND MAINTENANCE''.

On page H10937–41: At the top of each page, strike ''FLOOD CONTROL, MISSISSIPPI RIVER AND TRIBUTARIES'' and insert ''OPERATION AND MAINTENANCE''.

On page H10949, column 1, line 69: strike ''is'' and insert ''in''.

On page H10949, column 3, line 18: strike ''Program'' and insert ''Programs''.

On page H10949, column 3, line 46: strike ''to'' and insert ''the''.

On page H10954, column 2, line 73: strike ''now'' and insert ''nor''.

On page H10955, column 2, line 38: strike ''for'' and insert ''of''.

On page H10955, column 2, line 72: strike ''will'' and insert ''well''.

On page H10956, column 1, line 26: strike ''and'' and insert ''an''.

On page H10956, column 2, line 68: strike ''fuel'' and insert ''fuels''.

On page H10956, column 3, line 39: strike ''other'' and insert ''Other''.

On page H10956, column 3, line 78: insert ''Reactor'' after ''Research''.

On page H10957, column 3, line 75: strike ''that'' and insert ''than''.

On page H10973, column 1, line 41: strike ''federal'' and insert ''Federal''.

On page H10973, column 1, line 64: strike ''$474,3000,000'' and insert ''$474,300,000''.

On page H10973, column 3, line 37: strike ''Hospital-passed'' and insert ''House-passed''.

On page H10974, column 1, line 64: strike ''program'' and insert ''progress''.

On page H10974, column 2, line 15: strike ''Power'' and insert ''power''.

On page H10974, column 2, line 86: strike ''1966'' and insert ''1996''.

FY 1996 ENERGY AND WATER DEVELOPMENT APPROPRIATIONS BILL (H.R. 1905)

	FY 1995 Enacted	FY 1996 Estimate	House	Senate	Conference	Conference compared with enacted
TITLE I - DEPARTMENT OF DEFENSE - CIVIL						
DEPARTMENT OF THE ARMY						
Corps of Engineers - Civil						
General investigations	171,199,000	155,625,000	129,906,000	126,323,000	121,767,000	-49,432,000
Construction, general	923,668,000	785,125,000	807,846,000	778,456,000	804,573,000	-119,095,000
Flood control, Mississippi River and tributaries, Arkansas, Illinois, Kentucky, Louisiana, Mississippi, Missouri, and Tennessee	328,138,000	319,250,000	307,885,000	307,885,000	307,885,000	-20,253,000
Operation and maintenance, general	1,646,535,000	1,749,875,000	1,712,123,000	1,696,996,000	1,703,697,000	+57,162,000
Regulatory program	101,000,000	112,000,000	101,000,000	101,000,000	101,000,000	.....
Flood control and coastal emergencies	14,979,000	20,000,000	10,000,000	10,000,000	10,000,000	-4,979,000
General expenses	152,500,000	164,725,000	150,000,000	153,000,000	151,500,000	-1,000,000
Oil spill research	900,000	850,000	850,000	850,000	850,000	-50,000
Total, title I, Department of Defense - Civil	3,338,919,000	3,307,450,000	3,219,610,000	3,174,512,000	3,201,272,000	-137,647,000
TITLE II - DEPARTMENT OF THE INTERIOR						
Central Utah Project Completion Account						
Central Utah project construction	22,839,000	18,905,000	18,905,000	18,905,000	18,905,000	-3,934,000
Fish, wildlife, and recreation mitigation and conservation	11,133,000	18,503,000	18,503,000	18,503,000	18,503,000	+7,370,000
Utah reclamation mitigation and conservation account	5,000,000	5,485,000	5,485,000	5,485,000	5,485,000	+485,000
Program oversight and administration	1,191,000	1,246,000	1,246,000	1,246,000	1,246,000	+55,000
Total, Central Utah project completion account	40,163,000	44,139,000	44,139,000	44,139,000	44,139,000	+3,976,000
Bureau of Reclamation						
General investigations	14,190,000	13,602,000	13,114,000	11,234,000	12,684,000	-1,506,000
Construction program	432,727,000	375,943,000	417,301,000	390,461,000	411,046,000	-21,681,000
Operation and maintenance	274,300,000	288,759,000	278,759,000	267,393,000	273,076,000	-1,224,000
Loan program	9,600,000	18,668,000	11,668,000	11,668,000	11,668,000	+2,068,000
(Limitation on direct loans)	(23,000,000)	(37,000,000)	(37,000,000)	(37,000,000)	(37,000,000)	(+14,000,000)
General administrative expenses	54,034,000	50,327,000	48,150,000	48,150,000	48,150,000	-5,884,000
Emergency fund	1,000,000	.....	.....	.....	.....	-1,000,000
Colorado River Dam fund (by transfer, permanent authority)	(-7,472,000)	(-4,556,000)	(-4,556,000)	(-4,556,000)	(-4,556,000)	(+2,916,000)
Central Valley project restoration fund	45,365,000	43,579,000	43,579,000	43,579,000	43,579,000	-1,806,000
Total, Bureau of Reclamation	831,236,000	788,878,000	812,571,000	772,485,000	800,203,000	-31,033,000
Total, title II, Department of the Interior	871,399,000	833,017,000	856,710,000	816,624,000	844,342,000	-27,057,000
(By transfer)	(-7,472,000)	(-4,556,000)	(-4,556,000)	(-4,556,000)	(-4,556,000)	(+2,916,000)
TITLE III - DEPARTMENT OF ENERGY						
Energy Supply, Research and Development Activities	3,240,548,000	3,355,521,000	2,575,700,000	2,830,324,000	2,727,407,000	-513,141,000
Uranium Supply and Enrichment Activities	73,210,000	75,441,000	64,197,000	64,197,000	64,197,000	-9,013,000
Gross revenues	-9,900,000	-34,903,000	-34,903,000	-34,903,000	-34,903,000	-25,003,000
Net appropriation	63,310,000	40,538,000	29,294,000	29,294,000	29,294,000	-34,016,000
Uranium enrichment decontamination and decommissioning fund	301,327,000	288,807,000	278,807,000	278,807,000	278,807,000	-22,520,000
General Science and Research Activities	984,031,000	1,011,699,000	991,000,000	971,000,000	981,000,000	-3,031,000
Nuclear Waste Disposal Fund	392,800,000	.....	226,599,000	151,600,000	151,600,000	-241,200,000
Environmental Restoration and Waste Management:						
Defense function	(4,892,691,000)	(5,986,736,000)	(5,265,478,000)	(5,989,750,000)	(5,557,532,000)	(+664,841,000)
Non-defense function	(1,045,368,000)	(991,063,000)	(905,348,000)	(906,413,000)	(900,348,000)	(-145,020,000)
Total	(5,938,059,000)	(6,977,799,000)	(6,170,826,000)	(6,896,163,000)	(6,457,880,000)	(+519,821,000)
Atomic Energy Defense Activities						
Weapons Activities	3,229,069,000	3,489,367,000	3,273,014,000	3,751,719,000	3,460,314,000	+231,245,000
Defense Environmental Restoration and Waste Management	4,892,691,000	5,986,736,000	5,265,478,000	5,989,750,000	5,557,532,000	+664,841,000
Other Defense Activities	1,834,657,000	1,423,127,000	1,323,841,000	1,439,112,000	1,373,212,000	-461,445,000
Defense Nuclear Waste Disposal	129,430,000	198,053,000	198,400,000	248,400,000	248,400,000	+118,970,000
Total, Atomic Energy Defense Activities	10,085,847,000	11,097,283,000	10,060,733,000	11,428,981,000	10,639,458,000	+553,611,000
Departmental Administration	387,312,000	423,135,000	362,250,000	352,126,000	366,697,000	-20,615,000
Miscellaneous revenues	-161,490,000	-137,306,000	-122,306,000	-137,306,000	-122,306,000	+39,184,000
Net appropriation	225,822,000	285,829,000	239,944,000	214,820,000	244,391,000	+18,569,000
Office of the Inspector General	26,465,000	30,696,000	26,000,000	25,000,000	25,000,000	-1,465,000
Power Marketing Administrations						
Operation and maintenance, Alaska Power Administration	6,494,000	4,260,000	4,260,000	4,260,000	4,260,000	-2,234,000
Operation and maintenance, Southeastern Power Administration	22,431,000	19,829,000	19,843,000	19,843,000	19,843,000	-2,588,000
Operation and maintenance, Southwestern Power Administration	21,316,000	29,636,000	29,778,000	29,778,000	29,778,000	+8,462,000

