

Waters	Westmoreland	Wu
Watson	Wilson (OH)	Yarmuth
Watt	Wilson (SC)	Young (AK)
Waxman	Wittman	Young (FL)
Weiner	Wolf	
Welch	Woolsey	

## NOT VOTING—17

Adler (NJ)	Luján	Pascarell
Barrett (SC)	Maloney	Quigley
Capuano	Markey (CO)	Schmidt
Carney	McCarthy (CA)	Wexler
Gordon (TN)	McNerney	Whitfield
Lamborn	Neugebauer	

## ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining in the vote.

□ 1300

So (two-thirds being in the affirmative) the rules were suspended and the resolution, as amended, was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

### CALLING FOR RELEASE OF LIU XIAOBO

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and agree to the concurrent resolution, H. Con. Res. 151, as amended, on which the yeas and nays were ordered.

The Clerk read the title of the concurrent resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. BERMAN) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 151, as amended.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 410, nays 1, not voting 21, as follows:

[Roll No. 751]

YEAS—410

Abercrombie	Boren	Chu
Ackerman	Boswell	Clarke
Aderholt	Boucher	Clay
Akin	Boustany	Cleaver
Alexander	Boyd	Clyburn
Altmire	Brady (PA)	Coble
Andrews	Brady (TX)	Coffman (CO)
Arcuri	Braley (IA)	Cohen
Austria	Bright	Cole
Baca	Broun (GA)	Conaway
Bachmann	Brown (SC)	Connolly (VA)
Bachus	Brown, Corrine	Cooper
Baird	Brown-Waite,	Costa
Baldwin	Ginny	Costello
Barrow	Buchanan	Courtney
Bartlett	Burgess	Crenshaw
Barton (TX)	Burton (IN)	Crowley
Bean	Butterfield	Cuellar
Becerra	Buyer	Culberson
Berkley	Calvert	Cummings
Berman	Camp	Dahlkemper
Berry	Campbell	Davis (AL)
Biggert	Cantor	Davis (CA)
Bilbray	Cao	Davis (IL)
Billirakis	Capito	Davis (KY)
Bishop (GA)	Capps	Davis (TN)
Bishop (NY)	Cardoza	DeFazio
Bishop (UT)	Carnahan	DeGette
Blackburn	Carson (IN)	Delahunt
Blumenauer	Carter	DeLauro
Blunt	Cassidy	Dent
Boccieri	Castle	Diaz-Balart, L.
Boehner	Castor (FL)	Diaz-Balart, M.
Bonner	Chaffetz	Dicks
Bono Mack	Chandler	Dingell
Boozman	Childers	Doggett

Donnelly (IN)	Kline (MN)	Pomeroy
Doyle	Kosmas	Posey
Dreier	Kratovil	Price (GA)
Driehaus	Kucinich	Price (NC)
Duncan	Lance	Putnam
Edwards (MD)	Langevin	Radanovich
Edwards (TX)	Larsen (WA)	Rahall
Ehlers	Larson (CT)	Rangel
Ellsworth	Latham	Rehberg
Emerson	LaTourette	Reichert
Engel	Latta	Reyes
Eshoo	Lee (CA)	Richardson
Etheridge	Lee (NY)	Rodriguez
Fallin	Levin	Roe (TN)
Farr	Lewis (CA)	Rogers (AL)
Fattah	Lewis (GA)	Rogers (KY)
Filner	Linder	Rogers (MI)
Flake	Lipinski	Rohrabacher
Fleming	LoBlond	Rooney
Forbes	Loeb sack	Ros-Lehtinen
Fortenberry	Lofgren, Zoe	Roskam
Foster	Lowe	Ross
Fox	Lucas	Rothman (NJ)
Frank (MA)	Luetkemeyer	Roybal-Allard
Franks (AZ)	Lummis	Royce
Frelinghuysen	Lungren, Daniel	Ruppersberger
Fudge	E.	Rush
Galleghy	Lynch	Ryan (OH)
Garrett (NJ)	Mack	Ryan (WI)
Gerlach	Maffei	Salazar
Giffords	Manzullo	Sanchez, Linda
Gingrey (GA)	Marchant	T.
Gonzalez	Markey (CO)	Sanchez, Loretta
Goodlatte	Markey (MA)	Sarbanes
Gordon (TN)	Marshall	Scalise
Granger	Massa	Schakowsky
Graves	Matheson	Schauer
Grayson	Matsui	Schiff
Green, Al	McCarthy (NY)	Schock
Green, Gene	McCaul	Schrader
Griffith	McClintock	Schwartz
Grijalva	McCollum	Scott (GA)
Guthrie	McCotter	Scott (VA)
Gutierrez	McDermott	Sensenbrenner
Hall (NY)	McGovern	Serrano
Hall (TX)	McHenry	Sessions
Halvorson	McIntyre	Sestak
Hare	McKeon	Shadegg
Harman	McMahon	Shea-Porter
Harper	McMorris	Sherman
Hastings (FL)	Rodgers	Shimkus
Hastings (WA)	McNerney	Shuler
Heinrich	Meek (FL)	Shuster
Heller	Meeks (NY)	Simpson
Hensarling	Melancon	Sires
Herger	Mica	Skelton
Herse	Michaud	Slaughter
Herseth Sandlin	Miller (FL)	Smith (NE)
Higgins	Miller (MI)	Smith (NJ)
Hill	Miller, Gary	Smith (TX)
Himes	Miller, George	Smith (WA)
Hinche	Minnick	Snyder
Hinojosa	Mitchell	Souder
Hirono	Mollohan	Space
Hodes	Moore (KS)	Speier
Hoekstra	Moore (WI)	Spratt
Holden	Moran (KS)	Stark
Holt	Moran (VA)	Stearns
Honda	Murphy (CT)	Stupak
Hoyer	Murphy (NY)	Sullivan
Hunter	Murphy, Patrick	Sutton
Inglis	Murphy, Tim	Tanner
Inslee	Murtha	Taylor
Israel	Myrick	Teague
Issa	Nadler (NY)	Terry
Jackson (IL)	Napolitano	Thompson (CA)
Jackson-Lee	Neal (MA)	Thompson (MS)
(TX)	Nunes	Thompson (PA)
Jenkins	Nye	Thornberry
Johnson (GA)	Oberstar	Tiahrt
Johnson (IL)	Obey	Tierney
Johnson, E. B.	Olson	Titus
Johnson, Sam	Oliver	Tonko
Jones	Ortiz	Towns
Jordan (OH)	Pallone	Tsongas
Kagen	Pastor (AZ)	Turner
Kanjorski	Paulsen	Upton
Kaptur	Payne	Van Hollen
Kennedy	Pence	Velázquez
Kildee	Perlmutter	Walden
Kipatrick (MI)	Perriello	Walz
Kilroy	Peters	Wamp
Kind	Peterson	Wasserman
King (IA)	Petri	Schultz
King (NY)	Pingree (ME)	Waters
Kingston	Pitts	Watson
Kirk	Platts	Watt
Kirkpatrick (AZ)	Poe (TX)	Waxman
Kissell	Polis (CO)	Weiner
Klein (FL)		

Welch	Wittman	Yarmuth
Westmoreland	Wolf	Young (AK)
Wilson (OH)	Woolsey	Young (FL)
Wilson (SC)	Wu	

## NAYS—1

Paul

## NOT VOTING—21

Adler (NJ)	Gohmert	Pascarell
Barrett (SC)	Lamborn	Quigley
Capuano	Luján	Schmidt
Carney	Maloney	Tiberi
Conyers	McCarthy (CA)	Visclosky
Deal (GA)	Miller (NC)	Wexler
Ellison	Neugebauer	Whitfield

## ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Two minutes remain in the vote.

□ 1307

So (two-thirds being in the affirmative) the rules were suspended and the concurrent resolution, as amended, was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

### CONFERENCE REPORT ON H.R. 3183, ENERGY AND WATER DEVELOPMENT AND RELATED AGENCIES APPROPRIATIONS ACT, 2010

Mr. PASTOR of Arizona. Mr. Speaker, pursuant to House Resolution 788, I call up the conference report on the bill (H.R. 3183) making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2010, and for other purposes, and ask for its immediate consideration.

The Clerk read the title of the bill.

The SPEAKER pro tempore (Mr. TIERNEY). Pursuant to House Resolution 788, the conference report is considered read.

(For conference report and statement, see proceedings of the House of September 30, 2009, at page H10150.)

The SPEAKER pro tempore. The gentleman from Arizona (Mr. PASTOR) and the gentleman from New Jersey (Mr. FRELINGHUYSEN) each will control minutes 30 minutes.

The Chair recognizes the gentleman from Arizona.

## GENERAL LEAVE

Mr. PASTOR of Arizona. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on the conference report to accompany H.R. 3183.

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

There was no objection.

Mr. PASTOR of Arizona. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I am pleased to present to the House today the conference report on H.R. 3183, the Energy and Water Development Appropriation Act for fiscal year 2010.

The conference agreement before us is a good one, and it merits the support of all of the Members of the House.

The agencies and the programs under the jurisdiction of energy and water development contribute to solving many of the most pressing challenges facing our country, including strengthening and maintaining our water infrastructure, advancing U.S. scientific leadership, combating global climate change with renewable and cleaner energy technologies, and providing security against nuclear threats. I believe the conference agreement provides strong support for these agencies and programs.

