United States of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 104th CONGRESS, SECOND SESSION

Vol. 142 WASHINGTON, THURSDAY, SEPTEMBER 12, 1996 No. 125

House of Representatives

The House met at 10 a.m.

Rev. Kenneth P. Rogers, pastor, Lewisville Bible Church, Lewisville, TX, offered the following prayer:

Our Father in heaven, holy is Your name.

You are the Sovereign Lord of the universe, the Creator, the God of our Founding Fathers, the One who sent His Son to die for our sins and to rise again that we might have eternal life through faith in Him.

We ask for wisdom for the activities and decisions that are made here today. Guide and bless these men and women who have been sent here by the people of the States that they represent. Bless their families with love and peace.

May this Congress pass laws that will strengthen families, strengthen the spiritual and moral fiber of our Nation, and contribute to unity, justice, and peace.

Lord, what we do matters to You.

In the name of Jesus Christ, our Savior. Amen.

THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentleman from Ohio [Mr. PORTMAN] come forward and lead the House in the Pledge of Allegiance.

Mr. PORTMAN led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

CONFERENCE REPORT ON H.R. 3816, ENERGY AND WATER DEVELOPMENT APPROPRIATIONS ACT, 1997

Mr. MYERS of Indiana submitted the following conference report and statement on the bill (H.R. 3816) making appropriations for energy and water development for the fiscal year ending September 30, 1997, and for other purposes.

CONFERENCE REPORT (H. REPT. 104–782)

The Committee of Conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 3816) ''making appropriations for energy and water development for the fiscal year ending September 30, 1997, and for other purposes,'' having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate, and agree to the same with an amendment, as follows:

In lieu of the matter stricken and inserted by said amendment insert:

That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending September 30, 1997, for energy and water development, and for other purposes, namely:

TITLE I

DEPARTMENT OF DEFENSE—CIVIL

DEPARTMENT OF THE ARMY

CORPS OF ENGINEERS—CIVIL

The following appropriations shall be expended under the direction of the Secretary of the Army and the supervision of the Chief of Engineers for authorized civil functions of the Department of the Army pertaining to rivers and harbors, flood control, beach erosion, and related purposes.

GENERAL INVESTIGATIONS

For expenses necessary for the collection and study of basic information pertaining to river and harbor, flood control, shore protection, and related projects, restudy of authorized projects, miscellaneous investigations, and, when authorized by laws, surveys and detailed studies and plans and specifications of projects prior to construction, $153,872,000, to remain available until expended, of which funds are provided for the following projects in the amounts specified:

Norco Bluffs, California $180,000;

San Joaquin River Basin, Caliente Creek, California, $150,000;

Tampa Harbor, Alafia Channel, Florida, $100,000;

Lake George, Hobart, Indiana, $100,000;

Little Calumet River Basin, Cady Marsh Ditch, Indiana, $200,000;

Tahoe Basin Study, Nevada and California, $100,000;

Barnegat Inlet to Little Egg Harbor Inlet, New Jersey, $300,000;

Brigantine Inlet to Great Egg Harbor Inlet, New Jersey, $360,000;

Great Egg Harbor Inlet to Townsends Inlet, New Jersey, $200,000;

Manasquan Inlet to Barnegat Inlet, New Jersey, $250,000;

Townsends Inlet to Cape May Inlet, New Jersey, $245,000;

South Shore of Staten Island, New York, $200,000;

Mussers Dam, Middle Creek, Snyder County, Pennsylvania, $450,000;

Rhode Island South Coast, Habitat Restoration and Storm Damage Reduction, Rhode Island, $100,000;

Monongahela River, West Virginia, $500,000;

Monongahela River, Fairmont, West Virginia, $100,000; and

Tygart River Basin, Philippi, West Virginia, $100,000.

CONSTRUCTION, GENERAL

For the prosecution of river and harbor, flood control, shore protection, and related projects authorized by laws; and detailed studies, and plans and specifications, of projects (including those for development with participation or under consideration for participation by States, local governments, or private groups) authorized or made eligible for selection by law (but such studies shall not constitute a commitment of the Government to construction), $1,081,942,000, to remain available until expended, of which such sums as are necessary pursuant to Public Law 99–662 shall be derived from the Inland Waterways Trust Fund, for one-half of the costs of construction and rehabilitation of inland waterways projects, including rehabilitation costs for the Lock and Dam 25, Mississippi River, Illinois and Missouri, Lock and Dam 14, Mississippi River, Iowa, and Lock and Dam 24, Mississippi River, Illinois and Missouri, projects, and of which funds are provided for the following projects in the amounts specified:

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Red River Emergency Bank Protection, Arkansas, $3,000,000;

San Timoteo Creek (Santa Ana River Mainstem), California, $7,000,000;

Indianapolis Central Waterfront, Indiana, $7,000,000;

Indiana Shoreline Erosion, Indiana, $2,200,000;

Harlan (Levisa and Tug Forks of the Big Sandy River and Upper Cumberland River), Kentucky, $18,000,000;

Martine County (Levisa and Tug Forks of the Big Sandy River and Upper Cumberland River), Kentucky, $350,000;

Middlesboro (Levisa and Tug Forks of the Big Sandy River and Upper Cumberland River), Kentucky, $2,500,000;

Pike County (Levisa and Tug Forks of the Big Sandy River and Upper Cumberland River), Kentucky, $2,000,000;

Town of Martin (Levisa and Tug Forks of the Big Sandy River and Upper Cumberland River), Kentucky, $300,000;

Williamsburg (Levisa and Tug Forks of the Big Sandy River and Upper Cumberland River), Kentucky, $4,050,000;

Salyersville, Kentucky, $3,000,000;

Lake Pontchartrain and Vicinity, Louisiana, $17,025,000;

Lake Pontchartrain (Jefferson Parish) Stormwater Discharge, Louisiana, $4,750,000;

Red River below Denison Dam Levee and Bank Stabilization, Louisiana, Arkansas, and Texas, $100,000;

Red River Emergency Bank Protection, Louisiana, $3,400,000;

Glen Foerd, Pennsylvania, $800,000;

South Central Pennsylvania Environmental Restoration Infrastructure and Resource Protection Development Pilot Program, Pennsylvania, $7,000,000;

Seekonk River, Rhode Island Bridge removal, $650,000;

Wallisville Lake, Texas, $7,500,000;

Richmond Filtration Plant, Virginia, $3,500,000;

Virginia Beach, Virginia $8,000,000;

Hatfield Bottom (Levisa and Tug Forks of the Big Sandy River and Upper Cumberland River), West Virginia, $1,300,000;

Lower Mingo (Kermit) (Levisa and Tug Forks of the Big Sandy River and Upper Cumberland River), West Virginia, $4,000,000;

Lower Mingo, West Virginia, Tributaries Supplement, $105,000; and

Upper Mingo County (Levisa and Tug Forks of the Big Sandy River and Upper Cumberland River), West Virginia, $3,500,000: Provided, That of the funds provided for the Red River Waterway, Mississippi River to Shreveport, Louisiana, project, $3,000,000 is provided, to remain available until expended, for design and construction of a regional visitor center in the vicinity of Shreveport, Louisiana at full Federal expense: Provided further, That the Secretary of the Army, acting through the Chief of Engineers, is directed to use $1,000,000 of the funds appropriated in Public Law 104–46 for construction of the Ohio River Flood Protection, Indiana, project: Provided further, That the Secretary of the Army, acting through the Chief of Engineers, is directed, in cooperation with State, county, and city officials and in consultation with the Des Moines River Greenbelt Advisory Committee, to provide highway and other signs appropriate to direct the public to the bike trail which runs from downtown Des Moines, Iowa, to the Big Creek Recreation area at the Corps of Engineers Saylorville Lake project and the wildlife refuge in Jasper and Marion Counties in Iowa authorized in Public Law 101–302: Provided further, That any law, regulation, documents or record of the United States in which such projects are referred to shall be held to refer to the bike trail as the Neal Smith Bike Trail and to such centers as the Neal Smith Prairie Wildlife Learning Center: Provided further, That the Secretary is directed to initiate construction on the Joseph G. Minish Historic Waterfront Park, New Jersey, project; furthermore, the Secretary may transfer not to exceed $900,000 from General Investigations appropriations made in Title I of the Energy and Water Development Appropriations Act, Public Law 103–126 (107 STAT. 1313) for the Passaic River, Mainstem, New Jersey, to Construction, General for the Joseph G. Minish Historic Waterfront Park, New Jersey, project and that the Committees on Appropriations of the House and Senate shall be promptly advised of such transfer: Provided further, That of the funds provided herein, $1,000,000 shall be for payment to the Kansas City Southern Industries, Inc. in partial reimbursement of costs associated with the relocation and modification of the Louisiana and Arkansas (L&A) Railway Bridge at Alexandria, Louisiana, for navigation requirements of the Red River navigation project: Provided further, That using $500,000 of the funds appropriated for the Passaic River Mainstem, New Jersey, project under the heading ''General Investigations'' in Public law 103–126, the Secretary of the Army, acting through the Chief of Engineers, is directed to begin implementation of the Passaic River Preservation of Natural Storage Areas separable element of the Passaic River Flood Reduction Project, New Jersey: Provided further, That the Secretary of the Army, acting through the Chief of Engineers, is authorized and directed to initiate construction on the following projects in the amounts specified:

Humboldt Harbor, California, $2,500,000;

San Lorenzo River, California, $200,000;

Faulkner's Island, Connecticut, $1,500,000;

Chicago Shoreline, Illinois, $8,000,000;

Pond Creek, Jefferson City, Kentucky, $1,500,000;

Natchez Bluff, Mississippi, $4,500,000;

Wood River, Grand Isle, Nebraska, $1,000,000;

New York City Watershed, New York, $1,000,000;

Duck Creek, Cincinnati, Ohio, $466,000;

Saw Mill Run, Pittsburgh, Pennsylvania, $500,000;

West Virginia and Pennsylvania Flooding, West Virginia and Pennsylvania, $1,000,000;

Upper Jordan River, Utah, $500,000

San Juan Harbor, Puerto Rico, $800,000; and

Allendale Dam, Rhode Island, $195,000: Provided further, That no fully allocated funding policy shall apply to construction of the projects listed above, and the Secretary of the Army is directed to undertake these projects using continuing contracts where sufficient funds to complete the projects are not available from funds provided herein or in prior years.

FLOOD CONTROL, MISSISSIPPI RIVER AND TRIBUTARIES, ARKANSAS, ILLINOIS, KENTUCKY, LOUISIANA, MISSISSIPPI, MISSOURI, AND TENNESSEE

For expenses necessary for prosecuting work of flood control, and rescue work, repair, restoration, or maintenance of flood control projects threatened or destroyed by flood, as authorized by law (33 U.S.C. 702a, 702g–1), $310,374,000, to remain available until expended: Provided, That the President of the Mississippi River Commission is directed henceforth to use the variable cost recovery rate set forth in OMB Circular A–126 for use of the Commission aircraft authorized by the Flood Control Act of 1946, Public Law 526: Provided further, That notwithstanding the funding limitations set forth in Public Law 104–6 (109 Stat. 85), the Secretary of the Army, acting through the Chief of Engineers, is authorized and directed to use additional funds appropriated herein or previously appropriated to complete remedial measures to prevent slope instability at Hickman Bluff, Kentucky.

OPERATION AND MAINTENANCE, GENERAL

For expenses necessary for the preservation, operation, maintenance, and care of existing river and harbor, flood control, and related works, including such sums as may be necessary for the maintenance of harbor channels provided by a State, municipality or other public agency, outside of harbor lines, and serving essential needs of general commerce and navigation; surveys and charting of northern and northwestern lakes and connecting waters; clearing and straightening channels; and removal of obstructions to navigation, $1,697,015,000, to remain available until expended, of which such sums as become available in the Harbor Maintenance Trust Fund, pursuant to Public Law 99–662, may be derived from that fund, and of which such sums as become available from the special account established by the Land and Water Conservation Act of 1965, as amended (16 U.S.C. 460l), may be derived from that fund for construction, operation, and maintenance of outdoor recreation facilities, and of which funds are provided for the following projects in the amounts specified:

Raystown Lake, Pennsylvania, $4,190,000; and

Cooper Lake and Channels, Texas, $2,601,000:

Provided, That using $1,000,000 of the funds appropriated herein, the Secretary of the Army, acting through the Chief of Engineers, is directed to design and construct a landing at Guntersville, Alabama, as described in the Master Plan Report of the Nashville District titled ''Guntersville Landing'' dated June, 1996: Provided further, That the Secretary of the Army is directed to design and implement at full Federal expense an early flood warning system for the Greenbrier and Cheat River Basins, West Virginia within eighteen months from the date of enactment of this Act: Provided further, That the Secretary of the Army is directed during fiscal year 1997 to maintain a minimum conservation pool level of 475.5 at Wister Lake in Oklahoma: Provided further, That no funds, whether appropriated, contributed, or otherwise provided, shall be available to the United States Army Corps of Engineers for the purpose of acquiring land in Jasper County, South Carolina, in connection with the Savannah Harbor navigation project: Provided further, That the Secretary of the Army is directed to use $600,000 of funding provided herein to perform maintenance dredging of the Cocheco River navigation project, New Hampshire.

REGULATORY PROGRAM

For expenses necessary for administration of laws pertaining to regulation of navigable waters and wetlands, $101,000,000, to remain available until expended.

FLOOD CONTROL AND COASTAL EMERGENCIES

For expenses necessary for emergency flood control, hurricane, and shore protection activities, as authorized by section 5 of the Flood Control Act approved August 18, 1941, as amended, $10,000,000, to remain available until expended; Provided, That the Secretary of the Army, acting through the Chief of Engineers, is directed to use up to $8,000,000 of the funds appropriated herein and under this heading in Public Law 104–134 to rehabilitate non-Federal flood control levees along the Puyallup and Carbon Rivers in Pierce County, Washington.

GENERAL EXPENSES

For expenses necessary for general administration and related functions in the Office of the Chief of Engineers and offices of the Division Engineers; activities of the Coastal Engineering Research Board, the Humphreys Engineer Center Support Activity, the Engineering Strategic Studies Center, and the Water Resources Support Center, and for costs of implementing the Secretary of the Army's plan to reduce the number of division offices as directed in title I, Public Law 104–46, $149,000,000, to remain available until expended: Provided, That no part of any other appropriation provided in title I of this Act shall be available to fund the activities of the Office of the Chief of Engineers or the executive direction and management activities of the Division Offices: Provided further, That with funds provided herein and notwithstanding any other provision of law, the Secretary of the Army shall develop and submit to

the Congress (including the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives) within 60 days of enactment of this Act, a plan which reduces the number of division offices within the United States Army Corps of Engineers to no less than 6 and no more than 8, with each division responsible for at least 4 district offices, but does not close or change any civil function of any district office: Provided further, That notwithstanding any other provision of law, the Secretary of the Army is directed to begin implementing the division office plan on April 1, 1997: Provided further, That up to $1,500,000 may be transferred to this account from any other appropriation account in this title.

ADMINISTRATIVE PROVISION

Appropriations in this title shall be available for official reception and representation expenses (not to exceed $5,000); and during the current fiscal year the revolving fund, Corps of Engineers, shall be available for purchase (not to exceed 100 for replacement only) and hire of passenger motor vehicles.

GENERAL PROVISIONS

CORPS OF ENGINEERS—CIVIL

SEC. 101. (a) In fiscal year 1997, the Secretary of the Army shall advertise for competitive bid at least 8,500,000 cubic yards of the hopper dredge volume accomplished with government owned dredges in fiscal year 1992.

(b) Notwithstanding the provisions of this section, the Secretary is authorized to use the dredge fleet of the Corps of Engineers to undertake projects when industry does not perform as required by the contract specifications or when the bids are more than 25 percent in excess of what the Secretary determines to be a fair and reasonable estimated cost of a well equipped contractor doing the work or to respond to emergency requirements.

SEC. 102. None of the funds appropriated herein or otherwise made available to the Army Corps of Engineers, including amounts contained in the Revolving Fund of the Army Corps of Engineers, may be used to study, design or undertake improvements or major repair of the Federal vessel, McFARLAND, except for normal maintenance and repair necessary to maintain the vessel McFARLAND's current operational condition.

SEC. 103. The flood control project for Moorefield, West Virginia, authorized by section 101(a)(25) of the Water Resources Development Act of 1990 (Public Law 101–640, 104 Stat. 4610) is modified to authorize the Secretary of the Army to construct the project at a total cost of $26,200,000, with an estimated first Federal cost of $20,300,000 and an estimated first non-Federal cost of $5,900,000.

SEC. 104. The project for navigation, Grays Landing Lock and Dam, Monongahela River, Pennsylvania (Lock and Dam 7 Replacement), authorized by section 301(a) of the Water Resources Development Act of 1986 (Public Law 99–662, 100 Stat. 4410) is modified to authorize the Secretary of the Army to construct the project at a total cost of $181,000,000, with an estimated first Federal cost of $181,000,000.

SEC. 105. From the date of enactment of this Act, non-structural flood control measures implemented under Section 202(a) of Public Law 96–367 shall prevent future losses that would occur from a flood equal in magnitude to the April 1977 level by providing protection from the April 1977 level or the 100-year frequency event, whichever is greater.

SEC. 106. Notwithstanding any other provision of law, the Secretary of the Army, acting through the Chief of Engineers, is authorized to reprogram, obligate and expend such additional sums as are necessary to continue construction and cover anticipated contract earnings of any water resources project that received an appropriation or allowance for construction in or through an appropriations Act or resolution of the then-current fiscal year or the two fiscal years immediately prior to that fiscal year, in order to prevent the termination of a contract or the delay of scheduled work.

SEC. 107. The Corps of Engineers is hereby directed to complete the Charleston Riverfront (Haddad) Park Project, West Virginia, as described in the design memorandum approved November, 1992, on a 50–50 cost-share basis with the City. The Corps of Engineers shall pay one-half of all costs for settling contractor claims on the completed project and for completing the wharf. The Federal portion of these costs shall be obtained by reprogramming available Operations & Maintenance funds. The project cost limitation in the Project Cooperation Agreement shall be increased to reflect the actual costs of the completed project.

SEC. 108. The flood control project for Arkansas City, Kansas authorized by section 401(a) of the Water Resources Development Act of 1986 (Public Law 99–662, 100 Stat. 4116) is modified to authorize the Secretary of the Army to construct the project at a total cost of $38,500,000, with an estimated first Federal cost of $28,100,000 and an estimated first non-Federal cost of $10,400,000.

SEC. 109. Funds previously provided under the Fiscal Year 1993 Energy and Water Development Act, Public Law 102–377, for the Elk Creek Dam, Oregon project, are hereby made available to plan and implement long term management measures at Elk Creek Dam to maintain the project in an uncompleted state and to take necessary steps to provide passive fish passage through the project.

SEC. 110. The Secretary of the Army is authorized and directed to modify the project for the Hudson River, New York, New York City to Waterford, authorized by the Act of June 25, 1910 (Public Law 264, 61st Congress, 36 Stat. 635), to include design and construction of a 300-foot wide channel to a depth of 24 feet (mean low water), extending from the existing Federal channel in the vicinity of the Hudson City Light to the north dock at Union Street, Athens, New York.

SEC. 111. Section 109(a) of Public Law 104–46 (109 Stat. 408) with regard to Prestonsburg, Kentucky, is amended by striking ''Modification No. 2'' and inserting ''Modification No. 3''.

SEC. 112. The emergency gate construction project for Abiquiu Dam, New Mexico, authorized by section 1112 of the Water Resources Development Act of 1986 (Public Law 99–662, 100 stat. 4232) is modified to authorize the Secretary of the Army, acting through the Chief of Engineers, to construct the project at an estimated total cost of $7,000,000. The non-Federal share of the project shall be 25 percent of those costs of the project attributable to an increase in flood protection as a result of the installation of such gates.

TITLE II

DEPARTMENT OF THE INTERIOR

CENTRAL UTAH PROJECT

CENTRAL UTAH PROJECT COMPLETION ACCOUNT

For the purpose of carrying out provisions of the Central Utah Project Completion Act, Public Law 102–575 (106 Stat. 4605), and for feasibility studies of alternatives to the Uintah and Upalco Units, $42,527,000, to remain available until expended, of which $16,700,000 shall be deposited into the Utah Reclamation Mitigation and Conservation Account: Provided, That of the amounts deposited in to the Account, $5,000,000 shall be considered the Federal contribution authorized by paragraph 402(b)(2) of the Act and $11,700,000 shall be available to the Utah Reclamation Mitigation and Conservation Commission to carry out activities authorized under the Act.

In addition, for necessary expenses incurred in carrying out responsibilities of the Secretary of the Interior under the Act, $1,100,000, to remain available until expended.

BUREAU OF RECLAMATION

For carrying out the functions of the Bureau of Reclamation as provided in the Federal reclamation laws (Act of June 17, 1902, 32 Stat. 388, and Acts amendatory thereof or supplementary thereto) and other Acts applicable to that Bureau as follows:

GENERAL INVESTIGATIONS

For engineering and economic investigations of proposed Federal reclamation projects and studies of water conservation and development plans and activities preliminary to the reconstruction, rehabilitation and betterment, financial adjustment, or extension of existing projects, $16,650,000, to remain available until expended: Provided, That of the total appropriated, the amount for program activities which can be financed by the reclamation fund shall be derived from that fund: Provided further, That funds contributed by non-Federal entities for purposes similar to this appropriation shall be available for expenditure for the purposes for which contributed as though specifically appropriated for said purposes, and such amounts shall remain available until expended: Provided further, That of the total appropriated, $250,000 shall be available to complete the appraisal study and initiate preconstruction engineering and design for the Del Norte County and Crescent City, California, Wastewater Reclamation Project, and $250,000 shall be available to complete the appraisal study, and initiate preconstruction engineering and design for the Fort Bragg, California, Water Supply Project.

CONSTRUCTION PROGRAM

(INCLUDING TRANSFER OF FUNDS)

For construction and rehabilitation of projects and parts thereof (including power transmission facilities for Bureau of Reclamation use) and for other related activities as authorized by law, $394,056,000, to remain available until expended, of which $22,410,000 shall be available for transfer to the Upper Colorado River Basin Fund authorized by section 5 of the Act of April 11, 1956 (43 U.S.C. 620d), and $58,740,000 shall be available for transfer to the Lower Colorado River Basin Development Fund authorized by section 403 of the Act of September 30, 1968 (43 U.S.C. 1543), and such amounts as may be necessary shall be considered as though advanced to the Colorado River Dam Fund for the Boulder Canyon Project as authorized by the Act of December 21, 1928, as amended: Provided, That of the total appropriated, the amount for program activities which can be financed by the reclamation fund shall be derived from that fund: Provided further, That transfers to the Upper Colorado River Basin Fund and Lower Colorado River Basin Development Fund may be increased or decreased by transfers within the overall appropriation under this heading: Provided further, That funds contributed by non-Federal entities for purposes similar to this appropriation shall be available for expenditures for the purposes for which contributed as though specifically appropriated for said purposes, and such funds shall remain available until expended: Provided further, That all costs of the safety of dams modification work at Coolidge Dam, San Carlos Irrigation Project, Arizona, performed under the authority of the Reclamation Safety of Dams Act of 1978 (43 U.S.C. 506), as amended, are in addition to the amount authorized in section 5 of said Act: Provided further, That section 301 of Public Law 102–250, Reclamation States Emergency Drought Relief Act of 1991, is amended by inserting ''1996, and 1997'' in lieu of ''and 1996'': Provided further, That the amount authorized by section 210 of Public Law 100–557 (102 Stat. 2791), is amended to $56,362,000 (October 1996 prices plus or minus cost indexing), and funds are authorized to be appropriated through the twelfth fiscal year after construction funds are first made available.

Provided further, That utilizing funds appropriated for the Tucson Aqueduct System Reliability Investigation, the Bureau of Reclamation is directed to complete, by the end of fiscal year 1997, the environmental impact statement being conducted on the proposed surface reservoir. The Bureau of Reclamation is further directed to work with the City of Tucson on any outstanding issues related to the preferred alternative.

OPERATION AND MAINTENANCE

For operation and maintenance of reclamation projects or parts thereof and other facilities, as authorized by law; and for a soil and moisture conservation program on lands under the jurisdiction of the Bureau of Reclamation, pursuant to law, $267,876,000, to remain available until expended: Provided, That of the total appropriated, the amount for program activities which can be financed by the reclamation fund shall be derived from that fund, and the amount for program activities which can be derived from the special fee account established pursuant to the Act of December 22, 1987 (16 U.S.C. 460l–6a, as amended), may be derived from that fund: Provided further, That funds advanced by water users for operation and maintenance of reclamation projects or parts thereof shall be deposited to the credit of this appropriation and may be expended for the same purpose and in the same manner as sums appropriated herein may be expended, and such advances shall remain available until expended: Provided further, That revenues in the Upper Colorado River Basin Fund shall be available for performing examination of existing structures on participating projects of the Colorado River Storage Project.

BUREAU OF RECLAMATION LOAN PROGRAM ACCOUNT

For the cost of direct loans and/or grants, $12,290,000, to remain available until expended, as authorized by the Small Reclamation Projects Act of August 6, 1956, as amended (43 U.S.C. 422a–422l); Provided, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974; Provided further, That these funds are available to subsidize gross obligations for the principal amount of direct loans not to exceed $37,000,000.

In addition, for administrative expenses necessary to carry out the program for direct loans and/or grants, $425,000: Provided, That of the total sums appropriated, the amount of program activities which can be financed by the reclamation fund shall be derived from the fund.

CENTRAL VALLEY PROJECT RESTORATION FUND

For carrying out the programs, projects, plans, and habitat restoration, improvement, and acquisition provisions of the Central Valley Project Improvement Act, such sums as may be collected in the Central Valley Project Restoration Fund pursuant to sections 3407(d), 3404(c)(3), 3405(f) and 3406(c)(1) of Public Law 102–575, to remain available until expended: Provided, That the Bureau of Reclamation is directed to levy additional mitigation and restoration payments totaling $30,000,000 (October 1992 price levels) on a three-year rolling average basis, as authorized by section 3407(d) of Public Law 102–575.

GENERAL ADMINISTRATIVE EXPENSES

For necessary expenses of general administration and related functions in the office of the Commissioner, the Denver office, and offices in the five regions of the Bureau of Reclamation, to remain available until expended, $46,000,000 to be derived from the reclamation fund and to be nonreimbursable pursuant to the Act of April 19, 1945 (43 U.S.C. 377): Provided, That no part of any other appropriation in this Act shall be available for activities or functions budgeted for the current fiscal year as general administrative expenses.

SPECIAL FUNDS

(TRANSFER OF FUNDS)

Sums herein referred to as being derived from the reclamation fund or special fee account are appropriate from the special funds in the Treasury created by the Act of June 17, 1902 (43 U.S.C. 391) or the Act of December 22, 1987 (16 U.S.C. 460l–6a, as amended), respectively. Such sums shall be transferred, upon request of the Secretary, to be merged with and expended under the heads herein specified.

ADMINISTRATIVE PROVISION

Appropriations for the Bureau of Reclamation shall be available for purchase of not to exceed 6 passenger motor vehicles for replacement only.

TITLE III

DEPARTMENT OF ENERGY

ENERGY PROGRAMS

ENERGY SUPPLY, RESEARCH AND DEVELOPMENT ACTIVITIES

For expense of the Department of Energy activities including the purchase, construction and acquisition of plant and capital equipment and other expenses necessary for energy supply, research and development activities in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101, et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion; purchase of passager motor vehicles (not to exceed 24 for replacement only), $2,710,908,000, to remain available until expended.

URANIUM SUPPLY AND ENRICHMENT ACTIVITIES

For expenses of the Department of Energy in connection with operating expenses; the purchase, construction, and acquisition of plant and capital equipment and other expenses necessary for uranium supply and enrichment activities in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101, et seq.) and the Energy Policy Act (Public Law 102–486, section 901), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion; purchase of electricity as necessary; and the purchase of passenger motor vehicles (not to exceed 3 for replacement only); $43,200,000, to remain available until expended: Provided, That revenues received by the Department for uranium programs and estimated to total $42,200,000 in fiscal year 1997 shall be retained and used for the specific purpose of offsetting costs incurred by the Department for such activities notwithstanding the provisions of 31 U.S.C. 330-2(b) and 42 U.S.C. 2296(b)(2): Provided further, That the sum herein appropriated shall be reduced as revenues are received during fiscal year 1997 so as to result in a final fiscal year 1997 appropriation from the General Fund estimated at not more than $1,000,000.

Section 161k. of the Atomic Energy Act of 1954 (42 U.S.C. 2201k) with respect to the Paducah Gaseous Diffusion Plant, Kentucky, and the Portsmouth Gaseous Diffusion Plant, Ohio, the guidelines shall require, at a minimum, the presence of an adequate number of security guards carrying side arms at all times to ensure maintenance of security at the gaseous diffusion plants.

Section 311(b) of the USEC Privatization Act (Public Law 104–134, title III, chapter 1, subchapter A) insert the following:

''(3) The Corporation shall pay to the Thrift Savings Fund such employee and agency contributions as are required or authorized by section 8432 and 8351 of title 5, United States Code, for employees who elect to retain their coverage under CSRS or FERS pursuant to paragraph (1).''.

URANIUM ENRICHMENT DECONTAMINATION AND DECOMMISSIONING FUND

For necessary expenses in carrying out uranium enrichment facility decontamination and decommissioning remedial actions and other activities of title II of the Atomic Energy Act of 1954 and title X, subtitle A of the Energy Policy Act of 1992, $200,200,000, to be derived from the Fund, to remain available until expended: Provided, That $34,000,000 of amounts derived from the Fund for such expenses shall be available in accordance with title X, subtitle A, of the Energy Policy Act of 1992.

GENERAL SCIENCE AND RESEARCH ACTIVITIES

For expenses of the Department of Energy activities including the purchase, construction and acquisition of plant and capital equipment and other expenses necessary for general science and research activities in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101, et seq.), including the acquisition or condemnation of any real property of facility or for plant or facility acquisition, construction, or expansion, $996,000,000, to remain available until expended.

NUCLEAR WASTE DISPOSAL FUND

For nuclear waste disposal activities to carry out the purposes of Public Law 97–425, as amended, including the acquisition of real property or facility construction or expansion, $182,000,000 to remain available until expended, to be derived from the Nuclear Waste Fund: Provided, That none of the funds provided herein shall be distributed to the State of Nevada or affected units of local government (as defined by Public Law 97–425) by direct payment, grant, or other means, for financial assistance under section 116 of the Nuclear Waste Policy Act of 1982, as amended: Provided further, That the foregoing proviso shall not apply to payments in lieu of taxes under section 116(c)(3)(A) of the Nuclear Waste Policy Act of 1982, as amended no later than September 30, 1998, the Secretary shall provide to the President and to the Congress a viability assessment of the Yucca Mountain site. The viability assessment shall include:

(1) the preliminary design concept for the critical elements for the repository and waste package;

(2) a total system performance assessment, based upon the design concept and the scientific data and analysis available by September 30, 1998, describing the probable behavior of the repository in the Yucca Mountain geological setting relative to the overall system performance standards;

(3) a plan and cost estimate for the remaining work required to complete a license application; and

(4) an estimate of the costs to construct and operate the repository in accordance with the design concept.

DEPARTMENTAL ADMINISTRATION

For salaries and expenses of the Department of Energy necessary for Departmental Administration in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101, et seq.), including the hire of passenger motor vehicles and official reception and representation expenses (not to exceed $35,000), $215,021,000, to remain available until expended, plus such additional amounts as necessary to cover increases in the estimated amount of cost of work for others notwithstanding the provisions of the Anti-Deficiency Act (31 U.S.C. 1511, et seq.): Provided, That such increases in cost of work are offset by revenue increases of the same or greater amount, to remain available until expended: Provided further, That moneys received by the Department for miscellaneous revenues estimated to total $125,388,000 in fiscal year 1997 may be retained and used for operating expenses within this account, and may remain available until expended, as authorized by section 201 of Public Law 95–238, notwithstanding the provisions of 31 U.S.C. 3302: Provided further, That the sum herein appropriated shall be reduced by the amount of miscellaneous revenues received during fiscal year 1997 so as to result in a final fiscal year 1997 appropriation from the General Fund estimated at not more than $89,633,000.

OFFICE OF THE INSPECTOR GENERAL

For necessary expenses of the Office of the Inspector General in carrying out the provisions of the Inspector General Act of 1978, as amended, $23,853,000, to remain available until expended.

ATOMIC ENERGY DEFENSE ACTIVITIES

WEAPONS ACTIVITIES

For Department of Energy expenses, including the purchase, construction and acquisition of plant and capital equipment and other expenses necessary for atomic energy defense weapons activities in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101, et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion; and the purchase of passenger motor vehicles (not to exceed 94 for replacement only), $3,911,198,000, to remain available until expended.

DEFENSE ENVIRONMENTAL RESTORATION AND WASTE MANAGEMENT

For Department of Energy expenses, including the purchase, construction and acquisition of plant and capital equipment and other expenses necessary for atomic energy defense environmental restoration and waste management activities in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101, et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion; and the purchase of passenger motor vehicles (not to exceed 20, of which 19 are for replacement only), $5,459,304,000, to remain available until expended and, in addition, $160,000,000 for privatization initiatives, to remain available until expended.