FY 1996 ENERGY AND WATER DEVELOPMENT APPROPRIATIONS BILL (H.R. 1905) — continued

	FY 1995 Enacted	FY 1996 Estimate	House	Senate	Conference	Conference compared with enacted
Construction, rehabilitation, operation and maintenance,						
Western Area Power Administration	192,285,000	282,759,000	257,652,000	257,652,000	257,652,000	+65,367,000
(By transfer, permanent authority)	(7,472,000)	(4,556,000)	(4,556,000)	(4,556,000)	(4,556,000)	(-2,916,000)
Falcon and Amistad operating and maintenance fund	.....	1,000,000	1,000,000	1,000,000	1,000,000	+1,000,000
Total, Power Marketing Administrations	242,526,000	337,484,000	312,533,000	312,533,000	312,533,000	+70,007,000
Federal Energy Regulatory Commission						
Salaries and expenses	166,173,000	136,567,000	132,290,000	131,290,000	131,290,000	-34,883,000
Revenues Applied	-166,173,000	-136,567,000	-132,290,000	-131,290,000	-131,290,000	+34,883,000
Total, title III, Department of Energy	15,562,876,000	16,447,857,000	14,740,610,000	16,242,359,000	15,389,490,000	-173,186,000
(By transfer)	(7,472,000)	(4,556,000)	(4,556,000)	(4,556,000)	(4,556,000)	(-2,916,000)
TITLE IV - INDEPENDENT AGENCIES						
Appalachian Regional Commission	272,000,000	183,000,000	142,000,000	182,000,000	170,000,000	-102,000,000
Defense Nuclear Facilities Safety Board	17,933,000	18,500,000	17,000,000	17,000,000	17,000,000	-933,000
Delaware River Basin Commission:						
Salaries and expenses	343,000	353,000	.....	440,000	343,000	.....
Contribution to Delaware River Basin Commission	478,000	551,000	.....	478,000	428,000	-50,000
Total	821,000	904,000	.....	918,000	771,000	-50,000
Interstate Commission on the Potomac River Basin:						
Contribution to Interstate Commission on the Potomac River Basin	511,000	524,000	.....	511,000	511,000	.....
Nuclear Regulatory Commission:						
Salaries and expenses	520,501,000	520,300,000	468,300,000	474,300,000	468,300,000	-52,201,000
Revenues	-498,501,000	-498,300,000	-457,300,000	-457,300,000	-457,300,000	+41,201,000
Subtotal	22,000,000	22,000,000	11,000,000	17,000,000	11,000,000	-11,000,000
Office of Inspector General	5,080,000	5,500,000	5,000,000	5,000,000	5,000,000	-80,000
Revenues	-5,080,000	-5,500,000	-5,000,000	-5,000,000	-5,000,000	+80,000
Subtotal	.....	.....	.....	.....	.....	.....
Total	22,000,000	22,000,000	11,000,000	17,000,000	11,000,000	-11,000,000
Nuclear Waste Technical Review Board	2,664,000	2,970,000	2,531,000	2,664,000	2,531,000	-133,000
Susquehanna River Basin Commission:						
Salaries and expenses	318,000	332,000	.....	280,000	318,000	.....
Contribution to Susquehanna River Basin Commission	288,000	360,000	.....	288,000	250,000	-38,000
Total	606,000	692,000	.....	568,000	568,000	-38,000
Tennessee Valley Authority: Tennessee Valley Authority Fund	137,873,000	140,473,000	103,339,000	110,339,000	109,169,000	-28,704,000
Office of the Nuclear Waste Negotiator	1,000,000	.....	.....	.....	.....	-1,000,000
Total, title IV, independent agencies	455,408,000	369,063,000	275,870,000	331,000,000	311,550,000	-143,858,000
Scorekeeping adjustments	-185,403,000	-395,343,000	-410,343,000	-395,343,000	-410,343,000	-224,940,000
Grand total:						
New budget (obligational) authority	20,042,999,000	20,562,044,000	18,682,457,000	20,169,152,000	19,336,311,000	-706,688,000
(By transfer)	.....	.....	.....	.....	.....	.....

Mr. MYERS of Indiana. Mr. Speaker, I would be remiss if I did not pay a special tribute to the ranking minority member of the subcommittee, the Honorable TOM BEVILL. Mr. BEVILL is one of the true gentlemen of the House who enjoys the respect and admiration of all his colleagues. I am particularly grateful that I had the opportunity to benefit from his counsel, his wisdom, and his friendship.

Mr. Speaker, I urge all Members of the House to vote "aye" on the conference report on H.R. 1905.

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

The SPEAKER pro tempore. The Chair recognizes the gentleman from Alabama [Mr. BEVILL] for 30 minutes.

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

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

Mr. Speaker, I rise in support of this bill today, and I recommend the approval of this bill.

This bill, when it passed the House, received the biggest vote that this particular bill has ever received in its history. And the vote was 400 to something like 23, I believe. I want to certainly commend the gentleman from Indiana [Mr. MYERS], my colleague of many years and my friend. We have worked together for many years on this particular committee. This is the gentleman's first time to present this bill as chairman. I want to commend the gentleman. He has done a great job. He has been great to work with. We both recommend this bill.

Mr. Speaker, this bill is really a nonpartisan bill. We are in agreement that we have to cut the size of our Federal Government. We are in agreement that we have to cut the spending and get our country back on a sound financial basis.

With that in mind, 2 years ago this bill contained $22 billion. This year, it is $19.3 billion. So, the difference there is more than a $2 billion difference.

Mr. Speaker, I present this bill to you, with the reduction that has been made. As a matter of fact, since the 1994 bill, that amounts to 13-percent below the 1994 appropriation bill. It is 6-percent less than what the President requested.

Mr. Speaker, we have had to make some tough choices, but I want to say

we recommend this bill to our colleagues as certainly reasonable under the circumstances. The circumstances are that we have to reduce and make these cuts and that has not been easy to do.

Many good programs that we would like to have seen more fully funded are not being funded as well as we would like to see. All the way through the bill, we have made some tough choices. Fifty-four percent of this bill now is defense. This is all nuclear defense, Nuclear Regulatory Commission, and the nuclear waste cleanup and all of these. It plays a big role in the defense of our Nation. As a matter of fact, over half of the bill, 54 percent, is defense.

Mr. Speaker, I urge my colleagues to support and vote for this bill.

Mr. MYERS of Indiana. Mr. Speaker, I thank my colleague from Alabama [Mr. BEVILL] for the nice words.

Mr. Speaker, I yield 3 minutes to the gentleman from Michigan [Mr. KNOLLENBERG], a very hard-working member of this subcommittee who attended every meeting that we had.

Mr. KNOLLENBERG. Mr. Speaker, first, I would like to thank Chairman JOHN MYERS, ranking member TOM BEVILL, and the rest of the conferees who worked long and hard on this bill.

By legend, Halloween is a night filled with fear wrought by ghouls, ghosts, and goblins. Yet in contrast, tonight America should sleep a little sounder knowing their children's future is a little brighter. With a balanced budget in sight, America's children can look forward to achieving the American dream.

In an effort to reduce the budget deficit, we have made real cuts in energy and water programs and produced a good bill.