The total amount of funding included in the energy and water conference agreement is \$35.5 billion. This constitutes an increase of \$204 million from the enacted level for fiscal year 2009. While the conference agreement is below the budget request, the primary reason for this difference is the Congressional Budget Office score of the Department of Energy's budget. The conference agreement provides \$571 million above the budget request in program scope to further critical energy, water development and related goals.

Mr. Speaker, I want to thank my Senate counterpart, Chairman BYRON DORGAN, and his ranking member, ROBERT BENNETT, for their hard work during this conference. I especially want to extend my appreciation to my ranking member, the Honorable RODNEY FRELINGHUYSEN of New Jersey, for his extraordinary cooperation and insight. I truly value his support and advice and that of all of the members of our Energy and Water Subcommittee. I believe we are all proud of this bipartisan product.

Mr. Speaker, before I conclude, I would also like to thank the staff for their help in shepherding this bill through the House and through conference with the Senate. The subcommittee staff includes Taunja Berquam, Robert Sherman, Joseph Levin, James Windle, Casey Pearce, and our detailee from the Corps of Engineers, Lauren Minto.

I also want to thank Richard Patrick of my staff and Rob Blair and Kevin Jones of the minority staff, and Nancy Fox and Kathleen Hazlett of Mr. FRELINGHUYSEN's staff.

Mr. Speaker, I urge unanimous support in the House for the adoption of this conference report.

Mr. Speaker, I am pleased to present to the House today the conference report on H.R. 3183, the Energy and Water Development Appropriations Act for fiscal year 2010. The agencies and programs under the jurisdiction of Energy and Water Development contribute to solving many of the most pressing challenges facing our country, including strengthening and maintaining our water infrastructure, advancing U.S. scientific leadership, combating global climate change with renewable and cleaner energy technologies, and providing security against nuclear threats. I believe the conference agreement provides strong support for these agencies and programs.

The total amount of funding included in the Energy and Water conference agreement is

\$33.5 billion. This constitutes an increase of \$204 million from the enacted level for fiscal year 2009, and is approximately \$929 million below the budget request. While the conference agreement is below the budget request, the primary reason for this difference is a Congressional Budget Office score of \$1.5 billion for the Department of Energy's budget request for the Innovative Technology Loan Guarantee Program. The conference agreement provides \$571 million above the budget request in program scope.

Title I of this conference report provides funding for the Civil Works program of the U.S. Army Corps of Engineers, including the Formerly Utilized Sites Remedial Action Program. The conference agreement provides the Corps with \$5.4 billion in fiscal year 2010, slightly above fiscal year 2009, and \$320 million over the budget request. These investments will provide increased transportation efficiency on our nation's waterways, job creation, clean water, and, most importantly, will ensure the safety of our citizens. The conference agreement also recognizes the increasing cost of aging infrastructure through significantly increased funding for the operation and maintenance of existing projects.

The conference agreement continues to limit new contract obligations that require funding from the Inland Waterways Trust Fund due to the insolvency of the Fund. If the revenue stream is not addressed, the level of investment must be adjusted to the available resources—resulting in increased costs to existing projects as they are suspended, as well as the deferral of new projects in need of recapitalization. I would urge the administration and interested parties to pursue this issue with the relevant authorizing committees.

Funding for title II, which includes the Central Utah Project Completion Account and the programs of the Bureau of Reclamation, is \$1.13 billion, \$12 million above the amount appropriated last year and \$67 million above the budget request. The conferees support funding for two projects to alleviate water supply and conservation issues in the California Bay-Delta, as proposed by the House. The conference agreement provides \$133 million, \$69 million above the request, for rural water projects to bring clean water to tribal and rural communities in Arizona, California, Montana, New Mexico, and South Dakota.

Total funding for title III, the Department of Energy, is \$27.1 billion, \$318 million above fiscal year 2009 and \$1.3 billion below the budget request due to a score by the Congressional Budget Office of \$1.5 billion for the Department of Energy's budget request for the Innovative Technology Loan Guarantee Program. This conference agreement, when combined with the \$36.6 billion of American Reinvestment and Recovery Act funding, represents a historic investment into energy and science technology, as well as the cleanup of the nation's nuclear legacy. The conference agreement also supports the national security missions of the National Nuclear Security Administration.

Our nation's ongoing energy crisis affects our economy, security, and environment, and the conferees have taken action with this agreement to develop lasting solutions for our energy challenges. Americans today face rising electricity prices, a transportation system still dependent on foreign oil, and the looming uncertainty of global climate change. A broad

portfolio of approaches across energy technologies at the Department of Energy will be required to transform our energy economy and address this energy crisis. To further diversify this portfolio, the conferees provide a prudent level of funding for Energy Innovation Hubs, Hubs, a new research model that will gather a broad array of researchers around critical energy challenges. The conference agreement provides the Department of Energy with the opportunity to establish three Hubs to research the next generation of clean and safe nuclear power, cutting-edge science and technology to convert sunlight to transportation fuels, and systems to reduce energy use in buildings.

The conference agreement provides a record investment of \$2.24 billion in renewable energy and efficient energy technologies, \$314 million above the fiscal year 2009, to develop and deploy long-term solutions to our energy challenges. By investing in ways to harness energy from solar, wind, geothermal, biomass, and water sources, the conference agreement takes steps to advance technologies that will provide affordable, clean energy from domestic, renewable sources. Although they offer vast, untapped renewable energy resources in the United States, these technologies currently account for less than 3 percent of our electricity generation. Applied research and development for these renewable energy technologies is funded at \$620 million, an increase of 17 percent over the fiscal year 2009, to launch our nation into the next generation of clean and secure electricity generation.

To bring electrical power from these new renewable resources to the population centers that use it, and to reduce energy losses during power transmission, the conference agreement boosts funding by 26 percent over 2009 for electricity delivery and energy reliability. In addition to funding research and development for smart grids, energy storage, and other ways to modernize the nation's power transmission and distribution system, the conference agreement more than triples funding over the fiscal year 2009 for cyber security research and development to secure the nation's electric power system as cyber attacks increase worldwide while the grid is becoming increasingly network-connected.

Chronically high fuel prices and dependence on foreign oil continue to hinder our nation's economy and transportation sector. The conference agreement invests nearly \$950 million in activities at the Department of Energy to permanently reduce our dependence on petroleum fuels. The agreement provides \$311 million for vehicle technologies, \$38 million above the fiscal year 2009, to increase vehicle efficiency, advance alternative fuel technologies for next-generation biofuels, and develop electrified vehicles that can run petroleum-free. Further, the conference agreement provides \$174 million for hydrogen and fuel cell technologies, to continue the work at the Department of Energy, in conjunction with private industry and research institutions, furthering one of a small handful of pathways that may reduce the need for imported petroleum fuels.

The conference agreement invests \$570 million in programs that cost-effectively cut energy consumption now and in the future by developing and deploying efficient energy technologies. Americans will save money and energy in the near-term through \$210 million in funding for weatherization assistance grants, a

5 percent increase over the fiscal year 2009. Further, the conference agreement increases funding for Industrial Technologies and Building Technologies to develop innovative technologies that will help our homes, businesses and industries save energy and money while reducing harmful emissions.

The conference agreement is a measured commitment to positioning nuclear energy to play a role in the nation's energy future. The conference agreement provides \$787 million for nuclear energy, \$5 million below fiscal year 2009 and \$10 million above the request. This funding supports the licensing, research, and development of nuclear reactor technologies.

In addition, the conference agreement supports fossil energy funding to emphasize carbon capture and sequestration—the key to enabling the use of our extensive reserves of coal while reducing greenhouse gas emissions. Fossil Energy research and development programs are funded at \$672 million, \$55 million above the request, of which \$404 million is for fuels and power systems and \$37.8 million focuses on natural gas and unconventional petroleum research.

There is a legacy of contamination from the past 60 years of nuclear weapons manufacturing and research. This conference agreement is a major investment in mitigating the environmental effects of the nation's nuclear legacy and, for the first time, meets virtually all of the cleanup regulatory compliance milestones at sites around the country. The conference agreement provides \$6.4 billion for environmental cleanup, which includes national defense and non-defense sites, as well as Uranium Enrichment Decontamination and Decommissioning (UED&D). Defense sites are funded at \$5.6 billion, \$147 million above the request. The conference agreement provides non-defense sites with \$245 million, \$7 million above the request, and \$574 million for UED&D, \$14 million above the request. The clean-up projects and activities take place around the country, in places like Hanford, Washington; Savannah River, South Carolina; Los Alamos, New Mexico; Oak Ridge, Tennessee; Portsmouth, Ohio; Idaho; and Paducah, Kentucky, among others.

The conference agreement increases funding for the Office of Science 3 percent from fiscal year 2009, progress in these constrained times. The conference agreement provides \$394 million for advanced scientific computing research, \$25 million above fiscal year 2009. The Office of Science conducts world-leading scientific research and development, both in exploring the fundamental nature of matter and energy, and in laying the technological foundations upon which are found our best prospects of building energy independence and control of climate change.