OTHER DEFENSE ACTIVITIES

For Department of Energy expenses, including the purchase, construction and acquisition of plant and capital equipment and other expenses necessary for atomic energy defense, other defense activities, in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101, et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion, and the purchase of passenger motor vehicles (not to exceed 2 for replacement only), $1,605,733,000, to remain available until expended.

DEFENSE NUCLEAR WASTE DISPOSAL

For nuclear waste disposal activities to carry out the purposes of Public Law 97–425, as amended, including the acquisition of real property or facility construction or expansion, $200,000,000, to remain available until expended.

POWER MARKETING ADMINISTRATIONS

OPERATION AND MAINTENANCE, ALASKA POWER ADMINISTRATION

For necessary expenses of operation and maintenance of projects in Alaska and of marketing electric power and energy, $4,000,000, to remain available until expended.

BONNEVILLE POWER ADMINISTRATION FUND

Expenditures from the Bonneville Power Administration Fund, established pursuant to Public Law 93–454, are approved for official reception and representation expenses in an amount not to exceed $3,000.

During fiscal year 1997, no new direct loan obligations may be made.

OPERTION AND MAINTENANCE, SOUTHEASTERN POWER ADMINISTRATION

For necessary expenses of operation and maintenance of power transmission facilities and of marketing electric power and energy pursuant to the provisions of section 5 of the Flood Control Act of 1944 (16 U.S.C. 825s), as applied to the southeastern power area, $16,359,000 to remain available until expended.

OPERATION AND MAINTENANCE, SOUTHWESTERN POWER ADMINISTRATION

For necessary expenses of operation and maintenance of power transmission facilities and of marketing electric power and energy, and for construction and acquisition of transmission lines, substations and appurtenant facilities, and for administrative expenses, including official reception and representation expenses in an amount not to exceed $1,500 in carrying out the provisions of section 5 of the Flood Control Act of 1944 (16 U.S.C. 825s), as applied to the southwestern power area, $25,210,000, to remain available until expended; in addition, notwithstanding the provisions of 31 U.S.C. 3302, not to exceed $3,787,000 in reimbursements, to remain available until expended.

CONSTRUCTION, REHABILITATION, OPERATION AND MAINTENANCE WESTERN AREA POWER ADMINISTRATION

(INCLUDING TRANSFER OF FUNDS)

For carrying out the functions authorized by title III, section 302(a)(1)(E) of the Act of August 4, 1977 (42 U.S.C. 7101, et seq.), and other related activities including conservation and renewable resources programs as authorized, including official reception and representation expenses in an amount not to exceed $1,500 $193,582,000, to remain available until expended, of which $185,687,000 shall be derived from the Department of the Interior Reclamation Fund: Provided, That of the amount herein appropriated, $5,432,000 is for deposit into the Utah Reclamation Mitigation and Conservation Account pursuant to title IV of the Reclamation Projects Authorization and Adjustment Act of 1992: Provided further, That the Secretary of the Treasury is authorized to transfer from the Colorado River Dam Fund to the Western Area Power Administration $3,774,000 to carry out the power marketing and transmission activities of the Boulder Canyon project as provided in section 104(a)(4) of the Hoover Power Plant Act of 1984, to remain available until expended.

FALCON AND AMISTAD OPERATING AND MAINTENANCE FUND

For operation, maintenance, and emergency costs for the hydroelectric facilities at the Falcon and Amistad Dams, $970,000 to remain available until expended, and to be derived from the Falcon and Amistad Operating and Maintenance Fund of the Western Area Power Administration, as provided in section 423 of the Foreign Relations Authorization Act, fiscal years 1994 and 1995.

FEDERAL ENERGY REGULATORY COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the Federal Energy Regulatory Commission to carry out the provisions of the Department of Energy Organization Act (42 U.S.C. 7101, et seq.), including services as authorized by 5 U.S.C. 3109, the hire of passenger motor vehicles, and official reception and representation expenses (not to exceed $3,000), $146,290,000, to remain available until expended: Provided, That notwithstanding any other provision of law, not to exceed $146,290,000 of revenues from fees and annual charges, and other services and collections in fiscal year 1997 shall be retained and used for necessary expenses in this account, and shall remain available until expended: Provided further, That the sum herein appropriated shall be reduced as revenues are received during fiscal year 1997 so as to result in a final fiscal year 1997 appropriation from the General Fund estimated at not more than $0.

GENERAL PROVISIONS

SEC. 301. PRIORITY PLACEMENT, JOB PLACEMENT, RETRAINING, AND COUNSELING PROGRAMS FOR UNITED STATES DEPARTMENT OF ENERGY EMPLOYEES AFFECTED BY A REDUCTION IN FORCE.

(a) DEFINITIONS.—

(1) for the purposes of this section, the term ''agency'' means the United States Department of Energy.

(2) For the purposes of this section, the term ''eligible employee'' means any employee of the agency who—

(A) is scheduled to be separated from service due to a reduction in force under—

(i) regulations prescribed under section 3502 of title 5, United States Code; or

(ii) procedures established under section 3595 of title 5, United States Code; or

(B) is separated from service due to such a reduction in force, but does not include—

(i) an employee separated from service for cause on charges of misconduct or delinquency; or

(ii) an employee who, at the time of separation, meets the age and service requirements for an immediate annuity under subchapter III of chapter 83 or chapter 84 of title 5, United States Code.

(b) PRIORITY PLACEMENT AND RETRAINING PROGRAM.—Not later than 30 days after the date of the enactment of this Act, the United States Department of Energy shall establish an agency-wide priority placement and retraining program for eligible employees.

(c) The priority placement program established under subsection (b) shall include provisions under which a vacant position shall not be filled by the appointment or transfer of any individual from outside of the agency if—

(1) there is then available any eligible employee who applies for the position within 30 days of the agency issuing a job announcement and is qualified (or can be trained or retrained to become qualified within 90 days of assuming the position) for the position; and

(2) the position is within the same commuting area as the eligible employee's last-held position or residence.

(d) JOB PLACEMENT AND COUNSELING SERVICES.—The head of the agency may establish a program to provide job placement and counseling services to eligible employees.

(1) TYPES OF SERVICES.—A program established under subsection (d) may include, but is not limited to, such services as—

(A) career and personal counseling;

(B) training and job search skills; and

(C) job placement assistance, including assistance provided through cooperative arrangements with State and local employment services offices.

SEC. 302. None of the funds appropriated by this or any other Act may be used to implement section 3140 of H.R. 3230 as reported by the Committee of Conference on July 30, 1996. The Secretary of Energy shall develop a plan to reorganize the field activities and management of the national security functions of the Department of Energy and shall submit such plan to the Congress not later than 120 days after the date of enactment of this Act. The plan will specifically identify all significant functions performed by the Department's national security operations and area offices and make recommendations as to where those functions should be performed.

TITLE IV

INDEPENDENT AGENCIES

APPALACHIAN REGIONAL COMMISSION

For expenses necessary to carry out the programs authorized by the Appalachian Regional Development Act of 1965, as amended, notwithstanding section 405 of said Act, and for necessary expenses for the Federal Co-Chairman and the alternate on the Appalachian Regional Commission and for payment of the Federal share of the administrative expenses of the Commission, including services as authorized by 5 U.S.C. 3109, and hire of passenger motor vehicles, $160,000,000, to remain available until expended.

DEFENSE NUCLEAR FACILITIES SAFETY BOARD

SALARIES AND EXPENSES

For necessary expenses of the Defense Nuclear Facilities Safety Board in carrying out activities authorized by the Atomic Energy Act of 1954, as amended by Public Law 100–456, section 1441, $16,000,000, to remain available until expended.

NUCLEAR REGULATORY COMMISSION

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses of the Commission in carrying out the purposes of the Energy Reorganization Act of 1974, as amended, and the Atomic Act of 1954, as amended, including the employment of aliens; services authorized by 5 U.S.C. 3109; publication and dissemination of atomic information; purchase, repair, and cleaning of uniforms; official representation expenses (not to exceed $20,000); reimbursements to the General Services Administration for security guard services; hire of passenger motor vehicles and aircraft, $471,800,000, to remain available until expended: Provided, That of the amount appropriated herein, $11,000,000 shall be derived from the Nuclear Waste Fund: Provided further, That from this appropriation, transfer of sums may be made to other agencies of the Government for the performance of the work for which this appropriation is made, and in such cases the sums so transferred may be merged with the appropriation to which transferred: Provided further, That moneys received by the Commission for the cooperative nuclear safety research program, services rendered to foreign governments and international organizations, and the material and information access authorization programs, including criminal history checks under section 149 of the Atomic Energy Act may be retained and sued for salaries and expenses associated with those activities, notwithstanding 31 U.S.C. 3302, and shall remain available until expended: Provided further, That revenues from licensing fees, inspection services, and other services and collections estimated at $457,300,000 in fiscal year 1997 shall be retained and used for necessary salaries and expenses in this account, notwithstanding 31 U.S.C. 3302, and shall remain available until expended: Provided further, That the funds herein appropriated for regulatory reviews and other activities pertaining to waste stored at the Hanford site, Washington, shall be excluded from license fee revenues, notwithstanding 42 U.S.C. 2214: Provided further, That the sum herein appropriated shall be reduced by the amount of revenues received during fiscal year 1997 from licensing fees, inspection services and other services and collections, excluding those moneys received for the cooperative nuclear safety research program, services rendered to foreign governments and international organizations, and the material and information access authorization programs, so as to result in a final fiscal year 1997 appropriation estimated at not more than $14,500,000.

OFFICE OF INSPECTOR GENERAL

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, as amended, including services authorized by 5 U.S.C. 3109, $5,000,000, to remain available until expended; and in addition, an amount not to exceed 5 percent of this sum may be transferred from Salaries and Expenses, Nuclear Regulatory Commission: Provided, That notice of such transfers shall be given to the Committees on Appropriations of the House and Senate: Provided further, That from this appropriation, transfers of sums may be made to other agencies of the Government for the performance of the work for which this appropriation is made, and in such cases the sums so transferred may be merged with the appropriation to which transferred: Provided further, That revenues from licensing fees, inspection services, and other services and collections shall be retained and used for necessary salaries and expenses in this account, notwithstanding 31 U.S.C. 3302, and shall remain available until expended: Provided further, That the sum herein appropriated shall be reduced by the amount of revenues received during fiscal year 1997 from licensing fees, inspection services, and other services and collections, so as to result in a final fiscal year 1997 appropriation estimated at not more than $0.

NUCLEAR WASTE TECHNICAL REVIEW BOARD

SALARIES AND EXPENSES

For necessary expenses of the Nuclear Waste Technical Review Board, as authorized by Public Law 100–203, section 5051, $2,531,000, to be derived from the Nuclear Waste Fund, and to remain available until expended.

TENNESSEE VALLEY AUTHORITY

For the purpose of carrying out the provisions of the Tennessee Valley Authority Act of 1933, as amended (16 U.S.C. ch. 12A), including hire, maintenance, and operation of aircraft, and purchase and hire of passenger motor vehicles, $106,000,000, to remain available until expended: Provided, That of the funds provided herein, $15,000,000 shall be made available for the Environmental Research Center in Muscle Shoals, Alabama: Provided further, That of the funds provided herein, $6,000,000 shall be made available for operation, maintenance, improvement, and surveillance of Land Between the Lakes: Provided further, That of the amount provided herein, $15,000,000 shall be available for Economic Development activities: Provided further, that none of the funds provided herein, shall be available for detailed engineering and design or constructing a replacement for Chickamauga Lock and Dam on the Tennessee River System.

TITLE V

GENERAL PROVISIONS

SEC. 501. (a) PURCHASE OF AMERICAN-MADE EQUIPMENT AND PRODUCTS.—It is the sense of the congress that, to the greatest extent practicable, all equipment and products purchased with funds made available in this Act should be American-made.

(b) NOTICE REQUIREMENT.—In providing financial assistance to, or entering into any contract with, any entity using funds made available in this Act, the head of each Federal agency, to the greatest extent practicable, shall provide to such entity a notice describing the statement made in subsection (a) by the Congress.

(c) PROHIBITION OF CONTRACTS WITH PERSONS FALSELY LABELING PRODUCTS AS MADE IN AMERICA.—If it has been finally determined by a court or Federal agency that any person intentionally affixed a label bearing ''Made in America'' inscription, or any inscription with the same meaning, to any product sold in or shipped to the United States that is not made in the United States, the person shall be ineligible to receive any contract or subcontract made with funds made available in this Act, pursuant to the debarment, suspension, and ineligibility procedures described in sections 9.400 through 9.409 of title 48, Code of Federal Regulations.

SEC. 502. 42 U.S.C. 7262 is repealed.

SEC. 503. (a) None of the funds appropriated or otherwise made available by this Act may be used to determine the final point of discharge for the interceptor drain for the San Luis Unit until development by the Secretary of the Interior and the State of California of a plan, which shall conform to the water quality standards of the State of California as approved by the Administrator of the Environmental Protection Agency, to minimize any detrimental effect of the San Luis drainage waters.

(b) The costs of the Kesterson Reservoir Cleanup Program and the costs of the San Joaquin Valley Drainage Program shall be classified by the Secretary of the Interior as reimbursable or nonreimbursable and collected until fully repaid pursuant to the ''Cleanup Program—Alternative Repayment Plan'' and the ''SJVDP—Alternative Repayment Plan'' described in the report entitled ''Repayment Report, Kesterson Reservoir Cleanup Program and San Joaquin Valley Drainage Program, February 1995'', prepared by the Department of the Interior, Bureau of Reclamation. Any future obligations of funds by the United States relating to, or providing for, drainage service or drainage studies for the San Luis Unit shall be fully reimbursable by San Luis Unit beneficiaries of such service or studies pursuant to Federal Reclamation law.

SEC. 504. None of the funds made available in this Act may be used to revise the Missouri River Master Water Control Manual when it is made known to the Federal entity or official to which the funds are made available that such revision provides for an increase in the springtime water release program during the spring heavy rainfall and snow melt period in States that have rivers draining into the Missouri River below the Gavins Point Dam.

SEC. 505. Public Law 101–514, the Energy and Water Development Appropriations Act, 1991, is amended effective September 30, 1997 or upon operation of the temperature control device, by striking the proviso under the heading ''Construction, Rehabilitation, Operations and Maintenance, Western Area Power Administration''.

SEC. 506. The Secretary of the Interior shall extend the water service contracts for the following projects, entered into by the Secretary of the Interior under subsection (e) of section 9 of the Reclamation Project Act of 1939 (43 U.S.C. 485h) and section 9(c) of the Act of December 22, 1944 (58 Stat. 891, chapter 665), for a period of 1 additional year after the dates on which each of the contracts, respectively, would expire but for this section:

(1) The Bostwick District (Kansas portion), Missouri River Basin Project, consisting of the project constructed and operated under the Act of December 22, 1944 (58 Stat. 887, chapter 665), as a component of the Pick-Sloan Missouri Basin Program, situated in Republic County, Jewell County, and Cloud County, Kansas.

(2) The Bostwick District (Nebraska portion), Missouri River Basin Project, consisting of the project constructed and operated under the Act of December 22, 1944 (58 Stat. 887, chapter 665), as a component of the Pick-Sloan Missouri Basin Program, situated in Harlan County, Franklin County, Webster County, and Nuckolls County, Nebraska.

(3) The Frenchman-Cambridge District, Misouri River Basin Project, consisting of the project constructed and operated under the Act of December 22, 1944 (58 Stat. 887, chapter 665), as a component of the Pick-Sloan Missouri Basin Program, siutated in Chase County, Frontier County, Hitchcock County, Furnas County, and Harlan County, Nebraska.

SEC. 507. Funds made available by this Act to the Department of Energy shall be available only for the purposes for which they have been made available by this Act. The Department of Energy shall report by February 28, 1997 to the Committees on Appropriations of the House and Senate of the Department of Energy's adherence to the recommendation included in the accompanying report

SEC. 508. (a) DENIAL OF FUNDS FOR PREVENTING ROTC ACCESS TO CAMPUS.—None of the funds made available in this Act may be provided by contract or by grant (including a grant of funds to be available for student aid) to a subelement of an institution of higher education when it is made known to the Federal official having authority to obligate or expend such funds that the subelement of such institution has a policy or practice (regardless of when implemented) that prohibits, or in effect prevents—

(1) the maintaining, establishing, or operation of a unit of the Senior Reserve Officer Training Corps (in accordance with section 654 of title 10, United States Code, and other applicable Federal laws) at the subelement of such institution; or

(2) a student at the institution (or subelement) from enrolling in a unit of the Senior Reserve Officer Training Corps at another institution of higher education.

(b) EXCEPTION.—The limitation established in subsection (a) shall not apply to an institution of higher education when it is made known to

the Federal official having authority to obligate or expend such funds that—

(1) the institution (or subelement) has ceased the policy or practice described in such subsection; or

(2) the institution has a longstanding policy of pacifism based on historical religious affiliation.

SEC. 509. (a) DENIAL OF FUNDS FOR PREVENTING FEDERAL MILITARY RECRUITING ON CAMPUS.—None of the funds made available in this Act may be provided by contract or grant (including a grant of funds to be available for student aid) to a subelement of an institution of higher education when it is made known to the Federal official having authority to obligate or expend such funds that the subelement of such institution has a policy or practice (regardless of when implemented) that prohibits, or in effect prevents—

(1) entry to campuses, or access to students (who are 17 years of age or older) on campuses, for purposes of Federal military recruiting; or

(2) access to the following information pertaining to students (who are 17 years of age or older) for purposes of Federal military recruiting: student names, addresses, telephone listings, dates and places of birth, levels of education, degrees received, prior military experience, and the most recent previous educational institutions enrolled in by the students.

(b) EXCEPTION.—The limitation established in subsection (a) shall not apply to an institution of higher education when it is made known to the Federal official having authority to obligate or expend such funds that—

(1) the institution (or subelement) has ceased the policy or practice described in such subsection; or

(2) the institution has a longstanding policy of pacifism based on historical religious affiliation.

SEC. 510. None of the funds made available in this Act may be obligated or expended to enter into or renew a contract with an entity when it is made known to the Federal official having authority to obligate or expend such funds that—

(1) such entity is otherwise a contractor with the United States and is subject to the requirement in section 4212(d) of title 38, United States Code, regarding submission of an annual report to the Secretary of Labor concerning employment of certain veterans; and

(2) such entity has not submitted a report as required by that section for the most recent year for which such requirement was applicable to such entity.

SEC. 511. The Administrator may offer employees voluntary separation incentives as deemed necessary which shall not exceed $25,000. Recipients who accept employment with the United States within five years after separation shall repay the entire amount to the Bonneville Power Administration. This authority shall expire September 30, 2000.

SEC. 512. Following section 4(h)(10(C) of the Northwest Power Planning and Conservation Act, insert the following new section:

(4)(h)(10)(D) INDEPENDENT SCIENTIFIC REVIEW PANEL.—(i) The Northwest Power Planning Council (Council) shall appoint an Independent Scientific Review Panel (Panel), which shall be comprised of eleven members, to review projects proposed to be funded through that portion of the Bonneville Power Administration's (BPA) annual fish and wildlife budget that implements the Council's fish and wildlife program. Members shall be appointed from a list of no fewer than 20 scientists submitted by the National Academy of Sciences (Academy), provided that Pacific Northwest scientists with expertise in Columbia River anadromous and non-anadromous fish and wildlife and ocean experts shall be among those represented on the Panel. The Academy shall provide such nominations within 90 days of the date of this enactment, and in any case not later than December 31, 1996. If appointments are required in subsequent years, the Council shall request nominations from the Academy and the Academy shall provide nominations not later than 90 days after the date of this request. If the Academy does not provide nominations within these time requirements, the Council may appoint such members as the Council deems appropriate.

(ii) SCIENTIFIC PEER REVIEW GROUPS.—The Council shall establish Scientific Peer Review Groups (Peer Review Groups), which shall be comprised of the appropriate number of scientists, from a list submitted to the Academy to assist the Panel in making its recommendations to the Council for projects to be funded through BPA's annual fish and wildlife budget, provided that Pacific Northwest scientists with expertise in Columbia River anadromous and non-anadromous fish and wildlife and ocean experts shall be among those represented on the Peer Review Groups. The Academy shall provide such nominations within 90 days of the date of this enactment, and in any case not later than December 31, 1996. If appointments are required in subsequent years, the Council shall request nominations from the Academy and the Academy shall provide nominations not later than 90 days after the date of this request. If the Academy does not provide nominations within these time requirements, the Council may appoint such members as the Council deems appropriate.

(iii) CONFLICT OF INTEREST AND COMPENSATION.—Panel and Peer Review Group members may be compensated and shall be considered subject to the conflict of interest standards that apply to scientists performing comparable work for the National Academy of Sciences; provided that a Panel or Peer Review Group members with a direct or indirect financial interest in a project, or projects, shall recuse him or herself from review of, or recommendations associated with, such project or projects. All expenses of the Panel and the Peer Review Groups shall be paid by BPA as provided for under paragraph (vii). Neither the Panel nor the Peer Review Groups shall be deemed advisory committees within the meaning of the Federal Advisory Committee Act.

(iv) PROJECT CRITERIA AND REVIEW.—The Peer Review Groups, in conjunction with the Panel, shall review projects proposed to be funded through BPA's annual fish and wildlife budget and make recommendations on matters related to such projects to the Council no later than June 15 of each year. If the recommendations are not received by the Council by this date, the Council may proceed to make final recommendations on project funding to BPA, relying on the best information available. The Panel and Peer Review Groups shall review a sufficient number of projects to adequately ensure that the list of prioritized projects recommended is consistent with the Council's program. Project recommendations shall be based on a determination that projects: are based on sound science principles; benefit fish and wildlife; and have a clearly defined objective and outcome with provisions for monitoring and evaulation of results. The Panel, with assistance from the Peer Review Groups, shall review, on an annual basis, the results of prior year expenditures based upon these criteria and submit its findings to the Council for its review.

(v) PUBLIC REVIEW.—Upon completion of the review of projects to be funded through BPA's annual fish and wildlife budget, the Peer Review Groups shall submit its findings to the Panel. The Panel shall analyze the information submitted by the Peer Review Groups and submit recommendations on project priorities to the Council. The Council shall make the Panel's findings available to the public and subject to public comment.

(vi) RESPONSIBILITIES OF THE COUNCIL.—The Council shall fully consider the recommendations of the Panel when making its final recommendations of projects to be funded through BPA's annual fish and wildlife budget, and if the Council does not incorporate a recommendation of the Panel, the Council shall explain in writing its reasons for not accepting Panel recommendations. In making its recommendations to BPA, the Council shall: consider the impact of ocean conditions on fish and wildlife populations; and shall determine whether the projects employ cost effective measures to achieve program objectives. The Council, after consideration of the recommendations of the Panel and other appropriate entities, shall be responsible for making the final recommendations of projects to be funded through BPA's annual fish and wildlife budget.

(vii) COST LIMITATION.—The cost of this provision shall not exceed $2,000,000 in 1997 dollars.

(viii) EXPIRATION.—This paragraph shall expire on September 30, 2000.

DESIGNATION OF JIM CHAPMAN LAKE

SEC. 513. Cooper Lake, located on the Sulphur River near Cooper, Texas, is named and designated as the ''Jim Chapman Lake''. Any reference in a law, map, regulation, document, or record of the United States to such lake shall be held to be a reference to the ''Jim Chapman Lake''.

DESIGNATION OF WILLIAM L. JESS DAM AND INTAKE STRUCTURE

SEC. 514. The dam located at mile 158.6 on the Rogue River in Jackson County, Oregon, and commonly known as the Lost Creek Dam Lake Project, shall be known and designated as the ''William L. Jess Dam and Intake Structure''. Any reference in a law, map, regulation, document, paper, or other record of the United States to the dam referred to as Lost Creek Dam Lake Project, shall be deemed to be a reference to the ''William L. Jess Dam and Intake Structure''.

DESIGNATION OF J. BENNETT JOHNSTON WATERWAY

SEC. 515. The portion of the Red River, Louisiana, from new river mile 0 to new river mile 235 shall be known and designated as the ''J. Bennett Johnston Waterway''. Any reference in a law, map, regulation, document, paper, or other record of the United States to such portion of the Red River shall be deemed to be a reference to the ''J. Bennett Johnston Waterway''.

This Act may be cited as the ''Energy and Water Development Appropriations Act, 1997''.

And the Senate agree to the same.

JOHN T. MYERS,
HAROLD ROGERS,
JOE KNOLLENBERG,
FRANK RIGGS,
RODNEY P. FRELINGHUYSEN,
JIM BUNN,
MIKE PARKER,
BOB LIVINGSTON,
TOM BEVILL,
VIC FAZIO,
JIM CHAPMAN,
PETER J. VISCLOSKY,
Managers on the Part of the House.

PETE V. DOMENICI,
MARK O. HATFIELD,
THAD COCHRAN,
SLADE GORTON,
MITCH MCCONNELL,
ROBERT F. BENNETT,
CONRAD BURNS,
J. BENNETT JOHNSTON,
ROBERT C. BYRD,
FRITZ HOLLINGS,
HARRY REID,
J. ROBERT KERREY,
PATTY MURRAY,
Managers on the Part of the Senate.

JOINT EXPLANATORY STATEMENT OF THE COMMITTEE OF CONFERENCE

The managers on the part of the House and the Senate at the conference on the disagreeing votes of the two houses on the amendment of the Senate to the bill (H.R. 3816) making appropriations for energy and water

development for the fiscal year ending September 30, 1997, and for other purposes, submit the following joint statement to the House and the Senate in explanation of the effects of the action agreed upon by the managers and recommended in the accompanying conference report.

The language and allocations set forth in House Report 104–679 and Senate Report 104–320 should be complied with unless specifically addressed to the contrary in the conference report and statement of the managers. Report language included by the House which is not contradicted by the report of the Senate or the conference, and Senate report language which is not contradicted by the report of the House or the conference is approved by the committee of conference. The statement of the managers, while repeating some report language for emphasis, does not intend to negate the language referred to above unless expressly provided herein. In cases where both the House report and Senate report address a particular issue not specifically addressed in the conference report or joint statement of managers, the conferees have determined that the House and Senate reports are not inconsistent and are to be interpreted accordingly. In cases in which the House or Senate have directed the submission of a report, such report is to be submitted to both House and Senate Committees on Appropriations.

Senate amendment: The Senate deleted the entire House bill after the enacting clause and inserted the Senate bill. The conference agreement includes a revised bill.

TITLE I

DEPARTMENT OF DEFENSE—CIVIL

The summary tables at the end of this title set forth the conference agreement with respect to the individual appropriations, programs, and activities of the Corps of Engineers. Additional items of conference agreement are discussed below.

DEPARTMENT OF THE ARMY

CORPS OF ENGINEERS—CIVIL

GENERAL INVESTIGATIONS

The conference agreement appropriates $153,872,000 for General Investigations instead of $153,628,000 as proposed by the House and $154,557,000 as proposed by the Senate.

On July 11, 1996, the Assistant Secretary of the Army for Civil Works advised the committees of a proposal to modify current Corps of Engineers guidance governing the reconnaissance phase of the study process. Under the proposal, the scope of the reconnaissance phase would be returned to that envisioned by section 905(b) of the Water Resources Development Act of 1986, which is to develop a preliminary appraisal of the Federal interest, benefits, costs, and environmental impacts of a potential project, develop a scope of work for the feasibility study, and negotiate a feasibility study cost-sharing agreement. The goal would be to complete the reconnaissance phase within six months at a cost of approximately $100,000. After careful consideration, the conferees have decided to support this initiative and have funded all new reconnaissance studies at the $100,000 level. The conferees have been assured that this initiative is a true efficiency move aimed at returning reconnaissance efforts back to the original concept for that phase and will not transfer cost and time to the feasibility phase of the study process. The conferees are also aware that the $100,000 model may not be suitable for all projects and expect the Corps to exercise appropriate judgment in adjusting the scope of the reconnaissance effort to accommodate the needs of particularly complex issues or large geographic areas.

The conference agreement includes $500,000 for the Corps of Engineers to initiate studies of the navigation needs of several of Alaska's coastal communities. The funds will be used for the Western Harbors, Aleutians East Borough, Arctic Coast Navigation, King Cove, and Akutan Harbor reconnaissance studies. By combining these studies under a single heading the Corps of Engineers is expected to be able to accomplish the work substantially below the cost of addressing each project separately.

The conferees agree that the Corps of Engineers may include the Southampton Shoal Channel and extension in the San Francisco Bay Bar Channel, California, reconnaissance study to permit a comprehensive examination of the San Francisco-to-Stockton Ship Channel to determine the feasibility of increasing operating depths required for commerce and international trade.

The conference agreement includes $150,000 for preconstruction engineering and design of the New Harmony, Indiana, project.

The conferees have provided $10,750,000 for the Upper Mississippi River and Illinois Waterway navigation study instead of $10,500,000 as proposed by the House and $11,000,000 as proposed by the Senate. The conferees direct the Corps of Engineers to accelerate the execution of feasibility study activities in accordance with the approved project study plan in such a manner that schedule recovery will be maximized and a final report will be completed as soon as practicable.

The conference agreement includes $600,000 equally divided for the Corps of Engineers to undertake preconstruction engineering and design for the project to provide flood protection to the Green Ridge and Plot sections of the Lackawanna River, Scranton, Pennsylvania, project as proposed by the Senate. The House had proposed to fund this work under the Construction, General, account.

The conferees have provided $100,000 for a reconnaissance study of the need for channel deepening in the Port of New York and New Jersey and $100,000 to initiate a feasibility study should the reconnaissance effort demonstrate a Federal interest in the project.

The conference agreement includes $100,000 for the Corps of Engineers to initiate a reconnaissance study leading to a Master Plan of the Wing Deer Park on Boone Lake in Johnson City, Tennessee.

The conference agreement includes $100,000 for the Corps of Engineers to initiate a reconnaissance study of environmental restoration opportunities along the Upper Jordan River, Utah, that includes examining water quality, wetland habitat, and flood control as a means of restoring the watershed of the Jordan River Basin. The conferees direct the Corps to review and recommend modifications to the Jordan River Stability Study conducted by Salt Lake County.

The conference agreement includes a total of $6,280,000 for Coordination Studies With Other Agencies instead of $4,280,000 as proposed by the House and $8,040,000 as proposed by the Senate. The conferees expect the Corps to use the funds provided to accomplish the highest priority work among the various activities funded under this program. In addition, the Corps is directed to use $450,000 to continue to participate in the interagency ecosystem management task force's Pacific Northwest forest case study as described in the Senate Report. The conferees agree with the language in the House report regarding the Planning Assistance to States program.

The conferees have provided $27,000,000 for the Corps of Engineers' Research and Development program. Within the funds provided, the conferees have provided $300,000 to continue the Corps of Engineers Construction Technology Transfer project and $1,600,000 for cost-shared research and development and installation of composite pilings as describe in the Senate report. The conferees also are in agreement with the language in the House report regarding the CFIRMS project.

The conferees have included language in the bill earmarking funds for the following projects in the amounts specified: Norco Bluffs, California, $180,000; San Joaquin River Basin, Caliente Creek, California, $150,000; Tampa Harbor, Alafia Channel, Florida, $100,000; Lake George, Hobart, Indiana, $100,000; Little Calumet River Basin, Cady Marsh Ditch, Indiana, $200,000; Tahoe Basin Study, Nevada and California, $100,000; Barnegat Inlet to Little Egg Harbor Inlet, New Jersey, $300,000; Brigantine Inlet to Great Egg Harbor Inlet, New Jersey, $360,000; Great Egg Harbor Inlet to Townsends Inlet, New Jersey, $200,000; Manasquan Inlet to Barnegat Inlet, New Jersey, $250,000; Townsends Inlet to Cape May Inlet, New Jersey, $245,000; South Shore of Staten Island, New York, $200,000; Mussers Dam, Middle Creek, Snyder County, Pennsylvania, $450,000; Rhode Island South Coast, Habitat Restoration and Storm Damage Reduction, Rhode Island, $100,000; Monongahela River, West Virginia, $500,000; Monongahela River, Fairmont, West Virginia, $100,000; and Tygart River Basin, Philippi, West Virginia, $100,000.

The conference agreement deletes funds earmarked in the Senate bill for the Red River Navigation, Southwest, Arkansas, study.

The conference agreement also deletes language contained in the Senate bill earmarking funds for studies of Coastal Navigation Improvements in Alaska, the Walker River Basin in Nevada, and the Bolinas Lagoon in California. Funding for those studies has been included in the overall amount appropriated for General Investigations.

The conferees are aware of recent efforts by the Corps of Engineers to increase the use of the private sector in performing, planning, engineering and design work for Corps projects. However, the conferees believe that the Corps of Engineers needs to intensify those efforts. The conferees expect the Corps, on a programmatic basis, to achieve a goal of having the private sector perform at least 35% of planning, and 40% of engineering, design work and construction phase services for projects as defined in 40 U.S.C. 541–544. Additionally, in those instances where a district office has not achieved a contracting level of at least 25% of planning, engineering, design work and construction phase services for projects in that district, private sector contracting should be increased by 10 percentage points in fiscal year 1997 and in each subsequent fiscal year until the level of work contracted to the private sector reaches at least 25%; however, in no case shall the actual increase per year be less than 5 percentage points. It is not the conferees' intent that the Corps reduce the contracting levels in those offices that are already conducting more than 35% of planning, and 40% of engineering, design work and construction phase services with the private sector. Contracting with the private sector as set forth above shall continue to be conducted in compliance with the normal qualification based selection process found in 40 U.S.C. 541–544.