I understand that many Members would have cut further. Frankly, I would support deeper cuts in some areas. Others may have cut less. But we have produced a balanced bill, one that cuts wasteful spending, while maintaining important programs in the Department of Energy, the Department of Interior, and related agencies.

This bill is far from business as usual. We cut the Department of Energy by $173 million and we cut the entire energy and water budget by $707 million. Our budget is $1.4 billion below the Clinton administration's budget request.

We made cuts in several programs including: We cut $138 million for the Army Corps of Engineers; we cut $113 million in solar and renewables; we cut $119 million in fusion energy; we cut $29 million for the Tennessee Valley Authority; and we cut $102 million in the Appalachian Regional Commission.

I am encouraged by the progress we made toward reducing the costs of our Nation's energy and water programs. I look forward to making even deeper cuts in the following fiscal years as we work to eliminate the deficit.

The Federal Government does not exist only to reduce the deficit and balance the budget. It has a responsibility to ensure the safe, economical, and productive stewardship of our national energy interests.

But when the power of the Federal Government is abused; when the treasury of the Federal Government is wasted; when the size of the Federal Government is too large and too expensive, then it becomes imperative that we focus on reducing the deficit and regain control of our national priorities.

So let the children get spooked a little tonight by the ghosts and goblins. But when it comes to our children's future, give them some hope and security. Vote in favor of deficit reduction. Vote in favor of the fiscal year 1996 Energy and Water Conference report.

□ 1330

Mr. BEVILL. Mr. Speaker, I yield 3 minutes to the gentleman from California [Mr. FAZIO].

Mr. FAZIO of California. Mr. Speaker, I thank my colleagues on the committee. This subcommittee works very hard and brings together a bill this year like so many other years that our President, whatever party he or she may be in, can sign.

I want to thank the gentleman from Indiana [Mr. MYERS], who chaired the committee for the first time, for maintaining the bipartisan spirit of the subcommittee and for really working together with the rest of the Members on both sides of the aisle to set priorities under very difficult budget restraints.

This bill peaked in terms of funding in 1993 when we appropriated a little over $22 billion for the Corps of Engineers, the Department of Interior, the Department of Energy, and a variety of independent agencies. We have been tracking down for the last 3 years, now down for the first time since 1990, to below the $20 billion mark. It is a very important bill for many parts of the country, certainly because flood control, the providence of the Corps of Engineers, is contained in this bill.

The corps' budget, I might show, is below 1995's by $137 million. It is below the President's budget of $106 million.

For those areas of the country that are vulnerable to flooding, that have high flood insurance costs, the corps' program is essential. Yet I think it is fair to say, in the next few years at least and perhaps even longer, we are going to see its budget tracking further downward, and we are going to have to find a new way to allocate corps' funds across the spectrum.

This, of course, is the bill that includes the environmental cleanup of the Department of Energy's defense-related functions. It includes, I think, a very important continuing ban on the sale of power marketing administrations; and it also, I think, meets with some sort of bipartisan satisfaction the need to proceed on renewable energy. The solar and renewable program which in my view is not enough was substantially improved in the conference committee, and I think it is now something all of us can stand behind.

The conference also restored the National Fish and Wildlife Foundation funds which are so vital to salmon recovery efforts in the northwest and in northern California.

But I want to say, once again, that this is a good example of how a committee made up of people of differing points of view can work together in a very contentious year, bringing about, I think, the bipartisan measure that I am so proud to support here today.

I have been a member of this committee for 16 years, and I am still a junior member as it relates to the gentleman from Indiana [Mr. MYERS] and the gentleman from Alabama [Mr. BEVILL]. I have been joined by a whole bunch of new Members in this Congress. But I think we have all learned to work together.

The gentleman from Indiana [Mr. MYERS] and the gentleman from Alabama [Mr. BEVILL] in their positive example, their open-mindedness, their fairness to everybody, to every region of the country, really are the epitome of why the Committee on Appropriations is still where many Members want to be. I am very proud to be associated with them.

The initiatives that we continue, in some cases limit in this bill, I see it as the model of what we ought to be doing, and I think is a good example of why this bill will once again be signed into law and will be something we can all look back on with pride.

Mr. MYERS of Indiana. Mr. Speaker, I thank the gentleman from California for the very generous words.

Mr. Speaker, I yield 2 minutes to the gentleman from Pennsylvania [Mr. WALKER], the chairman of the Committee on Science that this committee works very closely with.

Mr. WALKER. I thank the gentleman for yielding me the time.

Mr. Speaker, I am pleased to have a chance to follow the junior Member from California who just spoke.

The fact is that this is a good bill, and I appreciate the work that the committee has done on this particular bill. We have enjoyed a very good partnership in the Committee on Science with the subcommittee on a number of these issues. I think this bill does reflect in large part the priorities of the authorization process, and we are very appreciative of the willingness, to work together toward addressing some of the priorities in the energy area.

I particularly want to express my thanks to the gentleman from Indiana and the gentleman from Alabama for the work that they have done toward helping to increase the priority on the hydrogen program. I think this is something where research being done in the area of hydrogen is going to produce some results that will really benefit this country in the next century.

The two gentlemen have really demonstrated a willingness to look beyond just the priorities for this year, to look out into the future and to help this Nation to achieve energy independence

with an absolutely clean fuel. I want to thank them for the work that they have done in that area.

We have some challenges ahead that this bill does indicate. The fusion program is one that we are going to have to continue to work with, and I think we are going to have some problems with the Department of Energy as we attempt to move that program more into the international arena. This subcommittee and our authorizing committee are going to have to be very, very diligent about watching that program to assure that the right kinds of priorities get addressed there in the future.

But this is a good bill. I congratulate the subcommittee for bringing it to the floor. I look forward to voting for the bill and urge other Members to do the same.

Mr. BEVILL. Mr. Speaker, I yield 2 minutes to the gentleman from Texas [Mr. BENTSEN].

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

Mr. BENTSEN. Mr. Speaker, I rise in strong support of this bill and especially of its flood control provisions. I would first like to thank Chairman MYERS and ranking member BEVILL for their hard work and for the opportunity to speak on this conference report.

Earlier this year the Army Corps of Engineers proposed phasing out Federal funding for local flood control projects.

I strongly opposed this plan, and I am pleased that the conferees have rejected this proposal in their report.

In many coastal States, including my State of Texas, this plan would have been devastating.

This year alone we have experienced a record number of hurricanes hitting our Nation's shores. These storms have destroyed the homes and businesses of thousands of Americans. But the damage would have been much worse without flood control efforts.

For example, during October 1994, southeast Texas suffered some of the worst flooding our area had ever seen. In Houston, major highways transformed into treacherous rivers in a matter of hours. Several lives and millions of dollars in homes and property were lost.

While flood control projects can't prevent all of the damage caused by these storms, these projects do protect lives and property in low-lying areas, such as southeast Texas.

Under the corp's original plan, badly needed projects in the Houston area, including Brays, Greens, and Clear Bayous, would not have been completed, because they were not considered nationally significant.

This change would have threatened the safety of our constituents and their property and placed a heavy financial burden on our State and local governments. Local taxpayers would have to pay the lion's share of the cost needed to complete these projects.

Even as this Congress considers turning over many responsibilities to State and local governments, I believe we should maintain Federal support for flood control. But, I also believe we can improve how we fund and manage these projects, and I hope to address this issue during consideration of the Water Resources and Development Act reauthorization bill sometime next year.

Our safety, our infrastructure, and our economy depend on proper flood control. This conference report meets the needs of our communities and States, including southeast Texas. I thank Mr. MYERS and Mr. BEVILL and I urge my colleagues to support it.

Mr. MYERS of Indiana. I thank the gentleman from Texas for his remarks.

Mr. Speaker, I yield 2 minutes to the gentleman from New Jersey [Mr. FRELINGHUYSEN], a freshman member of our subcommittee; but by his work effort and output you would not know he is a freshman. The fusion dollars are where they are today because of his efforts and hard work.