While the administration is determining national policy regarding how to dispose of high-level radioactive waste and nuclear spent fuel, it is prudent to continue to learn from the investment that has been made to the Yucca Mountain waste repository. For nuclear waste disposal activities, the conference agreement provides a total of \$197 million to continue the licensing process at Yucca Mountain. Within these funds, the conference agreement provides \$5 million to create a Blue Ribbon Commission to evaluate all alternatives for nuclear waste disposal.

The programs of the National Nuclear Security Administration, NNSA, reduce the threat of

nuclear proliferation overseas, maintain the U.S. nuclear weapons stockpile, and provide reliable nuclear propulsion for the U.S. Navy. The conference agreement provides a total of \$9.9 billion for the NNSA, which includes \$666 million of construction activities for the Mixed-Oxide Fuel Fabrication Facility not funded in the NNSA in fiscal year 2009. Adjusting for the new activities, the conference agreement for the NNSA is \$9.2 billion, the same as fiscal year 2009.

Nuclear weapons or material with nuclear weapons potential, in the hands of terrorists are a priority national security threat to the United States and our allies. The NNSA programs address the full spectrum of the proliferation threat by supporting multilateral agreements, securing nuclear materials overseas, detecting illicit trafficking, and researching and developing the leading-edge technology to support nonproliferation. Defense Nuclear Nonproliferation activities are funded at \$2.1 billion. The International Nuclear Material Protection and Cooperation program that works in Russia and elsewhere to secure nuclear material and enhance border and port security receives \$572 million, \$20 million above the request and \$172 million above fiscal year 2009. The conference agreement includes funds for the Mixed-Oxide Fuel Fabrication Facility, Waste Solidification Building, and supporting activities at Savannah River, South Carolina.

Given the serious international and domestic consequences of the U.S. initiating a new nuclear weapons production activity, it is critical that the administration lay out a comprehensive course of action before funding is appropriated. Major transformation of the weapons complex can only be produced with significant bipartisan support, lasting over multiple sessions of Congress and multiple Administrations.

The Nuclear Posture Review should inform an enduring strategy and provide the basis of the underlying complex necessary to ensure the nation's nuclear weapons continue to keep our nuclear weapons safe and reliable. The conference agreement provides \$32.5 million for a limited study of how to improve the non-nuclear components of the B61 bomb. The agreement also includes direction for the NNSA to commission two independent studies to ensure that the B61–12 is both necessary and technically sound. In particular, the second study will examine whether the B61–12 has sufficient technical advantages to constitute a long-term 21st century weapon, or whether it is likely to need near-term replacement or retirement. Should the Nuclear Posture Review confirm the B61–12 as a national security requirement, the agreement includes a provision allowing the NNSA to reprogram funds from other, limited, activities to address technical issues associated with the non-nuclear portion of this program. In the interim, this agreement maintains B61-related technical expertise while evaluating whether the program is essential for national security.

For Naval Reactors, the conference agreement provides \$945 million, \$117 million above fiscal year 2009, in order to support the next-generation nuclear reactor for the U.S. Navy.

Funding for title IV, Independent Agencies, is \$292 million, a decrease of \$16 million from the previous fiscal year and \$27 million below the budget request. The conference agree-

ment funded the Appalachian Regional Commission at \$76 million and the Delta Regional Authority at \$13 million, the same as the request. The conference agreement also provides \$12 million for the Denali Commission, the same as the request. Two new commissions have been funded by conference agreement: the Northern Border Regional Commission at \$1.5 million and the Southeast Crescent Regional Commission at \$250,000. The Nuclear Waste Technical Review Board is funded at \$3.9 million, the same as the request, and the Defense Nuclear Facilities Safety Board is funded at \$26 million, the same as the request. The Federal Coordinator for the Alaska Natural Gas Transportation Projects is also funded at the budget request level of \$4.5 million. Finally, the conference agreement provides \$154.7 million for the Nuclear Regulatory Commission, NRC, \$29 million below the budget request.

We have a responsibility to do everything possible to address our current energy crisis and the state of our infrastructure. This conference agreement invests in the energy areas that will put us on the long-term path to increased energy independence, reduce the emissions of greenhouse gases, and lead global efforts to confront global climate change. Further, it provides funding to build and maintain our nation's navigation, flood damage reduction projects and water supply facilities to strengthen our economy, protect our citizens and provide those who do not have it, clean water.

I want to thank my Senate counterpart, Chairman BYRON DORGAN, and his Ranking Member, Senator ROBERT BENNETT, for their hard work during this conference. I especially want to extend my appreciation to my Ranking Member, the Honorable RODNEY FRELINGHUYSEN of New Jersey, for his extraordinary cooperation and insight. I truly value his support and advice, and that of all the members of our Energy and Water Subcommittee. I believe we are all proud of this bipartisan product.

Mr. Speaker, before I conclude I would also like to thank the staff for their help in shepherding this bill through the House and through conference with the Senate. The Subcommittee staff includes Taunja Berquam, Robert Sherman, Joseph Levin, James Windle, Casey Pearce, and our detailee from the Corps of Engineers, Lauren Minto. I also want to thank Richard Patrick of my staff, and Rob Blair and Kevin Jones of the minority staff, and Nancy Fox and Kathleen Hazlett of Mr. FRELINGHUYSEN's staff.

I urge the unanimous support of the House for adoption of this conference report.

I reserve the balance of my time.

Mr. FRELINGHUYSEN. Mr. Speaker, I yield myself as much as time as I may consume.

I rise in support of the Energy and Water appropriations conference agreement for 2010. I would like to recognize Vice Chairman PASTOR for his friendship and leadership—it has been a good working partnership—and all members of the committee.

I would also like to thank all of the staff on both sides of the subcommittee as well as in my office and his for their dedication and hard work. On the majority side, Taunja Berquam, the Clerk Bob Sherman, Joe Levin, James

Windle, Casey Pearce, and Lauren Minto. On the minority side, Rob Blair and Kevin Jones. In my personal office, Katie Hazlett and Nancy Fox; and in Mr. PASTOR's personal office, Rich Patrick. All of these individuals worked tirelessly to put together the product before us which meets the needs of every congressional district in the Nation.

Mr. Speaker, the conference agreement totals \$33.465 billion, which is \$928 million below the President's request, and \$167 million, or 0.6 percent, above the fiscal year 2009 enacted level.

However, the conference agreement was preceded by the American Recovery and Reinvestment Act and other emergency stimulus appropriations for the fiscal year 2009, which gave more than \$58 billion in new money to the agencies under our jurisdiction. In fact, nearly 39 billion new dollars alone went to the Department of Energy.

So while the growth from the fiscal year 2009 regular appropriation to this conference report is minimal, the Department of Energy is going to have a difficult time spending and accounting for all of the new money it has received.

However, Mr. Speaker, in general, this conference agreement is reasonable and balanced.

I do want to highlight one area in which I have significant concerns: the future of nuclear power in this country and what happens when political science trumps sound science.

During the Republican motion to recommit the House Energy and Water bill, my colleague from Idaho (Mr. SIMPSON) spoke eloquently about the perils of following the President's plan to terminate our current nuclear waste management plant at Yucca Mountain. My biggest regret with this conference agreement is that we were unable to overcome Senator REID's influence, and consequently, the disposal plan is barely on life support.

The amount of funding in this bill for continuing with the Yucca Mountain license application is now half of what is requested, further delaying the progress on the establishment of a national nuclear waste disposal site.

And what will the results be of this decision? Spent nuclear fuel and radioactive waste is being stored on site at 121 locations across 39 States. These are our States; they're our constituents. I am sure this fuel is safe where it is today, but I know many of our constituents want it stored somewhere where the environment will not be affected and where the material will be kept safely.

The President's and the majority leader in the Senate's decision will ensure that the fuel stays where it is for at least 15 or 20 years with each site bearing all of the major costs and responsibilities for management and security of the waste material.

Second, their plan will rob our country of potential jobs and tax revenue. These jobs range from Ph.D.s in phys-

ics to pipe fitters, from welders to plumbers. Operating nuclear power plants can sustain 700 permanent jobs while new plants generate as many as 2,400 construction jobs.

Currently, the Nuclear Regulatory Commission has applications for 26 new plants. That's at least 60,000 jobs at stake. I don't understand how the President can push for an economic revitalization and reduce carbon emissions while gutting the single technology which will help accomplish both of those goals.

□ 1315

Our constituents need these jobs and the clean power source that they create.

Third, killing Yucca Mountain would bring billions of dollars of liability against the Federal Government, anywhere from \$11 to \$22 billion. This is money which the Federal Government owes industry because we have failed to live up to our responsibilities. We've signed contracts with these companies to take the waste off their hands. And because of the political arrangement between the White House and the Senate leader, we have failed, taxpayers and ratepayers must now carry that burden for the foreseeable future.

These are not empty threats or dire predictions. They are facts. Last week, the Nuclear Regulatory Commission had a vote that basically denies the go-ahead for the construction of new nuclear power plants because of the administration's plans to terminate Yucca Mountain.

Those 54,000 jobs I mentioned earlier are on hold. The nuclear waste in our districts is still there and not going anywhere. The billions of liability that our children will have to repay? Well, that's another few billion on top of our current \$1.6 trillion deficit.