CONSTRUCTION, GENERAL

The conference agreement appropriates $1,081,942,000 for Construction, General, instead of $1,035,394,000 as proposed by the House and $1,049,306,000 as proposed by the Senate.

The conference agreement includes $2,000,000 for the Sacramento River, Glen-Colusa Irrigation District, California, project, the same as the budget request and

the amount provided by the House and the Senate. This project is an integral part of the effort to develop a long-term solution to the fish passage problem at the Hamilton City pumping plant. It is the conferees' intent that the Corps of Engineers participate in, and, when necessary, provide direct support to this important Federal-state effort.

The conference agreement provides $4,000,000 for the Palm Beach County, Florida, project. Of the funds provided, $1,919,000 is for the Jupiter/Carlin segment as proposed in the budget request. The remaining funds are to be used for the Boca Raton and Ocean Ridge segments of the project.

The conference agreement includes $1,200,000 for the Corps of Engineers to reimburse the local sponsor for the Federal share of costs associated with renourishment of the Captiva Island segment of the Lee County, Florida, project.

The conferees are in agreement with the language in the House and Senate reports regarding the Missouri River Levee System project.

The conference agreement includes $17,025,000 for the Lake Pontchartrain and Vicinity (Hurricane Protection), Louisiana, project. Of the amount provided above the budget request, $4,500,000 shall be used for levee raising and landside runoff control for Jefferson Parish lakefront levees and $8,500,000 shall be used to continue construction of parallel protection along the Orleans Avenue and London Avenue outfall canals. In addition, $1,500,000 has been provided for the West Bank-East of Harvey Canal, Louisiana, project.

The conferees have provided $17,500,000 for the Southeast Louisiana, Louisiana project. These funds are to be used to continue engineering, design, and construction of projects to provide for flood control and improvements to rainfall drainage systems in Jefferson, Orleans, and St. Tammany Parishes, Louisiana, in accordance with the following reports of the New Orleans District Engineer: Jefferson and Orleans Parishes, Louisiana, Urban Flood Control and Water Quality Management, July 1992; Tangipahoa, Techefuncte and Tickfaw Rivers, Louisiana, June 1991; St. Tammany Parish, Louisiana, June 1996; and Schneider Canal, Slidell, Louisiana, Hurricane Protection, May 1990; all of which are authorized for construction by Public Law 104–46.

The conferees have provided $250,000 for the Grand Isle and Vicinity, Louisiana project to initiate preconstruction engineering and design on the modifications to the authorized hurricane protection project to include shoreline protection features on the north side of the island and to continue construction of breakwaters.

Within funds provided for the South Central Pennsylvania Environmental Restoration Infrastructure and Resource Protection Development Pilot Program, the conferees have provided $500,000 for the Redstone Township project.

The conference agreement provides $1,000,000 each for the Arkansas City, Kansas, and Winfield, Kansas, projects as proposed by the Senate. The conferees are aware that the Winfield project is ahead of schedule and, therefore, the two-phase approach to construction described in the Senate report is not required for that project.

The conferees recognize the need to widen the Port of Freeport, Texas, navigation channel at the intersection of the Gulf Intracoastal Waterway and the bend located in the inner harbor in order to complete the channel deepening project. The conferees are also aware that during the period of construction, approximately $16,000,000 appropriated for the project was reprogrammed by the Corps of Engineers to other projects. Therefore, the conferees would not object to the Corps of Engineers' reprogramming of available funds back to the Freeport Harbor project to complete this important work.

The conference agreement includes $32,650,000 for the section 205 program as proposed by the Senate. Using those funds, the Corps of Engineers is directed to undertake the projects described in the House and Senate reports. The conference agreement includes $3,916,000 for the Muscle Shoals, Alabama, project, $2,950,000 for the St. Peters Old Town Levee, Missouri, project, and $3,370,000 for the Cedar River at Renton, Washington, project. In addition, the conferees have learned of the harmful effects of local flooding along St. Asaph's Creek in Stanford, Kentucky, and along Hanging Fork Creek in Hustonville, Kentucky, and direct the Corps of Engineers to conduct a study to determine causes and possible remedies to this condition.

The conference agreement includes $9,500,000 for the section 14 program as proposed by the House. Using those funds, the Corps of Engineers is directed to undertake the projects described in the House and Senate reports. The conference agreement includes $395,000 for the Washington-on-the-Brazos, Texas, project as proposed by the House.

The conference agreement includes $5,800,000 for the section 103 program as proposed by the House. Using those funds, the Corps of Engineers is directed to undertake the projects described in the House and Senate reports. The amount provided for the Lummi Shore Road, Washington, project is $1,700,000 as proposed by the Senate.

The conference agreement includes $11,632,000 for the section 107 program. Using those funds, the Corps of Engineers is directed to undertake the projects described in the House and Senate reports. In addition, within available funds, $100,000 is provided to initiate a feasibility study for the Tennessee River in Bridgeport, Jackson County, Alabama.

The conferees direct the Corps of Engineers to undertake the Walker River Basin, Nevada, project under the section 208 program as described in the House report.

The conference agreement includes $17,000,000 for the section 1135 program. Using those funds, the Corps of Engineers is directed to undertake the projects described in the House and Senate reports except the Bernado Waterfowl Management Area project in New Mexico. The conferees understand that the local sponsor for that project no longer wishes to participate in the project and, therefore, funding is not needed.

The conference agreement includes a total of $41,426,000 for the Levisa and Tug Forks of the Big Sandy River and Upper Cumberland River project. In addition to the amounts provided in the budget request, the conference agreement includes: $18,000,000 for the Harlan, Kentucky, element; $4,050,000 for the Williamsburg, Kentucky, element; $2,500,000 for the Middlesboro, Kentucky, element; $2,000,000 for the Pike County, Kentucky, element; $350,000 for the Marin County, Kentucky, element; $300,000 for the Town of Martin, Kentucky, element; $3,500,000 for the Upper Mingo County, West Virginia, element; $4,000,000 for the Lower Mingo (Kermit), West Virginia, element; $1,300,000 for the Hatfield Bottom, West Virginia, element; and $105,000 for the Lower Mingo, West Virginia, to carry out the work described in the House and Senate reports. In addition, the conference agreement deletes $1,600,000 requested by the Administration for detailed project reports.

The conferees have included language in the bill earmarking funds for the following projects in the amounts specified: Red River Emergency Bank Protection, Arkansas, $3,000,000; San Timoteo Creek, California, $7,000,000; Indianapolis Central Waterfront, Indiana, $7,000,000; Indiana Shoreline Erosion, Indiana, $2,200,000; Harlan, Kentucky, $18,000,000; Martin County, Kentucky, $350,000; Middlesboro, Kentucky, $2,500,000; Pike County, Kentucky, $2,000,000; Town of Martin, Kentucky, $300,000; Williamsburg, Kentucky, $4,050,000; Salyersville, Kentucky, $3,000,000; Lake Pontchartrain and Vicinity, Louisiana, $17,025,000; Lake Pontchartrain (Jefferson Parish) Stormwater Discharge, Louisiana, $4,750,000; Red River below Denison Dam Levee and Bank Stabilization, Louisiana, Arkansas, and Texas, $100,000; Red River Emergency Bank Protection, Louisiana, $3,400,000; Glen Foerd, Pennsylvania, $800,000; South Central Pennsylvania Environmental Restoration Infrastructure and Resource Protection Development Pilot Program, Pennsylvania, $7,000,000; Seekonk River, Rhode Island, $650,000; Wallisville Lake, Texas, $7,500,000; Richmond Filtration Plant, Virginia, $3,500,000; Virginia Beach, Virginia, $8,000,000; Hatfield Bottom, West Virginia, $1,300,000; Lower Mingo (Kermit), West Virginia, $4,000,000; Lower Mingo Tributaries Supplement, West Virginia, $105,000; and Upper Mingo County, West Virginia, $3,500,000.

The funds provided for the Red River Emergency Bank Protection project in Arkansas are to be used for construction of the Hurricane revetment. Of the funds provided for the Red River Emergency Bank Protection project in Louisiana, $3,000,000 is for design and construction of the Cat Island revetment and $400,000 is for the sediment transport study described in the Senate report.

The conference agreement includes language in the bill directing the Secretary of the Army to: use $3,000,000 of the funds provided for the Red River Waterway, Mississippi River to Shreveport, Louisiana, project to construct a regional visitor center in the vicinity of Shreveport, Louisiana; use $1,000,000 of the funds provided for the Red River Waterway, Mississippi River to Shreveport, Louisiana, project for partial reimbursement of costs associated with relocation and modification of the Louisiana and Arkansas Railway Bridge at Alexandria, Louisiana; use $1,000,000 of the funds appropriated in Public Law 104–46 for construction of the Ohio River Flood Protection, Indiana, project; provide signs to direct the public to facilities associated with the Saylorville Lake, Iowa, project and the wildlife refuge in Jasper and Marion Counties in Iowa as described in the House report; and use $500,000 of the funds appropriated in Public Law 103–126 to begin implementation of the Passaic River Preservation of Natural Storage Areas separable element of the Passaic River Flood Reduction, New Jersey, project. In addition, the conference agreement includes language directing the Secretary of the Army to initiate construction of the Joseph G. Minish Historic Waterfront Park, New Jersey, project using funds appropriated in Public Law 103–126. The bill also includes language naming the bike trail associated with the Saylorville Lake, Iowa, project as the Neal Smith Bike Trail and centers in Jasper and Marion Counties as the Neal Smith Prairie Wildlife Learning Center.

The conference agreement includes language in the bill which authorizes and directs the Secretary of the Army to initiate construction of the following projects in the amounts specified: Humboldt Harbor, California, $2,500,000; San Lorenzo River, California, $200,000; Faulkner's Island, Connecticut, $1,500,000; Chicago Shoreline, Illinois, $8,000,000; Pond Creek, Jefferson City, Kentucky, $1,500,000; Natchez Bluff, Mississippi,

$4,500,000; Wood River, Grand Isle, Nebraska, $1,000,000; New York City Watershed, New York, $1,000,000; Duck Creek, Cincinnati, Ohio, $466,000; Saw Mill Run, Pennsylvania, $500,000; West Virginia and Pennsylvania Flooding, Pennsylvania and West Virginia, $1,000,000; San Juan Harbor, Puerto Rico, $800,000; Allendale Dam, Rhode Island, $195,000; and Upper Jordan River, Utah, $500,000. The funds provided for the West Virginia and Pennsylvania project are for work as described in section 583 of S. 640 as passed by the House and shall be used for the following flood control projects: Huntingdon County Orbisonia/Rock Hill Furnace, Pennsylvania, Black Log Creek ($150,000); Huntingdon County Coalmont Borough, Coal Bank Run ($75,000); Huntingdon County Carbon Township, Shoups Run ($75,000); Blair County Logan Township ($500,000); and Blair County Altoona, Pennsylvania ($200,000). The funds provided for the New York City Watershed project are for work as described in section 558 of S. 640 as passed by the House.

The conference agreement deletes funds earmarked in the House bill for the Ohio River Flood Protection, Indiana, project and deletes funds earmarked in the Senate bill for the Red River Chloride Control, Texas, project.

The conference agreement deletes language contained in the Senate bill earmarking funds for the following projects: Larsen Bay Harbor, Alaska; Ouzinkie Harbor, Alaska; Valdez Harbor, Intertidal Water Retention, Alaska; Kake Harbor, Alaska; Panama City Beaches, Florida; Boston Harbor, Massachusetts; Poplar Island, Maryland; Ouachita River Levees, Louisiana; and Mill Creek, Ohio. Funding for these projects has been provided in the overall amount appropriated for Construction, General. The conference agreement also deletes language contained in the Senate bill for the Helena and Vicinity, Arkansas, project. Funding for that project has been provided in the Mississippi River and Tributaries account.

FLOOD CONTROL, MISSISSIPPI RIVER AND TRIBUTARIES, ARKANSAS, ILLINOIS, KENTUCKY, LOUISIANA, MISSISSIPPI, MISSOURI, AND TENNESSEE

The conference agreement appropriates $310,374,000 for Flood Control, Mississippi River and Tributaries instead of $302,990,000 as proposed by the House and $312,513,000 as proposed by the Senate.

The conference agreement includes an additional $2,860,000 for work to bring Mississippi River levees up to grade. Using those funds, the Corps of Engineers is directed to undertake additional work in Louisiana and Mississippi as described in the House and Senate reports.

The conference agreement includes an additional $3,000,000 for the Corps of Engineers to undertake additional work on the Big Sunflower River in Yazoo Basin in Mississippi, including Black Bayou Item 2, Black Bayou Item 3, and the purchase of mitigation lands.

The conferees are aware of a sedimentation problem in Union County, Mississippi, resulting from recurring flooding of the Little Tallahatchie River in the vicinity of New Albany, Mississippi. The Corps of Engineers shall provide the Committee on Appropriations with a report, not later than April 1, 1997, which provides details on: a) the nature of the problem; b) options to solve the flooding problem, along with a time line and associated costs for each option; and c) statutory authority for the Corps of Engineers to do the work necessary to resolve the problem.

The conferees direct the Army Corps of Engineers to submit a report to the Congress, by January 31, 1997, on the status of the Bonnet Carre' Freshwater Diversion Project. The conferees further direct the Corps to provide its assessment of whether the project, as currently formulated, would achieve its goals, and to provide recommendations of the Corps as to future program options and potential enhancement which would achieve these goals in the most timely and cost effective manner.

The conference agreement includes language proposed by the Senate that directs the President of the Mississippi River Commission to use the variable cost recovery rate set forth in OMB Circular A–126 for use of the Commission aircraft.

In addition, the conference agreement includes language directing the Secretary of the Army to use additional funds appropriated in this Act or previously appropriated funds to complete the Hickman Bluff, Kentucky, project.

The conferees have provided $965,000 to continue the Morganza to the Gulf of Mexico, Louisiana, feasibility study. The conferees recommended that the Corps of Engineers use an appropriate amount of the funds provided to prepare a report on the feasibility of expending the construction of a lock structure in the Houma Navigation Canal as an independent feature of this study authority.

The conferees are concerned about the abnormal annual flooding that occurs to industries and businesses along the waterfront areas of Morgan City and Berwick, Louisiana. The conferees understand that a means to solve the problem is pending authorization. This plan includes provisions for temporary flood proofing and for the study of a long-term solution including the relocation of riverside industries to a safe non-flood area in the vicinity. The Corps of Engineers should proceed immediately to construction upon passage of the authorization of this project with funds available to the Mississippi River and Tributaries project.

OPERATION AND MAINTENANCE, GENERAL

The conference agreement appropriates $1,697,015,000 for Operation and Maintenance, General, instead of $1,701,180,000 as proposed by the House and $1,688,358,000 as proposed by the Senate.

The conferees are concerned about the Administration's plans to stop requesting funds for the maintenance of a smaller navigation projects beginning in fiscal year 1998. Failure to adequately maintain those projects will cause economic hardship for many communities throughout the nation and result in hazardous navigation conditions that could directly lead to the loss of life and property. The conferees expect the Administration to continue to request adequate funds for maintenance of these projects.

The conferees direct the Corps of Engineers to use funds appropriated in this Act to conduct and continue their participation in the comprehensive water resources study of the Alabama-Coosa-Tallapoosa and Apalachicola-Chattahoochee-Flint River Basins with the states of Alabama, Florida, and Georgia, as specified in the Memorandum of Agreement dated January 3, 1992, as supplemental or amended, between the parties (the states of Alabama, Georgia, Florida, and the Army Corps of Engineers), through December 31, 1997 or the completion of the Comprehensive Study. Further funding contributions made by the states up to and including fiscal year 1996 will be considered in any additional funding requirement for contract studies or elements thereof.

The conferees have provided an additional $550,000 for the Corps of Engineers to continue repairs to the damaged east and west jetties and to construct a concrete cap on the east jetty at Newport Bay Harbor in California.

The Secretary of the Army is encouraged to conduct a study assessment and report to the Congress no later than one year from the date of enactment of this Act on the need and suitability to modify the Local Cooperation Agreement under which the Port of Santa Cruz now performs the Federal operations and maintenance mission at Santa Cruz Harbor in California. The study will particularly examine the need for an inflationary and cost of living increase adjustment that was not specified in the original agreement.

Of the funds provided for the Sepulveda Dam, California, project, it is the conferees' intent that a significant portion shall be used for environmental restoration and wildlife habitat.

The conference agreement includes $8,000,000 for the New York Harbor, New York project. The funds provided above the budget request are to be used to perform remaining dredged material management plan study activities and to implement short term disposal alternatives which have been determined to be feasible and quickly implementable and to investigate methods to reduce sediment contamination within the harbor.

The conference agree that the Corps of Engineers may use nontraditional means for erosion control on the Missouri River below the Fort Peck Dam in Montana to the North Dakota border.

The conference agreement includes $7,552,000 for the Manteo (Shallowbag Bay), North Carolina, project to be used for additional maintenance dredging and monitoring of the terminal groin constructed at Oregon Inlet.

The conference agreement includes language in the bill earmarking funds for the following projects in the amounts specified: Raystown Lake, Pennsylvania, $4,190,000; and Cooper Lake and Channels, Texas, $2,601,000.

Language has been included in the bill which directs the Secretary of the Army to: use $1,000,000 of the funds provided in the bill to design and construct a landing at Guntersville, Alabama; design and implement an early flood warning system for the Greenbrier and Cheat River Basins in West Virginia; maintain a minimum conservation pool of 475.5 feet at Wister Lake in Oklahoma; and use $600,000 to perform maintenance dredging of the Cocheco River, New Hampshire, project. Language has also been included in the bill which provides that no funds available to the Corps of Engineers shall be used to acquire land in Jasper County, South Carolina, in connection with the Savannah Harbor navigation project.

The conference agreement deletes language contained in Senate bill earmarking funds for the Compton Creek Channel, California, project and the Buford-Trenton Irrigation District erosion control project in North Dakota. Funding for these projects has been included in the overall amount appropriated for Operation and Maintenance, General.

REGULATORY PROGRAM

The conference agreement appropriates $101,000,000 for the Regulatory Program as proposed by the House and the Senate.

The conference agree that the Corps of Engineers should seek ways to implement the proposed administrative appeals process within the resources provided.

FLOOD CONTROL AND COASTAL EMERGENCIES

The conference agreement appropriates $10,000,000 for Flood Control and Coastal Emergencies as proposed by the House and the Senate. In addition, the conference agreement includes language proposed by the House which directs the Secretary of the Army to use up to $8,000,000 of the funds appropriated in this Act and in Public Law 104–

134 to rehabilitate non-Federal flood control levees along the Puyallup and Carbon Rivers in Pierce County, Washington.

OIL SPILL RESEARCH

The conference agreement provides no funds for the Oil Spill Research program.

GENERAL EXPENSES

The conference agreement appropriates $149,000,000 for General Expenses instead of $145,000,000 as proposed by the House and $153,000,000 as proposed by the Senate.

The conference agreement deletes language contained in the Senate bill which would have prohibited the Secretary of the Army from obligating funds for the closure of the Pacific Ocean Division.

The conferees have, however, included language in the bill which directs the Secretary of the Army to begin implementing a plan to reduce the number of division offices to no more than eight and no less than six on April 1, 1997, and which provides authority for the Corps of Engineers to transfer up $1,500,000 into this account from other accounts in this Title to investigate impacts in the delay in implementation of the division closure plan.

GENERAL PROVISIONS

CORPS OF ENGINEERS—CIVIL

The conference agreement, in Section 101, includes language which provides that the Secretary of the Army, in fiscal year 1997, shall advertise for competitive bid at least 8,500,000 cubic yards of the hopper dredge volumes accomplished with Government-owned dredges in fiscal year 1992 instead of 10,000,000 cubic yards as proposed by the House and 7,500,000 cubic yards as proposed by the Senate. During the period in which any of the Federal hopper dredges are placed in the reserve fleet or on standby status, or out of service for lengthy repair or rehabilitation, reallocating the entire 8,500,000 cubic yards among the remaining Federal dredges would require further reduction in their days of service, thus making their operation more costly and less competitive. Therefore, if any of the Federal hopper dredges is removed from service for repair or rehabilitation or placed in the reserve fleet or on standby status and is prevented from accomplishing the level of work it has carried out during the past three fiscal years, the conferees direct the Corps of Engineers to reduce the 8,500,000 cubic yards by the share allocated to that dredge over the past three fiscal years which has been put out for bid to the private sector.

The conference agreement, in Section 102, includes language prohibiting the use of funds available to the Corps of Engineers to study, design, or undertake improvements or major repair to the hopper dredge *McFarland*, except for normal maintenance and repair necessary to maintain the vessel in its current operational condition. This language is identical to language contained in the fiscal year 1996 Energy and Water Development Appropriations Act. The House bill contained a similar provision, while the Senate bill did not address the issue.

The conference agreement, in Section 103, includes language proposed by the Senate which modifies the authorization for the Moorfield, West Virginia, project by increasing the project's estimated cost.

The conference agreement, in Section 104, includes language proposed by the Senate which modifies the authorization for the Grays Landing Lock and Dam, Monongahela River, Pennsylvania, project by increasing the project's estimated cost.

The conference agreement, in Section 105, includes language proposed by the Senate which provides that flood control measures implemented under the authority of Section 202(a) of Public Law 96–367 shall prevent future losses that would occur from a flood equal in magnitude to the flood of April 1977 or the 100-year frequency event, whichever is greater. The Senate language has been amended to clarify that it applies to nonstructural flood control measures.

The conference agreement, in Section 106, includes language proposed by the Senate which will prevent the termination of contracts or the delay of scheduled work at specifically funded ongoing construction projects because of insufficient funding. When exercising this authority, the Secretary of the Army should be guided by the direction contained in the Senate report.

The conference agreement, in Section 107, includes language proposed by the Senate directing the Corps of Engineers to complete the Charleston Riverfront (Haddad) Park, West Virginia, project.

The conference agreement, in Section 108, includes language proposed by the Senate which modifies the authorization for the Arkansas City, Kansas, project by increasing the project's estimated cost with an amendment to reflect the current Federal and non-Federal costs.

The conference agreement, in Section 109, includes language proposed by the Senate which provides that funds appropriated in the fiscal year 1993 Energy and Water Development Appropriations Act for the Elk Creek Dam, Oregon, project are available to plan and implement long term management measures at Elk Creek Dam to maintain the project in an uncompleted state and to take necessary steps to provide fish passage through the project.

The conference agreement, in section 110, includes language authorizing and directing the Secretary of the Army to modify the Hudson River, New York, project, to provide for a 330-foot wide channel to a depth of 24 feet from the existing Federal channel in the vicinity of Hudson City Light to the north dock at Union Street, Athens, New York.

The conference agreement, in section 111, includes a provision amending language contained in the fiscal year 1996 Energy and Water Development Appropriations Act regarding the conveyance of land to the City of Prestonsburg, Kentucky.

The conference agreement, in section 112, includes language modifying the authorization for the project to perform emergency gate construction at Abiquiu Dam in New Mexico.

CORPS OF ENGINEERS - GENERAL INVESTIGATIONS

TYPE OF PROJECT	PROJECT TITLE	BUDGET ESTIMATES INVESTIGATIONS	BUDGET ESTIMATES PLANNING	CONFERENCE ALLOWANCE INVESTIGATIONS	CONFERENCE ALLOWANCE PLANNING
	ALABAMA				
(N)	ALABAMA RIVER BELOW CLAIBORNE LOCK AND DAM, AL	250,000	---	---	---
	CAHABA RIVER BASIN, JEFFERSON COUNTY, AL	---	---	100,000	---
(N)	DOG RIVER, AL	100,000	---	100,000	---
	VILLAGE CREEK, JEFFERSON CNTY (BIRMINGHAM WATERSHEDS)	---	---	100,000	---
	ALASKA				
(FDP)	ANIAK, AK	113,000	---	113,000	---
(E)	CHENA RIVER WATERSHED, AK	223,000	---	223,000	---
(N)	CHIGNIK HARBOR, AK	---	61,000	---	61,000
	COSTAL STUDIES NAVIGATION IMPROVEMENT	---	---	500,000	---
(FC)	COOK INLET, AK	---	150,000	---	150,000
(N)	DUTCH HARBOR, AK	148,000	---	148,000	---
(N)	KENAI RIVER, AK	---	---	100,000	---
(N)	KUSKOKWIM RIVER, AK	238,000	---	238,000	---
(N)	NOME HARBOR IMPROVEMENTS, AK	160,000	---	160,000	---
(N)	SAND POINT HARBOR, AK	100,000	---	100,000	---
(N)	SEWARD HARBOR, AK	100,000	---	100,000	---
(N)	SITKA LIGHTERING FACILITY AK	---	---	90,000	---
(N)	ST PAUL HARBOR, AK	15,000	---	15,000	---
(N)	ST PAUL HARBOR, AK	---	150,000	---	150,000
(N)	WRANGELL HARBOR, AK	200,000	---	200,000	---
	ARIZONA				
(RCP)	ALAMO LAKE, AZ	257,000	---	257,000	---
(FDP)	GILA RIVER & TRIBUTARIES, N SCOTTSDALE DRAINAGE AREA	300,000	---	300,000	---
(FDP)	GILA RIVER & TRIBUTARIES, SANTA CRUZ RIVER BASIN, AZ	290,000	---	290,000	---
(FDP)	GILA RIVER, TORTOLITA DRAINAGE AREA, AZ	200,000	---	200,000	---
(FDP)	RIO DE FLAG, FLAGSTAFF, AZ	500,000	---	500,000	---
(E)	RIO SALADO WATERSHED ECOSYSTEM, AZ	500,000	---	500,000	---
	TRES RIOS, AZ	---	---	200,000	---
(FC)	TUCSON DRAINAGE AREA, AZ	---	500,000	---	500,000
	ARKANSAS				
(FDP)	MAY BRANCH, FORT SMITH, AR	265,000	---	265,000	---
(FDP)	MCKINNEY BAYOU, AR & TX	250,000	---	250,000	---
	CALIFORNIA				
(FC)	AMERICAN RIVER WATERSHED, CA	---	3,500,000	---	3,500,000
	BOLINAS LAGOON, CA	---	---	100,000	---
(SPE)	CENTRAL BASIN GROUNDWATER PROJECT, CA	363,000	---	363,000	---
	CITIES OF ARCADIA AND SIERRA MADRE, CA	---	---	300,000	---
	CITY OF HUNTINGTON BEACH, CA	---	---	100,000	---
(N)	CRESCENT CITY HARBOR, CA	---	495,000	---	495,000
	DRY CREEK (MIDDLETOWN), CA	---	---	100,000	---

CORPS OF ENGINEERS - GENERAL INVESTIGATIONS

TYPE OF PROJECT	PROJECT TITLE	BUDGET ESTIMATES INVESTIGATIONS	BUDGET ESTIMATES PLANNING	CONFERENCE ALLOWANCE INVESTIGATIONS	CONFERENCE ALLOWANCE PLANNING
(E)	IMPERIAL COUNTY WATERSHED STUDY, CA	389,000	---	389,000	---
(FC)	KAWEAH RIVER, CA	---	600,000	---	1,000,000
(SPE)	LACDA WATER CONS & SUP (HANSEN & LOPEZ DAMS), CA	370,000	---	370,000	---
(SPE)	LACDA WATER CONS & SUP(WHITTIER NARROWS & SANTA FE DAM	430,000	---	430,000	---
	MALIBU COASTAL AREA, CA	---	---	200,000	---
	MARIN COUNTY SHORELINE, SAN CLEMENTE CREEK, CA	---	---	---	250,000
(N)	MARINA DEL REY AND BALLONA CREEK, CA	200,000	---	200,000	---
	MOJAVE RIVER FORKS DAM, CA	---	---	100,000	---
(E)	N CA STREAMS, CACHE CREEK ENVIRONMENTAL RESTORATION, C	250,000	---	250,000	---
	N CA STREAMS, COLUSA BASIN DRAINAGE SYSTEMS, CA	---	---	100,000	---
(E)	N CA STREAMS, SACRAMENTO RIVER FISH MIGRATION, CA	300,000	---	300,000	---
	N CA STREAMS, SUISUN MARSH WATERSHED, CA	---	---	100,000	---
	N CA STREAMS, VACAVILLE/DIXON, CA	---	---	100,000	---
(FC)	N CA STREAMS, WINTERS & VICINITY, CA	---	150,000	---	150,000
(FDP)	N CA STREAMS, WINTERS & VICINITY, CA	30,000	---	30,000	---
(FDP)	N CA STREAMS, YUBA RIVER BASIN, CA	120,000	---	120,000	---
(FC)	NAPA RIVER, CA	---	700,000	---	700,000
(E)	NAPA RIVER, SALT MARSH RESTORATION, CA	377,000	---	377,000	---
(E)	NEWPORT BAY HARBOR, CA	200,000	---	200,000	---
	NORCO BLUFFS, CA	---	---	---	180,000
	NOYO HARBOR BREAKWATER, CA	---	---	---	300,000
(E)	NORTHERN CALIFORNIA STREAMS, MIDDLE CREEK, CA	410,000	---	410,000	---
(FC)	PAJARO RIVER AT WATSONVILLE, CA	---	810,000	---	810,000
(SP)	PENINSULA BEACH, CA	252,000	---	252,000	---
(N)	PILLAR POINT HARBOR, CA	250,000	---	250,000	---
(N)	PORT HUENEME, CA	200,000	---	200,000	---
(N)	PORT OF LONG BEACH (DEEPENING), CA	---	194,000	---	194,000
(E)	PRADO BASIN WATER SUPPLY, CA	350,000	---	350,000	---
(FDP)	RANCHO PALOS VERDES, CA	270,000	---	270,000	---
(E)	RUSSIAN RIVER, ECOSYSTEM RESTORATION, CA	386,000	---	386,000	---
	SACRAMENTO RIVER WATERSHED MANAGEMENT, CA	---	---	100,000	---
(SPE)	SACRAMENTO-SAN JOAQUIN DELTA, CA	600,000	---	600,000	---
(E)	SACRAMENTO-SAN JOAQUIN DELTA, LITTLE HOLLAND TRACT, CA	150,000	---	150,000	---
(E)	SACRAMENTO-SAN JOAQUIN DELTA, WESTERN DELTA ISLANDS, C	400,000	---	400,000	---
(FDP)	SAN ANTONIO CREEK, CA	128,000	---	128,000	---
	SAN DIEGO HARBOR, CA	---	---	100,000	---
	SAN FRANCISCO BAY BAR CHANNEL, CA	---	---	100,000	---
(E)	SAN JOAQUIN R BASIN, PINE FLAT DAM, F&WL HABITAT RESTO	500,000	---	500,000	---
(FDP)	SAN JOAQUIN RIVER BASIN, ARROYO PASAJERO (FRESNO CO),	1,000,000	---	1,000,000	---
	SAN JOAQUIN RIVER BASIN, CALIENTE CREEK, CA	---	---	150,000	---
(FDP)	SAN JOAQUIN RIVER BASIN, SOUTH SACRAMENTO COUNTY STREA	550,000	---	550,000	---
(FDP)	SAN JOAQUIN RIVER BASIN, STOCKTON METROPOLITAN AREA, C	540,000	---	540,000	---
(FDP)	SAN JOAQUIN RIVER BASIN, TULE RIVER, CA	200,000	---	200,000	---
	SAN JOAQUIN RIVER BASIN, WEST STANISLAUS COUNTY, CA	---	---	100,000	---
(E)	SAN JUAN AND ALISO CREEKS WATERSHED MANAGEMENT, CA	365,000	---	365,000	---
(FDP)	SANTA BARBARA COUNTY STREAMS, LOWER MISSION CREEK, CA.	350,000	---	350,000	---
	SANTA MARGARITA RIVER AND TRIBUTARIES, CA	---	---	100,000	---
	SANTA MONICA WATER INFRASTRUCTURE RELIABILITY, CA	---	---	100,000	---
(FC)	SEVEN OAKS AND PRADO DAMS WATER CONSERVATION, CA	---	250,000	---	250,000
(FDP)	SEVEN OAKS AND PRADO DAMS WATER CONSERVATION, CA	60,000	---	60,000	---