Mr. FRELINGHUYSEN. Mr. Speaker, I thank the gentleman for yielding me the time and for his kind remarks about New Jersey.

I rise in support of the conference report for H.R. 1905, making appropriations for energy and water development for fiscal year 1996. I thank the gentleman from Indiana [Mr. MYERS] and the gentleman from Alabama [Mr. BEVILL] for their leadership and guidance.

As Chairman MYERS said, this conference agreement is $1,23 billion below the President's budget request and is $707 million less than fiscal year 1995. This report moves the country one step closer towards a goal of balancing the Federal budget. It provides for essential national and regional priorities in programs at the Department of Energy and within the Army Corps of Engineers.

Overall, the agreement reflects the changing priorities of the new Congress by reducing spending. We had to make the tough choices about where to cut spending, while supporting programs that are in the best interest of our country. As House conferees, we were successful in keeping the bill closer to spending in the original House bill than the bill which passed the Senate, which is $1.5 billion over the House-passed bill.

I am pleased that the conference agreement flatly rejected the President's new policy changes which would have ended the Federal role in flood control and coastal protection. By rejecting the President's policy, which was ill-conceived, New Jersey and other shore States and flood-prone areas will be protected again.

Even though this agreement does not go as far as I would have liked in reforming some of our spending programs, it does represent real progress towards a smaller, smarter Government.

Mr. Speaker, I urge the adoption of the conference report.

Mr. MYERS of Indiana. Mr. Speaker, I yield 3 minutes to the gentleman from California [Mr. ROHRABACHER], the chairman of the Subcommittee on Energy and Environment.

Mr. ROHRABACHER. Mr. Speaker, I thank the Chairman for yielding me the time.

Mr. Speaker, I wish to commend Chairman MYERS. Chairman MYERS has done a terrific job. It is a tough job that we are involved in.

I would also like to thank the ranking minority member, the gentleman from Alabama [Mr. BEVILL]. The gentleman from Alabama [Mr. BEVILL] and the gentleman from Indiana [Mr. MYERS] have worked together as a team. The gentleman from Alabama [Mr. BEVILL] has been always fair over the years and worked hard and diligently to see that our tax dollars are being used wisely and in a nonpartisan fashion, and that is what the gentleman from Indiana [Mr. MYERS] is doing right now. I want to thank both of them for their good job. They have kept the faith with all of us this year, and I appreciate it.

On appropriations for energy R&D, the conference report they have brought back looks remarkably like the bill that we passed in September. That means our conferees did a mighty good job in holding to the House position. This is good news for those of us who support funding for both fundamental scientific research and support a balanced budget.

This bill reduces overall funding for the energy R&D account by $600 million from the 1995 levels. Yet basic energy sciences and high energy physics accounts are increased by $61 million.

Those who do not support the balanced budget say we are cutting science. But, as Members can see by those figures, something else is going on. We get most of our savings from programs that have little to do with scientific research, for example, demonstration projects, foreign assistance programs, market development and promotion programs, these things that belong in the private sector, or perhaps should not be funded at all.

For example, we save $40 million off the President's request for something called solar technology transfer. All of the money in this program goes for direct commercialization efforts and educational outreach programs. There is no science or no research to be found in that $40 million.

That is how we are saving money in order to make sure we balance the budget while at the same time preserving the basic scientific research programs on which this country depends.

The priorities in this bill are the priorities that the House endorsed in passing both the authorization and appropriation bills. Should we be completely satisfied? No, we should not be completely satisfied. Of course not. A conference report is, by definition, a compromise.

But this bill is a down payment on a balanced budget that we will have in

7 years. Basically, we are keeping our promises to the American people. We accomplish this without sacrificing our core scientific programs by cutting out the frills and the nonessentials.

I urge my colleagues to support this bill.

Again, I congratulate the ranking member as well as the chairman of this committee for the hard work and good work they have done and the leadership they have provided.

□ 1345

Mr. BEVILL. Mr. Speaker, I yield 2 minutes to the gentleman from Minnesota [Mr. MINGE].

Mr. MINGE. Mr. Speaker, I wish to thank the ranking member for the time and Chairman MYERS for entering into this colloquy. I would also commend the chairman and ranking member for reporting a balanced bill, particularly in support of the biofuels research development program within the Department of Energy. And I would like to clarify the intent of the conference committee with regard to this program. Am I correct in understanding that nothing in the conference report prohibits continuing research, development, and demonstration on energy crops for fuels and electricity or in any way discourages a continuation of the ongoing biomass electric program in all States in parallel to the ongoing biomass fuels research, development and demonstration program, on the understanding that the expenditures for the biomass electric program do not reduce the conferees' allocations to other biofuels programs?

Mr. MYERS of Indiana. Mr. Speaker, if the gentleman will yield, your assessment is correct here. There are some great programs here, some very impressive programs being demonstrated.

Mr. MINGE. I thank the gentleman very much. I appreciate your confirming the intent of the conference committee in this regard.

Mr. MYERS of Indiana. Mr. Speaker, I yield 2 minutes to the gentleman from Washington [Mr. NETHERCUTT], a member of the Committee on Appropriations and one who has worked very closely with this subcommittee.

Mr. NETHERCUTT. Mr. Speaker, I thank the chairman. I would like to engage in a colloquy with the chairman of the subcommittee.

Mr. Speaker, we have before us a provision of this conference report which raises the concern of the conferees that the comprehensive management of our valuable salmon resources should be undertaken by the administration in the form of a memorandum of agreement. It is my understanding that the conference strongly encourages the administration to work with the Congress and interested parties in the development of the MOA. I, on behalf of my constituents in Washington's fifth district, want the opportunity to review and comment prior to its adoption, and I presume the administration will work with me and my other Northwest colleagues to that end. To the maximum extent practicable, this MOA should not result in increased electric or fish and wildlife costs in the region. Is that understanding correct?

Mr. MYERS of Indiana. If the gentleman will yield, the gentleman from Washington is correct. The committee is very concerned about ensuring we do provide for the salmon problem and also about being careful as to who pays for it.

Mr. NETHERCUTT. Subsection 508(b)(1) of the conference report provides for the sale of excess Federal power outside the region. This section requires that the power be offered on the same essential rates, terms and conditions to customers outside the region as is offered to Northwest customers. I understand this language to require BPA to offer the terms and conditions to Northwest customers first. So that if BPA intends to offer contracts of certain terms outside the region, it must offer the same terms to customers inside the region. The intent is to give customers inside the region a right of first refusal on all of the essential rates, terms and conditions in any contract, before BPA offers for sale energy outside the region. Is this correct?

Mr. MYERS of Indiana. If the gentleman will yield, the gentleman is correct. Your conferees grappled with this and tried to work out problems among parties from the region. We had some issues we had to work out with the Committee on Commerce and the Committee on Resources.

Mr. NETHERCUTT. I thank the chairman very much for his hard work and certainly urge adoption of the conference report.

Mr. MYERS of Indiana. Mr. Speaker, I yield such time as he may consume to the gentleman from Colorado [Mr. MCINNIS], with whom we have worked very hard trying to work out language on a problem.

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

Mr. MCINNIS. Mr. Speaker, I also would like to thank the gentleman from Alabama [Mr. BEVILL]. Both of these gentlemen have worked extensively with myself and my staff as well as the staff of our Senators and other members of the Colorado delegation, to come to some type of compromise. I would also like to thank the gentleman from California [Mr. FAZIO] for his cooperation.

Mr. Speaker, I would rise to commend the remaining conferees on the energy and water appropriations bill for the action on the Animas-La Plata water project. The conference committee, led by the able gentleman from Indiana, Mr. MYERS and the gentleman from Alabama, Mr. BEVILL, Senators DOMENICI and JOHNSTON, have taken a decisive step toward expedient completion of the Animas-La Plata water project.