The one bright side of the conference agreement is that we were able to keep the license application alive, but just barely. Until the American public wakes up to the pitfalls of this political arrangement between the White House and the Senate leader, we will all have to bear the costs.

With that said, Mr. Chairman, I would like to thank Vice Chairman PASTOR for his leadership and friendship. Overall, this is a great conference agreement, and I intend to support it, and I reserve the balance of my time.

Mr. PASTOR of Arizona. I wish to yield 2 minutes to the gentlewoman from Florida (Ms. WASSERMAN SCHULTZ).

Ms. WASSERMAN SCHULTZ. Mr. Speaker, I rise today in support of the conference report for the Energy and Water appropriations bill.

This bill commits \$180 million in Federal funding for critical Everglades restoration projects. While it is less than the administration request and the House-funded level, it represents a firm commitment from this Congress. To be clear, we must move boldly forward in saving this unique national

treasure. Time is our enemy, and we have delayed too long.

In 2000, Congress authorized the Comprehensive Everglades Restoration Plan as a State-Federal partnership to restore the ailing River of Grass. However, to date, the State has outspent the Federal Government by more than 2 to 1.

Finally, after 8 years of inaction, we are beginning to meet our commitment—and I can't thank Chairman PASTOR and Chairman OBEY enough for their steadfast support of funding to restore the Florida Everglades to its once pristine state—with significant funding in the FY09 bill, the American Recovery and Reinvestment Act as well, and now in the FY10 legislation.

Chairman OBEY, Chairman VISCLOSKEY and Chairman PASTOR, your leadership on this effort will not be forgotten. It will preserve a national treasure for years and years to come so that my children and my children's children can enjoy the Florida Everglades. Today's bill is a positive step forward for the Everglades, and I hope it will spur further action in the next fiscal year.

Mr. FRELINGHUYSEN. Mr. Speaker, I am pleased to yield 4 minutes to the gentleman from Tennessee (Mr. WAMP), a member of the committee.

Mr. WAMP. I thank the chairman, and I thank the ranking member and the Speaker. It's my 15th year here. I have been on this committee for 13 years, and I inherited a district that is really heavy in this bill, and I know that. I represent Oak Ridge, Tennessee.

The committee has been incredibly good through the years to recognize the needed investments in science, energy research, national security and environmental management, and yet again this conference report recognizes those critical priorities on behalf of our country, and I'm grateful for that. But much like Paul Revere, I have come to the committee, the subcommittee, and the House again today to say we have a huge problem at the Chickamauga Lock on the Tennessee River.

We began construction of the replacement lock a few years ago. The cofferdam is complete. Inside this cofferdam, we will dry out the Tennessee River in the next few months to test that the cofferdam works. The cofferdam is about the size of this entire building, the Capitol Building, in the middle of the Tennessee River.

We are ready now to begin pouring the foundations in the middle of the river to replace the lock. The current lock will close. I just had the briefing today from the Corps.

Yesterday at the conference committee closing this out, and I signed the conference report, I offered an amendment to put language and up to \$14 million in the bill to make sure we can move the project forward. It failed on a 10-8 vote. I appreciate LINCOLN DAVIS, the only member of the majority for voting "yes." Everyone in the minority voted "yes." This is a critical problem.

I say to the administration, you only made a \$1 million funding request. It's not sufficient to move it along. The current lock will close. The Corps just briefed us again today. They cannot keep it open. It will be the largest inland waterway system in the history of our country to close.

The current lock was set to close at 2014. We are not building the lock yet. The cofferdam is complete. The Kentucky lock only got \$1 million, but their stimulus money allows them to start construction. We could not. I made this case at the subcommittee, at the full committee, and on the House floor Mr. PASTOR helped us. We put \$14 million in, and just like happens in this place, somehow by the time we got to the conference meeting, it was taken back out. We tried to restore it yesterday, change of support, went down virtually party lines.

I'm telling you, we got a problem. We need help. And it's not me. It's the entire eastern system. It's the largest inland waterway system in the country. It is going to close. We've got to do something.

Please, to the committee, to the Senate, to the House, both parties, administration, when there is an emergency supplemental, let's get together ahead of time and fix the Inland Waterway Trust Fund problem. This is a crisis for all the inland waterway system, and the first big failure will be Chick Lock unless we exert the leadership that we are elected to do. It's a can that has been kicked down the road too long.

I plead with you on behalf of the constituents, not just in my district, not just in my State, but in the entire eastern part of our country. From Peoria to south Georgia, you will have truckloads of cargo and goods, 150,000 18-wheelers a year added to carry the cargo that currently goes through this lock, and it is about to close because we're not doing our job. That's the truth. And I hate it. And I have done my best, but I am only one. I need help. Our people need help. Our country needs help. We need leadership.

Let's keep the Chickamauga Lock open. If there's an emergency supplemental that moves, we need to step up and fix this problem before the 2011 cycle. I'm going to do everything I can. I've been here long enough to know how to cooperate, how to get it done and sometimes how to keep the trains from going any further until the right things are done. That's not a warning. I need your help. That's a plea.

Mr. PASTOR of Arizona. Mr. Chairman, this is the first time I've done this bill, and I have to tell you that one of the lessons I learned is that the inland waterway is of great value to our country, and we have not paid enough attention to it. So I would agree with my colleague that it's a problem that we need to solve.

The Inland Waterway Trust Fund is the vehicle which would construct and maintain these locks. But at this point, we haven't been able to solve

that problem. And the gentleman is right. We did help him here in the House when we passed this bill, but I have to tell him with great regret that in the conference we found very little support from the Senate in this particular lock, and in working out the conference bill, we had to go back to the \$1 million.

At this moment, I would like to yield 3 minutes to my colleague from Texas (Mr. EDWARDS).

Mr. EDWARDS of Texas. Mr. Speaker, this bipartisan bill will greatly improve our Nation's water infrastructure, robustly fund vital energy research and help protect our Nation from the threat of nuclear terrorism. The bottom line is that it will create jobs, strengthen our economy and protect our Nation.

The bill provides \$5.4 billion for the U.S. Army Corps of Engineers to address our Nation's vitally important water infrastructure needs. It moves us forward in funding the construction and maintenance of our Nation's ports and navigational waterways, which are crucial to our economy and international trade.

H.R. 3183 also makes great strides in protecting our communities from natural disasters by providing \$2 billion for flood protection efforts. Also included is \$27.1 billion to fund the Department of Energy's efforts to decrease our reliance on foreign sources of oil and increase our investment in technologies that use energy more efficiently and to expand energy sources right here at home.

While providing \$2.2 billion for research into energy efficiency and renewable energy efforts such as solar, wind, biofuels and hydrogen, this bill also invests in conventional energy sources by providing \$787 million for nuclear energy research and \$672 million for fossil energy research.

Mr. Speaker, there is no more important mission for our country, for this Congress, than preventing nuclear weapons from falling into the hands of terrorists, and this bill provides \$2.1 billion for our Nation's nuclear non-proliferation efforts at home and abroad. Why? To keep the American family safe.

Our Nation's communities, national economy and security are strengthened by this bill, which is why I urge all of my colleagues, Republicans and Democrats alike, to support it.

Mr. FRELINGHUYSEN. Mr. Chairman, I am pleased to yield 3 minutes to the gentleman from California (Mr. CALVERT), a member of our committee.

Mr. CALVERT. I thank the gentleman.

Mr. Speaker, the conference report that we are considering today addresses a number of issues affecting the energy and water infrastructure of our country. However, when it comes to the ongoing water crisis in California, the conference report comes up short.

The ongoing water crisis in California has exacerbated the economic

downturn up and down my State. Statewide, the unemployment rate has risen to more than 12 percent. In the Central Valley, regional unemployment has now reached 20 percent, with some communities' unemployment now over 40 percent. California's water crisis is the result of severe drought conditions on top of the federally imposed pumping restrictions that have been placed on our State's critical water infrastructure.

While the conference report does provide some funding for a number of California's mid- and long-term water resource management projects, many of the projects are years away from completion and will not provide any assistance to Californians that are suffering today. Many of the most affected communities have made it clear they are not looking for a handout. They want their water and their jobs back.

During the markup of this bill in the Appropriations Committee, I offered an amendment to do exactly that, by ending the federally imposed pumping restrictions. Sadly, most of my colleagues on the other side of the aisle rejected my amendment and voted to protect a 3-inch fish instead of protecting jobs and the people of California. Similar efforts by my colleague, Mr. NUNES, have been rebuffed by the Democratic majority.

The fact remains that the flaws and shortcomings of the Endangered Species Act have tied the hands of judges and water resource planners, creating a manmade drought that is killing jobs, destroying livelihoods and hurting families in California.

I realize this issue should be addressed by the authorizing committee, but if the Democratic leadership will not force the committee of jurisdiction to act, the members of the minority have no other option. If this Congress and this administration fail to take the bold steps necessary to address this crisis in the near future, the people of California will know exactly who is responsible for their mounting job losses and economic suffering.

Mr. PASTOR of Arizona. Mr. Speaker, when we were doing this bill, and in fact, when this bill was on the floor, we assisted, to the best of our ability, in terms of providing authorization and also money, and in some cases we waived matching restrictions so that we would have both the authority and the financial resources to deal with the problem.