CORPS OF ENGINEERS - GENERAL INVESTIGATIONS

TYPE OF PROJECT	PROJECT TITLE	BUDGET ESTIMATES INVESTIGATIONS	BUDGET ESTIMATES PLANNING	CONFERENCE ALLOWANCE INVESTIGATIONS	CONFERENCE ALLOWANCE PLANNING
(FDP)	UPPER GUADALUPE RIVER, CA	579,000	---	579,000	---
(FDP)	UPPER PENITENCIA CREEK, CA	450,000	---	450,000	---
(SP)	VENTURA AND SANTA BARBARA COUNTY SHORELINE, CA	252,000	---	252,000	---
	VENTURA HARBOR SAND BYPASS, CA	---	---	100,000	---
(FDP)	WHITEWATER RIVER BASIN, CA	430,000	---	430,000	---
	DELAWARE				
(N)	C&D CANAL - BALTIMORE HBR CONN CHANNELS, DE & MD (DEEP	45,000	---	45,000	---
(N)	C&D CANAL - BALTIMORE HBR CONN CHANNELS, DE & MD (DEEP	---	1,210,000	---	1,210,000
(SP)	DELAWARE BAY COASTLINE, DE & NJ	557,000	---	557,000	---
(SP)	DELAWARE COAST FROM CAPE HENLOPEN TO FENWICK ISLAND, D	288,000	---	288,000	---
(N)	DELAWARE RIVER MAIN CHANNEL DEEPENING, DE, NJ & PA	---	156,000	---	156,000
	FLORIDA				
(N)	BIG BEND CHANNEL	---	250,000	---	250,000
	BREVARD COUNTY, FL	---	---	---	500,000
	CHICOPIT BAY, FL	---	---	100,000	---
	DADE COUNTY WATER REUSE FACILITY, FL	---	---	200,000	---
	FORT PIERCE HARBOR, FL	---	---	100,000	---
	HILLSBORO COUNTY, FL	---	---	100,000	---
(N)	HILLSBORO INLET, FL	---	200,000	---	200,000
(N)	INTRACOASTAL WATERWAY, PALM BEACH COUNTY, FL	---	200,000	---	200,000
(N)	INTRACOASTAL WATERWAY, PALM BEACH COUNTY, FL	39,000	---	39,000	---
(N)	JACKSONVILLE HARBOR, FL	246,000	---	246,000	---
(SP)	LIDO KEY SARASOTA COUNTY, FL	26,000	---	26,000	---
(BE)	NASSAU COUNTY, FL	---	400,000	---	400,000
(N)	PONCE DE LEON INLET, FL	112,000	---	112,000	---
(N)	PORT EVERGLADES, FL	---	---	100,000	---
	ST JOHNS RIVER, FL	---	---	250,000	---
(N)	ST LUCIE INLET, FL	---	300,000	---	300,000
	TAMPA HARBOR, ALAFIA CHANNEL, FL	---	---	100,000	---
	GEORGIA				
(E)	ATLANTA WATERSHED, GA	325,000	---	325,000	---
(N)	BRUNSWICK HARBOR, GA	250,000	---	250,000	---
(FDP)	FLINT RIVER BASIN STUDY, GA	260,000	---	100,000	---
(N)	LOWER SAVANNAH RIVER, GA & SC	---	400,000	---	400,000
(N)	SAVANNAH HARBOR EXPANSION, GA	400,000	---	400,000	---
	SAVANNAH/CHATHAM COUNTY REGIONAL FLOOD CONTROL, GA	---	---	100,000	---

CORPS OF ENGINEERS - GENERAL INVESTIGATIONS

TYPE OF PROJECT	PROJECT TITLE	BUDGET ESTIMATES INVESTIGATIONS	BUDGET ESTIMATES PLANNING	CONFERENCE ALLOWANCE INVESTIGATIONS	CONFERENCE ALLOWANCE PLANNING
	HAWAII				
(N)	BARBERS POINT HARBOR MODIFICATION, OAHU, HI	350,000	---	350,000	---
(N)	KIKIAOLA SMALL BOAT HARBOR, KAUAI, HI	---	365,000	---	365,000
(N)	MAUI SECOND HARBOR, MAUI, HI	120,000	---	120,000	---
(FDP)	WAILUPE STREAM FLOOD CONTROL STUDY, OAHU, HI	230,000	---	230,000	---
	ILLINOIS				
(FDP)	ALEXANDER AND PULASKI COUNTIES, IL	175,000	---	175,000	---
(FC)	DES PLAINES RIVER, IL	---	350,000	---	350,000
(RDP)	FREEPORT, IL	200,000	---	200,000	---
	KANKAKEE RIVER BASIN, IL	---	---	100,000	---
	MISSISSIPPI RIVER AT QUINCY, IL	---	---	100,000	---
(FC)	NUTWOOD DRAINAGE AND LEVEE DISTRICT, IL	---	100,000	---	100,000
	OHIO RIVER, SOUTHEASTERN, IL	---	---	100,000	---
	PEORIA RIVERFRONT DEVELOPMENT, IL	---	---	100,000	---
(RCP)	UPPER MISSISSIPPI & ILLINOIS NAV STUDY, IL, IA, MN, MO	9,883,000	---	10,750,000	---
	WOOD RIVER DRAINAGE AND LEVEE DISTRICT, IL	---	---	100,000	---
	INDIANA				
(FC)	INDIANAPOLIS, WHITE RIVER (NORTH), IN	---	475,000	---	475,000
	LAKE GEORGE, HOBART, IN	---	---	---	100,000
	LITTLE CALUMET RIVER BASIN (CADY MARSH DITCH), IN	---	---	---	200,000
	NEW HARMONY, IN	---	---	---	150,000
	OHIO RIVER GREENWAY, IN	---	---	---	200,000
	TIPPECANOE RIVER, IN	---	---	100,000	---
(FDP)	WABASH RIVER BASIN (MIDDLE REACHES), IN & IL	105,000	---	200,000	---
	IOWA				
(RCP)	CORALVILLE LAKE, IA	235,000	---	235,000	---
	KANSAS				
(SPE)	GRAND (NEOSHO) RIVER, KS	129,000	---	129,000	---
(RCP)	KANOPOLIS LAKE, KS	25,000	---	25,000	---
(RCP)	MISSOURI RIVER LEVEE SYSTEM, UNITS L455 & R460-471, KS	145,000	---	145,000	---
(RCP)	SALINA, KS	302,000	---	302,000	---
(RCP)	TOPEKA, KS	367,000	---	367,000	---
(FC)	TURKEY CREEK BASIN, KS & MO	---	25,000	---	25,000
(FDP)	TURKEY CREEK BASIN, KS & MO	79,000	---	79,000	---
(RCP)	WILSON LAKE, KS	155,000	---	155,000	---

CORPS OF ENGINEERS - GENERAL INVESTIGATIONS

TYPE OF PROJECT	PROJECT TITLE	BUDGET ESTIMATES INVESTIGATIONS	BUDGET ESTIMATES PLANNING	CONFERENCE ALLOWANCE INVESTIGATIONS	CONFERENCE ALLOWANCE PLANNING
	KENTUCKY				
(N)	GREEN AND BARREN RIVERS NAVIGATION DISPOSITION STUDY,.	380,000	---	180,000	---
(N)	KENTUCKY LOCK, KY.....	---	3,000,000	---	3,000,000
(FDP)	LEXINGTON, FAYETTE COUNTY, KY.....	149,000	---	149,000	---
	LOWER CUMBERLAND RIVER, KY.....	---	---	100,000	---
(FDP)	METROPOLITAN CINCINNATI, NORTHERN KENTUCKY, KY.....	315,000	---	315,000	---
(FDP)	METROPOLITAN LOUISVILLE, BEARGRASS CREEK, KY.....	80,000	---	80,000	---
(FC)	METROPOLITAN LOUISVILLE, BEARGRASS CREEK, KY.....	---	150,000	---	150,000
	METROPOLITAN LOUISVILLE, MILL CREEK, KY.....	---	---	100,000	---
(FDP)	METROPOLITAN LOUISVILLE, SOUTHWEST, KY.....	262,000	---	262,000	---
(N)	OHIO RIVER MAIN STEM SYSTEMS STUDY, KY, IL, IN, PA, WV	7,719,000	---	7,719,000	---
	PANTHER CREEK, KY.....	---	---	100,000	---
	LOUISIANA				
(FDP)	AMITE RIVER AND TRIBUTARIES, LA.....	---	---	200,000	---
	BAYOU BLANC, CROWLEY, LA.....	---	---	100,000	---
(FDP)	BAYOU TIGRE, ERATH, LA.....	100,000	---	100,000	---
(FDP)	BLACK BAYOU DIVERSION, LA.....	100,000	---	100,000	---
(FC)	COMITE RIVER, LA.....	---	200,000	---	200,000
(FC)	EAST BATON ROUGE PARISH, LA.....	---	400,000	---	400,000
(N)	INTRACOASTAL WATERWAY LOCKS, LA.....	600,000	---	600,000	---
(FDP)	JEFFERSON PARISH, LA.....	593,000	---	593,000	---
(FDP)	LAFAYETTE PARISH, LA.....	200,000	---	200,000	---
(N)	MISSISSIPPI RIVER SHIP CHANNEL IMPROVEMENTS, LA.....	278,000	---	278,000	---
(FDP)	ORLEANS PARISH, LA.....	300,000	---	300,000	---
	SABINE DIVERSION CANAL, LA.....	---	---	100,000	---
(FDP)	ST TAMMANY PARISH, LA.....	200,000	---	200,000	---
(FC)	WEST BANK - EAST OF HARVEY CANAL, LA.....	---	50,000	---	50,000
(FDP)	WEST SHORE - LAKE PONTCHARTRAIN, LA.....	129,000	---	129,000	---
	MARYLAND				
(FDP)	ANACOSTIA RIVER AND TRIBUTARIES, MD & DC.....	700,000	---	700,000	---
(E)	ANACOSTIA RIVER FEDERAL WATERSHED IMPACT ASSESSMENT, M	442,000	---	442,000	---
(N)	BALTIMORE HARBOR ANCHORAGES & CHANNELS, MD.....	---	338,000	---	338,000
(N)	BALTIMORE HARBOR ANCHORAGES & CHANNELS, MD.....	191,000	---	191,000	---
(FDP)	BALTIMORE METROPOLITAN WATER RESOURCES STUDY, MD.....	596,000	---	596,000	---
(SPE)	CHESAPEAKE BAY TIME VARIABLE MODEL, MD, VA, PA & DC...	522,000	---	522,000	---
(FC)	JENNINGS RANDOLPH LAKE - REALLOCATION, MD & WV.....	---	37,000	---	37,000
(RCP)	JENNINGS RANDOLPH LAKE - REALLOCATION, MD & WV.....	34,000	---	34,000	---
(N)	OCEAN CITY, MD AND VICINITY.....	740,000	---	740,000	150,000
(FDP)	PATUXENT RIVER WATER RESOURCES, MD.....	200,000	---	200,000	---
(E)	SMITH ISLAND ENVIRONMENTAL RESTORATION, MD.....	300,000	---	300,000	---

CORPS OF ENGINEERS - GENERAL INVESTIGATIONS

TYPE OF PROJECT	PROJECT TITLE	BUDGET ESTIMATES INVESTIGATIONS	BUDGET ESTIMATES PLANNING	CONFERENCE ALLOWANCE INVESTIGATIONS	CONFERENCE ALLOWANCE PLANNING
	MASSACHUSETTS				
(E)	BLACKSTONE RIVER WATERSHED RESTORATION, MA & RI	300,000	---	300,000	---
(N)	BOSTON HARBOR, MA	---	90,000	---	90,000
	MICHIGAN				
	SAULT STE MARIE, MI	---	---	---	250,000
	MINNESOTA				
(FC)	CROOKSTON, MN	---	190,000	---	190,000
(FDP)	CROOKSTON, MN	56,000	---	56,000	---
	MISSISSIPPI				
(FC)	JACKSON METROPOLITAN AREA, MS	---	2,790,000	---	2,790,000
	MISSOURI				
(FC)	BLUE RIVER BASIN, KANSAS CITY, MO	---	450,000	---	450,000
(FDP)	CHESTERFIELD, MO	285,000	---	285,000	---
(RCP)	FABIUS RIVER LEVEE AND DRAINAGE DISTRICT, MO	318,000	---	318,000	---
(FDP)	FESTUS AND CRYSTAL CITY, MO	50,000	---	250,000	---
	KIMMSWICK, MO	---	---	50,000	---
(FDP)	LOWER RIVER DES PERES, MO	50,000	---	150,000	---
(FDP)	SWOPE PARK INDUSTRIAL AREA, KANSAS CITY, MO	55,000	---	55,000	---
(N)	ST. LOUIS HARBOR, MO AND IL	---	---	---	650,000
	NEBRASKA				
(FDP)	ANTELOPE CREEK, LINCOLN, NE	175,000	---	175,000	---
(FDP)	LOWER PLATTE RIVER & TRIBUTARIES, NE	420,000	---	420,000	---
	NEVADA				
(E)	LOWER LAS VEGAS WASH WETLANDS, NV	210,000	---	210,000	---
(E)	LOWER TRUCKEE RIVER, PAIUTE, NV	250,000	---	250,000	---
(E)	LOWER TRUCKEE RIVER, WASHOE COUNTY, NV	250,000	---	250,000	---
(FDP)	NORTH LAS VEGAS, CHANNEL "A", NV	100,000	---	100,000	---
(FDP)	TRUCKEE MEADOWS, RENO, NV	650,000	---	650,000	---
(N)	TAHOE BASIN, NV AND CA	---	---	100,000	---
	WALKER RIVER BASIN, NV	---	---	300,000	---
	WALKER RIVER BASIN RESTORATION, NV	---	---	100,000	---

CORPS OF ENGINEERS - GENERAL INVESTIGATIONS

TYPE OF PROJECT	PROJECT TITLE	BUDGET ESTIMATES INVESTIGATIONS	BUDGET ESTIMATES PLANNING	CONFERENCE ALLOWANCE INVESTIGATIONS	CONFERENCE ALLOWANCE PLANNING
	NEW JERSEY				
	BARNEGAT BAY ESTUARY AND WATERSHED, NJ	---	---	100,000	---
	BARNEGAT INLET TO LITTLE EGG HARBOR INLET, NJ	---	---	300,000	---
(SP)	BRIGANTINE INLET TO GREAT EGG HARBOR INLET, NJ	160,000	---	160,000	200,000
	GREAT EGG HARBOR INLET TO TOWNSENDS INLET, NJ	---	---	200,000	---
(SP)	LOWER CAPE MAY MEADOWS - CAPE MAY POINT, NJ	231,000	---	231,000	---
	MANASQUAN INLET TO BARNEGAT INLET, NJ	---	---	250,000	---
	NEW JERSEY INTERCOASTAL WATERWAY, NJ	---	---	100,000	---
(SP)	RARITAN BAY AND SANDY HOOK BAY (CLIFFWOOD BEACH), NJ	25,000	---	---	---
(SP)	RARITAN BAY AND SANDY HOOK BAY, NJ	590,000	---	725,000	---
(FC)	RARITAN RIVER BASIN, GREEN BROOK SUB-BASIN, NJ	---	2,781,000	---	2,781,000
(FDP)	SOUTH RIVER, RARITAN RIVER BASIN, NJ	400,000	---	400,000	---
(SP)	TOWNSENDS INLET TO CAPE MAY INLET, NJ	45,000	---	45,000	200,000
	NEW MEXICO				
(FC)	LAS CRUCES, EL PASO AND VICINITY, NM	---	207,000	---	207,000
(SPE)	RIO CHAMA, ABIQUIU DAM TO ESPANOLA, NM	150,000	---	150,000	---
	NEW YORK				
(RCP)	ADDISON, NY	75,000	---	75,000	---
(N)	ARTHUR KILL CHANNEL - HOWLAND HOOK MARINE TERMINAL, NY	---	1,200,000	---	1,200,000
(SP)	ATLANTIC COAST OF NEW YORK, NY	1,400,000	---	1,400,000	---
	CHEMUNG RIVER BASIN, NY	---	---	100,000	---
(N)	HUDSON RIVER HABITAT RESTORATION, NY	375,000	---	375,000	---
(SP)	JAMAICA BAY, MARINE PARK AND PLUMB BEACH, NY	600,000	---	600,000	---
(BE)	LONG BEACH ISLAND, NY	---	742,000	---	742,000
(N)	NEW YORK AND NEW JERSEY HARBOR, NY & NJ	---	---	200,000	---
	NORTH SHORE OF LONG ISLAND, NY	---	---	250,000	---
(SPE)	ONONDAGA LAKE, NY	120,000	---	120,000	---
	SOUTH SHORE OF LONG ISLAND, NY	---	---	100,000	---
	SOUTH SHORE OF STATEN ISLAND, NY	---	---	200,000	---
(FDP)	SUSQUEHANNA RIVER BASIN WATER MANAGEMENT, NY, PA & MD.	209,000	---	209,000	---
	UPPER SUSQUEHANNA RIVER BASIN, NY & PA	---	---	100,000	---
(FDP)	UPPER DELAWARE RIVER WATERSHED, NY	---	---	100,000	---
(SP)	YONKERS SHORELINE, NY	25,000	---	25,000	---

CORPS OF ENGINEERS - GENERAL INVESTIGATIONS

TYPE OF PROJECT	PROJECT TITLE	BUDGET ESTIMATES INVESTIGATIONS	BUDGET ESTIMATES PLANNING	CONFERENCE ALLOWANCE INVESTIGATIONS	CONFERENCE ALLOWANCE PLANNING
	NORTH CAROLINA				
(FC)	BRUNSWICK COUNTY BEACHES, NC	---	500,000	---	500,000
(N)	CAPE FEAR - NORTHEAST (CAPE FEAR) RIVER, NC	---	1,000,000	---	1,000,000
(SP)	DARE COUNTY BEACHES, NC	400,000	---	400,000	---
	TENNESSEE RIVER AND TRIBUTARIES, NC	---	---	100,000	---
(N)	WILMINGTON HARBOR - NORTHEAST CAPE FEAR RIVER, NC	---	100,000	---	100,000
	NORTH DAKOTA				
(SPE)	DEVILS LAKE, ND	1,100,000	---	1,100,000	---
(FDP)	GRAND FORKS, ND	361,000	---	361,000	---
	OHIO				
	HOCKING RIVER BASIN, OH	---	---	100,000	---
	CLEVELAND HARBOR, OH	---	---	300,000	---
	OREGON				
(N)	COLUMBIA RIVER NAVIGATION CHANNEL DEEPENING, OR & WA	600,000	---	600,000	---
(E)	MIDDLE FORK WILLAMETTE FISHERY RESTORATION, OR	179,000	---	179,000	---
(E)	WALLA WALLA RIVER WATERSHED, OR & WA	230,000	---	230,000	---
(COM)	WILLAMETTE RIVER BASIN REVIEW, OR	400,000	---	400,000	---
(MP)	WILLAMETTE RIVER TEMPERATURE CONTROL, OR	---	1,000,000	---	1,000,000
	PENNSYLVANIA				
	BEAVER RIVER, PA	---	---	100,000	---
(E)	CONEMAUGH RVR BASIN, NANTY GLO ENVIRONMENTAL RESTORATI	50,000	---	50,000	---
(FDP)	JUNIATA RIVER BASIN, PA	600,000	---	600,000	---
(FDP)	LACKAWANNA RIVER, (GREEN RIDGE & PLOT SECTIONS)	---	---	---	600,000
	LOWER WEST BRANCH SUSQUEHANNA RIVER BASIN, PA	---	---	100,000	---
(FDP)	MILTON, PA	73,000	---	73,000	---
	MUSSERS DAM, MIDDLE CREEK, SNYDER COUNTY, PA	---	---	---	450,000
(FDP)	SCHYULKILL RIVER BASIN, SCHUYLKILL HAVEN AREA, PA	175,000	---	175,000	---
	TIOGA RIVER WATERSHED, PA	---	---	100,000	---
(RCP)	YOUGHIOGHENY RIVER LAKE, STORAGE REALLOCATION, PA & MD	175,000	---	175,000	---
	PUERTO RICO				
(FC)	RIO GUANAJIBO, PR	---	600,000	---	600,000
(FC)	RIO NIGUA AT SALINAS, PR	---	329,000	---	329,000
(N)	SAN JUAN HARBOR, PR	---	150,000	---	150,000
	RHODE ISLAND				
	RHODE ISLAND SOUTH COAST, HABITAT REST. AND STORM DAMAGE REDUCTION, RI	---	---	100,000	---

CORPS OF ENGINEERS - GENERAL INVESTIGATIONS

TYPE OF PROJECT	PROJECT TITLE	BUDGET ESTIMATES INVESTIGATIONS	BUDGET ESTIMATES PLANNING	CONFERENCE ALLOWANCE INVESTIGATIONS	CONFERENCE ALLOWANCE PLANNING
	SOUTH CAROLINA				
(N)	ATLANTIC INTRACOASTAL WATERWAY, SC	---	---	100,000	---
(N)	CHARLESTON HARBOR, SC (DEEPENING & WIDENING)	---	225,000	---	225,000
(N)	GEORGETOWN HARBOR, SC	207,000	---	207,000	---
(N)	SANTEE, COOPER, CONGAREE RIVERS, SC	254,000	---	254,000	---
	YADKIN/PEE DEE RIVERS WATERSHED, SC	---	---	100,000	---
	TENNESSEE				
	BLACK FOX, MURFREE AND OAKLAND SPRINGS, WETLANDS, TN	---	---	---	300,000
	DUCK RIVER, TN	---	---	100,000	---
(FDP)	EAST RIDGE, HAMILTON COUNTY, TN	---	---	---	200,000
(FDP)	EMILY AVE & TIMOTHY ST., KNOXVILLE, TN	---	---	100,000	---
(FDP)	METRO CENTER LEVEE, DAVIDSON COUNTY, TN	330,000	---	330,000	---
	WING DEER PARK, BOONE LAKE, TN	---	---	100,000	---
	TEXAS				
(FDP)	ALPINE, TX	178,000	---	178,000	---
(FC)	BRAYS BAYOU, HOUSTON, TX	---	1,110,000	---	1,110,000
(SPE)	COLONIAS ALONG U.S.-MEXICO BORDER, TX & AZ	320,000	---	520,000	---
(N)	CORPUS CHRISTI SHIP CHANNEL, TX	100,000	---	100,000	---
(FC)	CYPRESS CREEK, HOUSTON, TX	---	400,000	---	400,000
(E)	CYPRESS VALLEY WATERSHED, TX	50,000	---	50,000	---
(FC)	DALLAS FLOODWAY EXTENSION, TRINITY RIVER, TX	---	930,000	---	930,000
(N)	GIWW - ARANSAS NATIONAL WILDLIFE REFUGE, TX	---	857,000	---	857,000
	GIWW - BRAZOS RIVER TO PORT O'CONNOR	---	---	100,000	---
(RDP)	GIWW - HIGH ISLAND TO BRAZOS RIVER, TX	1,200,000	---	1,200,000	---
	GIWW - PORT O'CONNOR TO CORPUS CHRISTI BAY, TX	---	---	100,000	---
(FC)	GRAHAM, TX (BRAZOS RIVER BASIN)	---	50,000	---	50,000
(FC)	GREENS BAYOU, HOUSTON, TX	---	860,000	---	860,000
(N)	HOUSTON - GALVESTON NAVIGATION CHANNELS, TX	---	1,900,000	---	1,900,000
	LOWER RIO GRANDE BASIN, TX	---	---	---	150,000
(N)	NECHES RIVER & TRIBUTARIES SALTWATER BARRIER, TX	---	520,000	---	520,000
(FDP)	NORTHWEST EL PASO, TX	300,000	---	100,000	---
(FDP)	PECAN BAYOU, BROWNWOOD, TX	140,000	---	140,000	---
(E)	PLAINVIEW, BRAZOS RIVER BASIN, TX	100,000	---	100,000	---
(FC)	SOUTH MAIN CHANNEL, TX	---	650,000	---	650,000
(FDP)	UPPER TRINITY RIVER BASIN, TX	1,230,000	---	1,230,000	---
	UTAH				
(FDP)	PROVO AND VICINITY, UT	320,000	---	320,000	---
(E)	UPPER JORDAN RIVER RESTORATION, UT	---	---	100,000	---
	VIRGIN ISLANDS				
(N)	CROWN BAY CHANNEL, VI	---	100,000	---	100,000

CORPS OF ENGINEERS - GENERAL INVESTIGATIONS

TYPE OF PROJECT	PROJECT TITLE	BUDGET ESTIMATES INVESTIGATIONS	BUDGET ESTIMATES PLANNING	CONFERENCE ALLOWANCE INVESTIGATIONS	CONFERENCE ALLOWANCE PLANNING
	VIRGINIA				
(N)	AIWW BRIDGE AT GREAT BRIDGE, VA	---	344,000	---	344,000
(SP)	CHESAPEAKE BAY SHORELINE, POQUOSON, VA	301,000	---	301,000	---
	ELIZABETH RIVER BASIN, VA	---	---	100,000	---
(RCP)	JOHN H KERR LAKE, VA & NC	620,000	---	620,000	---
	LOWER POTOMAC ESTUARY WATERSHED, VA & MD	---	---	100,000	---
(SPE)	NANSEMOND RIVER BASIN, SUFFOLK, VA	226,000	---	226,000	---
	NORFOLK VIRGNIA, VICINITY OF WILLOUGHBY SPIT, VA	---	---	---	375,000
	POWELL RIVER WATERSHED, VA	---	---	100,000	---
(BE)	SANDBRIDGE, VIRGINIA BEACH, VA	---	283,000	---	283,000
	WASHINGTON				
	BLAIR WATERWAY, PORT OF TACOMA, WA	---	---	100,000	---
(SPE)	CHIEF JOSEPH POOL RAISE, WA	300,000	---	300,000	---
(E)	DUWAMISH AND GREEN RIVER, WA	150,000	---	150,000	---
(RCP)	HOWARD HANSON DAM, WA	320,000	---	320,000	---
(RCP)	LAKE WASHINGTON SHIP CANAL, WA	140,000	---	140,000	---
(N)	PUGET SOUND CONFINED DISPOSAL SITES, WA	330,000	---	330,000	---
(FDP)	SKAGIT RIVER, WA	350,000	---	350,000	---
(E)	STILLAGUAMISH RIVER, WA	331,000	---	331,000	---
	WEST VIRGINIA				
(E)	CHEAT R B, N BRANCH, LICK RUN ENVIRONMENTAL RESTORATIO	350,000	---	350,000	---
(FDP)	GREENBRIER RIVER BASIN, WV	---	---	500,000	---
(N)	KANAWHA RIVER NAVIGATION, WV	400,000	---	400,000	---
(N)	LONDON LOCKS AND DAM, WV	---	366,000	---	366,000
(N)	MARMET LOCKS AND DAM, WV	---	1,850,000	---	1,850,000
	MERCER COUNTY, WV	---	---	100,000	---
	MONONGAHELA RIVER, WV	---	---	---	500,000
	MONONGAHELA RIVER (FAIRMONT), WV	---	---	100,000	---
(FDP)	NORTH BRANCH POTOMAC RVR ENVIRONMENTAL RESTORATION, WV	550,000	---	550,000	---
	TYGART RIVER BASIN (PHILIPPI), WV	---	---	100,000	---
(E)	TYGART VALLEY R B, GRASSY RUN ENVIRONMENTAL RESTORATIO	350,000	---	350,000	---
	WISCONSIN				
(RCP)	FOX RIVER, WI	187,000	---	187,000	---
	WYOMING				
(E)	JACKSON HOLE RESTORATION, WY	200,000	---	200,000	---

CORPS OF ENGINEERS - GENERAL INVESTIGATIONS

TYPE OF PROJECT	PROJECT TITLE	BUDGET ESTIMATES INVESTIGATIONS	BUDGET ESTIMATES PLANNING	CONFERENCE ALLOWANCE INVESTIGATIONS	CONFERENCE ALLOWANCE PLANNING
	MISCELLANEOUS				
	AUTOMATED INFORMATION SYSTEM SUPPORT	650,000	---	650,000	---
	COASTAL FIELD DATA COLLECTION	1,500,000	---	1,500,000	---
	COORDINATION STUDIES WITH OTHER AGENCIES	8,540,000	---	6,280,000	---
	FLOOD DAMAGE DATA	250,000	---	250,000	---
	FLOOD PLAIN MANAGEMENT SERVICES	10,000,000	---	8,000,000	---
	GREAT LAKES REMEDIAL ACTION PROGRAM (SEC. 401)	---	---	500,000	---
	HYDROLOGIC STUDIES	500,000	---	500,000	---
	INTERNATIONAL WATER STUDIES	300,000	---	300,000	---
	NATIONAL DREDGING NEEDS STUDY OF PORTS AND HARBORS	575,000	---	---	---
	PRECIPITAITON STUDIES (NATIONAL WEATHER SERVICE)	500,000	---	400,000	---
	REMOTE SENSING/GEOGRAPHIC INFORMATION SYSTEM SUPPORT	300,000	---	300,000	---
	RESEARCH AND DEVELOPMENT	27,000,000	---	27,000,000	---
	SCIENTIFIC AND TECHNICAL INFORMATION CENTERS	150,000	---	---	---
	STREAM GAGING (U.S. GEOLOGICAL SURVEY)	770,000	---	770,000	---
	TRANSPORTATION SYSTEMS	950,000	---	900,000	---
	REDUCTION FOR ANTICIPATED SAVINGS AND SLIPPAGE	-16,064,000	---	-18,064,000	---
	TOTAL, GENERAL INVESTIGATIONS	103,760,000	38,740,000	108,827,000	45,045,000

CORPS OF ENGINEERS - CONSTRUCTION, GENERAL

TYPE OF PROJECT	PROJECT TITLE	BUDGET ESTIMATE	CONFERENCE ALLOWANCE
	ALABAMA		
(N)	BAYOU LA BATRE, AL	1,123,000	1,123,000
(N)	BLACK WARRIOR AND TOMBIGBEE RIVERS, VICINITY OF JACKSO	600,000	600,000
(N)	TENNESSEE - TOMBIGBEE WATERWAY WILDLIFE MITIGATION, AL	4,281,000	4,281,000
(MP)	WALTER F GEORGE LOCK AND DAM, AL & GA (MAJOR REHAB)	900,000	500,000
	ALASKA		
	DILLINGHAM, AK (SHORELINE EROSION)	---	3,302,000
(FC)	BETHEL BANK STABILIZATION, AK	3,800,000	3,800,000
(N)	KAKE HARBOR, AK	4,000,000	3,500,000
	ARIZONA		
(FC)	CLIFTON, AZ	204,000	204,000
(FC)	RILLITO RIVER, AZ	4,406,000	4,406,000
	ARKANSAS		
(MP)	DARDANELLE LOCK AND DAM POWERHOUSE, AR (MAJOR REHAB)	6,000,000	6,000,000
(N)	MCCLELLAN - KERR ARKANSAS RIVER NAVIGATION SYSTEM, AR.	1,414,000	1,414,000
(N)	MONTGOMERY POINT LOCK & DAM, AR	5,886,000	7,000,000
	RED RIVER EMERGENCY BANK PROTECTION, AR &LA	---	3,000,000
	CALIFORNIA		
	CORTE MADERA, CA	---	200,000
(FC)	COYOTE AND BERRYESSA CREEKS, CA	2,400,000	2,400,000
(FC)	GUADALUPE RIVER, CA	5,000,000	7,500,000
	HUMBOLDT HARBOR AND BAY, CA	---	2,500,000
(FC)	LOS ANGELES COUNTY DRAINAGE AREA, CA	14,400,000	14,400,000
(N)	LOS ANGELES HARBOR, CA	850,000	10,000,000
(FC)	LOWER SACRAMENTO AREA LEVEE RECONSTRUCTION, CA	50,000	500,000
(FC)	MARYSVILLE/YUBA CITY LEVEE RECONSTRUCTION, CA	4,200,000	4,200,000
(FC)	MERCED COUNTY STREAMS, CA	800,000	800,000
(FC)	MID-VALLEY AREA LEVEE RECONSTRUCTION, CA	100,000	1,500,000
(N)	OAKLAND HARBOR, CA	4,306,000	4,306,000
(N)	RICHMOND HARBOR, CA	3,000,000	4,000,000
(FC)	SACRAMENTO RIVER BANK PROTECTION PROJECT, CA	6,100,000	8,000,000
(FC)	SACRAMENTO RIVER, GLENN COLUSA IRRIGATION DISTRICT, CA	2,000,000	2,000,000
(N)	SAN FRANCISCO BAY TO STOCKTON, CA	500,000	500,000
(FC)	SAN LORENZO RIVER, CA	200,000	200,000
(FC)	SANTA ANA RIVER MAINSTEM, CA	51,020,000	51,020,000
(FC)	SANTA PAULA CREEK, CA	4,200,000	4,200,000
	SILVER STRAND SHORELINE, IMPERIAL BEACH, CA	---	400,000
(BE)	SURFSIDE - SUNSET - NEWPORT BEACH, CA	5,604,000	5,604,000
(FC)	UPPER SACRAMENTO AREA LEVEE RECONSTRUCTION, CA	300,000	300,000
(FC)	WEST SACRAMENTO, CA	5,700,000	5,900,000

CORPS OF ENGINEERS - CONSTRUCTION, GENERAL

TYPE OF PROJECT	PROJECT TITLE	BUDGET ESTIMATE	CONFERENCE ALLOWANCE
	COLORADO		
(FC)	ALAMOSA, CO	100,000	100,000
	CONNECTICUT		
	FAULKNER'S ISLAND, CT	---	1,500,000
	DELAWARE		
(BE)	DELAWARE COAST PROTECTION, DE	214,000	214,000
	FLORIDA		
	CANAVERAL HARBOR SAND BYPASS, FL	---	3,500,000
(FC)	CENTRAL AND SOUTHERN FLORIDA, FL	17,237,000	17,237,000
(FC)	DADE COUNTY, FL	2,100,000	2,100,000
(FC)	FOUR RIVER BASINS, FL	580,000	580,000
	FT PIERCE BEACH, FL	---	3,000,000
(MP)	JIM WOODRUFF LOCK AND DAM POWERHOUSE, FL & GA (MAJOR R	1,400,000	1,400,000
(E)	KISSIMMEE RIVER, FL	3,000,000	3,000,000
	LEE COUNTY, FL	---	1,200,000
(N)	MANATEE HARBOR, FL	2,800,000	2,800,000
(BE)	MARTIN COUNTY, FL	109,000	109,000
(N)	MIAMI HARBOR CHANNEL, FL	500,000	3,000,000
(BE)	PALM BEACH COUNTY, FL (REIMBURSEMENT)	1,919,000	4,000,000
	PANAMA CITY BEACHES, FL	---	400,000
(BE)	PINELLAS COUNTY, FL	5,865,000	7,500,000
	ST JOHNS COUNTY, ST AUGUSTINE BEACH, FL	---	300,000
	SARASOTA COUNTY, FL (VENICE SEGMENT)	---	900,000
	GEORGIA		
(MP)	HARTWELL LAKE POWERHOUSE, GA & SC (MAJOR REHAB)	8,300,000	8,300,000
(MP)	RICHARD B RUSSELL DAM AND LAKE, GA & SC	1,500,000	1,500,000
(MP)	THURMOND LAKE POWERHOUSE, GA & SC (MAJOR REHAB)	4,900,000	4,900,000
	TYBEE ISLAND, GA	---	2,500,000
	HAWAII		
(FC)	ALENAIO STREAM, HAWAII, HI	500,000	500,000
(FC)	IAO STREAM FLOOD CONTROL, MAUI, HI (DEF CORR)	345,000	345,000
(N)	KAWAIHAE SMALL BOAT HARBOR, HAWAII, HI	2,238,000	2,238,000
(N)	MAALAEA HARBOR, MAUI, HI	517,000	517,000