The United States has an 1868, 1868 treaty obligation to provide water to the Ute Mountain, Ute Tribe, and the Southern Ute Tribe. In the Ute Indian Water Rights Settlement Act of 1988, the U.S. Congress reaffirmed this obligation and determined the Animas-La Plata project was the only viable alternative to providing water to the Ute Tribes and directed the Secretary of Interior to begin construction of the Animas-La Plata project.

Today, 7 years after Congress directed the project be built and over a century after the original treaty was signed, the tribes are still waiting to receive their water. In fact, they are still waiting for construction to begin.

It is that failure to execute the terms of the 1988 act in a timely fashion which led the conferees to include section 507 in the appropriations bill. This section provides, in order to ensure the timely implementation of the Colorado Ute Indian Water Rights Act of 1988, the Secretary of the Interior is directed to proceed without delay with construction of those facilities in conformance with the final biological opinion for the Animas-La Plata project in Colorado, and New Mexico, dated October 25, 1991.

I would at this time, Mr. Speaker, like to engage in a very brief colloquy with the chairman about the intent of this language. First of all, does the chairman agree if the construction does not begin in fiscal year 1996 that the water rights settlement is in jeopardy?

Mr. MYERS of Indiana. If the gentleman will yield, this is correct. I have been on this committee for more than 25 years. Animas-La Plata, has been on our platter all that time. We have tried to resolve it. We have tried to work out differences with the environmentalists. It has been through frequent litigation. It is in jeopardy unless we get it moving right now. The committee recognizes that.

Mr. MCINNIS. What would the conferees expect from the Secretary of the Interior with respect to the section 507?

Mr. MYERS of Indiana. It is the intent of this committee to direct the Secretary to start construction immediately or as soon as possible, so we will fulfill the obligation we have to the Ute Indian Tribes who have given up their water rights through the years.

Mr. MCINNIS. I thank the chairman. I would again like to acknowledge the gentleman from Alabama [Mr. BEVILL] and the gentleman from Indiana [Mr. MYERS], not only on the merits of what you have said but on the importance that you have placed on the word that we gave to the native American tribes.

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

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

Mr. BEVILL. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, I would like to emphasize the words of our chairman on this

matter, and he has stated the case well, and I concur with his interpretation of the language we adopted in the conference report.

Mr. MCINNIS. Mr. Speaker, I am including at this point in the RECORD a letter dated September 27, 1995, from the Southern Ute Indiana Tribal Council, as follows:

SOUTHERN UTE INDIAN
TRIBAL COUNCIL,
Ignacio, CO, September 27, 1995.

Representative SCOTT MCINNIS,
Cannon House Office Building, Washington, DC.

Re HR–1905, 1996 energy and water development appropriations bill.

DEAR SCOTT: In the very near future, the United States Congress will be considering HR–1905, the 1996 Energy and Water Development Appropriations Bill. Sufficiency Language may be included in that legislation which will, at long last, enable the United States government to fulfill a trust responsibility to the Colorado Ute Indian Tribes by allowing the Animas-La Plata Water Resources Development Project to move forward, as promised by the Congress under the provisions of the 1988 Colorado Ute Indian Water Rights Settlement Act.

When you served in the Colorado legislature in the 1980's, you were an important part of the Settlement Agreement. With your assistance, the Colorado legislature appropriated almost $60 million as the State's share of cost sharing with the federal government for construction of the Animas-La Plata Project. $42 million of those funds still remain in escrow, ready to be spent to fulfill the State of Colorado's commitment to the settlement of the Colorado Ute Indian water claims.

Now that you are in Congress, we are again seeking your assistance to encourage your fellow congressmen to support fulfillment of the 1988 Colorado Ute Indian Water Rights Settlement Act. I know how my ancestors must have felt when the United States government repeatedly broke treaties with the Colorado Ute Indians. First in 1863, then in 1868, 1873, and finally in 1880. With each treaty the homelands of the Utes were reduced in size. Finally, in 1880, Congress confiscated all of the Ute lands in Colorado—over one-third of the State of Colorado. In the 1930's a small remnant of our aboriginal homelands in Southwestern Colorado were restored to tribal ownership.

Now the national environmental groups would have the United States government breach the agreement that was entered into in 1988. At that time, the Colorado Utes chose to negotiate rather than litigate and entered into another treaty, or contract with America, in return for deferring the Colorado Ute senior *Winters* water rights on rivers in Southwestern Colorado that cross the reservation. Congress and then President Reagan said, ''We will build the Animas-La Plata Project. The Utes will have wet water—not paper water rights.'' Upon passage of the Colorado Ute Indian Water Rights Settlement Act, the legislation was hailed as a model for all tribes to follow—negotiate, do not litigate. Since passage, the states of Colorado, New Mexico, the water districts, the municipalities, and the Indian tribes, have been strangled in a swamp of red tape and bureaucratic backpeddling.

Now comes the Sierra Club Legal Defense Fund, not unlike the Indian givers of the last century. Do not honor our commitment to the Indians. Ignore the trust responsibility the United States government has under the Constitution of the United States. Sacrifice the Indian water claims on the alter of economics. It is too expensive to build the Animas-La Plata. Let's give the Indians ''wampum'' instead of water. My ancestors were all too familiar with the ''beads for Manhattan'' mentality of the early Indian traders. Colorado Ute Indian tribes honorably negotiated the Colorado Ute Indian Water Rights Settlement Act, which mandates construction of the Animas-La Plata Project. In his inaugural message to the Congress, President Bush said ''Great men, like great nations, must keep their promises. The Colorado Ute Indian tribes expect this great nation to keep its promise and construct the Animas-La Plata Project.''

Sincerely,

LEONARD C. BURCH, *Chairman,*
Southern Ute Indian Tribe.

Mr. BEVILL. Mr. Speaker, I yield 2½ minutes to the gentleman from New Jersey [Mr. PALLONE].

Mr. PALLONE. Mr. Speaker, I want to take this opportunity to thank the chairman and also the gentleman from Alabama [Mr. BEVILL] for their support in this legislation, and urge support of the conference report.

Let me say first of all that the conferees and certainly the House bill originally rejected the administration's proposed new role, limited role, I would say, for the Army Corps of Engineers in terms of flood control, shore protection, and also small navigation dredging projects. I am very pleased to see the conference adopted this approach and essentially rejected what the administration had proposed for the corps, because what it would have meant is that only projects that were nationally significant would have moved into subsequent phases and actually have been accomplished. Smaller projects would not have been done, whether they were flood control, shore protection, or dredging, and that would have meant essentially the States would have been left on their own to come up with funding and to provide the engineering for these kinds of projects.

I said all along the State do not have the resources or ability to do that, and so effectively what the administration proposed would have meant these projects would not have been done.

I think that the chairman and the ranking member understood this and that is why the policy is not articulated in this legislation. It would have also been particularly detrimental to coastal States, one of which I represent.

I also wanted to praise the conferees for continued support for the continuing authorities program. They have instructed the Secretary to continue with all projects that are currently being conducted under the continuing authorities program, regardless of what stages they are in. This is again particularly beneficial to smaller communities like I represent. For relatively modest cost, the Federal Government puts money into these projects and lets a lot of the smaller towns do the projects, and they are very cost-effective. I have one in my district that I share actually with myself and the gentleman from New Jersey [Mr. ZIMMER] on Poplar Brook. Again, a small amount of Federal dollars is used very cost effectively to achieve a good result.

I just wanted to put in a word of praise to my colleague, the gentleman from New Jersey [Mr. FRELINGHUYSEN], who spoke earlier. He really did an excellent job in supporting the projects in New Jersey, some of which, of course, are in my district. There has been a lot of support for the shore protection project along the Atlantic Coast which has been continuing for a number of years, has been very helpful to us, the tourism industry. We also were successful in getting the House version of funding on a lot of projects in New Jersey, some of which were not in the Senate bill, particularly the South River Dam, a flood control project, a very important project to me. I appreciate that.