What the previous speaker had asked us to do was to waive the environmental impact statements that were required, and we did not have the ability to do it, and the authorizing committee would not allow us to do it. So we did not have that ability to do it. But we did try, and it was kept in the conference to provide the authorization and the financial resources to continue to, in the short term, deal with the water shortages in central California.

At this point, I would like to yield 3 minutes to my friend and a member of

the subcommittee, the gentleman from Colorado (Mr. SALAZAR).

□ 1330

Mr. SALAZAR. I want to thank the chairman and ranking member for their wonderful leadership on this subcommittee.

I rise today to support what I consider to be my best legislative accomplishment since I came to Congress in 2004, but let me first say how important the investments that we are making in this bill are.

The nearly \$2.5 billion for renewable energies will play a vital role in reducing carbon emissions, creating jobs, and producing clean energy. I especially want to point out the \$225 million included for solar energy. The Third Congressional District of Colorado already has some of the largest solar farms in the world, and my constituents are already recognizing the very benefits of the solar industry.

The \$1.13 billion included for the Department of the Interior and the Bureau of Reclamation are so vitally important to the Western United States. As other speakers have mentioned, water continues to be a damper to the livelihood of many Westerners, and this investment in our Nation's water infrastructure from dams, canals, treatment plants, and rural water projects is extremely important to our rural citizens as they face crisis after crisis, from Colorado all the way to California.

This bill included several desperately needed dollars for rural water projects in Colorado. The \$1.75 million for the Jackson Gulch Rehabilitation Project in Mancos, Colorado, and the \$600,000 for the Platoro Reservoir in the San Luis Valley will help provide major assistance to improving these rural water districts.

Lastly, and most importantly, I want to thank the chairman and ranking member and all the staff of the subcommittee for taking a step that has not been taken for 50 years.

The roots of the Arkansas Valley Conduit stretch back to 1962, when President Kennedy signed the authorization by Congress, which was part of the Fryingpan-Arkansas Project, which included the construction of Lake Pueblo. The Federal project was the end result of years of work by Pueblo and southern Colorado leaders who wanted to make better use of the region's water.

"This is the best news I've heard in a long time," said Bob Rawlings, publisher of the Pueblo Chieftain and an avid fighter for water rights in Colorado.

I am happy to say to the people of southeastern Colorado you will no longer have to wait for clean drinking water. Clean drinking water is on the way.

Mr. FRELINGHUYSEN. I yield 3 minutes to the gentleman from Florida (Mr. ROONEY).

Mr. ROONEY. I rise today in support of the Energy and Water appropria-

tions bill. This bill contains support for various projects within my district that will help with the continued restoration and preservation of the south Florida ecosystem.

I'm pleased with the funding for the continued restoration of the Hoover Di. This earthen dike is currently undergoing a massive rehabilitation project that will continue to ensure the health and human safety of Pahokee, South Bay, Okeechobee, Belle Glade, Clewiston, Moore Haven, and the surrounding communities.

However, while I'm grateful to the committee for its support of these projects, I must express my great disappointment with the Senate for stripping out most of the vital construction funding for the Indian River Lagoon. This project was originally authorized in the 2007 Water Resources Development Act as a component of the Comprehensive Everglades Restoration Plan.

While some in the upper body argued that the Indian River Lagoon was a new project and a "new start" and therefore not deserving of funding, I argue it's not a new start, as it is a component of the overall ongoing Everglades Restoration project. By cutting the majority of its vital funding, we are only kicking the can further down the road for not getting this vital project started.

It's time for the Federal Government to live up to its financial commitment to this project. My only hope now is that the lagoon will receive funds, however minimal, and our colleagues in the Senate will now agree that this is not a new start and therefore deserves to be fully funded next year.

Every year that goes by, however, without adequate funding, further damage is done to our fragile ecosystem there in the Indian River Lagoon, making recovery that much harder.

I'd like to thank my fellow Florida colleagues, especially Congresswoman WASSERMAN SCHULTZ, for their tireless work and support for these projects, and the House committee for including funding in the original House bill. I look forward to continuing the good work that we have started.

Mr. PASTOR of Arizona. In response to the comment from my friend from Florida, all new starts in this bill—and there were a few, and the Everglades got two. We have the number of 100,000, but that was to signify that a new start is available for this project. By designating the new start for the Everglades, that means that recovery money can be used now for the purpose that you spoke about.

Secondly, the Corps will now be able to reprogram moneys that now you designated as a new start, can reprogram moneys to continue the efforts on this lagoon.

And so we thought that the new start was not a cutback in money but was a vehicle that would make more money available so that the Everglades pro-

gram could go forward. That's how we attempted to solve this problem. Hopefully, that will be the result.

Mr. Speaker, at this time I'd like to yield 3 minutes to the distinguished chairman of the Transportation Committee, the gentleman from Massachusetts (Mr. OLVER).

Mr. OLVER. Mr. Speaker, I'm proud to stand today in support of the fiscal year 2010 Energy and Water appropriations conference report. I'd like to thank Chairman PASTOR and Ranking Member FRELINGHUYSEN for their great work on this legislation, and I praise them for their cooperation and bipartisanship. Because of their work and the excellent work of our subcommittee staff, we have before us a comprehensive, fair, and targeted bill that makes significant investments in our country's future and in the goal of achieving energy independence. They have been able to do this with only a slight increase of \$200 million over last year's funding level; yet these investments will build on the success of the American Recovery and Investment and Recovery Act in developing a clean-energy economy and creating more American jobs.

I'm particularly grateful that this bill increases by more than 10 percent the funding for the Department of Energy's Energy Efficiency and Renewable Energy Program. This program, funded at \$2.2 billion, invests in producing cleaner and more efficient energy technologies to produce inexpensive energy from domestic sources.

Included are \$225 million for research to harness the vast amount of solar energy reaching the Earth every day, \$311 million to improve vehicle and battery technology, and \$200 million for research into improving energy efficiency in commercial and residential buildings, which currently consume about 40 percent of our Nation's total energy usage.

As a scientist, I'm pleased to see \$4.9 billion for the Office of Science's basic and applied science research program. Such investments are critical to maintaining America's place as a leader in the world economy.

Additionally, this legislation supports President Obama's historic commitment to nuclear nonproliferation by providing \$2.1 billion for securing vulnerable nuclear material. This will protect Americans from the risk of nuclear material falling into terrorist hands by securing stockpiles in the former Soviet Union. The money will also improve our ability to stop nuclear and radiological materials from being smuggled into the U.S.

Again, I strongly support this bipartisan legislation, and I urge my colleagues to vote "yes" on final passage.

Mr. FRELINGHUYSEN. Mr. Speaker, I'm pleased to yield 2 minutes to the gentleman from Louisiana (Mr. SCALISE).

Mr. SCALISE. I want to thank the gentleman from New Jersey for yielding.



Mr. Speaker, I rise in opposition to this conference report. There was language in this bill that was stripped in the conference report that would have directed the Corps of Engineers to pursue a much safer level of flood protection for the New Orleans region.

Our entire delegation, Republicans and Democrats, were unanimous in support of the language that was in the bill, and the conference report stripped out that language, which would have directed the Corps to pursue a much safer option than the one they're currently pursuing.

If we have learned anything from the lessons of Katrina, it's that the Federal levees that failed us before cannot be rebuilt the same way they were the last time that they failed. There's too much taxpayer money that's been put at stake for us to get this wrong. And so we much more support the option that would have actually made sure that the Corps gets it right for all the money that's being spent as opposed to the route that they're choosing right now.

Option 2a, which was the language that we would have directed the Corps to pursue, is known as Pump to the River. According to the Corps's own report, Pump to the River, this option 2a that's being thrown out by this report, is more technically advantageous than the one they're pursuing. It's more operationally effective than the one the Corps is pursuing. It provides greater reliability, and, most importantly, it further reduces the risk of flooding.

That's the option that our entire State delegation, that our Governor's office, that all the people back home—the city of New Orleans, the parish of Jefferson—fully support; an option that reduces the risk of flooding. That's what we should all support after what we saw happen during Hurricane Katrina; yet that language that we had unanimous support from our delegation that was in the bill is now being stripped out by this conference report.

We need to learn from the lessons of Katrina. And it's time this administration stopped paying lip service to our flood protection needs and actually put its money where its mouth is and do the right thing as opposed to making the same mistakes that were made in the past.

We cannot afford to let them go forward with building an option that, by their own admission, is much less reliable in protecting the people of New Orleans for future flooding, so I rise in opposition.

Mr. PASTOR of Arizona. Mr. Speaker, in response, I have to tell you that the conferees on the House side, the House managers, were united on this front, as well as the chairman of the other body's committee. We felt that the alternative that was desired did not provide additional protection and it would have delayed the permanent protection of New Orleans by anywhere from 18 to 36 months, which we thought

was too long of a period of time to keep New Orleans unprotected. The cost, we believe, would have been \$3 to \$4 billion more.

And so for that reason, we felt that, in fairness, that we should continue with the program that the Corps has for New Orleans.

At this time, I'd like to yield 3 minutes to the distinguished member of the subcommittee, the gentleman from Arkansas (Mr. BERRY).