CORPS OF ENGINEERS - CONSTRUCTION, GENERAL

TYPE OF PROJECT	PROJECT TITLE	BUDGET ESTIMATE	CONFERENCE ALLOWANCE
	ILLINOIS		
(BE)	CHICAGO SHORELINE, IL	1,300,000	8,000,000
(FC)	EAST ST LOUIS, IL	2,300,000	2,300,000
	EAST ST LOUIS AND VICINITY (INTERIOR FLOOD CONTROL), I	---	300,000
(N)	LOCK AND DAM 24, MISSISSIPPI RIVER, IL & MO (MAJOR REH	3,000,000	3,000,000
(N)	LOCK AND DAM 25, MISSISSIPPI RIVER, IL & MO (MAJOR REH	3,000,000	3,000,000
(FC)	LOVES PARK, IL	2,000,000	2,000,000
(N)	MELVIN PRICE LOCK AND DAM, IL & MO	4,000,000	4,000,000
(FC)	O'HARE RESERVOIR, IL	1,918,000	1,918,000
(N)	OLMSTED LOCKS AND DAM, IL & KY	70,352,000	70,352,000
(FC)	REND LAKE, IL (DEF CORR)	500,000	500,000
(N)	UPPER MISS RIVER SYSTEM ENV MGMT PROG, IL, IA, MO, MN.	15,694,000	16,694,000
	INDIANA		
(N)	BURNS WATERWAY HARBOR, IN (MAJOR REHAB)	4,000,000	4,000,000
(FC)	FORT WAYNE METROPOLITAN AREA, IN	7,000,000	7,000,000
	INDIANA SHORELINE EROSION, IN	---	2,200,000
	INDIANAPOLIS CENTRAL WATERFRONT, IN	---	7,000,000
(FC)	LITTLE CALUMET RIVER, IN	11,000,000	11,000,000
	IOWA		
(N)	LOCK AND DAM 14, MISSISSIPPI RIVER, IA (MAJOR REHAB)	2,800,000	2,800,000
(N)	MISSOURI RIVER FISH AND WILDLIFE MITIGATION, IA, NE, K	1,600,000	3,000,000
(FC)	MISSOURI RIVER LEVEE SYSTEM, IA, NE, KS & MO	400,000	650,000
(FC)	MUSCATINE ISLAND, IA	500,000	500,000
(FC)	PERRY CREEK, IA	5,363,000	5,363,000
(FC)	WEST DES MOINES, DES MOINES, IA	2,814,000	2,814,000
	KANSAS		
(FC)	ARKANSAS CITY, KS	50,000	1,000,000
(FC)	WINFIELD, KS	50,000	1,000,000
	KENTUCKY		
(MP)	BARKLEY DAM AND LAKE BARKLEY, KY & TN	4,400,000	4,400,000
(FC)	DEWEY LAKE, KY (DAM SAFETY)	2,000,000	2,000,000
(N)	MCALPINE LOCKS & DAMS, KY & IN	7,501,000	8,401,000
(FC)	METROPOLITAN LOUISVILLE, POND CREEK, KY	3,089,000	1,500,000
	SALYERSVILLE, KY	---	3,000,000

CORPS OF ENGINEERS - CONSTRUCTION, GENERAL

TYPE OF PROJECT	PROJECT TITLE	BUDGET ESTIMATE	CONFERENCE ALLOWANCE
	LOUISIANA		
(FC)	ALOHA - RIGOLETTE, LA	1,600,000	1,600,000
	GRAND ISLE AND VICINITY, LA	---	250,000
(FC)	LAKE PONTCHARTRAIN AND VICINITY, LA (HURRICANE PROTECT	4,025,000	17,025,000
	LAKE PONTCHARTRAIN STORMWATER DISCHARGE, LA	---	4,750,000
(FC)	LAROSE TO GOLDEN MEADOW, LA (HURRICANE PROTECTION)	517,000	517,000
(N)	MISSISSIPPI RIVER - GULF OUTLET, LA	3,100,000	3,100,000
(N)	MISSISSIPPI RIVER SHIP CHANNEL, GULF TO BATON ROUGE, L	752,000	1,252,000
(FC)	NEW ORLEANS TO VENICE, LA (HURRICANE PROTECTION)	2,300,000	2,300,000
(FC)	OUACHITA RIVER LEVEES, LA	---	100,000
	RED RVR BELOW DENISON DAM LEVEE/BANK STAB, LA, AR & TX	---	100,000
	RED RIVER EMERGENCY BANK PROTECTION, LA	---	3,400,000
(N)	RED RIVER WATERWAY, MISSISSIPPI RIVER TO SHREVEPORT, L	4,800,000	9,500,000
(FC)	SOUTHEAST LOUISIANA, LA	10,000,000	17,500,000
	WEST BANK - EAST OF HARVEY CANAL, LA	---	1,500,000
(FC)	WESTWEGO TO HARVEY CANAL, LA (HURRICANE PROTECTION)	4,206,000	5,706,000
	MARYLAND		
(E)	CHESAPEAKE BAY OYSTER RECOVERY, MD	206,000	206,000
(E)	POPLAR ISLAND, MD	22,000,000	9,500,000
	MASSACHUSETTS		
(N)	BOSTON HARBOR, MA	---	500,000
(FC)	HODGES VILLAGE DAM, MA (MAJOR REHAB)	5,200,000	2,000,000
(FC)	ROUGHANS POINT, REVERE, MA	2,663,000	2,663,000
(FC)	TOWN BROOK, QUINCY AND BRAINTREE, MA	3,137,000	3,137,000
	MINNESOTA		
(FC)	CHASKA, MN	1,609,000	1,609,000
(FC)	MARSHALL, MN	500,000	400,000
(N)	PINE RIVER DAM, CROSS LAKE, MN (DAM SAFETY)	680,000	680,000
(FC)	ST. CROIX RIVER, STILLWATER, MN	---	500,000
	MISSISSIPPI		
	NATCHEZ BLUFF, MS	---	4,500,000
	MISSOURI		
(FC)	BLUE RIVER CHANNEL, KANSAS CITY, MO	8,300,000	10,300,000
(FC)	CAPE GIRARDEAU - JACKSON, MO	1,000,000	1,000,000
(FC)	MERAMEC RIVER BASIN, VALLEY PARK LEVEE, MO	1,600,000	1,600,000
(N)	MISS RIVER BTWN THE OHIO AND MO RIVERS (REG WORKS), MO	3,400,000	3,400,000
(MP)	TABLE ROCK LAKE, MO & AR (DAM SAFETY)	460,000	460,000

CORPS OF ENGINEERS - CONSTRUCTION, GENERAL

TYPE OF PROJECT	PROJECT TITLE	BUDGET ESTIMATE	CONFERENCE ALLOWANCE
	NEBRASKA		
(FC)	MISSOURI NATIONAL RECREATIONAL RIVER, NE & SD.....	100,000	100,000
(FC)	WOOD RIVER, GRAND ISLAND, NE.....	1,000,000	1,000,000
	NEVADA		
(FC)	TROPICANA AND FLAMINGO WASHES, NV.....	10,260,000	10,260,000
	NEW JERSEY		
(BE)	CAPE MAY INLET TO LOWER TOWNSHIP, NJ.....	1,965,000	1,965,000
(BE)	GREAT EGG HARBOR INLET AND PECK BEACH, NJ.....	380,000	380,000
(FC)	MOLLY ANN'S BROOK AT HALEDON, PROSPECT PARK AND PATERS	8,150,000	8,150,000
(FC)	RAMAPO RIVER AT OAKLAND, NJ.....	250,000	250,000
(BE)	SANDY HOOK TO BARNEGAT INLET, NJ.....	24,118,000	24,118,000
	NEW MEXICO		
(FC)	ABIQUIU DAM EMERGENCY GATES, NM.....	1,000,000	1,000,000
(FC)	ACEQUIAS IRRIGATION SYSTEM, NM.....	300,000	1,000,000
(FC)	ALAMOGORDO, NM.....	100,000	100,000
(FC)	GALISTEO DAM, NM (DAM SAFETY).....	150,000	150,000
(FC)	MIDDLE RIO GRANDE FLOOD PROTECTION, BERNALILLO TO BELE	3,700,000	3,700,000
(FC)	RIO GRANDE FLOODWAY, SAN ACACIA TO BOSQUE DEL APACHE,.	100,000	100,000
(FC)	TWO RIVERS DAM, NM (DAM SAFETY).....	250,000	250,000
	NEW YORK		
(BE)	EAST ROCKAWAY INLET TO ROCKAWAY INLET AND JAMAICA BAY,	1,298,000	1,298,000
	FIRE ISLAND INLET TO JONES INLET, NY.....	---	4,471,000
(BE)	FIRE ISLAND INLET TO MONTAUK POINT, NY.....	13,900,000	13,900,000
(N)	KILL VAN KULL AND NEWARK BAY CHANNEL, NY & NJ.....	600,000	600,000
	NEW YORK CITY WATERSHED, NY.....	---	1,000,000
(N)	NEW YORK HARBOR COLLECTION AND REMOVAL OF DRIFT, NY &.	100,000	100,000
	NORTH CAROLINA		
(N)	AIWW - REPLACEMENT OF FEDERAL HIGHWAY BRIDGES, NC.....	6,400,000	6,400,000
(BE)	CAROLINA BEACH AND VICINITY, NC.....	6,533,000	6,533,000
	NORTH DAKOTA		
(MP)	GARRISON DAM AND POWER PLANT, ND (MAJOR REHAB).....	337,000	337,000
(FC)	HOMME LAKE, ND (DAM SAFETY).....	450,000	450,000
(FC)	LAKE ASHTABULA AND BALDHILL DAM, ND (DAM SAFETY).....	1,450,000	1,450,000
(FC)	LAKE ASHTABULA AND BALDHILL DAM, ND (MAJOR REHAB).....	1,200,000	1,200,000
(FC)	SHEYENNE RIVER, ND.....	500,000	500,000
(FC)	SOURIS RIVER, ND.....	1,700,000	1,700,000

CORPS OF ENGINEERS - CONSTRUCTION, GENERAL

TYPE OF PROJECT	PROJECT TITLE	BUDGET ESTIMATE	CONFERENCE ALLOWANCE
	OHIO		
(FC)	BEACH CITY LAKE, MUSKINGUM RIVER LAKES, OH (DAM SAFETY	220,000	220,000
(FC)	HOLES CREEK, WEST CARROLLTON, OH	592,000	592,000
(FC)	METROPOLITAN REGION OF CINCINNATI, DUCK CREEK, OH	466,000	466,000
	MILL CREEK, OH	---	500,000
(FC)	WEST COLUMBUS, OH	11,400,000	11,400,000
	OKLAHOMA		
(FC)	FRY CREEKS, BIXBY, OK	5,000,000	5,000,000
(FC)	MINGO CREEK, TULSA, OK	5,100,000	5,100,000
(MP)	TENKILLER FERRY LAKE, OK (DAM SAFETY)	690,000	690,000
	OREGON		
(MP)	BONNEVILLE POWERHOUSE PHASE I, OR & WA (MAJOR REHAB)	500,000	500,000
(MP)	BONNEVILLE POWERHOUSE PHASE II, OR & WA (MAJOR REHAB)	6,600,000	6,600,000
(MP)	BONNEVILLE SECOND POWERHOUSE, OR & WA	600,000	600,000
(MP)	COLUMBIA RIVER TREATY FISHING ACCESS SITES, OR & WA	4,300,000	4,300,000
(N)	COOS BAY, OR	4,900,000	4,900,000
(FC)	ELK CREEK LAKE, OR	500,000	500,000
	PENNSYLVANIA		
	GLEN FOERD, PA	---	800,000
(N)	GRAYS LANDING LOCK AND DAM, MONONGAHELA RIVER, PA	100,000	100,000
(FC)	JOHNSTOWN, PA (MAJOR REHAB)	2,200,000	2,200,000
(FC)	LACKAWANNA RIVER, OLYPHANT, PA	610,000	610,000
(FC)	LACKAWANNA RIVER, SCRANTON, PA	358,000	358,000
(N)	LOCKS AND DAMS 2, 3 AND 4, MONONGAHELA RIVER, PA	17,100,000	17,100,000
(BE)	PRESQUE ISLE PENINSULA, PA (PERMANENT)	485,000	485,000
(FC)	SAW MILL RUN, PITTSBURGH, PA	500,000	500,000
	SOUTH CENTRAL PA ENVIRONMENTAL RESTORATION, PA	---	7,000,000
	WEST VIRGINIA & PENNSYLVANIA FLOOD CONTROL, PA & WV	---	1,000,000
(FC)	WYOMING VALLEY, PA (LEVEE RAISING)	14,063,000	14,063,000
	RHODE ISLAND		
	ALLENDALE DAM, RI	---	195,000
	INDIA POINT RAILROAD BRIDGE, SEEKONK RIVER, RI	---	650,000
	PUERTO RICO		
(FC)	ARECIBO RIVER, PR	350,000	---
(FC)	PORTUGUES AND BUCANA RIVERS, PR	7,500,000	7,500,000
(FC)	RIO DE LA PLATA, PR	600,000	600,000
(FC)	RIO GRANDE DE LOIZA, PR	2,540,000	---
(FC)	RIO PUERTO NUEVO, PR	7,663,000	7,663,000
(N)	SAN JUAN HARBOR, PR	---	800,000

CORPS OF ENGINEERS - CONSTRUCTION, GENERAL

TYPE OF PROJECT	PROJECT TITLE	BUDGET ESTIMATE	CONFERENCE ALLOWANCE
	SOUTH CAROLINA		
(BE)	MYRTLE BEACH, SC	13,000,000	13,000,000
	SOUTH DAKOTA		
(FC)	BIG SIOUX RIVER, SIOUX FALLS, SD	2,200,000	---
	TEXAS		
(FC)	BEALS CREEK, BIG SPRING, TX	1,396,000	1,396,000
(N)	CHANNEL TO VICTORIA, TX	9,550,000	9,550,000
(FC)	CLEAR CREEK, TX	1,700,000	1,700,000
(FC)	EL PASO, TX	8,200,000	8,200,000
(N)	GIWW - SARGENT BEACH, TX	18,300,000	18,300,000
(FC)	MCGRATH CREEK, WICHITA FALLS, TX	900,000	900,000
(FC)	RAY ROBERTS LAKE, TX	3,004,000	3,004,000
(MP)	SAM RAYBURN DAM AND RESERVOIR, TX (DAM SAFETY)	1,200,000	1,200,000
(FC)	SAN ANTONIO CHANNEL IMPROVEMENT, TX	1,600,000	1,600,000
(FC)	SIMS BAYOU, HOUSTON, TX	11,200,000	11,200,000
(FC)	WACO LAKE, TX (DAM SAFETY)	300,000	300,000
	WALLISVILLE LAKE, TX	---	7,500,000
	UTAH		
(FC)	LITTLE DELL LAKE, UT	---	3,300,000
	UPPER JORDAN RIVER, UT	---	500,000
	VIRGINIA		
(FC)	JAMES R OLIN FLOOD CONTROL PROJECT, VA	6,800,000	6,800,000
(N)	NORFOLK HARBOR AND CHANNELS (DEEPENING), VA	1,200,000	1,200,000
	RICHMOND FILTRATION PLANT, VA	---	3,500,000
(FC)	ROANOKE RIVER UPPER BASIN, HEADWATERS AREA, VA	1,100,000	1,100,000
	VIRGINIA BEACH, VA	---	8,000,000
(BE)	VIRGINIA BEACH, VA (REIMBURSEMENT)	487,000	487,000
	WASHINGTON		
(MP)	COLUMBIA RIVER FISH MITIGATION, WA, OR & ID	107,000,000	96,000,000
(FC)	HOWARD HANSON DAM, WA (DAM SAFETY)	1,400,000	1,400,000
(MP)	LOWER SNAKE RIVER FISH & WILDLIFE COMPENSATION, WA, OR	3,600,000	3,600,000
(MP)	THE DALLES POWERHOUSE (UNITS 1-14), WA & OR (MAJOR REH	3,000,000	2,000,000

CORPS OF ENGINEERS - CONSTRUCTION, GENERAL

TYPE OF PROJECT	PROJECT TITLE	BUDGET ESTIMATE	CONFERENCE ALLOWANCE
	WEST VIRGINIA		
(FC)	LEVISA AND TUG FORKS AND UPPER CUMBERLAND RIVER, WV, V	6,921,000	41,426,000
(FC)	MOOREFIELD, WV	6,385,000	6,385,000
(FC)	PETERSBURG, WV	4,516,000	4,516,000
(N)	ROBERT C BYRD LOCKS AND DAM, WV & OH	12,158,000	12,158,000
(N)	WINFIELD LOCKS AND DAM, WV	30,900,000	30,900,000
	WISCONSIN		
	LAFARGE LAKE, KICKAPOO RIVER, WI	---	20,000
(FC)	PORTAGE, WI	1,700,000	1,700,000
	MISCELLANEOUS		
	AQUATIC PLANT CONTROL PROGRAM	2,500,000	2,000,000
	BEACH EROSION CONTROL PROJECTS (SECTION 103)	3,000,000	5,800,000
	BENEFICIAL USES OF DREDGED MATERIAL (SECTION 204)	4,000,000	1,500,000
	CLEARING AND SNAGGING PROJECT	500,000	500,000
	DAM SAFETY ASSURANCE PROGRAM	2,000,000	2,000,000
	EMERGENCY STREAMBANK & SHORELINE PROTECTION (SEC. 14)	7,500,000	9,500,000
	EMPLOYEES' COMPENSATION	18,892,000	18,892,000
	FLOOD CONTROL PROJECTS (SECTION 205)	24,500,000	32,650,000
	INLAND WATERWAYS USERS BOARD - BOARD EXPENSES	40,000	40,000
	INLAND WATERWAYS USERS BOARD - CORPS EXPENSES	185,000	185,000
	NAVIGATION MITIGATION PROJECT	500,000	500,000
	NAVIGATION PROJECTS (SECTION 107)	5,000,000	11,632,000
	PROJECT MODIFICATIONS FOR IMPROVEMENT OF THE ENVIRONME	15,000,000	17,000,000
	REDUCTION FOR ANTICIPATED SAVINGS AND SLIPPAGE	-46,716,000	-52,500,000
	TOTAL, CONSTRUCTION GENERAL	914,000,000	1,081,942,000

CORPS OF ENGINEERS - FLOOD CONTROL, MISSISSIPPI RIVER AND TRIBUTARIES

TYPE OF PROJECT	PROJECT TITLE	BUDGET ESTIMATE	CONFERENCE
	GENERAL INVESTIGATIONS		
	SURVEYS:		
	GENERAL STUDIES:		
	MEMPHIS METROPOLITAN AREA, TN & MS	---	100,000
(FDP)	MORGANZA, LA TO THE GULF OF MEXICO	965,000	965,000
(FDP)	MISSISSIPPI DELTA, MS	338,000	338,000
(FDP)	REELFOOT LAKE, TN	350,000	350,000
(FDP)	WOLF RIVER, MEMPHIS, TN	130,000	130,000
	COLLECTION AND STUDY OF BASIC DATA	335,000	335,000
	PRECONSTRUCTION ENGINEERING AND DESIGN:		
(FC)	EASTERN ARKANSAS REGION (COMPREHENSIVE STUDY), AR	788,000	788,000
	SUBTOTAL, GENERAL INVESTIGATIONS	2,906,000	3,006,000
	CONSTRUCTION		
(FC)	CHANNEL IMPROVEMENT, AR, IL, KY, LA, MS, MO & TN	50,800,000	50,800,000
(FC)	EIGHT MILE CREEK, AR	841,000	841,000
(FC)	HELENA & VICINITY, AR	150,000	150,000
(FC)	MISSISSIPPI RIVER LEVEES, AR, IL, KY, LA, MS, MO & TN	24,369,000	27,229,000
(FC)	ST FRANCIS BASIN, AR & MO	8,900,000	8,900,000
	ST JOHNS BAYOU - NEW MADRID, MO	---	100,000
(FC)	WHITEMAN'S CREEK, AR	1,000,000	1,000,000
(FC)	ATCHAFALAYA BASIN, FLOODWAY SYSTEM, LA	5,020,000	5,445,000
(FC)	ATCHAFALAYA BASIN, LA	18,600,000	18,600,000
(FC)	MISSISSIPPI AND LOUISIANA ESTUARINE AREAS, LA & MS	800,000	800,000
(FC)	MISSISSIPPI DELTA REGION, LA	11,800,000	11,800,000
(FC)	TENSAS BASIN, RED RIVER BACKWATER, LA	11,393,000	11,393,000
	YAZOO BASIN, MS:	(33,164,000)	(44,464,000)
(FC)	BACKWATER LESS ROCKY BAYOU, MS	20,000	20,000
(FC)	BIG SUNFLOWER RIVER, MS	6,807,000	9,807,000
(FC)	DEMONSTRATION EROSION CONTROL, MS	12,700,000	18,000,000
(FC)	F&WL MITIGATION LANDS, MS	480,000	480,000
(FC)	MAIN STEM, MS	25,000	25,000
(FC)	REFORMULATION UNIT, MS	3,459,000	3,459,000
(FC)	TRIBUTARIES, MS	904,000	904,000
(FC)	UPPER YAZOO PROJECTS, MS	8,769,000	11,769,000
(FC)	NONCONNAH CREEK, FLOOD CONTROL FEATURE, TN & MS	4,000,000	4,000,000
(FC)	WEST TENNESSEE TRIBUTARIES, TN	3,024,000	3,024,000
	SUBTOTAL, CONSTRUCTION	173,861,000	188,546,000

CORPS OF ENGINEERS - FLOOD CONTROL, MISSISSIPPI RIVER AND TRIBUTARIES

TYPE OF PROJECT	PROJECT TITLE	BUDGET ESTIMATE	CONFERENCE
	MAINTENANCE		
(FC)	CHANNEL IMPROVEMENT, AR, IL, KY, LA, MS, MO & TN.....	65,101,000	65,101,000
(FC)	INSPECTION OF COMPLETED WORKS, AR.....	475,000	475,000
(FC)	LOWER ARKANSAS RIVER - NORTH BANK, AR.....	156,000	156,000
(FC)	LOWER ARKANSAS RIVER - SOUTH BANK, AR.....	121,000	121,000
(FC)	MISSISSIPPI RIVER LEVEES, AR, IL, KY, LA, MS, MO & TN.	5,458,000	5,458,000
(FC)	ST FRANCIS RIVER BASIN, AR & MO.....	9,815,000	9,815,000
(FC)	TENSAS BASIN, BOEUF AND TENSAS RIVERS, AR & LA.....	2,631,000	2,631,000
(FC)	WHITE RIVER BACKWATER, AR.....	1,300,000	1,300,000
(FC)	INSPECTION OF COMPLETED WORKS, IL.....	50,000	50,000
(FC)	INSPECTION OF COMPLETED WORKS, KY.....	28,000	28,000
(FC)	ATCHAFALAYA BASIN FLOODWAY SYSTEM, LA.....	150,000	150,000
(FC)	ATCHAFALAYA BASIN, LA.....	12,223,000	12,223,000
(FC)	BATON ROUGE HARBOR - DEVIL SWAMP, LA.....	172,000	172,000
(FC)	BAYOU COCODRIE AND TRIBUTARIES, LA.....	92,000	92,000
(FC)	BONNET CARRE, LA.....	1,228,000	1,228,000
(FC)	INSPECTION OF COMPLETED WORKS, LA.....	415,000	415,000
(FC)	LOWER RED RIVER - SOUTH BANK LEVEES, LA.....	56,000	56,000
(FC)	MISSISSIPPI DELTA REGION, CAERNARVON, LA.....	261,000	261,000
(FC)	OLD RIVER, LA.....	5,025,000	5,025,000
(FC)	TENSAS BASIN, RED RIVER BACKWATER, LA.....	2,849,000	2,849,000
(N)	GREENVILLE HARBOR, MS.....	239,000	239,000
(FC)	INSPECTION OF COMPLETED WORKS, MS.....	195,000	195,000
(N)	VICKSBURG HARBOR, MS.....	122,000	122,000
	YAZOO BASIN, MS:	(18,658,000)	(21,897,000)
(FC)	ARKABUTLA LAKE, MS.....	2,838,000	2,838,000
(FC)	BIG SUNFLOWER RIVER, MS.....	668,000	1,700,000
(FC)	ENID LAKE, MS.....	2,821,000	2,821,000
(FC)	GREENWOOD, MS.....	751,000	751,000
(FC)	GRENADA LAKE, MS.....	3,783,000	3,783,000
(FC)	MAIN STEM, MS.....	936,000	936,000
(FC)	SARDIS LAKE, MS.....	3,946,000	6,046,000
(FC)	TRIBUTARIES, MS.....	1,287,000	1,287,000
(FC)	WILL M WHITTINGTON AUX CHAN, MS.....	485,000	485,000
(FC)	YAZOO BACKWATER AREA, MS.....	393,000	500,000
(FC)	YAZOO CITY, MS.....	750,000	750,000
(FC)	INSPECTION OF COMPLETED WORKS, MO.....	223,000	223,000
(FC)	WAPPAPELLO LAKE, MO.....	3,545,000	3,545,000
(FC)	INSPECTION OF COMPLETED WORKS, TN.....	129,000	129,000
(N)	MEMPHIS HARBOR (MCKELLAR LAKE), TN.....	1,700,000	1,700,000
(FC)	MAPPING.....	1,064,000	1,064,000
	SUBTOTAL, MAINTENANCE.....	133,481,000	136,720,000
	REDUCTION FOR SAVINGS AND SLIPPAGE.....	-17,748,000	-17,898,000
	TOTAL, FLOOD CONTROL, MISSISSIPPI RIVER AND TRIBUTARIES.....	292,500,000	310,374,000

CORPS OF ENGINEERS - OPERATION AND MAINTENANCE

TYPE OF PROJECT	PROJECT TITLE	BUDGET ESTIMATE	CONFERENCE
	ALABAMA		
	ACF-ACT COMPREHENSIVE WATER STUDY	---	250,000
(N)	ALABAMA - COOSA RIVER, AL	5,839,000	5,839,000
(N)	BAYOU CODEN, AL	5,000	5,000
(N)	BAYOU LA BATRE, AL	5,000	5,000
(N)	BLACK WARRIOR AND TOMBIGBEE RIVERS, AL	16,693,000	19,193,000
(N)	DOG AND FOWL RIVERS, AL	550,000	550,000
(N)	GULF INTRACOASTAL WATERWAY, AL	3,054,000	3,054,000
(FC)	INSPECTION OF COMPLETED WORKS, AL	35,000	35,000
(MP)	MILLERS FERRY LOCK & DAM - WILLIAM "BILL" DANNELLY LAK	6,647,000	6,647,000
(N)	MOBILE HARBOR, AL	17,918,000	17,918,000
(N)	PERDIDO PASS CHANNEL, AL	899,000	899,000
(N)	PROJECT CONDITION SURVEYS, AL	392,000	392,000
(MP)	ROBERT F HENRY LOCK AND DAM, AL	4,491,000	4,491,000
(FC)	SCHEDULING RESERVOIR OPERATIONS, AL	90,000	90,000
(N)	TENNESSEE - TOMBIGBEE WATERWAY, AL & MS	19,192,000	22,892,000
(MP)	WALTER F GEORGE LOCK AND DAM, AL & GA	5,972,000	5,972,000
	ALASKA		
(N)	ANCHORAGE HARBOR, AK	1,200,000	1,200,000
(N)	BETHEL HARBOR, AK	325,000	325,000
(FC)	CHENA RIVER LAKES, AK	1,726,000	1,726,000
(N)	CRESCENT BAY HARBOR, SITKA, AK	70,000	70,000
(N)	DILLINGHAM HARBOR, AK	551,000	551,000
(N)	DOUGLAS HARBOR, AK	396,000	396,000
(N)	DRY PASS, AK	345,000	345,000
(N)	HOMER HARBOR, AK	233,000	233,000
(FC)	INSPECTION OF COMPLETED WORKS, AK	24,000	24,000
(N)	NINILCHIK HARBOR, AK	181,000	181,000
(N)	NOME HARBOR, AK	260,000	260,000
(N)	PROJECT CONDITION SURVEYS, AK	565,000	565,000
	ARIZONA		
(FC)	ALAMO LAKE, AZ	1,069,000	1,069,000
(FC)	INSPECTION OF COMPLETED WORKS, AZ	72,000	72,000
(FC)	PAINTED ROCK DAM, AZ	1,136,000	1,136,000
(FC)	SCHEDULING RESERVOIR OPERATIONS, AZ	70,000	70,000
(FC)	WHITLOW RANCH DAM, AZ	112,000	112,000
	ARKANSAS		
(MP)	BEAVER LAKE, AR	3,961,000	3,961,000
(MP)	BLAKELY MT DAM - LAKE OUACHITA, AR	4,595,000	4,595,000
(FC)	BLUE MOUNTAIN LAKE, AR	1,088,000	1,088,000
(MP)	BULL SHOALS LAKE, AR	4,416,000	4,416,000
(MP)	DARDANELLE LOCK AND DAM, AR	5,793,000	5,793,000
(MP)	DEGRAY LAKE, AR	4,088,000	4,088,000

CORPS OF ENGINEERS - OPERATION AND MAINTENANCE

TYPE OF PROJECT	PROJECT TITLE	BUDGET ESTIMATE	CONFERENCE
(FC)	DEQUEEN LAKE, AR	1,051,000	1,051,000
(FC)	DIERKS LAKE, AR	1,034,000	1,034,000
(FC)	GILLHAM LAKE, AR	995,000	995,000
(MP)	GREERS FERRY LAKE, AR	4,264,000	4,264,000
(N)	HELENA HARBOR, AR	455,000	455,000
(FC)	INSPECTION OF COMPLETED WORKS, AR	209,000	209,000
(N)	MCCLELLAN - KERR ARKANSAS RIVER NAVIGATION SYSTEM, AR.	24,155,000	24,155,000
(FC)	MILLWOOD LAKE, AR	1,743,000	1,743,000
(MP)	NARROWS DAM - LAKE GREESON, AR	3,614,000	3,614,000
(FC)	NIMROD LAKE, AR	1,295,000	1,295,000
(MP)	NORFORK LAKE, AR	3,505,000	3,505,000
(N)	OSCEOLA HARBOR, AR	426,000	426,000
(N)	OUACHITA AND BLACK RIVERS, AR & LA	5,763,000	5,763,000
(MP)	OZARK - JETA TAYLOR LOCK AND DAM, AR	3,986,000	3,986,000
(N)	PROJECT CONDITION SURVEYS, AR	5,000	5,000
(N)	WHITE RIVER, AR	2,257,000	2,257,000
(N)	YELLOW BEND PORT, AR	113,000	113,000
	CALIFORNIA		
(FC)	BLACK BUTTE LAKE, CA	1,576,000	1,576,000
(FC)	BUCHANAN DAM - H V EASTMAN LAKE, CA	1,376,000	1,376,000
(N)	CHANNEL ISLANDS HARBOR, CA	2,000,000	2,000,000
(FC)	COYOTE VALLEY DAM (LAKE MENDOCINO), CA	2,432,000	2,432,000
(FC)	DRY CREEK (WARM SPRINGS) LAKE AND CHANNEL, CA	3,177,000	3,177,000
(FC)	FARMINGTON DAM, CA	192,000	192,000
(FC)	HIDDEN DAM - HENSLEY LAKE, CA	1,446,000	1,446,000
(N)	HUMBOLDT HARBOR AND BAY, CA	3,155,000	3,155,000
(FC)	INSPECTION OF COMPLETED WORKS, CA	1,224,000	1,224,000
(FC)	ISABELLA LAKE, CA	1,125,000	1,125,000
(N)	LOS ANGELES - LONG BEACH HARBOR MODEL, CA	165,000	165,000
(N)	LOS ANGELES - LONG BEACH HARBORS, CA	100,000	1,600,000
(FC)	LOS ANGELES COUNTY DRAINAGE AREA, CA	3,729,000	4,229,000
	LOS ANGELES COUNTY DRAINAGE AREA (SEPULVEDA DAM), CA	---	2,000,000
(FC)	MERCED COUNTY STREAM GROUP, CA	291,000	291,000
(FC)	MOJAVE RIVER DAM, CA	222,000	222,000
	MORO BAY HARBOR, CA	---	300,000
(N)	MOSS LANDING HARBOR, CA	1,130,000	1,130,000
(N)	NAPA RIVER, CA	2,056,000	2,056,000
(FC)	NEW HOGAN LAKE, CA	1,651,000	1,651,000
(MP)	NEW MELONES LAKE (DOWNSTREAM CHANNEL), CA	910,000	910,000
(N)	NEWPORT BAY HARBOR, CA	40,000	590,000
(N)	NOYO RIVER & HARBOR, CA	736,000	736,000
(N)	OAKLAND HARBOR, CA	2,625,000	2,625,000
(N)	OCEANSIDE HARBOR, CA	680,000	680,000
(FC)	PINE FLAT LAKE, CA	2,721,000	2,721,000
(N)	PORT HUENEME, CA	399,000	399,000
(N)	PROJECT CONDITION SURVEYS, CA	1,415,000	1,415,000
(N)	RICHMOND HARBOR, CA	3,025,000	3,025,000
(N)	SACRAMENTO RIVER (30 FOOT PROJECT), CA	2,099,000	2,099,000