Mr. MYERS of Indiana. Mr. Speaker, I yield 2 minutes to the gentleman from Ohio [Mr. PORTMAN].

Mr. PORTMAN. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, I rise today in support of this conference report. I believe it represents a thoughtful approach to the difficult task of balancing our Nation's energy and water priorities in an era of fiscal restraint.

I commend the chairman and the conferees for coming up with a great product.

Included in this bill is a $5.5 billion appropriation for the Department of Energy's environmental restoration and waste management budget—this part of the bill is actually an increase in spending over last year's funding level and it represents an acknowledgment on the part of the Federal Government that it indeed, does have a responsibility to clean up hazardous waste sites that it created: in particular the Department of Energy's nuclear energy production facilities. Most of the land connected with the Fernald site, a former uranium processing center, lies in my congressional district. Thousands of people living near Fernald may have already been exposed to radioactive contaminants in the air, water and soil. With DOE oversight, some progress has been made at Fernald in cleaning up these hazards. But we still have a long way to go.

My approach has been to be certain that these substantial taxpayer funds directed to Fernald are used in the most cost-effective manner possible to actually clean up the site.

I have supported an accelerated and innovative cleanup plan to achieve these goals and I am pleased that the committee report expresses support for this approach. I am convinced it is the best plan. It has widespread local support, and could serve as a model for cleanup efforts around the country.

And it actually saves taxpayer dollars: accelerating the schedule from 25 years to 10 years will result in a savings to the taxpayer of about $1.4 billion. Of course, it also cleans up the

site sooner—protecting health and safety of the community. It's a good example of doing more with less.

I urge my colleagues to support this conference report. It helps us meet our energy and water priorities responsibly while still achieving the necessary savings to enable us to balance the Federal budget in 7 years.

I commend the chairman.

Mr. BEVILL. Mr. Speaker, I yield 2 minutes to the gentleman from Colorado [Mr. SKAGGS].

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

Iwould like to comment upon and then address a question to the subcommittee chairman with regard to section 507 of the conference report dealing with the Animus-La Plata project in southwestern Colorado. There was a good deal of back and forth on this language earlier, I believe, in the debate on the bill, and obviously in conference, and as I read it I just want to make sure I was putting the right interpretation on this language. While this is clearly intended to get the Secretary to expedite construction, it does not contemplate the waiver of any requirements of law under NEPA or other environmental statutes, as I read it. Is that the gentleman's understanding?

Mr. MYERS of Indiana. If the gentleman will yield, that is a correct interpretation, yes.

Mr. SKAGGS. We are not waiving any legal right or statutory requirement?

Mr. MYERS of Indiana. No.

Mr. SKAGGS. I thank the gentleman for the clarification.

Let me also say I appreciate the efforts that have been made in the bill in another area, to accommodate the very pressing needs for funding for the cleanup of the nuclear weapons sites around the country. Our discussions when this bill was before the House earlier in the year were very helpful in indicating that the gentleman, while wanting to squeeze a little bit this year on that account because of some past problems, certainly contemplates fulfilling the obligation that we have to give the Department of Energy what it needs in order to complete the cleanup of these sites on as prompt a basis as is practicable, and I appreciate your contained commitment to that objective.

□ 1400

Mr. MYERS of Indiana. Mr. Speaker, I yield 2 minutes to the gentleman from Ohio [Mr. HOKE].

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

Mr. Speaker, I rise in support of H.R. 1905, the Energy and Water Appropriations Conference Report for fiscal year 1996. Over the past year, I have repeatedly raised the issue of Energy Secretary Hazel O'Leary's proclivity to spend generously on herself and her aides in the course of what has been called or billed as official travel.

Chairman MYERS and I held a colloquy on this subject when H.R. 1905 was originally considered on the House floor last July and I am gratified to say that the chairman has included provisions in the conference report to begin to bring Secretary O'Leary's travel excesses under control. Thank you, Mr. Chairman. The report language is terrific.

I am also pleased to note that as a result of the attention Congress has paid to the Secretary's travel that the Department has made some efforts to improve its travel operations. DOE has significantly improved in the area of recovering non-Federal costs associated with Secretarial travel. However, the Secretary and the Department have a long way to go, especially with respect to accounting for travel expenditures. For example, fully $150,000 of the total $700,000 cost of Secretary O'Leary's recent South Africa trip can not be accounted for. I am not accusing anyone of any illegal activity, but am pointing out a serious concern that would be unacceptable in the private sector.

Furthermore, it has also come to my attention that the Secretary has frequently used taxpayer dollars to fly first class on her international trips when that was expressly prohibited by the White House in an April 19, 1993 bulletin.

Mr. Speaker, we have to continue to vigorously review the Secretary's travel. I believe that this conference report will help us to do exactly that, and creates the mandates we need to go forward in this area. I really want to commend the chairman and thank him for his efforts in this area.

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

Mr. Speaker, I will just make one closing remark here. This committee has worked very closely with the authorizing committees of jurisdiction in making sure any differences from the House-passed bill were understood. We believe that the President will sign this bill. I want to emphasize again it is 3.5 percent below last year's level, both in outlays as well as budget authority.

Mr. POSHARD. Mr. Speaker, I rise in strong support of the energy and water appropriations conference report. It is my pleasure to support this bill which has been developed through the leadership of two of the finest members of this body, Chairman JOHN MYERS and Ranking Member TOM BEVILL.

The 19th District of Illinois is bordered by the Ohio River to the east and the Mississippi River at the west and south, the two great passageways for America's agricultural and industrial production. We have Rend Lake and Lake Shelbyville, which provide recreational opportunities and supply drinking water to our communities. And we have a host of smaller rivers and streams which require attention to combat erosion and to provide flood control.

With the funding made available in this bill, the Army Corps of Engineers will continue to provide a safe transportation system and protection from natural disasters.

I again wish to thank the managers of the bill for their efforts and urge support of the bill.

Mrs. MEEK of Florida. Mr. Speaker, in view of continued attacks from the Republican side on the activities of Secretary of Energy Hazel O'Leary, I am compelled to address the House to set the record straight.

Some people apparently think that the Secretary of Energy should not promote U.S. businesses overseas. Secretary O'Leary instead believes in using her office to create new opportunities for American businesses and more jobs for working Americans.

By any objective standard, her trade missions overseas have been remarkably successful in promoting deals for U.S. companies and keeping us competitive in world markets.

An example is the $9 million project that Dodson Lindblom International of Akron, OH landed as a result of Secretary O'Leary's trade mission to India. The total amount of deals signed by 23 U.S. companies on this one trade mission alone exceeded $1.4 billion. Another Ohio firm, AEP in Columbus, expanded their market as a result of a DOE trade mission to China, where over 50 companies were given an opportunity to promote their products and expand their markets.

Secretary O'Leary correctly understands that investing small amounts of money in government-sponsored trade missions nets us huge returns in U.S. jobs and enhanced U.S. competitiveness. I applaud her efforts. She is doing an outstanding job and deserves our strong support.

Ms. DUNN of Washington. Mr. Speaker, I want the record to reflect my support for the energy and water appropriations bill for fiscal year 1996. This conference report addresses rate fairness and regional control for electric ratepayers in the Pacific Northwest. Both Representative JOHN MYERS, the subcommittee chairman, and Senator MARK HATFIELD, the Senate Appropriations Committee chairman deserve great credit for this accomplishment.

Earlier this year the Bonneville Power Administration [BPA] the Federal Power Marketing Agency in charge of marketing power in the Northwest, unveiled its 5-year rate proposal schedule. The rate proposal would have increased rates for customers of private utilities by roughly 15 percent while simultaneously reducing rates offered to customers of public utilities in the region as well to direct service industries, mainly aluminum companies that buy power directly from BPA.