Mr. BERRY. I thank the gentleman from Arizona, and I certainly thank him for his leadership in getting this bill to this point. I appreciate the ranking member and the good work that they have both done in a very fair and nonpartisan way to serve this country, and also the staff of the Energy and Water Subcommittee and what a magnificent job they have done.

This is a very special bill to the First Congressional District of Arkansas. It makes continued investment in our flood protection ability in the operations and maintenance of our flood protection system. It adds money for construction where construction is needed, for investigations where investigations are needed and more study needs to be done.

The Department of Energy has moved forward with the appropriations in this bill. We tried to do what we can to improve the solar energy research, the biofuels research, vehicle technology research, hydrogen technology, energy-efficient buildings, industrial technologies, and weatherization grants. All of these things are an investment in the future of this country and our ability to reduce our dependence on foreign oil. And that's what the committee had in mind. I think our leadership has done a great job with all these things.

We also make a serious investment in electricity delivery and reliability. In the area of the science and the basic sciences, we have made another serious investment.

I think that this is the kind of thing that the Appropriations Committee was created for—to make these decisions, make the necessary investments in the future of this country, and continue to build our infrastructure, protect our people, and provide the opportunity for us to be successful.

I urge passage of this bill.

Mr. FRELINGHUYSEN. Mr. Speaker, I am pleased to yield 3 minutes to the gentleman from Georgia (Mr. DEAL).

□ 1345

Mr. DEAL of Georgia. I thank the gentleman for yielding. I rise today unfortunately in opposition to this conference report. I want to point out to this body that something has been added in the original version from the other body that injects itself into something that I don't think the House wants to be involved in, and that is the water wars between Alabama, Florida and Georgia. Unfortunately, there is language here that directs the Corps of

Engineers to calculate critical yields on the two major basins that flow through my State of Georgia and, in particular, involve the basins themselves and the reservoirs, the largest of which is Lake Lanier.

Now I do not think that the gentleman who is handling this bill or the Republican gentleman who is handling this bill has any intention of having this inject itself into a controversy that has been going on for decades in the Federal courts and is still currently under appeal as a result of the latest decision. Now the effect of this is one of two things: since it directs the Corps of Engineers to within 120 days to calculate critical yields of the two major river basins, it will either be used for purposes of the ongoing litigation or it will be used as an argument for why human consumption should not be considered in the resolution of this issue between the three States, or among the three States.

Now to spend Corps dollars calculating something that does not take into account the right of people to drink the water that is in their State is unrealistic, and it is a true waste of Federal money. I find it quite ironic that the gentleman who injected this language into this bill just a couple of years ago was injecting language that directed the Corps not to do these kinds of studies. Isn't it ironic how all of a sudden the positions have flip-flopped? Now if you do not think that this is an issue that involves the so-called water wars, I would invite you to look at the press release for the gentleman who is claiming credit for injecting this in it, and it's referred to as the Water Wars amendment.

Now I would hope that this body would not see fit to get involved in a fight that is going to be resolved, hopefully, by agreement of the Governors of the three States. My Governor has initiated an effort to try to resume those negotiations, and we have had a response from at least the State of Alabama. We are hopeful that the State of Florida will respond accordingly. Ultimately, I think this issue will be resolved by the Governors reaching a conclusion and then bringing that conclusion to this body and to the other body and asking for us to incorporate it into the laws of this country.

Mr. PASTOR of Arizona. Mr. Speaker, in reference to Mr. DEAL, it's our understanding that that is right, the language in this conference requires two studies to determine the critical yield of the Federal projects. But we don't know, first of all, what the outcomes are going to be, so that's why we're having these studies. We don't want to get into the water wars, and we don't think that the consumption issue is an issue that will be part of the studies. Well, the language is report language, and this administration could do what it wants with the Corps of Engineers.

At this time, I yield 2 minutes to the gentleman from Georgia (Mr. SCOTT).

Mr. SCOTT of Georgia. Mr. Speaker, I come down to concur with my colleague Mr. DEAL from Georgia. The water situation in our State of Georgia is dire. It's a very delicate situation. We are working towards a very, very good response for the people of Georgia and for our entire region. We've just had the court ruling. It's very sensitive there. Our major concern—and again, this is with great respect to the chairman. He just spoke and we concur with that as well. But we need to be very careful that there is no language in the reporting language or in any of the studies that removes the words “for human consumption” for water. Because if the manuals are not constructed with the measurements by using water that is used for human consumption, that shoots right into our bull's-eye because that's why in metro Atlanta, in the Lake Lanier area where the point of the discussion is, we use that water for human consumption. So we're very sensitive to anything that would disallow that. We are working with the Governors of both Florida and Alabama, jointly with our Governor of Georgia, to come to a conclusion. As you all may or may not know, the judge, when he ruled in his decision, declared that it would be here in Congress that we would have to at some point reauthorize the water use of Lake Lanier and that region for human consumption. So this language would make it very difficult for us. We certainly want to concur with that. I concur with Mr. DEAL and the folks in Georgia, and I would respectfully hope that our words would be taken within the spirit of understanding that we are to deliver those words. I thank the chairman for yielding.

Mr. FRELINGHUYSEN. Mr. Speaker, I am pleased to yield 2 minutes to the gentleman from Georgia (Mr. WESTMORELAND).

Mr. WESTMORELAND. I thank the gentleman for yielding. I want to stand with my colleagues about this language that was put in the conference committee report, and I am looking at the press release now: “Conference Committee Adopts Shelby Water Wars Amendment.” I just want to give a little warning to some other Members of this because, not only would the judges' ruling about the Tallapoosa Basin and the Chattahoochee Basin—it also mentioned that because this drinking water was nonauthorized, and who would ever have thought we would have to authorize the ability for humans to have drinking water out of their water source, it also is going to affect 17 other States with approximately 42 Corps impoundments in their States.

If they do not believe that this will be used as a test case and a model for others to file suit with the Endangered Species Act or whatever for people taking unauthorized drinking water out of those water sources, they are very much confused. This bill needs to be defeated. This conference report needs

to be defeated. We need to go back to conference. We need to get this language out. I hope that other Members in this body who have these impoundments located in their States understand the consequences this language could have for them if this conference committee report is passed in this body and goes to the President's desk for signing. Because if you don't believe this isn't going to be brought up in some of these court cases, you're just fooling yourself. So I would like to ask the other Members of this body to join me and my colleagues in voting against the conference report.

Mr. PASTOR of Arizona. Mr. Speaker, I just want to clarify that the Corps was wanting to do these studies, and defeating this conference report is not going to stop the Corps from doing these studies. I have committed to the gentleman from Georgia that we will work with him because we don't believe that the consumption of water by the residents of Atlanta or Georgia should play a role, and it should be a factor in these studies.

I now yield 3 minutes to my colleague from Ohio (Mr. RYAN).

Mr. RYAN of Ohio. I thank the gentleman. I would like to also thank the ranking member. This is a good conference report. This is a good piece of legislation. I think there are some sound investments in here. I wish some were more, but I think given the stimulus and everything, we are moving in the right direction. We send about \$750 billion a year to oil-producing countries. A couple of years ago the Department of Defense spent about \$115 billion escorting big oil ships in and out of the Persian Gulf. We have got to get away from our dependency on foreign oil. We have got to get away from our dependency on these foreign countries that get us into all of these political entanglements.

I think the investments that are made here on solar energy (\$225 million), biofuels, vehicle technology, hydrogen technology, energy-efficient buildings—for those of us who represent manufacturing States in the Midwest, this green economy is opportunity for us. We have manufacturing. We have great research and development institutions. This is an opportunity for us to revive the middle class in the United States of America through these green jobs. There was a report that was just done for the Midwest Governors meeting that is coming up, and it says, “Regional Report Endorses Clean-Energy Economy for the Midwest.”

“Midwestern States should use their abundant natural resources and manufacturing base to build an economy based on clean energy.” And we have the opportunity to do that if we continue investing in research and development, especially coal.

There is one last point that I would like to mention. I hope that next year we can continue to push these energy hubs. Secretary Chu has made this a

top priority. They're modeled after the old Bell Laboratories. A variety of different universities are going to be involved in the research. They're going to be able to collaborate and focus on the technologies that are working, not focusing on just getting money so you can have a budget for next year. So I hope as we continue to move, we continue to push, these energy hubs are going to be nothing but opportunity for us to get into the commercialization and continue to create jobs.

Again, this is a good piece of legislation. I want to thank the chairman. I would also like to thank the staff. I know a lot of work went into it.

Mr. FRELINGHUYSEN. I reserve the balance of my time.

Mr. PASTOR of Arizona. Mr. Speaker, at this time I yield 2 minutes to the distinguished gentleman from Pennsylvania (Mr. FATTAH).

Mr. FATTAH. First of all, I would like to thank the chairman, the ranking member and the professional staff of the committee. A wonderful job has been done, I think, dealing with and grappling with the whole set of issues. But in this \$33.5 billion conference report, there are some very significant investments and priorities, \$2.2 billion in energy efficiency and renewable energy, everything from solar to biofuels and hydrogen, weatherization grants. We are very, very pleased that they were able to produce that as part of this conference report.