CORPS OF ENGINEERS - OPERATION AND MAINTENANCE

TYPE OF PROJECT	PROJECT TITLE	BUDGET ESTIMATE	CONFERENCE
(N)	SACRAMENTO RIVER AND TRIBUTARIES (DEBRIS CONTROL), CA.	897,000	897,000
(N)	SACRAMENTO RIVER SHALLOW DRAFT CHANNEL, CA.....	105,000	105,000
(N)	SAN DIEGO HARBOR, CA.....	175,000	175,000
(N)	SAN DIEGO RIVER - MISSION BAY, CA.....	35,000	35,000
(N)	SAN FRANCISCO BAY - DELTA MODEL STRUCTURE, CA.....	2,030,000	2,030,000
(N)	SAN FRANCISCO BAY LONG TERM MANAGEMENT STRATEGY, CA...	100,000	100,000
(N)	SAN FRANCISCO HARBOR AND BAY (DRIFT REMOVAL), CA.....	2,290,000	2,290,000
(N)	SAN FRANCISCO HARBOR, CA.....	2,365,000	2,365,000
(N)	SAN JOAQUIN RIVER, CA.....	1,960,000	1,660,000
(N)	SAN LEANDRO MARINA (JACK D MALTESTER CHANNEL), CA.....	1,450,000	1,450,000
(N)	SAN PABLO BAY AND MARE ISLAND STRAIT, CA.....	1,410,000	1,410,000
(N)	SAN RAFAEL CREEK, CA.....	2,515,000	2,515,000
(FC)	SANTA ANA RIVER BASIN, CA.....	2,739,000	2,739,000
(N)	SANTA BARBARA HARBOR, CA.....	1,265,000	1,265,000
(FC)	SCHEDULING RESERVOIR OPERATIONS, CA.....	739,000	739,000
(FC)	SUCCESS LAKE, CA.....	1,610,000	1,610,000
(N)	SUISUN BAY CHANNEL, CA.....	745,000	745,000
(FC)	TERMINUS DAM (LAKE KAWEAH), CA.....	1,569,000	2,249,000
(N)	VENTURA HARBOR, CA.....	2,300,000	2,300,000
(N)	YUBA RIVER, CA.....	48,000	48,000
	COLORADO		
(FC)	BEAR CREEK LAKE, CO.....	423,000	423,000
(FC)	CHATFIELD LAKE, CO.....	793,000	793,000
(FC)	CHERRY CREEK LAKE, CO.....	1,084,000	1,084,000
(FC)	INSPECTION OF COMPLETED WORKS, CO.....	63,000	63,000
(FC)	JOHN MARTIN RESERVOIR, CO.....	1,415,000	1,415,000
(FC)	SCHEDULING RESERVOIR OPERATIONS, CO.....	330,000	330,000
(FC)	TRINIDAD LAKE, CO.....	632,000	632,000
	CONNECTICUT		
(FC)	BLACK ROCK LAKE, CT.....	396,000	396,000
(FC)	COLEBROOK RIVER LAKE, CT.....	419,000	419,000
(FC)	HANCOCK BROOK LAKE, CT.....	469,000	469,000
(FC)	HOP BROOK LAKE, CT.....	868,000	868,000
(FC)	INSPECTION OF COMPLETED WORKS, CT.....	3,000	3,000
(FC)	MANSFIELD HOLLOW LAKE, CT.....	470,000	470,000
(FC)	NORTHFIELD BROOK LAKE, CT.....	415,000	415,000
(N)	PROJECT CONDITION SURVEYS, CT.....	1,210,000	1,210,000
(FC)	STAMFORD HURRICANE BARRIER, CT.....	402,000	402,000
(FC)	THOMASTON DAM, CT.....	477,000	477,000
(FC)	WEST THOMPSON LAKE, CT.....	426,000	426,000
	DELAWARE		
(N)	CHESAPEAKE AND DELAWARE CANAL - ST GEORGE'S BRIDGE REP	14,000,000	14,000,000
(N)	INDIAN RIVER INLET AND BAY, DE.....	100,000	100,000
(N)	INTRACOASTAL WATERWAY, DELAWARE R TO CHESAPEAKE BAY, D	11,602,000	11,602,000

CORPS OF ENGINEERS - OPERATION AND MAINTENANCE

TYPE OF PROJECT	PROJECT TITLE	BUDGET ESTIMATE	CONFERENCE
(N)	INTRACOASTAL WATERWAY, REHOBOTH BAY TO DELAWARE BAY, D	42,000	42,000
(N)	MURDERKILL RIVER, DE	265,000	265,000
(N)	WATERWAY INDIAN RIVER INLET TO REHOBOTH BAY, DE	315,000	315,000
(N)	WILMINGTON HARBOR, DE	4,810,000	4,810,000
	DISTRICT OF COLUMBIA		
(FC)	INSPECTION OF COMPLETED WORKS, DC	7,000	7,000
(N)	POTOMAC AND ANACOSTIA RIVERS (DRIFT REMOVAL), DC	829,000	829,000
(N)	POTOMAC RIVER BELOW WASHINGTON, DC	62,000	62,000
(N)	PROJECT CONDITION SURVEYS, DC	30,000	30,000
(N)	WASHINGTON HARBOR, DC	34,000	34,000
	FLORIDA		
(N)	AIWW, NORFOLK TO ST JOHNS RIVER, FL, GA, SC, NC & VA	1,436,000	1,436,000
(N)	APALACHICOLA BAY, FL	150,000	150,000
(N)	CANAVERAL HARBOR, FL	3,545,000	3,545,000
(FC)	CENTRAL AND SOUTHERN FLORIDA, FL	9,513,000	9,513,000
(N)	CHARLOTTE HARBOR, FL	35,000	2,400,000
(N)	EAST PASS CHANNEL, FL	886,000	886,000
(N)	ESCAMBIA AND CONECUH RIVERS, FL	136,000	136,000
(N)	FERNANDINA HARBOR, FL	1,848,000	1,848,000
	FORT MYERS BEACH, FL	---	375,000
(N)	FORT PIERCE HARBOR, FL	696,000	696,000
(FC)	INSPECTION OF COMPLETED WORKS, FL	50,000	50,000
(N)	INTRACOASTAL WATERWAY, CALOOSAHATCHEE R TO ANCLOTE R,	209,000	209,000
(N)	INTRACOASTAL WATERWAY, JACKSONVILLE TO MIAMI, FL	3,538,000	3,538,000
(N)	JACKSONVILLE HARBOR, FL	2,965,000	5,000,000
(MP)	JIM WOODRUFF LOCK AND DAM, LAKE SEMINOLE, FL, AL & GA.	5,040,000	5,040,000
(N)	JOHNS PASS, PINELLAS COUNTY, FL	40,000	40,000
(N)	LA GRANGE BAYOU, FL	80,000	80,000
(N)	LONG BOAT PASS, FL	40,000	40,000
(N)	MIAMI HARBOR, FL	343,000	343,000
(N)	NEW PASS, SARASOTA, FL	30,000	30,000
(N)	OKEECHOBEE WATERWAY, FL	4,276,000	4,276,000
(N)	OKLAWAHA RIVER, FL	155,000	155,000
(N)	PALM BEACH HARBOR, FL	2,233,000	2,233,000
(N)	PANAMA CITY HARBOR, FL	35,000	35,000
(N)	PENSACOLA HARBOR, FL	120,000	120,000
(N)	PONCE DE LEON INLET, FL	113,000	113,000
(N)	PORT EVERGLADES HARBOR, FL	55,000	55,000
(N)	PROJECT CONDITION SURVEYS, FL	500,000	500,000
	REMOVAL OF AQUATIC GROWTH, FL	3,980,000	3,980,000
(N)	ST AUGUSTINE HARBOR, FL	10,000	10,000
(N)	ST LUCIE INLET, FL	68,000	68,000
(N)	ST PETERSBURG HARBOR, FL	13,000	13,000
(N)	TAMPA HARBOR, FL	4,068,000	4,068,000
(N)	WITHLACOOCHIE RIVER, FL	41,000	41,000

CORPS OF ENGINEERS - OPERATION AND MAINTENANCE

TYPE OF PROJECT	PROJECT TITLE	BUDGET ESTIMATE	CONFERENCE
	GEORGIA		
(MP)	ALLATOONA LAKE, GA	4,514,000	4,514,000
(N)	APALACHICOLA CHATTAHOOCHEE AND FLINT RIVERS, GA, AL &.	4,109,000	4,109,000
(N)	ATLANTIC INTRACOASTAL WATERWAY, GA	1,710,000	1,710,000
(N)	BRUNSWICK HARBOR, GA	2,883,000	3,400,000
(MP)	BUFORD DAM AND LAKE SIDNEY LANIER, GA	6,649,000	6,649,000
(MP)	CARTERS DAM AND LAKE, GA	4,324,000	4,324,000
(MP)	HARTWELL LAKE, GA & SC	9,441,000	9,081,000
(FC)	INSPECTION OF COMPLETED WORKS, GA	40,000	40,000
(MP)	J STROM THURMOND LAKE, GA & SC	10,378,000	9,978,000
(MP)	RICHARD B RUSSELL DAM AND LAKE, GA & SC	6,357,000	6,117,000
(N)	SAVANNAH HARBOR, GA	14,714,000	16,000,000
(N)	SAVANNAH RIVER BELOW AUGUSTA, GA	277,000	1,277,000
(MP)	WEST POINT DAM AND LAKE, GA & AL	4,911,000	4,911,000
	HAWAII		
(N)	BARBERS POINT HARBOR, HI	150,000	150,000
(FC)	INSPECTION OF COMPLETED WORKS, HI	200,000	200,000
(N)	PROJECT CONDITION SURVEYS, HI	275,000	275,000
	IDAHO		
(MP)	ALBENI FALLS DAM, ID	4,535,000	4,535,000
(MP)	DWORSHAK DAM AND RESERVOIR, ID	7,939,000	7,939,000
(FC)	INSPECTION OF COMPLETED WORKS, ID	114,000	114,000
(FC)	LUCKY PEAK LAKE, ID	1,151,000	1,151,000
(FC)	SCHEDULING RESERVOIR OPERATIONS, ID	272,000	272,000
(N)	SURVEILLANCE OF NORTHERN BOUNDARY WATERS, ID	45,000	45,000

CORPS OF ENGINEERS - OPERATION AND MAINTENANCE

TYPE OF PROJECT	PROJECT TITLE	BUDGET ESTIMATE	CONFERENCE
	ILLINOIS		
(N)	CALUMET HARBOR AND RIVER, IL & IN	1,258,000	1,258,000
(FC)	CARLYLE LAKE, IL	4,497,000	4,497,000
(N)	CHICAGO HARBOR, IL	3,528,000	4,100,000
(N)	CHICAGO RIVER, IL	507,000	507,000
(FC)	FARM CREEK RESERVOIRS, IL	257,000	257,000
(N)	ILLINOIS WATERWAY (LMVD PORTION), IL	881,000	881,000
(N)	ILLINOIS WATERWAY (NCD PORTION), IL & IN	23,726,000	23,726,000
(FC)	INSPECTION OF COMPLETED WORKS, IL	712,000	712,000
(N)	KASKASKIA RIVER NAVIGATION, IL	1,556,000	1,556,000
(N)	LAKE MICHIGAN DIVERSION, IL	498,000	498,000
(FC)	LAKE SHELBYVILLE, IL	5,763,000	5,763,000
(N)	MISS R BETWEEN MO R AND MINNEAPOLIS (LMVD PORTION), IL	13,081,000	13,081,000
(N)	MISS R BETWEEN MO R AND MINNEAPOLIS, IL, IA, MN, MO &.	79,423,000	79,423,000
(FC)	NORTH BRANCH CHICAGO RIVER, IL	150,000	150,000
(N)	PROJECT CONDITION SURVEYS, IL	105,000	105,000
(FC)	REND LAKE, IL	3,568,000	3,568,000
(N)	SURVEILLANCE OF NORTHERN BOUNDARY WATERS, IL	191,000	191,000
(N)	WAUKEGAN HARBOR, IL	1,167,000	1,167,000

CORPS OF ENGINEERS - OPERATION AND MAINTENANCE

TYPE OF PROJECT	PROJECT TITLE	BUDGET ESTIMATE	CONFERENCE
	INDIANA		
(FC)	BROOKVILLE LAKE, IN	815,000	815,000
(N)	BURNS WATERWAY HARBOR, IN	1,193,000	1,193,000
(N)	BURNS WATERWAY SMALL BOAT HARBOR, IN	5,000	5,000
(FC)	CAGLES MILL LAKE, IN	661,000	661,000
(FC)	CECIL M HARDEN LAKE, IN	739,000	739,000
(FC)	HUNTINGTON LAKE, IN	733,000	733,000
(N)	INDIANA HARBOR, IN	458,000	600,000
(FC)	INSPECTION OF COMPLETED WORKS, IN	117,000	117,000
(N)	MICHIGAN CITY HARBOR, IN	62,000	62,000
(FC)	MISSISSINEWA LAKE, IN	993,000	993,000
(FC)	MONROE LAKE, IN	749,000	749,000
(FC)	PATOKA LAKE, IN	605,000	605,000
(N)	PROJECT CONDITION SURVEYS, IN	26,000	26,000
(FC)	SALAMONIE LAKE, IN	799,000	799,000
(N)	SURVEILLANCE OF NORTHERN BOUNDARY WATERS, IN	110,000	110,000
	IOWA		
(FC)	CORALVILLE LAKE, IA	2,726,000	2,726,000
(FC)	INSPECTION OF COMPLETED WORKS, IA	874,000	874,000
(FC)	MISSOURI RIVER - KENSLERS BEND, NE TO SIOUX CITY, IA	64,000	64,000
(N)	MISSOURI RIVER - SIOUX CITY TO MOUTH, IA, NE, KS & MO.	6,210,000	6,210,000
(N)	PROJECT CONDITION SURVEYS, IA	61,000	61,000
(FC)	RATHBUN LAKE, IA	1,884,000	1,884,000
(FC)	RED ROCK DAM - LAKE RED ROCK, IA	3,518,000	3,518,000
(FC)	SAYLORVILLE LAKE, IA	3,635,000	3,635,000
	KANSAS		
(FC)	CLINTON LAKE, KS	1,473,000	1,473,000
(FC)	COUNCIL GROVE LAKE, KS	1,032,000	1,032,000
(FC)	EL DORADO LAKE, KS	489,000	489,000
(FC)	ELK CITY LAKE, KS	723,000	723,000
(FC)	FALL RIVER LAKE, KS	737,000	737,000
(FC)	HILLSDALE LAKE, KS	807,000	807,000
(FC)	INSPECTION OF COMPLETED WORKS, KS	78,000	78,000
(FC)	JOHN REDMOND DAM AND RESERVOIR, KS	4,054,000	4,054,000
(FC)	KANOPOLIS LAKE, KS	1,395,000	1,395,000
(FC)	MARION LAKE, KS	1,038,000	1,038,000
(FC)	MELVERN LAKE, KS	1,580,000	1,580,000
(FC)	MILFORD LAKE, KS	1,759,000	1,759,000
(FC)	PEARSON - SKUBITZ BIG HILL LAKE, KS	798,000	798,000
(FC)	PERRY LAKE, KS	1,798,000	1,798,000
(FC)	POMONA LAKE, KS	1,720,000	1,720,000
(FC)	SCHEDULING RESERVOIR OPERATIONS, KS	56,000	56,000
(FC)	TORONTO LAKE, KS	357,000	357,000
(FC)	TUTTLE CREEK LAKE, KS	2,031,000	2,031,000
(FC)	WILSON LAKE, KS	1,715,000	1,715,000

CORPS OF ENGINEERS - OPERATION AND MAINTENANCE

TYPE OF PROJECT	PROJECT TITLE	BUDGET ESTIMATE	CONFERENCE
	KENTUCKY		
(MP)	BARKLEY DAM AND LAKE BARKLEY, KY & TN	8,429,000	8,429,000
(FC)	BARREN RIVER LAKE, KY	1,968,000	1,968,000
(N)	BIG SANDY HARBOR, KY	1,080,000	1,080,000
(FC)	BUCKHORN LAKE, KY	1,232,000	1,232,000
(FC)	CARR FORK LAKE, KY	1,397,000	1,397,000
(FC)	CAVE RUN LAKE, KY	964,000	964,000
(FC)	DEWEY LAKE, KY	1,330,000	1,330,000
(N)	ELVIS STAHR (HICKMAN) HARBOR, KY	420,000	420,000
(FC)	FISHTRAP LAKE, KY	1,944,000	1,944,000
(FC)	GRAYSON LAKE, KY	1,249,000	1,249,000
(N)	GREEN AND BARREN RIVERS, KY	1,835,000	1,835,000
(FC)	GREEN RIVER LAKE, KY	1,791,000	1,791,000
(FC)	INSPECTION OF COMPLETED WORKS, KY	153,000	153,000
(N)	KENTUCKY RIVER, KY	1,148,000	1,148,000
(MP)	LAUREL RIVER LAKE, KY	1,235,000	1,235,000
(N)	LICKING RIVER OPEN CHANNEL WORK, KY	23,000	23,000
(FC)	MARTINS FORK LAKE, KY	692,000	692,000
(FC)	MIDDLESBORO CUMBERLAND RIVER BASIN, KY	83,000	83,000
(FC)	NOLIN LAKE, KY	1,725,000	1,725,000
(N)	OHIO RIVER LOCKS AND DAMS, KY, IL, IN, OH, PA & WV	52,146,000	52,146,000
(N)	OHIO RIVER OPEN CHANNEL WORK, KY, IL, IN, OH, PA & WV	6,533,000	6,533,000
(FC)	PAINTSVILLE LAKE, KY	1,041,000	1,041,000
(N)	PROJECT CONDITION SURVEYS, KY	5,000	5,000
(FC)	ROUGH RIVER LAKE, KY	1,790,000	1,790,000
(FC)	TAYLORSVILLE LAKE, KY	1,015,000	1,015,000
(MP)	WOLF CREEK DAM - LAKE CUMBERLAND, KY	5,996,000	5,996,000
(FC)	YATESVILLE LAKE, KY	1,067,000	1,067,000
	LOUISIANA		
(N)	ATCHAFALAYA RIVER AND BAYOUS CHENE, BOEUF AND BLACK, L	8,281,000	8,281,000
(N)	BARATARIA BAY WATERWAY, LA	497,000	497,000
(FC)	BAYOU BODCAU RESERVOIR, LA	520,000	520,000
(N)	BAYOU LAFOURCHE AND LAFOURCHE JUMP WATERWAY, LA	10,000	10,000
(FC)	BAYOU PIERRE, LA	25,000	25,000
(N)	BAYOU TECHE AND VERMILION RIVER, LA	25,000	25,000
(N)	BAYOU TECHE, LA	119,000	119,000
(FC)	CADDO LAKE, LA	138,000	138,000
(N)	CALCASIEU RIVER AND PASS, LA	4,535,000	4,535,000
(N)	FRESHWATER BAYOU, LA	1,947,000	1,947,000
(N)	GULF INTRACOASTAL WATERWAY, LA & TX	16,603,000	16,603,000
(N)	HOUMA NAVIGATION CANAL, LA	2,321,000	2,321,000
(FC)	INSPECTION OF COMPLETED WORKS, LA	418,000	418,000
(N)	LAKE PROVIDENCE HARBOR, LA	321,000	321,000
(N)	MADISON PARISH PORT, LA	38,000	38,000
(N)	MERMENTAU RIVER, LA	1,000,000	1,000,000
(N)	MISSISSIPPI RIVER - BATON ROUGE TO GULF OF MEXICO, LA.	46,155,000	46,155,000
(N)	MISSISSIPPI RIVER - GULF OUTLET, LA	12,828,000	12,828,000

CORPS OF ENGINEERS - OPERATION AND MAINTENANCE

TYPE OF PROJECT	PROJECT TITLE	BUDGET ESTIMATE	CONFERENCE
(N)	MISSISSIPPI RIVER OUTLETS AT VENICE, LA.	2,190,000	2,190,000
(N)	PROJECT CONDITION SURVEYS, LA.	144,000	144,000
(N)	RED RIVER WATERWAY, MISSISSIPPI RIVER TO SHREVEPORT, L	9,853,000	10,853,000
	REMOVAL OF AQUATIC GROWTH, LA.	1,890,000	1,890,000
(N)	TANGIPAHOA RIVER, LA.	150,000	150,000
(FC)	WALLACE LAKE, LA.	165,000	165,000
(N)	WATERWAY - EMPIRE TO THE GULF, LA.	115,000	115,000
(N)	WATERWAY FROM INTRACOASTAL WATERWAY TO B DULAC, LA.	225,000	225,000
	MAINE		
(N)	PROJECT CONDITION SURVEYS, ME.	1,131,000	1,131,000
(N)	SCARBOROUGH RIVER, ME.	1,167,000	1,167,000
(N)	YORK HARBOR, ME.	714,000	714,000
	MARYLAND		
(N)	BALTIMORE HARBOR & CHANNELS, MD (50 FT).	10,711,000	10,711,000
(N)	BALTIMORE HARBOR (DRIFT REMOVAL), MD.	420,000	420,000
(N)	BALTIMORE HARBOR (PREVENTION OF OBSTRUCTIVE DEPOSITS),	550,000	550,000
(N)	CRISFIELD HARBOR, MD.	478,000	478,000
(FC)	CUMBERLAND, MD AND RIDGELEY, WV.	108,000	108,000
(N)	FISHING BAY, MD.	695,000	695,000
	FISHING CREEK, MD.	---	400,000
(N)	HONGA RIVER AND TAR BAY, MD.	65,000	65,000
(FC)	INSPECTION OF COMPLETED WORKS, MD.	32,000	32,000
(FC)	JENNINGS RANDOLPH LAKE, MD & WV.	1,600,000	1,600,000
(N)	NORTHEAST RIVER, MD.	117,000	117,000
(N)	OCEAN CITY HARBOR AND INLET AND SINEPUXENT BAY, MD.	582,000	582,000
(N)	PROJECT CONDITION SURVEYS, MD.	300,000	300,000
(FC)	SCHEDULING RESERVOIR OPERATIONS, MD.	119,000	119,000
(N)	TILGHMAN ISLAND HARBOR, MD.	50,000	50,000
(N)	TWITCH COVE AND BIG THOROFARE RIVER, MD.	744,000	744,000
(N)	WICOMICO RIVER, MD.	70,000	70,000
	MASSACHUSETTS		
(N)	ANDREWS RIVER, MA.	165,000	165,000
(FC)	BARRE FALLS DAM, MA.	324,000	324,000
(FC)	BIRCH HILL DAM, MA.	451,000	451,000
(FC)	BUFFUMVILLE LAKE, MA.	348,000	348,000
(N)	CAPE COD CANAL, MA.	8,191,000	8,191,000
(FC)	CHARLES RIVER NATURAL VALLEY STORAGE AREA, MA.	378,000	378,000
(FC)	CONANT BROOK LAKE, MA.	168,000	168,000
(N)	CUTTYHUNK HARBOR, MA.	101,000	101,000
(N)	DUXBURY HARBOR, MA.	1,882,000	1,882,000
(FC)	EAST BRIMFIELD LAKE, MA.	294,000	294,000
(N)	GREEN HARBOR, MA.	262,000	262,000
(FC)	HODGES VILLAGE DAM, MA.	339,000	339,000
(N)	HYANNIS HARBOR, MA.	358,000	358,000

CORPS OF ENGINEERS - OPERATION AND MAINTENANCE

TYPE OF PROJECT	PROJECT TITLE	BUDGET ESTIMATE	CONFERENCE
(FC)	INSPECTION OF COMPLETED WORKS, MA	112,000	112,000
(FC)	KNIGHTVILLE DAM, MA	371,000	371,000
(FC)	LITTLEVILLE LAKE, MA	338,000	338,000
(FC)	NEW BEDFORD FAIRHAVEN AND ACUSHNET HURRICANE BARRIER,	595,000	595,000
(N)	PROJECT CONDITION SURVEYS, MA	971,000	971,000
(N)	SURVEILLANCE OF NORTHERN BOUNDARY WATERS, MA	16,000	16,000
(FC)	TULLY LAKE, MA	376,000	376,000
(FC)	WEST HILL DAM, MA	521,000	521,000
(FC)	WESTVILLE LAKE, MA	387,000	387,000
	MICHIGAN		
(N)	ALPENA HARBOR, MI	254,000	254,000
(N)	ARCADIA HARBOR, MI	293,000	293,000
(N)	AU SABLE HARBOR, MI	22,000	22,000
(N)	BLACK RIVER (PORT HURON), MI	23,000	23,000
(N)	CASEVILLE HARBOR, MI	124,000	124,000
	CEDAR RIVER HARBOR, MI	---	125,000
(N)	CHANNELS IN LAKE ST CLAIR, MI	125,000	125,000
(N)	CHARLEVOIX HARBOR, MI	80,000	80,000
(N)	CHEBOYGAN HARBOR, MI	105,000	105,000
(N)	CLINTON RIVER, MI	113,000	113,000
(N)	DETROIT RIVER, MI	3,466,000	3,466,000
(N)	FRANKFORT HARBOR, MI	38,000	38,000
(N)	GRAND HAVEN HARBOR, MI	1,278,000	1,278,000
(N)	HARBOR BEACH HARBOR, MI	112,000	112,000
(N)	HARRISVILLE HARBOR, MI	368,000	368,000
(N)	HOLLAND HARBOR, MI	614,000	614,000
(N)	INLAND ROUTE, MI	23,000	23,000
(FC)	INSPECTION OF COMPLETED WORKS, MI	205,000	205,000
	KAWKAWLIN RIVER, MI	---	160,000
(N)	KEWEENAW WATERWAY, MI	302,000	302,000
(N)	LAC LA BELLE, MI	82,000	82,000
(N)	LELAND HARBOR, MI	306,000	306,000
(N)	LEXINGTON HARBOR, MI	225,000	225,000
(N)	LITTLE LAKE HARBOR, MI	94,000	94,000
(N)	LUDINGTON HARBOR, MI	166,000	166,000
(N)	MACKINAW CITY HARBOR MI	22,000	22,000
(N)	MANISTEE HARBOR, MI	60,000	60,000
(N)	MANISTIQUE HARBOR, MI	323,000	323,000
(N)	MENOMINEE HARBOR, MI & WI	484,000	484,000
(N)	MONROE HARBOR, MI	717,000	717,000
(N)	MUSKEGON HARBOR, MI	126,000	126,000
(N)	NEW BUFFALO HARBOR, MI	25,000	25,000
(N)	ONTONAGON HARBOR, MI	496,000	496,000
(N)	PENTWATER HARBOR, MI	1,719,000	1,719,000
(N)	PETOSKEY HARBOR, MI	163,000	163,000
(N)	POINT LOOKOUT HARBOR, MI	298,000	298,000
(N)	PORT AUSTIN HARBOR, MI	163,000	163,000
(N)	PORT SANILAC HARBOR, MI	218,000	218,000

CORPS OF ENGINEERS - OPERATION AND MAINTENANCE

TYPE OF PROJECT	PROJECT TITLE	BUDGET ESTIMATE	CONFERENCE
(N)	PORTAGE LAKE HARBOR, MI	255,000	255,000
(N)	PRESQUE ISLE HARBOR, MI	82,000	82,000
(N)	PROJECT CONDITION SURVEYS, MI	169,000	169,000
(N)	ROUGE RIVER, MI	502,000	502,000
(N)	SAGINAW RIVER, MI	1,729,000	1,729,000
(N)	SAUGATUCK HARBOR, MI	1,926,000	1,926,000
(N)	SEBEWAING RIVER, MI	538,000	538,000
(N)	SOUTH HAVEN HARBOR, MI	35,000	35,000
(N)	ST CLAIR RIVER, MI	767,000	767,000
(N)	ST JOSEPH HARBOR, MI	671,000	996,000
(MP)	ST MARYS RIVER, MI	16,557,000	16,557,000
(N)	SURVEILLANCE OF NORTHERN BOUNDARY WATERS, MI	2,301,000	2,301,000
(N)	WHITE LAKE HARBOR, MI	1,688,000	1,688,000
(N)	WHITEFISH POINT HARBOR, MI	22,000	22,000
	MINNESOTA		
(FC)	BIGSTONE LAKE WHETSTONE RIVER, MN & SD	179,000	179,000
(N)	DULUTH - SUPERIOR HARBOR, MN & WI	2,665,000	2,665,000
(N)	GRAND MARAIS HARBOR, MN	22,000	22,000
(FC)	INSPECTION OF COMPLETED WORKS, MN	9,000	9,000
(FC)	LAC QUI PARLE LAKES, MINNESOTA RIVER, MN	835,000	835,000
(N)	MINNESOTA RIVER, MN	145,000	145,000
(FC)	ORWELL LAKE, MN	2,909,000	2,909,000
(N)	PROJECT CONDITION SURVEYS, MN	59,000	59,000
(FC)	RED LAKE RESERVOIR, MN	87,000	87,000
(N)	RESERVOIRS AT HEADWATERS OF MISSISSIPPI RIVER, MN	2,397,000	2,397,000
(N)	SURVEILLANCE OF NORTHERN BOUNDARY WATERS, MN	231,000	231,000
(N)	TWO HARBORS, MN	157,000	157,000
	MISSISSIPPI		
(N)	BILOXI HARBOR, MS	800,000	800,000
(N)	CLAIBORNE COUNTY PORT, MS	3,000	3,000
(FC)	EAST FORK, TOMBIGBEE RIVER, MS	200,000	200,000
(N)	GULFPORT HARBOR, MS	2,999,000	2,999,000
(FC)	INSPECTION OF COMPLETED WORKS, MS	114,000	114,000
(N)	MOUTH OF YAZOO RIVER, MS	78,000	78,000
(FC)	OKATIBBEE LAKE, MS	1,693,000	1,693,000
(N)	PASCAGOULA HARBOR, MS	3,001,000	3,001,000
(N)	PEARL RIVER, MS & LA	1,983,000	1,983,000
(N)	PROJECT CONDITION SURVEYS, MS	5,000	5,000
(N)	ROSEDALE HARBOR, MS	348,000	348,000
(N)	YAZOO RIVER, MS	15,000	15,000
	MISSOURI		
(N)	CARUTHERSVILLE HARBOR, MO	315,000	315,000
(MP)	CLARENCE CANNON DAM AND MARK TWAIN LAKE, MO	5,197,000	5,197,000
(FC)	CLEARWATER LAKE, MO	2,025,000	2,025,000

CORPS OF ENGINEERS - OPERATION AND MAINTENANCE

TYPE OF PROJECT	PROJECT TITLE	BUDGET ESTIMATE	CONFERENCE
(MP)	HARRY S TRUMAN DAM AND RESERVOIR, MO	8,418,000	8,418,000
(FC)	INSPECTION OF COMPLETED WORKS, MO	203,000	203,000
(FC)	LITTLE BLUE RIVER LAKES, MO	878,000	878,000
(FC)	LONG BRANCH LAKE, MO	747,000	747,000
(N)	MISS RIVER BTWN THE OHIO AND MO RIVERS (REG WORKS), MO	14,299,000	14,299,000
(N)	NEW MADRID HARBOR, MO	265,000	265,000
(FC)	POMME DE TERRE LAKE, MO	1,845,000	1,845,000
(N)	PROJECT CONDITION SURVEYS, MO	5,000	5,000
(FC)	SMITHVILLE LAKE, MO	1,046,000	1,046,000
(N)	SOUTHEAST MISSOURI PORT, MISSISSIPPI RIVER, MO	101,000	101,000
(MP)	STOCKTON LAKE, MO	3,391,000	3,391,000
(MP)	TABLE ROCK LAKE, MO	5,501,000	5,501,000
(FC)	UNION LAKE, MO	16,000	16,000
(FC)	WAPPAPELLO LAKE, MO	20,000	20,000
	MONTANA		
(MP)	FT PECK DAM AND LAKE, MT	3,684,000	3,684,000
(FC)	INSPECTION OF COMPLETED WORKS, MT	16,000	16,000
(MP)	LIBBY DAM, LAKE KOOCANUSA, MT	8,127,000	8,127,000
(FC)	SCHEDULING RESERVOIR OPERATIONS, MT	47,000	47,000
(N)	SURVEILLANCE OF NORTHERN BOUNDARY WATERS, MT	14,000	14,000
	NEBRASKA		
(MP)	GAVINS POINT DAM, LEWIS AND CLARK LAKE, NE & SD	6,193,000	6,193,000
(FC)	HARLAN COUNTY LAKE, NE	1,382,000	1,382,000
	MISSOURI NATIONAL RECREATIONAL RIVER, NE	---	200,000
(MP)	MISSOURI R MASTER WTR CONTROL MANUAL, NE, IA, KS, MO,	1,000,000	1,000,000
(MP)	MISSOURI RIVER BASIN COLLABORATIVE WATER PLANNING, NE.	500,000	500,000
(FC)	PAPILLION CREEK & TRIBUTARIES LAKES, NE	736,000	736,000
(FC)	SALT CREEK AND TRIBUTARIES, NE	928,000	928,000
(FC)	SCHEDULING RESERVOIR OPERATIONS, NE	442,000	442,000
	NEVADA		
(FC)	MARTIS CREEK LAKE, NV & CA	483,000	483,000
(FC)	PINE AND MATHEWS CANYONS LAKES, NV	164,000	164,000
	NEW HAMPSHIRE		
(FC)	BLACKWATER DAM, NH	415,000	415,000
(FC)	EDWARD MACDOWELL LAKE, NH	468,000	468,000
(FC)	FRANKLIN FALLS DAM, NH	731,000	731,000
(FC)	HOPKINTON - EVERETT LAKES, NH	1,887,000	1,887,000
(FC)	OTTER BROOK LAKE, NH	489,000	489,000
(N)	PROJECT CONDITION SURVEYS, NH	355,000	355,000
(FC)	SURRY MOUNTAIN LAKE, NH	532,000	532,000