I would have been remiss in my duties as a Representative if I had not opposed BPA's initial rate proposal since it would have adversely impacted my district. The power generated from our rivers is to be shared by all of the people of the Northwest. Yet BPA's initial rate proposal failed to sufficiently consider that perspective. I am pleased that my colleagues and I were able to provide a compromise provision in this bill that will protect customers of private utilities until September 30, 1997. We were able to negotiate what amounts to a 2-year safety by providing $145 million in fiscal year 1997 for the residential exchange rate so residents in the Northwest will be protected from dramatic rate increases at least until October 1997. This compromise is a first step in making sure that there is equity in future Northwest power rates.

In the future, I will continue to pursue a rewriting of the 1980 Northwest Power Act that addresses all the fundamental questions of

how we fairly share the benefits of the Federal power system in the Northwest. I still do not believe that BPA's new rate proposal is fair to people in my district. Therefore I am duty bound to continue to seek a long-term solution by any means possible. I am optimistic that our region can rewrite the Northwest Power Act to accomplish two critically important goals: Equity among various ratepayer groups in the region, and regional control of the Northwest power system.

I would also like to take this opportunity to commend the conferees on increasing the amount the Wind Energy Systems Program will receive by $12.5 million. The money for this program is an investment into the economic and environmental future of the United States. Growing international markets for wind energy are currently worth $1 billion each year, and growing. The United States can and should be a major competitor in this environmentally sensitive industry. I support the increase for this clean renewable energy research program.

I urge my colleagues to support this carefully and thoughtfully crafted energy and water conference report for fiscal year 1996.

Mr. YOUNG of Alaska. Mr. Speaker, I rise today to thank my friends and colleagues for their leadership on the Animas-La Plata project, and for the inclusion of section 507 of the fiscal year 1996 energy and water development appropriations bill. I also support this language, and I urge this Congress to take a stand and ensure construction of the Animas-La Plata project in a timely fashion to fulfill the settlement.

In 1988, Congress determined that this project was the best alternative for meeting the needs and interests of the parties to the settlement agreement. We passed the 1988 Colorado Ute Indian Water Rights Settlement Act in order to ensure that the senior water rights of the two Ute tribes were satisfied.

As the chairman of the authorizing committee, I have a message for the Secretary of the Interior. The Secretary has the responsibility under the 1988 legislation to build the Animas-La Plata project. In hearings on the fiscal year 1994 energy and water development appropriations bill, Secretary Babbitt stated: ''I understand that Congress has mandated that this project get going, and I will comply with the mandate.''

Mr. Secretary, you now have yet another mandate from the Congress, section 507 provides you with the necessary tools to move forward and build this project in accordance with obvious congressional intent. I urge you to move forward and build the Animas-La Plata project immediately so that the United States may preserve the integrity of the water rights settlement.

Mr. BEREUTER. Mr. Speaker, this Member would like to commend the distinguished gentleman from Indiana [Mr. MYERS], the chairman of the Energy and Water Development Subcommittee, and the distinguished gentleman form Alabama [Mr. BEVILL], the ranking member of the subcommittee for their exceptional work in bringing his conference report to the floor.

Mr. Speaker, this Member would begin by expressing appreciation that the fiscal year 1996 energy and water development appropriations legislation includes language which prevents the Army Corps of Engineers from revising the Missouri River master water control manual in such a way that it would increase the likelihood of springtime flooding. This Member offered this provision as an amendment when the House approved the appropriations bill on July 12, 1995.

This commonsense provision is needed to ensure that the Corps does not repeat its previous mistake—a proposal which would have devastated farms, businesses, landowners, and countless communities along the Missouri River. Last year the Corps issued its proposed changes to the master manual and made a colossal blunder by proposing to drastically increase the flow and water level of the Missouri River during the months of April, May, and June. These obviously are the very months when States such as Nebraska, Iowa, Kansas, and Missouri are already most vulnerable to flooding due to snow melt and heavy rainfall.

It's bad enough that farmers and other landowners along the river have to contend with natural disasters. They should not be forced to deal with the kind of man-made disasters which would have been caused by the Corps' proposal. The floods of 1993 and the heavy rains this spring offer clear and convincing proof that the proposal was seriously flawed.

At a series of two dozen hearings throughout the Missouri River basin region, participants expressed very strong, even vociferous and nearly unanimous opposition to a number of provisions in the Corps' preferred alternative. One of the most detested provisions was the increased spring rise.

Following this massive opposition to the proposed changes, the Corps acknowledged the flaws in the original proposal and expressed a willingness to reevaluate the issue. However, this Member believes this commonsense provision is needed to make absolutely certain that the Corps does not repeat this mistake.

Mr. Speaker, this Member certainly recognizes the severe budget constraints currently facing the Appropriations Committee. Difficult funding choices were necessary in order to stay within budget allocations. In light of these limitations, this Member is grateful and pleased that this legislation includes funding for several important water-related projects of interest to the State of Nebraska.

The conference report provides funding for flood-related projects of tremendous importance to residents of Nebraska's First Congressional District. Mr. Speaker, in 1993 flooding temporarily closed Interstate-80 and seriously threatened the Lincoln municipal water system which is located along the Platte River near Ashland, NE. Therefore, this Member is extremely pleased the conference committee agreed to provide $441,000 in funding for the Lower Platte River and tributaries flood control study. This study should help to formulate and develop feasible solutions which will alleviate future flood problems along the Lower Platte River and tributaries.

Additionally, the conference report provides continued funding—$90,000—for a floodplain study of the Antelope Creek which runs through the heart of Nebraska's capital city, Lincoln. This Member is responsible for initiating the 1994 House-passed appropriation for Antelope Creek and for coordinating the city of Lincoln, the Lower Platte South Natural Resources District, and the University of Nebraska-Lincoln's work with the Army Corps of Engineers to identify a flood control system for downtown Lincoln.

Antelope Creek, which was originally a small meandering stream, became a straightened urban drainage channel as Lincoln grew and urbanized. Resulting erosion has deepened and widened the channel and created an unstable situation. A 10-foot by 20-foot closed underground conduit that was constructed between 1911 and 1916 now requires significant maintenance and major rehabilitation. A dangerous flood threat to adjacent public and private facilities exists.

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

The conference report also provides funding for two Missouri River projects which are designed to remedy problems of erosion, loss of fish and wildlife habitat, and sedimentation. First, it provides $5.7 million for the Missouri River mitigation project. This funding is needed to restore fish and wildlife habitat lost due to the federally sponsored channelization and stabilization projects of the Pick-Sloan era. The islands, wetlands, and flat floodplains needed to support the wildlife and waterfowl that once lived along the river are gone. An estimated 475,000 acres of habitat in Iowa, Nebraska, Missouri, and Kansas have been lost. Today's fishery resources are estimated to be only one-fifth of those which existed in predevelopment days.

The conference report also provides $200,000 for operation and maintenance and $20,000 for construction of the Missouri national recreation river project. This project addresses a serious problem in protecting the river banks from the extraordinary and excessive erosion rates caused by the sporadic and varying releases from the Gavins Point Dam. These erosion rates are a result of previous work on the river by the Federal Government.

Finally, Mr. Speaker, this Member recognizes that the conference report also provides funding for a Bureau of Reclamation assessment of Nebraska's water supply—$75,000—as well as funding for Army Corps projects in Nebraska at the following sites: Wood River; Papillion Creek and tributaries; Gavins Point Dam, Lewis and Clark Lake; Harlan County Lake; and Salt Creek and tributaries.

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

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

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

The SPEAKER pro tempore (Mr. UPTON). Without objection, the previous question is ordered on the conference report.

There was no objection.

The SPEAKER pro tempore. The question is on the conference report.