But I also want to say that on the nuclear side, a continuing investment by the committee, some \$787 million on a whole range of very important efforts related to nuclear energy so they can be safe and environmentally useful to us to continue to expand, both through the loan guarantee program but also through a number of other investments that are being made in the conference report. And to deal with the President's commitment on nuclear nonproliferation, on the weapons side, a \$2.1 billion investment.

I think that Congressman PASTOR, who has led this effort, and the staff have done a great job. We had a good process in negotiations with the Senate in our conference committee, which wrapped up yesterday. I encourage the House to favorably report this. I thank my good friend from New Jersey, who has served as the ranking Member and who has done an extraordinary job. This has been a bipartisan effort and is a bipartisan work product that I think moves the country's priorities forward in terms of energy and energy efficiency. I recommend it to the House.

Mr. FRELINGHUYSEN. I reserve the balance of my time.

Mr. PASTOR of Arizona. Mr. Speaker, I yield 1 minute to the gentleman from California (Mr. COSTA).

Mr. COSTA. Mr. Speaker, I rise today in support of the Energy and Water conference report. By now I suspect all of the Members of the House understand the drought crisis affecting California, particularly in the heart of the



San Joaquin Valley, a large part of my district. If this drought continues a fourth, fifth year, it could impact the entire State of California.

Among many of the items in this conference report are two amendments that Congressman CARDOZA and I have been fighting hard for on behalf of our farmers, farmworkers and farm communities who are at ground zero as it relates to this drought crisis. Communities are having 30 and 40 percent unemployment, the most difficult situation they've ever faced. In July, we offered an amendment to bring drought relief to the San Joaquin Valley by providing funding for two projects. The 2-Gates project and the Intertie project, both of these projects were on the back burner for years. They should have been already implemented. This administration is moving forward to put these into construction next year.

The second amendment addresses impediments to transfers. Transfers are critical during drought conditions, both regulatory and that by Mother Nature. This gives the Bureau of Reclamation the flexibility needed to facilitate, and much more needs to be done.

The SPEAKER pro tempore. The time of the gentleman from California has expired.

Mr. PASTOR of Arizona. Mr. Speaker, I yield an additional 30 seconds to the gentleman.

Mr. COSTA. I thank the gentleman from Arizona. This gives the flexibility for the Bureau of Reclamation to facilitate these water transfers. This year, we transferred over 6,000-acre-feet of water that was a critical lifeline. Much more needs to be done. I urge my colleagues to support these two amendments in this conference report. I thank the gentleman from Arizona for his support in these efforts.

Mr. FRELINGHUYSEN. I am prepared to yield back the balance of my time, Mr. Speaker.

□ 1400

Mr. PASTOR of Arizona. Mr. Speaker, Tom Beville used to describe this bill as the "all-American bill" because it meets the needs of America. I urge my colleagues to support it.

Mr. VAN HOLLEN. Mr. Speaker, I rise in support of the FY 10 Energy and Water Appropriations Conference Report, and I commend Chairman PASTOR and Ranking Member FRELINGHUYSEN for bringing this bipartisan legislation to the floor today.

The FY 10 Energy and Water Appropriations bill makes key investments that will drive American innovation, enhance our energy security, clean up our environment, reduce the threat of nuclear weapons and support our water infrastructure.

The conference report provides \$4.9 billion to the Department of Energy's Office of Science, \$1.6 billion for basic energy sciences and \$2.4 billion for applied research. These funding levels, when added to last year's appropriations and this year's stimulus bill, exceed the goals of the America COMPETES Act and meaningfully advance our Nation's innovation agenda.

The \$2.2 billion allocated to energy efficiency and renewable energy represents a 16 percent year over year increase and, in conjunction with continued Title 17 Innovative Technology Loan Guarantee authority, will strengthen our energy security by accelerating our research, development and deployment of homegrown solar, biofuel, smart grid, and advanced vehicle technologies.

This legislation continues the Nation's half century commitment to mitigating the environmental impacts of contaminated military and civilian nuclear sites by spending \$6.419 billion for that purpose, and it provides \$9.072 billion to confront the global nuclear threat, including \$2.1 billion in support of President Obama's nuclear nonproliferation initiative.

Finally, the FY 10 Energy and Water bill designates \$6.7 billion for the Army Corps of Engineers and the Bureau of Reclamation for priority water infrastructure, flood protection, and conservation projects. In that regard, I am particularly pleased with the inclusion of over \$3 million for specific Chesapeake Bay restoration initiatives of particular importance to my congressional district and the rest of the Chesapeake Bay watershed.

Mr. CARDOZA. Mr. Speaker, I rise in support of the FY 2010 Energy and Water Development and Related Agencies Appropriations Act. I would like to point out two provisions of the report that help to address the water supply crisis in California's San Joaquin Valley.

California is experiencing its third consecutive year of dry conditions. Our State's water supply outlook is further exacerbated by the "regulatory drought" that has resulted from agency regulatory actions. The Endangered Species Act in particular has proven to be a regulatory hammer, preventing water conveyance, transfers, and storage, even when water supplies have been plentiful. The Departments of the Interior and Commerce developed new Biological Opinions to protect Delta smelt and salmonid species, respectively. These decisions have resulted in significant restrictions on pumping water out of the Delta. These cuts were in addition to the many previous cuts that had already been imposed, including the Bay Delta Accord, the Central Valley Project Improvement Act and other actions.

The combination of the drought and the regulatory drought has resulted in dangerously low reservoirs and a 10 percent water allocation to farmers on California's westside. Over 400,000 acres of some of the world's most productive farmland have been fallowed, resulting in devastating job losses and high unemployment—as much as 40 percent in some cities on the westside.

It is crucial that the State of California and the Federal Government build new storage facilities and that we develop a better conveyance and water management system. In the meantime, it is important for the Departments to development programs that allow for flexibility as a means of achieving greater water supply. There are two provisions that Mr. COSTA and I added to the House Energy and Water Appropriations bill that do just that.

First, the \$40 million in CALFED funding provides the Bureau of Reclamation with the flexibility to use these funds to help fund crucial projects, such as the Two Gates Project and the Intertie Project, which will help relieve some of the pressure on the water supply in the San Joaquin Valley of California. More funding is needed for these two projects as

well as others, and this report provides a good start on a downpayment toward these projects and others that will help the Bureau, the State Department of Water Resources and our water district to move and transfer water in California to the people and farms that need it the most.

Second, I support the clarification of the Central Valley Project Improvement Act of 1992, which clarifies that additional restrictions under the CVPIA on water transfers within certain areas of the Central Valley Project South of Delta are not required. Several years ago, the Bureau of Reclamation changed its interpretation of this statute, and began applying additional and cumbersome requirements to water transfers within the CVP unless they were within the same county. These restrictions on water transfers have prevented the transfer of water from one area to another and have created an impediment to efficient and practical water use. This amendment would clarify that water transfers between Friant and South of Delta agricultural service contractors can occur beyond county boundaries so that water districts within one county can transfer to districts outside the county.

Unfortunately, the House version of the Energy and Water Bill which provided for permanent clarification in the law was not included in this report. Instead, this language clarifying the water transfer provision is limited to a 2-year period. Senator FEINSTEIN, Mr. COSTA and I will be introducing a bill to make this transfer amendment permanent, and we look forward to bringing something to the floor in a short period of time.

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

The SPEAKER pro tempore. Pursuant to House Resolution 788, the previous question is ordered.

The question is on the conference report.

Pursuant to clause 10 of rule XX, the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 308, nays 114, not voting 10, as follows:

[Roll No. 752]

YEAS—308

Abercrombie	Buchanan	Davis (TN)
Ackerman	Butterfield	DeFazio
Aderholt	Camp	DeGette
Akin	Cao	Delahunt
Alexander	Capito	DeLauro
Altmire	Capps	Dent
Arcuri	Cardoza	Diaz-Balart, L.
Austria	Carnahan	Diaz-Balart, M.
Baca	Carson (IN)	Dicks
Bachus	Cassidy	Dingell
Baldwin	Castle	Doggett
Bean	Castor (FL)	Donnelly (IN)
Becerra	Chandler	Doyle
Berkley	Childers	Dreier
Berman	Chu	Driehaus
Berry	Clarke	Edwards (MD)
Biggert	Clay	Edwards (TX)
Bilbray	Cleaver	Ehlers
Bishop (NY)	Clyburn	Ellison
Blumenauer	Cohen	Ellsworth
Bocchieri	Connolly (VA)	Engel
Bonner	Conyers	Eshoo
Boren	Cooper	Etheridge
Boswell	Costa	Farr
Boucher	Costello	Fattah
Boustany	Courtney	Finer
Boyd	Crowley	Fleming
Brady (PA)	Cuellar	Forbes
Braley (IA)	Cummings	Fortenberry
Bright	Dahlkemper	Foster
Brown, Corrine	Davis (AL)	Frank (MA)
Brown-Waite,	Davis (CA)	Frelinghuysen
Ginny	Davis (IL)	Fudge