CORPS OF ENGINEERS - OPERATION AND MAINTENANCE

TYPE OF PROJECT	PROJECT TITLE	BUDGET ESTIMATE	CONFERENCE
	NEW JERSEY		
(N)	BARNEGAT INLET, NJ	1,275,000	1,275,000
(N)	CHEESEQUAKE CREEK, NJ	430,000	430,000
(N)	COLD SPRING INLET, NJ	500,000	500,000
(N)	DELAWARE RIVER AT CAMDEN, NJ	20,000	20,000
(N)	DELAWARE RIVER, PHILADELPHIA TO THE SEA, NJ, PA & DE	15,195,000	15,195,000
(N)	DELAWARE RIVER, PHILADELPHIA, PA TO TRENTON, NJ	1,445,000	1,445,000
(FC)	INSPECTION OF COMPLETED WORKS, NJ	293,000	293,000
(N)	KEYPORT HARBOR, NJ	50,000	50,000
(N)	MANASQUAN RIVER, NJ	2,300,000	2,300,000
(N)	MATAWAN CREEK, NJ	50,000	50,000
(N)	NEW JERSEY INTRACOASTAL WATERWAY, NJ	2,079,000	2,079,000
(N)	NEWARK BAY, HACKENSACK AND PASSAIC RIVERS, NJ	1,190,000	1,190,000
(N)	PROJECT CONDITION SURVEYS, NJ	354,000	354,000
(N)	SHARK RIVER, NJ	420,000	420,000
(N)	SHOAL HARBOR AND COMPTON CREEK, NJ	375,000	375,000
	NEW MEXICO		
(FC)	ABIQUIU DAM, NM	1,340,000	1,340,000
(FC)	COCHITI LAKE, NM	1,987,000	1,987,000
(FC)	CONCHAS LAKE, NM	1,105,000	1,105,000
(FC)	GALISTEO DAM, NM	356,000	356,000
(FC)	INSPECTION OF COMPLETED WORKS, NM	109,000	109,000
(FC)	JEMEZ CANYON DAM, NM	425,000	425,000
(FC)	SANTA ROSA DAM AND LAKE, NM	966,000	966,000
(FC)	SCHEDULING RESERVOIR OPERATIONS, NM	66,000	66,000
(FC)	TWO RIVERS DAM, NM	455,000	455,000
	UPPER RIO GRANDE, WATER OPERATIONS MODEL	---	210,000
	NEW YORK		
(FC)	ALMOND LAKE, NY	525,000	525,000
(FC)	ARKPORT DAM, NY	259,000	259,000
(N)	BAY RIDGE AND RED HOOK CHANNELS, NY	465,000	465,000
(N)	BLACK ROCK CHANNEL AND TONAWANDA HARBOR, NY	3,906,000	3,906,000
(N)	BRONX RIVER, NY	365,000	365,000
(N)	BUFFALO HARBOR, NY	1,476,000	1,476,000
(N)	DUNKIRK HARBOR, NY	263,000	263,000
(N)	EAST ROCKAWAY INLET, NY	90,000	90,000
(FC)	EAST SIDNEY LAKE, NY	466,000	466,000
(N)	EASTCHESTER CREEK, NY	625,000	625,000
(N)	FIRE ISLAND INLET, NY	120,000	120,000
(N)	FIRE ISLAND TO JONES INLET, NY	900,000	900,000
(N)	FLUSHING BAY & CREEK, NY	380,000	380,000
(N)	HUDSON RIVER CHANNEL, NY	925,000	925,000
(N)	HUDSON RIVER, NY	2,215,000	2,215,000
(FC)	INSPECTION OF COMPLETED WORKS, NY	540,000	540,000
(N)	JAMAICA BAY, NY	1,300,000	1,300,000

CORPS OF ENGINEERS - OPERATION AND MAINTENANCE

TYPE OF PROJECT	PROJECT TITLE	BUDGET ESTIMATE	CONFERENCE
(N)	JONES INLET, NY	1,005,000	1,005,000
(N)	LAKE MONTAUK HARBOR, NY	85,000	85,000
	LITTLE SODUS BAY HARBOR, NY	---	1,700,000
	MAMARONECK HARBOR, NY	---	500,000
(N)	MATTITUCK HARBOR, NY	100,000	100,000
(N)	MORICHES INLET, NY	80,000	80,000
(FC)	MT MORRIS LAKE, NY	2,361,000	2,361,000
(N)	NEW YORK AND NEW JERSEY CHANNELS, NY	1,750,000	1,750,000
(N)	NEW YORK HARBOR (DRIFT REMOVAL), NY & NJ	4,273,000	4,273,000
(N)	NEW YORK HARBOR (PREVENTION OF OBSTRUCTIVE DEPOSITS)	730,000	730,000
(N)	NEW YORK HARBOR, NY	5,798,000	8,000,000
	NEW YORK-NEW JERSEY CHANNEL SURVEYS, NY & NJ	---	500,000
(N)	OSWEGO HARBOR, NY	285,000	285,000
(N)	PROJECT CONDITION SURVEYS, NY	109,000	109,000
(N)	ROCHESTER HARBOR, NY	918,000	918,000
(N)	RONDOUT HARBOR, NY	740,000	740,000
(N)	SHINNECOCK INLET, NY	500,000	500,000
(FC)	SOUTHERN NEW YORK FLOOD CONTROL PROJECTS, NY	900,000	900,000
(N)	STURGEON POINT HARBOR, NY	15,000	15,000
(N)	SURVEILLANCE OF NORTHERN BOUNDARY WATERS, NY	527,000	527,000
(N)	WESTCHESTER CREEK, NY	500,000	500,000
(FC)	WHITNEY POINT LAKE, NY	510,000	510,000
	NORTH CAROLINA		
(N)	ATLANTIC BEACH CHANNELS, NC	20,000	20,000
(N)	ATLANTIC INTRACOASTAL WATERWAY, NC	5,328,000	5,328,000
(N)	AVON HARBOR, NC	20,000	20,000
(FC)	B EVERETT JORDAN DAM AND LAKE, NC	1,128,000	1,128,000
(N)	BEAUFORT HARBOR, NC	20,000	20,000
(N)	BELHAVEN HARBOR, NC	90,000	90,000
(N)	BOGUE INLET AND CHANNEL, NC	655,000	655,000
(N)	CAPE FEAR RIVER ABOVE WILMINGTON, NC	686,000	686,000
(N)	CAROLINA BEACH INLET, NC	852,000	852,000
(N)	CHANNEL FROM BACK SOUND TO LOOKOUT BIGHT, NC	20,000	20,000
(N)	DRUM INLET, NC	2,000,000	2,000,000
(FC)	FALLS LAKE, NC	1,043,000	1,043,000
(FC)	INSPECTION OF COMPLETED WORKS, NC	22,000	22,000
(N)	LOCKWOODS FOLLY RIVER, NC	857,000	857,000
(N)	MANTEO (SHALLOWBAG) BAY, NC	6,171,000	7,552,000
(N)	MASONBORO INLET AND CONNECTING CHANNELS, NC	890,000	890,000
(N)	MOREHEAD CITY HARBOR, NC	2,748,000	2,748,000
(N)	NEW RIVER INLET, NC	1,595,000	1,595,000
(N)	NEW TOPSAIL INLET AND CONNECTING CHANNELS, NC	840,000	840,000
(N)	PAMLICO AND TAR RIVERS, NC	125,000	125,000
(N)	PROJECT CONDITION SURVEYS, NC	59,000	59,000
(N)	ROANOKE RIVER, NC	125,000	125,000
(N)	ROLLINSON CHANNEL, NC	20,000	20,000
(N)	STUMPY POINT BAY, NC	20,000	20,000
(FC)	W KERR SCOTT DAM AND RESERVOIR, NC	1,904,000	1,904,000

CORPS OF ENGINEERS - OPERATION AND MAINTENANCE

TYPE OF PROJECT	PROJECT TITLE	BUDGET ESTIMATE	CONFERENCE
(N)	WATERWAY CONNECTING PAMLICO SOUND AND BEAUFORT HARBOR,	20,000	20,000
(N)	WATERWAY CONNECTING SWANQUARTER BAY AND DEEP BAY, NC..	20,000	20,000
(N)	WILMINGTON HARBOR, NC.....	5,757,000	5,757,000
	NORTH DAKOTA		
(FC)	BOWMAN - HALEY LAKE, ND.....	229,000	229,000
(MP)	GARRISON DAM, LAKE SAKAKAWEA, ND.....	8,445,000	8,445,000
(FC)	HOMME LAKE, ND.....	150,000	150,000
(FC)	INSPECTION OF COMPLETED WORKS, ND.....	104,000	104,000
(FC)	LAKE ASHTABULA AND BALDHILL DAM, ND.....	933,000	933,000
	MISSOURI RIVER BETWEEN FT. PECK DAM, MT AND GAVINS PT. DAM, SD & NE, BTID (SEC. 33).....	---	750,000
	LAKE SAKAKAWEA, ND (MOSQUITO CONTROL).....	---	50,000
(FC)	PIPESTEM LAKE, ND.....	418,000	418,000
(FC)	SOURIS RIVER, ND.....	261,000	261,000
(N)	SURVEILLANCE OF NORTHERN BOUNDARY WATERS, ND.....	33,000	33,000
	OHIO		
(FC)	ALUM CREEK LAKE, OH.....	693,000	693,000
(N)	ASHTABULA HARBOR, OH.....	718,000	718,000
(FC)	BERLIN LAKE, OH.....	1,429,000	1,429,000
(FC)	CAESAR CREEK LAKE, OH.....	1,142,000	1,142,000
(FC)	CLARENCE J BROWN DAM, OH.....	808,000	808,000
(N)	CLEVELAND HARBOR, OH.....	17,938,000	17,938,000
(FC)	DEER CREEK LAKE, OH.....	628,000	628,000
(FC)	DELAWARE LAKE, OH.....	671,000	671,000
(FC)	DILLON LAKE, OH.....	503,000	503,000
(N)	FAIRPORT HARBOR, OH.....	866,000	866,000
(N)	HURON HARBOR, OH.....	1,030,000	1,030,000
(FC)	INSPECTION OF COMPLETED WORKS, OH.....	335,000	335,000
(N)	LORAIN HARBOR, OH.....	445,000	445,000
(FC)	MASSILLON LOCAL PROTECTION PROJECT, OH.....	25,000	25,000
(FC)	MICHAEL J KIRWAN DAM AND RESERVOIR, OH.....	887,000	887,000
(FC)	MOSQUITO CREEK LAKE, OH.....	899,000	899,000
(FC)	MUSKINGUM RIVER LAKES, OH.....	5,793,000	5,793,000
(FC)	NORTH BRANCH KOKOSING RIVER LAKE, OH.....	312,000	312,000
(FC)	PAINT CREEK LAKE, OH.....	1,664,000	1,664,000
(N)	PORTSMOUTH HARBOR, OH.....	15,000	15,000
(N)	PROJECT CONDITION SURVEYS, OH.....	26,000	26,000
(FC)	ROSEVILLE LOCAL PROTECTION PROJECT, OH.....	30,000	30,000
(N)	SANDUSKY HARBOR, OH.....	1,013,000	1,013,000
(N)	SURVEILLANCE OF NORTHERN BOUNDARY WATERS, OH.....	283,000	283,000
(N)	TOLEDO HARBOR, OH.....	3,340,000	3,340,000
(FC)	TOM JENKINS DAM, OH.....	367,000	367,000
(FC)	WEST FORK OF MILL CREEK LAKE, OH.....	558,000	558,000
(FC)	WILLIAM H HARSHA LAKE, OH.....	802,000	802,000

CORPS OF ENGINEERS - OPERATION AND MAINTENANCE

TYPE OF PROJECT	PROJECT TITLE	BUDGET ESTIMATE	CONFERENCE
	OKLAHOMA		
(FC)	ARCADIA LAKE, OK	295,000	295,000
(FC)	BIRCH LAKE, OK	812,000	812,000
(MP)	BROKEN BOW LAKE, OK	1,691,000	1,691,000
(FC)	CANDY LAKE, OK	39,000	39,000
(FC)	CANTON LAKE, OK	1,848,000	1,848,000
(FC)	COPAN LAKE, OK	916,000	916,000
(MP)	EUFAULA LAKE, OK	3,522,000	3,522,000
(MP)	FORT GIBSON LAKE, OK	3,269,000	3,269,000
(FC)	FORT SUPPLY LAKE, OK	802,000	802,000
(FC)	GREAT SALT PLAINS LAKE, OK	330,000	330,000
(FC)	HEYBURN LAKE, OK	764,000	764,000
(FC)	HUGO LAKE, OK	1,619,000	1,619,000
(FC)	HULAH LAKE, OK	424,000	424,000
(FC)	INSPECTION OF COMPLETED WORKS, OK	84,000	84,000
(FC)	KAW LAKE, OK	1,781,000	1,781,000
(MP)	KEYSTONE LAKE, OK	3,545,000	3,545,000
(FC)	OOLOGAH LAKE, OK	1,326,000	1,326,000
(FC)	OPTIMA LAKE, OK	247,000	247,000
(FC)	PENSACOLA RESERVOIR - LAKE OF THE CHEROKEES, OK	10,000	1,000,000
(FC)	PINE CREEK LAKE, OK	1,182,000	1,182,000
(MP)	ROBERT S KERR LOCK AND DAM AND RESERVOIRS, OK	3,546,000	3,546,000
(FC)	SARDIS LAKE, OK	932,000	932,000
(FC)	SCHEDULING RESERVOIR OPERATIONS, OK	474,000	474,000
(FC)	SKIATOOK LAKE, OK	922,000	922,000
(MP)	TENKILLER FERRY LAKE, OK	3,554,000	3,554,000
(FC)	WAURIKA LAKE, OK	1,521,000	1,521,000
(MP)	WEBBERS FALLS LOCK AND DAM, OK	2,902,000	2,902,000
(FC)	WISTER LAKE, OK	856,000	856,000
	OREGON		
(FC)	APPLEGATE LAKE, OR	699,000	699,000
(FC)	BLUE RIVER LAKE, OR	273,000	273,000
(MP)	BONNEVILLE LOCK AND DAM, OR	17,109,000	17,109,000
(N)	CHETCO RIVER, OR	530,000	530,000
(N)	COLUMBIA & LWR WILLAMETTE R BLW VANCOUVER, WA & PORTLA	11,739,000	14,139,000
(N)	COLUMBIA RIVER AT THE MOUTH, OR & WA	8,021,000	8,021,000
(N)	COLUMBIA RIVER BETWEEN VANCOUVER, WA AND THE DALLES, O	344,000	344,000
(N)	COOS BAY, OR	4,433,000	4,433,000
(N)	COQUILLE RIVER, OR	559,000	559,000
(FC)	COTTAGE GROVE LAKE, OR	756,000	756,000
(MP)	COUGAR LAKE, OR	1,466,000	1,466,000
(N)	DEPOE BAY, OR	3,000	3,000
(MP)	DETROIT LAKE, OR	2,217,000	2,217,000
(FC)	DORENA LAKE, OR	597,000	597,000
(FC)	FALL CREEK LAKE, OR	551,000	551,000
(FC)	FERN RIDGE LAKE, OR	964,000	964,000
(MP)	GREEN PETER - FOSTER LAKES, OR	2,549,000	2,549,000

CORPS OF ENGINEERS - OPERATION AND MAINTENANCE

TYPE OF PROJECT	PROJECT TITLE	BUDGET ESTIMATE	CONFERENCE
(MP)	HILLS CREEK LAKE, OR	764,000	764,000
(FC)	INSPECTION OF COMPLETED WORKS, OR	184,000	184,000
(MP)	JOHN DAY LOCK AND DAM, OR & WA	14,558,000	14,558,000
(MP)	LOOKOUT POINT LAKE, OR	4,138,000	4,138,000
(MP)	LOST CREEK LAKE, OR	4,021,000	4,021,000
(MP)	MCNARY LOCK AND DAM, OR & WA	11,242,000	11,242,000
(N)	PORT ORFORD, OR	396,000	396,000
(N)	PROJECT CONDITION SURVEYS, OR	154,000	154,000
(N)	ROGUE RIVER, OR	1,153,000	1,153,000
(FC)	SCHEDULING RESERVOIR OPERATIONS, OR	102,000	102,000
(N)	SIUSLAW RIVER, OR	753,000	753,000
(N)	SKIPANON CHANNEL, OR	17,000	17,000
(N)	SURVEILLANCE OF NORTHERN BOUNDARY WATERS, OR	56,000	56,000
(N)	TILLAMOOK BAY AND BAR, OR	13,000	13,000
(N)	UMPQUA RIVER, OR	1,228,000	1,228,000
(N)	WILLAMETTE RIVER AT WILLAMETTE FALLS, OR	1,201,000	1,201,000
(FC)	WILLAMETTE RIVER BANK PROTECTION, OR	60,000	60,000
	WILLAMETTE RIVER BASIN, OR	---	600,000
(FC)	WILLOW CREEK LAKE, OR	603,000	603,000
(N)	YAQUINA BAY AND HARBOR, OR	2,192,000	2,192,000
	PENNSYLVANIA		
(N)	ALLEGHENY RIVER, PA	7,586,000	7,586,000
(FC)	ALVIN R BUSH DAM, PA	635,000	635,000
(FC)	AYLESWORTH CREEK LAKE, PA	219,000	219,000
(FC)	BELTZVILLE LAKE, PA	830,000	830,000
(FC)	BLUE MARSH LAKE, PA	2,194,000	2,194,000
(FC)	CONEMAUGH RIVER LAKE, PA	2,252,000	2,252,000
(FC)	COWANESQUE LAKE, PA	2,076,000	2,076,000
(FC)	CROOKED CREEK LAKE, PA	1,301,000	1,301,000
(FC)	CURWENSVILLE LAKE, PA	754,000	754,000
(FC)	EAST BRANCH CLARION RIVER LAKE, PA	1,071,000	1,071,000
(N)	ERIE HARBOR, PA	25,000	25,000
(FC)	FOSTER JOSEPH SAYERS DAM, PA	744,000	744,000
(FC)	FRANCIS E WALTER DAM, PA	818,000	818,000
(FC)	GENERAL EDGAR JADWIN DAM AND RESERVOIR, PA	587,000	587,000
(FC)	INSPECTION OF COMPLETED WORKS, PA	181,000	181,000
(FC)	JOHNSTOWN, PA	222,000	222,000
(FC)	KINZUA DAM AND ALLEGHENY RESERVOIR, PA	1,399,000	1,399,000
(FC)	LOYALHANNA LAKE, PA	1,138,000	1,138,000
(FC)	MAHONING CREEK LAKE, PA	1,317,000	1,317,000
(N)	MONONGAHELA RIVER, PA	16,940,000	16,940,000
(N)	PROJECT CONDITION SURVEYS, PA	1,228,000	1,228,000
(FC)	PROMPTON LAKE, PA	586,000	586,000
(FC)	PUNXSUTAWNEY, PA	12,000	12,000
(FC)	RAYSTOWN LAKE, PA	3,690,000	4,190,000
(FC)	SCHEDULING RESERVOIR OPERATIONS, PA	60,000	60,000
(N)	SCHUYLKILL RIVER, PA	350,000	350,000
(FC)	SHENANGO RIVER LAKE, PA	2,418,000	2,418,000

CORPS OF ENGINEERS - OPERATION AND MAINTENANCE

TYPE OF PROJECT	PROJECT TITLE	BUDGET ESTIMATE	CONFERENCE
(FC)	STILLWATER LAKE, PA	345,000	345,000
(FC)	TIOGA - HAMMOND LAKES, PA	2,577,000	2,577,000
(FC)	TIONESTA LAKE, PA	1,231,000	1,231,000
(FC)	UNION CITY LAKE, PA	297,000	297,000
(FC)	WOODCOCK CREEK LAKE, PA	919,000	919,000
(FC)	YORK INDIAN ROCK DAM, PA	1,297,000	1,297,000
(FC)	YOUGHIOGHENY RIVER LAKE, PA & MD	2,154,000	2,154,000
	RHODE ISLAND		
(N)	PROJECT CONDITION SURVEYS, RI	444,000	444,000
	SOUTH CAROLINA		
(N)	ATLANTIC INTRACOASTAL WATERWAY, SC	2,589,000	2,989,000
(N)	CHARLESTON HARBOR, SC	4,609,000	4,859,000
(N)	COOPER RIVER, CHARLESTON HARBOR, SC	3,287,000	3,900,000
(N)	FOLLY RIVER, SC	392,000	604,000
(N)	GEORGETOWN HARBOR, SC	3,088,000	3,088,000
(FC)	INSPECTION OF COMPLETED WORKS, SC	27,000	27,000
(N)	LITTLE RIVER INLET, SC & NC	40,000	40,000
(N)	MURRELLS INLET, SC	42,000	42,000
(N)	PORT ROYAL HARBOR, SC	81,000	151,000
(N)	PROJECT CONDITION SURVEYS, SC	23,000	23,000
(N)	SHIPYARD RIVER, SC	395,000	545,000
(N)	TOWN CREEK, SC	488,000	588,000
	SOUTH DAKOTA		
(MP)	BIG BEND DAM - LAKE SHARPE, SD	6,457,000	6,457,000
(FC)	COLD BROOK LAKE, SD	201,000	201,000
(FC)	COTTONWOOD SPRINGS LAKE, SD	186,000	186,000
(MP)	FT RANDALL DAM - LAKE FRANCIS CASE, SD	8,041,000	8,041,000
(FC)	LAKE TRAVERSE, SD & MN	430,000	430,000
(MP)	OAHE DAM - LAKE OAHE, SD & ND	9,911,000	9,911,000
(FC)	SCHEDULING RESERVOIR OPERATIONS, SD	311,000	311,000
	TENNESSEE		
(MP)	CENTER HILL LAKE, TN	4,938,000	4,938,000
(MP)	CHEATHAM LOCK AND DAM, TN	5,559,000	5,559,000
(MP)	CORDELL HULL DAM AND RESERVOIR, TN	4,694,000	4,694,000
(MP)	DALE HOLLOW LAKE, TN	3,908,000	3,908,000
(FC)	INSPECTION OF COMPLETED WORKS, TN	130,000	130,000
(MP)	J PERCY PRIEST DAM AND RESERVOIR, TN	4,039,000	4,039,000
(MP)	OLD HICKORY LOCK AND DAM, TN	6,833,000	6,833,000
(N)	PROJECT CONDITION SURVEYS, TN	7,000	7,000
(N)	TENNESSEE RIVER, TN	13,612,000	13,612,000
(N)	WOLF RIVER HARBOR, TN	650,000	650,000

CORPS OF ENGINEERS - OPERATION AND MAINTENANCE

TYPE OF PROJECT	PROJECT TITLE	BUDGET ESTIMATE	CONFERENCE
	TEXAS		
(FC)	AQUILLA LAKE, TX	627,000	627,000
(FC)	ARKANSAS - RED RIVER BASINS CHLORIDE CONTROL - AREA VI	1,162,000	1,162,000
(FC)	BARDWELL LAKE, TX	1,344,000	1,344,000
(N)	BAYPORT SHIP CHANNEL, TX	1,160,000	1,160,000
(FC)	BELTON LAKE, TX	2,325,000	2,325,000
(FC)	BENBROOK LAKE, TX	1,572,000	1,572,000
(N)	BRAZOS ISLAND HARBOR, TX	3,328,000	3,328,000
(FC)	BUFFALO BAYOU AND TRIBUTARIES, TX	3,413,000	3,413,000
(FC)	CANYON LAKE, TX	2,001,000	2,001,000
(N)	CEDAR BAYOU, TX	600,000	600,000
(N)	CHANNEL TO PORT MANSFIELD, TX	160,000	160,000
(FC)	COOPER LAKE AND CHANNELS, TX	951,000	2,601,000
(N)	CORPUS CHRISTI SHIP CHANNEL, TX	4,360,000	4,360,000
(MP)	DENISON DAM - LAKE TEXOMA, TX	5,275,000	5,275,000
(N)	DOUBLE BAYOU, TX	510,000	510,000
(FC)	ESTELLINE SPRINGS, TX	12,000	12,000
(FC)	FERRELLS BRIDGE DAM - LAKE O'THE PINES, TX	2,182,000	2,182,000
(N)	FREEPORT HARBOR, TX	3,140,000	3,140,000
(N)	GALVESTON HARBOR AND CHANNEL, TX	3,693,000	3,693,000
(N)	GIWW - CHANNEL TO VICTORIA, TX	620,000	620,000
(N)	GIWW - CHOCOLATE BAYOU, TX	300,000	300,000
(FC)	GRANGER DAM AND LAKE, TX	1,416,000	1,416,000
(FC)	GRAPEVINE LAKE, TX	1,968,000	1,968,000
(N)	GULF INTRACOASTAL WATERWAY, TX	19,138,000	19,138,000
(FC)	HORDS CREEK LAKE, TX	1,004,000	1,004,000
(N)	HOUSTON SHIP CHANNEL, TX	4,323,000	4,323,000
(FC)	INSPECTION OF COMPLETED WORKS, TX	590,000	590,000
(FC)	JOE POOL LAKE, TX	774,000	774,000
(FC)	LAKE KEMP, TX	235,000	235,000
(FC)	LAVON LAKE, TX	2,180,000	2,180,000
(FC)	LEWISVILLE DAM, TX	2,589,000	2,589,000
(N)	MATAGORDA SHIP CHANNEL, TX	1,490,000	1,490,000
(N)	MOUTH OF THE COLORADO RIVER, TX	1,165,000	1,165,000
(FC)	NAVARRO MILLS LAKE, TX	1,380,000	1,380,000
(FC)	NORTH SAN GABRIEL DAM AND LAKE GEORGETOWN, TX	1,539,000	1,539,000
(FC)	O C FISHER DAM AND LAKE, TX	792,000	792,000
(FC)	PAT MAYSE LAKE, TX	796,000	796,000
(FC)	PROCTOR LAKE, TX	1,543,000	1,543,000
(N)	PROJECT CONDITION SURVEYS, TX	60,000	60,000
(FC)	RAY ROBERTS LAKE, TX	711,000	711,000
(N)	SABINE - NECHES WATERWAY, TX	10,050,000	10,050,000
(MP)	SAM RAYBURN DAM AND RESERVOIR, TX	3,462,000	3,462,000
(FC)	SCHEDULING RESERVOIR OPERATIONS, TX	77,000	77,000
(FC)	SOMERVILLE LAKE, TX	2,385,000	2,385,000
(FC)	STILLHOUSE HOLLOW DAM, TX	1,567,000	1,567,000
(N)	TEXAS CITY SHIP CHANNEL, TX	1,250,000	1,250,000
(MP)	TOWN BLUFF DAM - B A STEINHAGEN LAKE, TX	1,571,000	1,571,000
(N)	TRINITY RIVER & TRIBUTARIES, TX	35,000	35,000

CORPS OF ENGINEERS - OPERATION AND MAINTENANCE

TYPE OF PROJECT	PROJECT TITLE	BUDGET ESTIMATE	CONFERENCE
(FC)	WACO LAKE, TX	1,901,000	1,901,000
(FC)	WALLISVILLE LAKE, TX	449,000	449,000
(MP)	WHITNEY LAKE, TX	3,326,000	3,326,000
(FC)	WRIGHT PATMAN DAM AND LAKE, TX	2,295,000	2,295,000
	UTAH		
(FC)	INSPECTION OF COMPLETED WORKS, UT	41,000	41,000
(FC)	SCHEDULING RESERVOIR OPERATIONS, UT	159,000	159,000
	VERMONT		
(FC)	BALL MOUNTAIN LAKE, VT	854,000	854,000
(FC)	INSPECTION OF COMPLETED WORKS, VT	133,000	133,000
(N)	NARROWS OF LAKE CHAMPLAIN, VT & NY	46,000	46,000
(FC)	NORTH HARTLAND LAKE, VT	555,000	555,000
(FC)	NORTH SPRINGFIELD LAKE, VT	668,000	668,000
(FC)	TOWNSHEND LAKE, VT	592,000	592,000
(FC)	UNION VILLAGE DAM, VT	392,000	392,000

CORPS OF ENGINEERS - OPERATION AND MAINTENANCE

TYPE OF PROJECT	PROJECT TITLE	BUDGET ESTIMATE	CONFERENCE
	VIRGINIA		
(N)	APPOMATTOX RIVER, VA	5,000	5,000
(N)	ATLANTIC INTRACOASTAL WATERWAY, VA	2,290,000	2,290,000
(N)	BROAD CREEK, VA	1,000	1,000
(N)	CHANNEL TO NEWPORT NEWS, VA	50,000	50,000
(N)	CHINCOTEAGUE BAY CHANNEL, VA	125,000	125,000
(N)	CHINCOTEAGUE HARBOR OF REFUGE, VA	144,000	144,000
(N)	CHINCOTEAGUE INLET, VA	887,000	887,000
(FC)	GATHRIGHT DAM AND LAKE MOOMAW, VA	1,481,000	1,481,000
(N)	HAMPTON CREEK, VA	210,000	210,000
(N)	HAMPTON RDS, NORFOLK & NEWPORT NEWS HBR, VA (DRIFT REM	700,000	700,000
(N)	HORN HARBOR, VA	125,000	125,000
(FC)	INSPECTION OF COMPLETED WORKS, VA	84,000	84,000
(N)	JAMES RIVER CHANNEL, VA	2,567,000	3,567,000
(MP)	JOHN H KERR LAKE, VA & NC	6,652,000	6,652,000
(FC)	JOHN W FLANNAGAN DAM AND RESERVOIR, VA	1,498,000	1,498,000
(N)	LYNNHAVEN INLET, VA	712,000	712,000
(N)	NEABSCO CREEK, VA	137,000	137,000
(N)	NORFOLK HARBOR (PREVENTION OF OBSTRUCTIVE DEPOSITS), V	232,000	232,000
(N)	NORFOLK HARBOR, VA	5,000,000	5,000,000
(FC)	NORTH FORK OF POUND RIVER LAKE, VA	337,000	337,000
(N)	PARKER CREEK, VA	113,000	113,000
(N)	PARROTTS CREEK, VA	234,000	234,000
(MP)	PHILPOTT LAKE, VA	2,203,000	2,203,000
(N)	POTOMAC RIVER AT ALEXANDRIA, VA	41,000	41,000
(N)	PROJECT CONDITION SURVEYS, VA	711,000	711,000
(N)	RUDEE INLET, VA	608,000	608,000
(N)	THIMBLE SHOAL CHANNEL, VA	152,000	152,000
(N)	TYLERS BEACH, VA	170,000	170,000
(N)	WATERWAY ON THE COAST OF VIRGINIA, VA	1,246,000	1,246,000
	WASHINGTON		
(MP)	CHIEF JOSEPH DAM, WA	12,830,000	12,830,000
(N)	COLUMBIA RIVER AT BAKER BAY, WA & OR	44,000	44,000
(N)	COLUMBIA RIVER BETWEEN CHINOOK AND SAND ISLAND, WA	38,000	38,000
(N)	EDIZ HOOK, WA	746,000	746,000
(N)	EVERETT HARBOR AND SNOHOMISH RIVER, WA	853,000	853,000
(N)	FRIDAY HARBOR, WA	52,000	52,000
(N)	GRAYS HARBOR AND CHEHALIS RIVER, WA	7,479,000	8,009,000
(FC)	HOWARD HANSON DAM, WA	1,198,000	1,198,000
(MP)	ICE HARBOR LOCK AND DAM, WA	7,689,000	7,689,000
(FC)	INSPECTION OF COMPLETED WORKS, WA	116,000	116,000
(N)	LAKE CROCKETT (KEYSTONE HARBOR), WA	34,000	34,000
(N)	LAKE WASHINGTON SHIP CANAL, WA	6,833,000	6,833,000
(MP)	LITTLE GOOSE LOCK AND DAM, WA	5,187,000	5,187,000
(MP)	LOWER GRANITE LOCK AND DAM, WA	7,541,000	7,541,000
(MP)	LOWER MONUMENTAL LOCK AND DAM, WA	5,876,000	5,876,000
(FC)	MILL CREEK LAKE, VIRGIL B BENNINGTON LAKE, WA	737,000	737,000