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

The vote was taken by electronic device, and there were—yeas 402, nays 24, not voting 6, as follows:

[Roll No. 748]

YEAS—402

Abercrombie
Ackerman
Allard
Archer
Armey
Bachus
Baker (CA)
Baker (LA)
Baldacci
Ballenger
Barcia
Barr
Barrett (NE)
Bartlett
Barton
Bass
Bateman
Becerra
Bentsen
Berman
Bevill
Bilbray
Bilirakis
Bishop
Bliley
Blute
Boehlert
Boehner
Bonilla
Bonior
Bono
Borski
Boucher
Brewster
Browder
Brown (CA)
Brown (FL)
Brown (OH)
Brownback
Bryant (TN)
Bryant (TX)
Bunn
Bunning
Burr
Burton
Buyer
Callahan
Calvert
Camp
Canady
Cardin
Castle
Chabot
Chambliss
Chapman
Chenoweth
Christensen
Chrysler
Clay
Clayton
Clinger
Clyburn
Coble
Coburn
Coleman
Collins (GA)
Collins (IL)
Collins (MI)
Combest
Condit
Conyers
Cooley
Costello
Cox
Coyne
Cramer
Crane
Crapo
Cremeans
Cubin
Cunningham
Danner
Davis
de la Garza
Deal
DeFazio
DeLauro
DeLay
Dellums
Deutsch
Diaz-Balart
Dickey
Dicks
Dingell
Dixon
Doggett
Dooley
Doolittle
Dornan
Doyle
Dreier
Duncan
Dunn
Durbin
Edwards
Ehlers
Ehrlich
Emerson
Engel
English
Ensign
Eshoo
Evans
Everett
Ewing
Farr
Fattah
Fawell
Fazio
Fields (TX)
Flake
Flanagan
Foglietta
Foley
Forbes
Fowler
Fox
Frank (MA)
Franks (CT)
Franks (NJ)
Frelinghuysen
Frisa
Frost
Funderburk
Furse
Gallegly
Ganske
Gejdenson
Gekas
Gephardt
Geren
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Goodlatte
Goodling
Goss
Graham
Green
Greenwood
Gunderson
Gutierrez
Gutknecht
Hall (OH)
Hall (TX)
Hamilton
Hancock
Hansen
Harman
Hastert
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefner
Heineman
Herger
Hilleary
Hilliard
Hinchey
Hobson
Hoekstra
Hoke
Holden
Horn
Hostettler
Houghton
Hoyer
Hunter
Hutchinson
Hyde
Inglis
Istook
Jackson-Lee
Jefferson
Johnson (CT)
Johnson (SD)
Johnson, E. B.
Johnson, Sam
Johnston
Jones
Kanjorski
Kaptur
Kasich
Kelly
Kennedy (MA)
Kennedy (RI)
Kennelly
Kildee
Kim
King
Kingston
Kleczka
Klink
Klug
Knollenberg
Kolbe
LaFalce
LaHood
Lantos
Largent
Latham
LaTourette
Laughlin
Lazio
Leach
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Lightfoot
Lincoln
Linder
Lipinski
Livingston
LoBiondo
Lofgren
Longley
Lowey
Lucas
Luther
Maloney
Manton
Manzullo
Markey
Martinez
Martini
Mascara
Matsui
McCarthy
McCollum
McCrery
McDade
McDermott
McHale
McHugh
McInnis
McIntosh
McKeon
McKinney
McNulty
Meehan
Meek
Menendez
Metcalf
Meyers
Mfume
Miller (CA)
Miller (FL)
Minge
Mink
Molinari
Mollohan
Montgomery
Moorhead
Moran
Morella
Murtha
Myers
Myrick
Neal
Nethercutt
Neumann
Ney
Norwood
Nussle
Oberstar
Obey
Olver
Ortiz
Orton
Owens
Oxley
Packard
Pallone
Parker
Pastor
Paxon
Payne (NJ)
Payne (VA)
Pelosi
Peterson (FL)
Peterson (MN)
Petri
Pickett
Pombo
Pomeroy
Porter
Portman
Poshard
Pryce
Quillen
Quinn
Radanovich
Rahall
Ramstad
Regula
Richardson
Riggs
Rivers
Roberts
Rogers
Rohrabacher
Ros-Lehtinen
Rose
Roukema
Roybal-Allard
Rush
Sabo
Sanders
Sanford
Sawyer
Saxton
Schaefer
Schiff
Schroeder
Schumer
Scott
Seastrand
Serrano
Shadegg
Shaw
Shays
Shuster
Sisisky
Skaggs
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Solomon
Souder
Spence
Spratt
Stark
Stenholm
Stockman
Stokes
Studds
Stump
Stupak
Talent
Tate
Tauzin
Taylor (MS)
Taylor (NC)
Tejeda
Thomas
Thompson
Thornberry
Thornton
Thurman
Tiahrt
Torkildsen
Torres
Torricelli
Towns
Traficant
Upton
Visclosky
Volkmer
Vucanovich
Waldholtz
Walker
Walsh
Wamp
Waters
Watt (NC)
Watts (OK)
Waxman
Weldon (FL)
Weller
White
Whitfield
Wicker
Williams
Wilson
Wise
Wolf
Woolsey
Wyden
Wynn
Yates
Young (AK)
Young (FL)
Zeliff
Zimmer

NAYS—24

Andrews
Baesler
Barrett (WI)
Beilenson
Clement
Filner
Ford
Gordon
Hefley
Jacobs
Mica
Nadler
Rangel
Reed
Roemer
Royce
Salmon
Scarborough
Sensenbrenner
Stearns
Tanner
Velazquez
Vento
Ward

NOT VOTING—6

Bereuter
Fields (LA)
Moakley
Roth
Tucker
Weldon (PA)

□ 1423

Mr. WARD and Mr. ROYCE changed their vote from ''yea'' to ''nay.''

Mr. DINGELL changed his vote from ''nay'' to ''yea''.

So the conference report was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 359

Mr. POSHARD. Mr. Speaker, I ask unanimous consent that my name be removed as a cosponsor of H.R. 359.

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

There was no objection.

PERSONAL EXPLANATION

Mr. ABERCROMBIE. Mr. Speaker, on October 25, I inadvertently missed roll-call vote No. 735, the conference report on H.R. 2002, the transportation appropriation for fiscal year 1996. Had I been present I would have voted ''yea.''

APPOINTMENT OF ADDITIONAL CONFEREE ON H.R. 2491, SEVEN-YEAR BALANCED BUDGET RECONCILIATION ACT OF 1995

The SPEAKER pro tempore (Mr. UPTON). Without objection, under the authority granted in clause 6 of rule X, the Speaker appoints Mr. BROWN of California as an additional conferee from the Committee on Agriculture for consideration of title I of the House bill, and subtitles A–C of title I of the Senate amendment, and modifications committed to conference.

There was no objection.

The SPEAKER pro tempore. The Clerk will notify the Senate of the change in conferees.

MESSAGE FROM THE PRESIDENT

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

WAVING POINTS OF ORDER AGAINST CONFERENCE REPORT ON H.R. 1868, FOREIGN OPERATIONS, EXPORT FINANCING, AND RELATED PROGRAMS APPROPRIATIONS ACT, 1996

Mr. GOSS. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 249 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 249

Resolved, That upon adoption of this resolution it shall be in order to consider the conference report to accompany the bill (H.R. 1868) making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 1996, and for other purposes. All points of order against the conference report and against its consideration are waived. The motion printed in the report of the Committee on Rules accompanying this resolution to dispose of the amendment of the Senate numbered 115 may be offered only by Representative Callahan of Alabama or his designee. That motion shall be considered as read and shall be debatable for one hour equally divided and controlled by the proponent and an opponent. All points of order against that motion are waived. The previous question shall be considered as ordered on that motion to final adoption without intervening motion or demand for division of the question.

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

(Mr. GOSS asked and was given permission to include extraneous material in the RECORD.)

Mr. GOSS. Mr. Speaker, I am pleased to bring to the floor this rule to provide for consideration of the conference report for H.R. 1868, the foreign operations appropriations bill for fiscal