Gerlach  
Giffords  
Gonzalez  
Gordon (TN)  
Granger  
Grayson  
Green, Al  
Green, Gene  
Griffith  
Grijalva  
Guthrie  
Gutierrez  
Hall (NY)  
Hall (TX)  
Halvorson  
Hare  
Harman  
Harper  
Hastings (FL)  
Hastings (WA)  
Heinrich  
Herger  
Herseeth Sandlin  
Higgins  
Hill  
Himes  
Hinchey  
Hinojosa  
Hirono  
Hodes  
Holden  
Holt  
Honda  
Hoyer  
Inslee  
Israel  
Jackson (IL)  
Jackson-Lee  
(TX)  
Johnson (GA)  
Johnson, E. B.  
Jones  
Kagen  
Kaptur  
Kennedy  
Kildee  
Kilpatrick (MI)  
Kilroy  
King (NY)  
Kirk  
Kirkpatrick (AZ)  
Kissell  
Klein (FL)  
Kosmas  
Kratovil  
Lance  
Langevin  
Larsen (WA)  
Larson (CT)  
Latham  
LaTourette  
Lee (CA)  
Lee (NY)  
Levin  
Lipinski  
LoBiondo  
Loeb sack  
Lofgren, Zoe  
Lowey  
Luetkemeyer  
Luján

Lungren, Daniel  
E.  
Lynch  
Maffei  
Markey (CO)  
Markey (MA)  
Massa  
Matsui  
McCarthy (NY)  
McCollum  
McCotter  
McDermott  
McGovern  
McIntyre  
McMahon  
McMorris  
Rodgers  
McNerney  
Meek (FL)  
Meeks (NY)  
Melancon  
Michaud  
Miller (MI)  
Miller (NC)  
Miller, George  
Minnick  
Mitchell  
Mollohan  
Moore (KS)  
Moore (WI)  
Moran (VA)  
Murphy (CT)  
Murphy (NY)  
Murphy, Patrick  
Murphy, Tim  
Murtha  
Nadler (NY)  
Napolitano  
Neal (MA)  
Oberstar  
Obey  
Oliver  
Ortiz  
Pallone  
Pastor (AZ)  
Payne  
Perlmutter  
Perriello  
Peters  
Peterson  
Pingree (ME)  
Polis (CO)  
Pomeroy  
Price (NC)  
Quigley  
Rahall  
Rangel  
Rehberg  
Reichert  
Reyes  
Richardson  
Rodriguez  
Rogers (AL)  
Rogers (KY)  
Rogers (MI)  
Rohrabacher  
Rooney  
Ros-Lehtinen  
Ross  
Rothman (NJ)  
Roybal-Allard  
Ruppersberger

Rush  
Ryan (OH)  
Salazar  
Sánchez, Linda  
T.  
Sanchez, Loretta  
Sarbanes  
Schakowsky  
Schauer  
Schiff  
Schock  
Schradler  
Schwartz  
Scott (VA)  
Serrano  
Sestak  
Shea-Porter  
Sherman  
Shuler  
Shuster  
Simpson  
Sires  
Skeltan  
Slaughter  
Smith (NJ)  
Smith (WA)  
Snyder  
Souder  
Space  
Speier  
Spratt  
Stark  
Stearns  
Stupak  
Sutton  
Tanner  
Taylor  
Teague  
Terry  
Thompson (CA)  
Thompson (MS)  
Thompson (PA)  
Thornberry  
Tiberi  
Tierney  
Titus  
Tonko  
Towns  
Tsongas  
Turner  
Upton  
Van Hollen  
Velázquez  
Visclosky  
Walz  
Wamp  
Wasserman  
Schultz  
Waters  
Watson  
Watt  
Waxman  
Weiner  
Welch  
Wexler  
Wilson (OH)  
Wittman  
Wolf  
Woolsey  
Wu  
Yarmuth  
Young (FL)

McHenry  
McKeon  
Mica  
Miller (FL)  
Miller, Gary  
Moran (KS)  
Myrick  
Nunes  
Nye  
Olson  
Paul  
Paulsen  
Pence

Petri  
Pitts  
Platts  
Poe (TX)  
Posey  
Price (GA)  
Putnam  
Radanovich  
Roe (TN)  
Roskam  
Royce  
Ryan (WI)  
Scalise

Scott (GA)  
Sensenbrenner  
Sessions  
Shadegg  
Shimkus  
Smith (NE)  
Smith (TX)  
Sullivan  
Tiahrt  
Walden  
Westmoreland  
Wilson (SC)  
Young (AK)

## NOT VOTING—10

Adler (NJ)  
Barrett (SC)  
Capuano  
Carney

Maloney  
McCarthy (CA)  
Neugebauer  
Pascrell

Schmidt  
Whitfield

## □ 1427

Messrs. SULLIVAN, BARROW and POE of Texas changed their vote from “yea” to “nay.”

Messrs. TURNER and PRICE of North Carolina changed their 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.

## PERSONAL EXPLANATION

Mr. PASCARELL. Madam Speaker, I want to state for the RECORD that I missed four rollcall votes. Unfortunately I missed these votes because I was in my district attending the funeral of my sister-in-law Barbara Gamero who recently passed away this last Tuesday at the age of 73. Had I been present I would have voted “yea” on rollcall votes 749, 750, 751 and 752.

## COMMENDING HOMELAND SECURITY DEPARTMENT EMPLOYEES AND ANTI-TERRORISM PARTNERS

The SPEAKER pro tempore (Mr. KRATOVIL). The unfinished business is the question on suspending the rules and agreeing to the resolution, H. Res. 731.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from New York (Ms. CLARKE) that the House suspend the rules and agree to the resolution, H. Res. 731.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the resolution was agreed to.

A motion to reconsider was laid on the table.

## □ 1430

## LEGISLATIVE PROGRAM

(Mr. CANTOR asked and was given permission to address the House for 1 minute.)

Mr. CANTOR. Mr. Speaker, I yield to the gentleman from Maryland, the majority leader, for the purpose of announcing next week's schedule.

Mr. HOYER. I thank the gentleman for yielding.

On Monday the House will not be in session. On Tuesday the House will meet at 12:30 p.m. for morning-hour debate and 2 p.m. for legislative business, with votes postponed until 6:30. On Wednesday and Thursday the House will meet at 10 a.m. for legislative business. On Friday there are no votes expected.

We will consider several bills under suspension of the rules. The complete list of suspension bills, as is the custom, will be announced by the close of business tomorrow. In addition to the suspension bills, we will consider H.R. 2442, the Bay Area Regional Water Recycling Program Expansion Act of 2009, the conference report on H.R. 2997, the Agricultural, Rural Development, Food and Drug Administration and Related Agencies Appropriations Act of 2010, and the conference report on H.R. 2892, the Department of Homeland Security Appropriations Act of 2010.

Mr. CANTOR. I thank the gentleman.

Mr. Speaker, I'd ask the gentleman if we could turn to the discussion of health care, and as the gentleman knows, he and I have had discussions this week, perhaps, I think, a discussion that could yield the ability for us to work together on the things that we agree on in health care. Obviously, the divide is great when talking about any type of move towards a government takeover of health care. But he and I have spoken about maybe there are some areas of agreement. And he and I have also talked about the fact that we could meet together and discuss that, and I look forward to hearing from him or his office to schedule that. And along those lines, I'd like to ask the gentleman what he expects the schedule to be towards bringing a health care bill to the floor of this House.

Mr. HOYER. First of all, let me say that, as far as I know, we have no premise that we want to pursue of a government takeover of health care, so notwithstanding the characterization, we don't believe that what's being proposed does that, any more than Medicare, from our perspective, was a takeover of the health care system. Having said that, we are working, as you know, as the press is reporting, on seeing what alternatives are available. There are three committee bills that have been reported out of the Energy and Commerce Committee, had full markups, Ways and Means Committee, and the Education and Labor Committee. As you know, they differ in part, and so there are now discussions as to how you meld those bills together with the theory and intention of offering a bill from those three bills.

We would expect the Rules Committee, at some point in time, to effect that objective, as has been done in the past. Our expectation is that we will do that within the time frame that we're able to do it; that is to say, there's not yet a resolution of how that is accomplished, so we don't have a time frame.

## NAYS—114

Andrews  
Bachmann  
Baird  
Barrow  
Bartlett  
Barton (TX)  
Bilirakis  
Bishop (GA)  
Bishop (UT)  
Blackburn  
Blunt  
Boehner  
Bono Mack  
Boozman  
Brady (TX)  
Broun (GA)  
Brown (SC)  
Burgess  
Burton (IN)  
Buyer  
Calvert  
Campbell  
Cantor  
Carter  
Chaffetz

Coble  
Coffman (CO)  
Cole  
Conaway  
Crenshaw  
Culberson  
Davis (KY)  
Deal (GA)  
Duncan  
Emerson  
Fallin  
Flake  
Fox  
Fox  
Franks (AZ)  
Gallegly  
Garrett (NJ)  
Gingrey (GA)  
Gohmert  
Goodlatte  
Graves  
Heller  
Hensarling  
Hoekstra  
Hunter  
Inglis

Issa  
Jenkins  
Johnson (IL)  
Johnson, Sam  
Jordan (OH)  
Kanjorski  
Kind  
King (IA)  
Kingston  
Kline (MN)  
Kucinich  
Lamborn  
Latta  
Lewis (CA)  
Lewis (GA)  
Linder  
Lucas  
Lummis  
Mack  
Manzullo  
Marchant  
Marshall  
Matheson  
McCaul  
McClintock