CORPS OF ENGINEERS - OPERATION AND MAINTENANCE

TYPE OF PROJECT	PROJECT TITLE	BUDGET ESTIMATE	CONFERENCE
(FC)	MT ST HELENS, WA	414,000	414,000
(FC)	MUD MOUNTAIN DAM, WA	1,860,000	1,860,000
(N)	OLYMPIA HARBOR, WA	9,000	9,000
(N)	PROJECT CONDITION SURVEYS, WA	282,000	282,000
(N)	PUGET SOUND AND TRIBUTARY WATERS, WA	1,100,000	1,100,000
(N)	QUILLAYUTE RIVER, WA	769,000	769,000
(FC)	SCHEDULING RESERVOIR OPERATIONS, WA	421,000	421,000
(N)	SEATTLE HARBOR, WA	265,000	265,000
(FC)	STILLAGUAMISH RIVER, WA	185,000	185,000
(N)	SURVEILLANCE OF NORTHERN BOUNDARY WATERS, WA	87,000	87,000
(N)	SWINOMISH CHANNEL, WA	365,000	365,000
(FC)	TACOMA, PUYALLUP RIVER, WA	66,000	66,000
(MP)	THE DALLES LOCK AND DAM, WA & OR	10,820,000	10,820,000
(N)	WILLAPA RIVER AND HARBOR, WA	1,002,000	1,002,000
	WEST VIRGINIA		
(FC)	BEECH FORK LAKE, WV	1,069,000	1,069,000
(FC)	BLUESTONE LAKE, WV	1,647,000	1,647,000
(FC)	BURNSVILLE LAKE, WV	1,427,000	1,427,000
(FC)	EAST LYNN LAKE, WV	1,520,000	1,520,000
(N)	ELK RIVER HARBOR, WV	3,000	3,000
(FC)	ELKINS, WV	11,000	11,000
(FC)	INSPECTION OF COMPLETED WORKS, WV	73,000	73,000
(N)	KANAWHA RIVER LOCKS AND DAMS, WV	8,759,000	8,759,000
(FC)	R D BAILEY LAKE, WV	1,504,000	1,504,000
(FC)	STONEWALL JACKSON LAKE, WV	940,000	940,000
(FC)	SUMMERSVILLE LAKE, WV	1,512,000	1,512,000
(FC)	SUTTON LAKE, WV	1,481,000	1,481,000
(N)	TYGART LAKE, WV	780,000	780,000
	WISCONSIN		
(N)	ASHLAND HARBOR, WI	276,000	276,000
(FC)	EAU GALLE RIVER LAKE, WI	585,000	585,000
(N)	FOX RIVER, WI	2,602,000	2,752,000
(N)	GREEN BAY HARBOR, WI	1,018,000	1,018,000
(N)	GREEN BAY HARBOR, WI (DIKE DISPOSAL)	3,793,000	3,793,000
(FC)	INSPECTION OF COMPLETED WORKS, WI	46,000	46,000
(N)	KENOSHA HARBOR, WI	465,000	465,000
(N)	KEWAUNEE HARBOR, WI	329,000	329,000
(FC)	LA FARGE LAKE, WI	120,000	120,000
(N)	LA POINTE HARBOR, WI	22,000	22,000
(N)	MANITOWOC HARBOR, WI	187,000	187,000
(N)	MILWAUKEE HARBOR, WI	2,673,000	2,673,000
(N)	OCONTO HARBOR, WI	58,000	58,000
(N)	PORT WASHINGTON HARBOR, WI	40,000	40,000
(N)	PORT WING HARBOR, WI	109,000	109,000
(N)	PROJECT CONDITION SURVEYS, WI	78,000	78,000
(N)	SAXON HARBOR, WI	188,000	188,000

CORPS OF ENGINEERS - OPERATION AND MAINTENANCE

TYPE OF PROJECT	PROJECT TITLE	BUDGET ESTIMATE	CONFERENCE
(N)	SHEBOYGAN HARBOR, WI	560,000	560,000
(N)	STURGEON BAY HARBOR & LAKE MICHIGAN SHIP CANAL, WI	299,000	299,000
(N)	SURVEILLANCE OF NORTHERN BOUNDARY WATERS, WI	424,000	424,000
(N)	TWO RIVERS HARBOR, WI	29,000	29,000
	WYOMING		
(FC)	JACKSON HOLE LEVEES, WY	1,041,000	1,041,000
(FC)	SCHEDULING RESERVOIR OPERATIONS, WY	36,000	36,000

CORPS OF ENGINEERS - OPERATION AND MAINTENANCE

TYPE OF PROJECT	PROJECT TITLE	BUDGET ESTIMATE	CONFERENCE
	MISCELLANEOUS		
	COASTAL INLET RESEARCH PROGRAM	2,000,000	1,250,000
	CULTURAL RESOURCES (NAGPRA/CURATION)	2,000,000	1,000,000
	DREDGING DATA AND LOCK PERFORMANCE MONITORING SYSTEM	480,000	480,000
	DREDGING OPERATIONS AND ENVIRONMENTAL RESEARCH (DOER)	1,000,000	1,500,000
	EARTHQUAKE HAZARDS PROGRAM FOR BUILDINGS AND LIFELINES	700,000	700,000
	MISSISSIPPI RIVER BASIN MAINSTEM MODEL DEVELOPMENT	500,000	500,000
	MONITORING OF COMPLETED COASTAL PROJECTS	1,900,000	1,500,000
	NATIONAL DAM SAFETY PROGRAM	20,000	20,000
	NATIONAL EMERGENCY PREPAREDNESS PROGRAMS (NEPP)	5,500,000	5,000,000
	OPERATIONS TECHNICAL SUPPORT	2,650,000	2,175,000
	PEER REVIEW PROGRAM	200,000	---
	PROTECT, CLEAR AND STRAIGHTEN CHANNELS (SECTION 3)	50,000	50,000
	RELIABILITY MODELS PROGRAM FOR MAJOR REHABILITATION	500,000	500,000
	REMOVAL OF SUNKEN VESSELS	500,000	500,000
	REPAIR EVALUATION MAINTENANCE RESEARCH (REMR II)	2,000,000	1,500,000
	RIVER CONFLUENCE ICE RESEARCH	500,000	500,000
	WATERBORNE COMMERCE STATISTICS	4,000,000	4,000,000
	REDUCTION FOR ANTICIPATED SAVINGS AND SLIPPAGE	-32,216,000	-32,966,000
	TOTAL, OPERATION AND MAINTENANCE	1,663,000,000	1,697,015,000

TITLE II

DEPARTMENT OF THE INTERIOR

CENTRAL UTAH PROJECT COMPLETION ACCOUNT

The conference agreement appropriate $43,627,000 to carry out the provisions of the Central Utah Project Completion Act as proposed by theHouse and the Senate.

BUREAU OF RECLAMATION

The summary tables at the end of this title set forth the conference agreement with respect to the individual appropriations, programs, and activities of the Bureau of Reclamation. Additional items of conference agreement are discussed below.

GENERAL INVESTIGATIONS

The conference agreement appropriates $16,650,000 for General Investigations instead of $14,548,000 as proposed by theHouse and $18,105,000 as proposed by the Senate.

The conference agreement includes $1,000,000 for the Bureau of Reclamation to undertake feasibility studies for water conservation projects in the Deschutes and Rogue River basins in Oregon.

The conference agreement includes language in the bill providing $250,000 for the Del Norte County and Crescent City, California, Wastewater Reclamation project, and $250,000 for the Fort Bragg, California, Water Supply project.

The conferees understand that the Bureau of Reclamation has been working cooperatively with interested parties in efforts to secure reliable and safe water supplies for the City and County of Santa Fe, New Mexico. The Bureau is to be commended and is encouraged to continue to provide assistance and work cooperatively with the City and County in the regional planning process to resolve critical issues associated with providing clean, reliable drinking water for the region.

The conference agreement deletes language contained in the Senate bill earmarking funds for the Cheyenne River Sioux Reservation, South Dakota, study. Funding for this study is included in the overall amount provided for General Investigations.

CONSTRUCTION PROGRAM

The conference agreement appropriates $394,056,000 for the Construction Program instead of $367,496,000 as proposed by theHouse and $398,596,700 as proposed by the Senate.

The conferees have included $444,000 for the In-Situ Copper Mining Research Project, located near Casa Grande, Arizona, which has been transferred to the Bureau of Reclamation from the Bureau of Mines, for the continuation of the field test as proposed by theHouse. The funds are to be cost-shared by the private sector partner as provided for in the contract. It is the conferees' understanding that sufficient funds were transferred with the project to support Reclamation's in-house research and oversight responsibilities through the conclusion of the project. The Bureau of Reclamation should closely examine the research data to explore the application of the technology to other of its programs.

The conference agreement includes $500,000, $250,000 above the budget request, for the Bureau of Reclamation to undertake an environmental analysis and perform engineering for screening the Contra Costa Canal intake at Rock Slough in California.

In lieu of the directive contained in theHouse report, the conferees direct the Bureau of Reclamation to provide private entities with a fair and reasonable opportunity to construct, rather than design and construct, new fish screen and fish recovery facilities associated with the Glenn-Colusa Irrigation District's Hamilton City Pumping Plant, with oversight responsibility by the Bureau of Reclamation in cooperation with the Glenn-Colusa Irrigation District.

The conferees have provided $1,100,000, the same as the level provided by theHouse, for work on alternative fish guidance systems and for new work on a positive barrier screen at Reclamation District 108's Wilkins Slough pumping plant. Of the funds provided, $500,000 shall be allocated to work on alternative fish guidance systems.

The conferees have provided an additional $2,500,000 for the Endangered Species Recovery Implementation program for a wetland restoration project to be carried out along the Williamson River in Klamath County, Oregon, pursuant to the Upper Klamath Basin Working Group. Within 30 days of enactment of this Act, these funds shall be transferred in their entirety to a nonprofit entity with expertise in fish and wildlife management, and with a memorandum of understanding with the Bureau of Reclamation, to hold in an interest-bearing account and disburse as appropriate to other entities to accomplish the project purposes. This project shall be carried out jointly between the private entity, the Bureau of Reclamation, the U.S. Fish and Wildlife Service, the Natural Resources Conservation Service of the Department of Agriculture, and non-Federal interests in the project area.

The conference agreement includes language proposed by theHouse that directs the Bureau of Reclamation to complete, by the end of fiscal year 1997, the environmental impact statement being conducted on the proposed Tucson, Arizona, surface reservoir.

The conference agreement deletes language contained in the Senate bill for the Mid-Dakota Rural Water System in South Dakota. Funding for this project has been provided within the overall amount appropriated for the Construction Program.

The conference agreement includes language proposed by the Senate extending the authority for the Reclamation States Emergency Drought Relief Act of 1991, Public Law 102–250, through 1997. The bill also includes language proposed by the Senate increasing the cost ceiling for the Umatilla Basin project in Oregon.

The conference agreement deletes funding proposed by the Senate for the McCall Wastewater Treatment facility in Idaho and the Devils Lake, North Dakota, Desalination project.

The conference agreement includes $58,740,000 for the Central Arizona Project instead of $51,155,000 as proposed by theHouse and $58,325,700 as proposed by the Senate. The specific items which comprise the total reduction of $12,988,000 are as follows: Hayden-Rhodes Aqueduct, Siphon Repairs, Noncontract Costs—$1,616,000; Hayden-Rhodes Aqueduct, Other Repairs, Noncontract Costs—$1,509,000; Other Project Costs, Water Allocations, Noncontract Costs—$500,000; Other Project Costs, Curation Facilities, O&M During Construction—$350,000; Other Project Costs, Curation Facilities, Noncontract Costs—$400,000; Other Project Costs, Native Fish Protection, Major Contracts—$2,775,000; Other Project Costs, Native Fish Protection, Noncontract Costs—$332,000; Other Project Costs, Environmental Enhancement, Major Contracts—$900,000; Other Project Costs, Environmental Enhancement, Noncontract Costs—$801,000; New Wadell Dam, Recreation Facilities—$1,550,000; and New Wadell Dam, Noncontract Costs—$2,255,000. The amount provided for the Central Arizona Project includes $200,000 for the Sierra Vista effluent recharge project and $1,470,000 for the Roadrunner Campground at New Wadell Dam.

The conference agreement includes $225,000 each for the Spring Run Salmon and Coho Salmon programs as proposed by theHouse. The conferees expect that the funds deposited with the National Fish and Wildlife Foundation for these programs shall be subject to the same process, including matching requirements and competitive selection, as are other grants administered by the Foundation. The conferees emphasize the desire to build partnerships between diverse communities, leverage the use of taxpayer funds and maximize the value of projects selected for funding. The Foundation shall continue to have authority to select projects for funding through this program in order to realize the greatest fish and wildlife benefits.

OPERATION AND MAINTENANCE

The conference agreement appropriates $267,876,000 for Operation and Maintenance instead of $286,232,000 as proposed by theHouse and $280,876,000 as proposed by the Senate.

The conferees are aware that the Bureau of Reclamation and the Bonneville Power Administration (BPA) have been negotiating an agreement under which BPA will provide direct funding for the annual operations and maintenance costs associated with Reclamation's hydropower generation facilities in the Pacific Northwest. This approach would replace the existing procedure under which Reclamation requests annual appropriations to cover those costs with BPA providing reimbursement to the Treasury. The conferees believe the agreement should provide greater assurance of an appropriate level of funding for maintenance of power facilities thereby reducing the frequency of costly overhauls and increasing the reliability of BPA's power supply. The funding level for Reclamation's operation and maintenance program contained in the conference agreement assumes that direct funding by BPA will be implemented beginning in fiscal year 1997.

The conferees direct the Bureau of Reclamation to carry out the items of work described in theHouse and Senate reports.

BUREAU OF RECLAMATION LOAN PROGRAM ACCOUNT

The conference agreement appropriates $12,715,000 for the Bureau of Reclamation Loan Program Account as proposed by theHouse and the Senate.

CENTRAL VALLEY PROJECT RESTORATION FUND

Funding for the Contra Costa Canal Rock Slough fish screen project is contained within the amounts appropriated under the Construction Program.

GENERAL ADMINISTRATIVE EXPENSES

The conference agreement appropriates $46,000,000 for General Administrative Expenses instead of $45,150,000 as proposed by theHouse and $48,307,000 as proposed by the Senate.

The bill includes appropriations to continue work of the Western Water Policy Review Advisory Commission authorized under Public Law 102–575, Title 30, Western Water Policy Review Act. A question has arisen regarding the authority of the Commission to hire temporary staff from outside of the Federal government. It is not the intent of Congress in Section 3007 (c)(1) of the subject Act to require the Commission to obtain permission from the Secretary of the Interior for each temporary position to be filled. This section is included only to advise the Commission of the desirability of utilizing Federal staff where they can be made available to the Commission at no cost. However, given the special needs of the Commission for independent analysis of Federal programs, and the very abbreviated time frame for their work, it is recognized that the Commission must be able to fill temporary positions where necessary with persons from outside of the Federal government.

BUREAU OF RECLAMATION

PROJECT TITLE	BUDGET ESTIMATE	CONFERENCE ALLOWANCE
GENERAL INVESTIGATIONS		
ARIZONA		
HOPI WATER MANAGEMENT STUDY	80,000	---
NAVAJO WATER MANAGEMENT STUDY	100,000	---
SOUTHERN ARIZONA REGIONAL WATER MANAGEMENT STUDY	150,000	150,000
WEST SALT RIVER VALLEY WATER RESOURCES MGMT STUDY	---	200,000
CALIFORNIA		
DEL NORTE CNTY/CRESCENT CITY WASTEWATER RECLAMATION ST	---	250,000
DELTA MODEL DEVELOPMENT GROUP	90,000	---
FORT BRAGG WATER RECLAMATION STUDY	---	250,000
FRIANT UPPER BASIN OPTIMIZATION AND REUSE STUDY	75,000	75,000
IMPERIAL VALLEY WATER RECLAMATION	175,000	175,000
LOWER OWENS RIVER STUDY	100,000	100,000
MYSTIC LAKE WATERSHED MANAGEMENT INVESTIGATION	100,000	---
NEW MELONES TEMPERTURE CONTROL EVALUATION	90,000	---
NEW MELONES WATER MANAGEMENT STUDY	---	100,000
SACRAMENTO COUNTY WATER RECLAMATION AND REUSE STUDY	---	150,000
SALTON SEA RESEARCH PROJECT	---	200,000
SAN FRANCISCO AREA RECLAMATION STUDY	1,500,000	1,500,000
SOUTHERN CALIFORNIA COASTAL WATER SUPPLY STUDY	250,000	250,000
SOUTHERN CALIFORNIA COMPREHENSIVE WATER STUDY	750,000	750,000
VERDE RIVER BASIN MANAGEMENT STUDY	125,000	125,000
COLORADO		
DOLORES RIVER BASIN RUNOFF MODEL	75,000	---
UPPER ARKANSAS RIVER NEEDS ASSESSMENT	100,000	---
IDAHO		
IDAHO RIVER SYSTEMS MANAGEMENT	250,000	250,000
UPPER SNAKE RIVER BASIN SALMON MIGRATION WATER STUDY	300,000	300,000
UPPER SALMON RIVER WATER OPTIMIZATION STUDY	150,000	150,000
KANSAS		
CHENEY RESERVOIR WATER QUALITY INVESTIGATION	100,000	100,000
MONTANA		
COLD CLIMATE WASTEWATER TREATMENT	35,000	35,000
FORT PECK INDIAN RESERVATION	---	210,000
JEFFERSON RIVER BASIN RETURN FLOW STUDY	80,000	80,000
MONTANA RIVER SYSTEMS STUDY	150,000	100,000
WESTERN MONTANA WATER CONSERVATION STUDY	150,000	150,000
YELLOWSTONE RIVER BASIN STUDY	100,000	100,000

BUREAU OF RECLAMATION

PROJECT TITLE	BUDGET ESTIMATE	CONFERENCE ALLOWANCE
NEBRASKA		
NEBRASKA WATER SUPPLY ASSESSMENT	100,000	100,000
NEVADA		
CARSON RIVER BASIN	---	200,000
WALKER RIVER BASIN	---	250,000
NEW MEXICO		
MIDDLE RIO GRANDE WATER CONVEYANCE PLAN	100,000	100,000
RIO GRANDE/LOW FLOW CONVEYANCE CHANNEL STUDY	200,000	200,000
SAN JUAN GALLUP-NAVAJO PIPELINE	---	150,000
OKLAHOMA		
OKLAHOMA WATER SUPPLY STUDY	125,000	125,000
OREGON		
CENTRAL OREGON IRRIGATION SYSTEM CONSERVATION FEASIBIL	250,000	250,000
GRANDE RONDE WATER OPTIMIZATION STUDY	150,000	150,000
NORTHWEST OREGON REGIONAL WATER SUPPLY STUDY	200,000	200,000
OREGON STREAM RESTORATION PLANNING STUDY	150,000	150,000
OREGON SUBBASIN CONSERVATION PLANNING	100,000	100,000
OREGON WATER CONSERVATION PROJECTS	---	1,000,000
SOUTHERN OREGON COASTAL RIVER BASINS	200,000	200,000
UMATILLA BASIN PROJECT, PHASE III	100,000	200,000
SOUTH DAKOTA		
BLACK HILLS REGIONAL WATER MANAGEMENT STUDY	75,000	75,000
CHEYENNE RIVER SIOUX RESERVATION	---	150,000
TEXAS		
EDWARDS AQUIFER REGIONAL WATER RESOURCES AND MANAGEMEN	190,000	190,000
RINCON BAYOU-NUECES MARCH WETLANDS RESTORATION/ENHANCE	100,000	100,000
RIO GRANDE/RIO BRAVO INTERNATIONAL BASIN ASSESSMENT	200,000	200,000
RIO GRANDE CONVEYANCE CANAL/PIPELINE	---	200,000

BUREAU OF RECLAMATION

PROJECT TITLE	BUDGET ESTIMATE	CONFERENCE ALLOWANCE
UTAH		
ASHLEY/BRUSH CREEK OPTIMIZATION STUDY.....	200,000	200,000
CARBON/EMERY COUNTY WATER MANAGEMENT PLAN.....	100,000	50,000
OGDEN RIVER BASIN WATER QUALITY MANAGEMENT INVESTIGATI	50,000	50,000
WASHINGTON		
WASHINGTON RIVER BASIN PLANNING.....	125,000	125,000
VARIOUS		
COLORADO RIVER WATER QUALITY IMPROVEMENT PROGRAM.....	360,000	360,000
ENVIRONMENTAL AND INTERAGENCY COORDINATION ACTIVITIES.	1,745,000	1,250,000
GENERAL PLANNING STUDIES.....	1,985,000	1,785,000
INVESTIGATION OF EXISTING PROJECTS.....	705,000	705,000
MINOR WORK ON COMPLETED PROJECTS.....	145,000	145,000
MISSOURI RIVER BASIN TRIBES IN ND/SD WATER RESOURCES M	250,000	250,000
PALLID STURGEON RECOVERY DECISION SUPPORT SYSTEM.....	140,000	140,000
TECHNICAL ASSISTANCE TO STATES.....	1,925,000	1,500,000
UPPER SNAKE RIVER BASIN STORAGE OPTIMIZATION	50,000	50,000
TOTAL, GENERAL INVESTIGATIONS.....	15,095,000	16,650,000

BUREAU OF RECLAMATION

PROJECT TITLE	BUDGET ESTIMATE	CONFERENCE ALLOWANCE
CONSTRUCTION PROGRAM		
CONSTRUCTION AND REHABILITATION AND COLORADO RIVER BASIN SALINITY CONTROL PROJECTS		
ARIZONA		
CRBSCP, TITLE I DIVISION	2,300,000	2,300,000
IN SITU COPPER MINING RESEARCH PROJECT	---	440,000
SOUTHERN ARIZONA WATER RIGHTS SETTLEMENT ACT	7,000,000	7,000,000
CALIFORNIA		
BRACKISH WATER RECLAMATION DEMONSTRATION FACILITY	---	1,000,000
CENTRAL VALLEY PROJECT:		
AMERICAN RIVER DIVISION	11,000,000	11,000,000
AUBURN-FOLSOM SOUTH UNIT	2,500,000	2,500,000
DELTA DIVISION	8,850,000	9,100,000
MISCELLANEOUS PROJECT PROGRAMS	14,200,000	14,850,000
SACRAMENTO RIVER DIVISION	7,200,000	9,115,000
SAN JOAQUIN DIVISION	4,737,000	4,737,000
SAN LUIS UNIT	2,900,000	2,900,000
SHASTA DIVISION	500,000	500,000
TRINITY RIVER RESTORATION PROGRAM	5,000,000	5,000,000
LOS ANGELES AREA WATER RECLAMATION / REUSE PROGRAM	14,300,000	14,300,000
SAN DIEGO AREA WATER RECLAMATION AND REUSE PROGRAM	9,340,000	9,340,000
SAN GABRIEL BASIN PROJECT, WATER RECLAMATION AND REUSE	5,800,000	5,800,000
SAN JOSE WATER RECLAMATION AND REUSE PROGRAM	2,760,000	2,760,000
IDAHO		
MINIDOKA NORTH SIDE DRAINWATER PROJECT	180,000	180,000
NORTH DAKOTA		
GARRISON DIVERSION UNIT, P-SMBP	21,600,000	23,000,000
OREGON		
UMATILLA BASIN PROJECT	4,900,000	6,100,000
SOUTH DAKOTA		
BELLE FOURCHE UNIT, P-SMBP	5,100,000	5,100,000
MID-DAKOTA RURAL WATER SYSTEM	2,500,000	10,000,000
MNI WICONI PROJECT	28,350,000	28,350,000

BUREAU OF RECLAMATION

PROJECT TITLE	BUDGET ESTIMATE	CONFERENCE ALLOWANCE
TEXAS		
NORTHWEST WASTEWATER REUSE PROJECT	---	2,000,000
WASHINGTON		
COLUMBIA BASIN PROJECT, IRRIGATION FACILITIES	2,590,000	2,590,000
YAKIMA RIVER BASIN WATER ENHANCEMENT PROJECT	4,475,000	4,475,000
VARIOUS		
COLUMBIA / SNAKE RIVER SALMON RECOVERY PROJECT	15,000,000	15,000,000
CRBSCP, TITLE II DIVISION	10,500,000	10,500,000
DROUGHT EMERGENCY ASSISTANCE	---	2,000,000
EFFICIENCY INCENTIVES PROGRAM	4,350,000	1,500,000
ENDANGERED SPECIES RECOVERY IMPLEMENTATION	14,511,000	17,011,000
NATIVE AMERICAN AFFAIRS PROGRAM	6,759,000	6,759,000
NATIONAL FISH AND WILDLIFE FOUNDATION	2,500,000	1,300,000
SUBTOTAL, REGULAR CONSTRUCTION	53,620,000	54,070,000
DRAINAGE AND MINOR CONSTRUCTION:		
BOISE PROJECT, ID	200,000	200,000
BRANTLEY PROJECT, NM	700,000	700,000
COLORADO RIVER FRONT WORK AND LEVEE SYSTEM, AZ, CA,	2,100,000	2,100,000
CRSP, DALLAS CREEK PROJECT, CO	300,000	300,000
KLAMATH PROJECT, OR, CA	2,245,000	2,245,000
LAKE MEREDITH SALINITY CONTROL PROJECT, NM, TX	100,000	100,000
LEADVILLE / ARKANSAS RIVER RECOVERY PROJECT, CO	650,000	650,000
MOUNTAIN PARK PROJECT, OK	1,700,000	1,700,000
NEWLANDS PROJECT, CA, NV	6,550,000	6,550,000
PICK-SLOAN MISSOURI BASIN PROGRAM:		
NORTH LOUP DIVISION, NE	900,000	900,000
OAHE UNIT, SD	85,000	85,000
RECLAMATION RECREATION MANAGEMENT ACT-TITLE 28, VARI	3,515,000	2,155,000
RIO GRANDE PROJECT, NM, TX	1,000,000	1,000,000
SAN LUIS VALLEY, CLOSED BASIN DIVISION, CO	400,000	400,000
TRES RIOS WETLANDS DEMONSTRATION, AZ	500,000	500,000
VELARDE COMMUNITY DITCH, NM	2,000,000	3,200,000
WETLANDS DEVELOPMENT, VARIOUS	3,938,000	4,138,000
YAKIMA FISH PASSAGE/PROTECTIVE FACILITIES, WA	370,000	370,000
SUBTOTAL, DRAINAGE AND MINOR CONSTRUCTION	27,253,000	27,293,000

BUREAU OF RECLAMATION

PROJECT TITLE	BUDGET ESTIMATE	CONFERENCE ALLOWANCE
SAFETY OF DAMS PROGRAM:		
CROOKED RIVER PROJECT, OCHOCO DAM, OR	900,000	900,000
CVP, FOLSOM DAM (MORMON ISLAND), CA	1,750,000	1,750,000
DEPARTMENT DAM SAFETY PROGRAM, VARIOUS	1,200,000	1,200,000
INITIATE SAFETY OF DAMS CORRECTIVE ACTION	25,050,000	25,050,000
SAFETY OF DAMS CORRECTIVE ACTION STUDIES	2,500,000	2,500,000
SALT RIVER PROJECT, BARTLETT DAM, AZ	3,097,000	3,097,000
SALT RIVER PROJECT, HORSESHOE DAM, AZ	403,000	403,000
SAN ANGELO PROJECT, TWIN BUTTES DAM, TX	23,000,000	23,000,000
SAN CARLOS IRRIGATION PROJECT, COOLIDGE DAM, AZ	221,000	221,000
SCOFIELD PROJECT, SCOFIELD DAM, UT	500,000	500,000
YAKIMA PROJECT, BUMPING LAKE DAM, WA	640,000	640,000
SUBTOTAL, SAFEY OF DAMS PROGRAM	59,261,000	59,261,000
REHABILITATION AND BETTERMENT:		
SHOSHONE PROJECT, WY	1,459,000	1,459,000
WEBER BASIN PROJECT, UT	1,700,000	1,700,000
SUBTOTAL, REHABILITATION AND BETTERMENT	3,159,000	3,159,000
SCIENCE AND TECHNOLOGY:		
GROUNDWATER RECHARGE DEMONSTRATION PROGRAM	540,000	1,415,000
IMPROVED RIVER BASIN MANAGEMENT CONTROL SYSTEM (PHAS	400,000	---
TECHNOLOGY ADVANCEMENT	400,000	300,000
WATERSHED RIVER SYSTEM MANAGEMENT PROGRAM	1,000,000	1,000,000
WATER TREATMENT TECHNOLOGY	2,000,000	1,300,000
WATER TECHNOLOGY/ENVIRONMENTAL RESEARCH	3,800,000	2,800,000
SUBTOTAL, SCIENCE AND TECHNOLOGY	8,140,000	6,815,000
TOTAL, CONSTRUCTION AND REHABILITATION AND COLORADO RIVER BASIN SALINITY CONTROL PROJECTS	319,515,000	335,035,000

BUREAU OF RECLAMATION

PROJECT TITLE	BUDGET ESTIMATE	CONFERENCE ALLOWANCE
COLORADO RIVER STORAGE PROJECT		
UPPER COLORADO RIVER BASIN FUND AND PARTICIPATING PROJECTS		
COLORADO		
ANIMAS-LA PLATA PARTICIIPATING PROJECT.....	9,500,000	8,500,000
DOLORES PARTICIPATING PROJECT.....	6,115,000	6,115,000
UTAH		
CENTRAL UTAH PARTICIPATING PROJECT, BONNEVILLE UNIT...	7,495,000	7,495,000
RECREATIONAL AND FISH AND WILDLIFE FACILITIES.....	2,440,000	2,440,000
TOTAL, COLORADO RIVER STORAGE PROJECT.....	25,550,000	24,550,000
COLORADO RIVER BASIN PROJECT		
CENTRAL ARIZONA PROJECT		
ARIZONA		
CENTRAL ARIZONA PROJECT, WATER DEVELOPMENT (LCRBDF)...	71,728,000	58,740,000
CENTRAL ARIZONA PROJECT, SAFETY OF DAMS.....	4,918,000	4,918,000
TOTAL, COLORADO RIVER BASIN PROJECT.....	76,646,000	63,658,000
ASSOCIATED ITEMS		
UNDISTRIBUTED REDUCTION BASED ON ANTICIPATED DELAYS...	-29,187,000	-29,187,000
TOTAL, CONSTRUCTION PROGRAM.....	392,524,000	394,056,000

BUREAU OF RECLAMATION

PROJECT TITLE	BUDGET ESTIMATE	CONFERENCE ALLOWANCE
LOAN PROGRAM		
ARIZONA		
TOHONO O'ODHAM NATION - SCHUK TOAK DISTRICT.....	1,810,000	1,810,000
CALIFORNIA		
CASTROVILLE IRRIGATION WATER SUPPLY PROJECT.....	2,000,000	2,000,000
CHINO BASIN DESALINATION PROJECT, SANTA ANA WATERSHED.	1,650,000	1,650,000
EASTERN MUNICIPAL WATER DISTRICT NO. 3.....	1,030,000	1,030,000
SALINAS VALLEY WATER RECLAMATION FACILITY FOR CROP IRR	1,500,000	1,500,000
TEMESCAL VALLEY PROJECT, ELSINORE VALLEY MUNICIPAL WAT	1,650,000	1,650,000
OREGON		
MILLTOWN HILL PROJECT, DOUGLAS COUNTY.....	2,650,000	2,650,000
VARIOUS		
LOAN ADMINISTRATION.....	425,000	425,000
TOTAL, LOAN PROGRAM.....	12,715,000	12,715,000

TITLE III

DEPARTMENT OF ENERGY

The summary tables at the end of this title set forth the conference agreement with respect to the individual appropriations, programs, and activities of the Department of Energy. Additional items of conference agreements are discussed below.

REPROGRAMMINGS

The conference agreement does not provide the Department of Energy with any internal reprogramming flexibility in fiscal year 1997 unless specifically identified in theHouse, Senate, or conference reports. Any reallocations of new or prior year budget authority or prior year deobligations must be submitted to theHouse and Senate Appropriations Committees in advance in writing and may not be implemented prior to approval by the Committees. This action has been taken as a result of liberal use of this authority by the Department to fund activities which were neither presented to nor approved by Congress. The Committees will review the need for this authority as part of the fiscal year 1998 appropriations process.

USE OF RECEIPTS FROM LEASING OR SELLING GOVERNMENT PROPERTY OR ASSETS

The conferees expect the receipts from either the lease or sale of government assets, less the costs directly related to the lease or sale, to be remitted to the United States Treasury unless specific authority is contained in the Appropriations Act permitting the Department to retain these receipts to offset funding requirements.

The Department should perform a comprehensive review of current government assets which may be available for lease or sale and the potential revenues available from such sources, and be prepared to discuss this issue and the need for additional legislation during the fiscal year 1998 appropriations process.

PROGRAM DIRECTION ACCOUNTS

The conferees expect the Department to adhere to the funding levels provided for each program direction account in fiscal year 1997. If any funds other than the unobligated balances available for these specific activities at the end of fiscal year 1996 are to be used, the Department is expected to submit a reprogramming to Congress. This requirement pertains to the use of any prior year deobligations or any other reserve or other program accounts which may be used to augment the program direction funding.

GENERAL REDUCTIONS NECESSARY TO ACCOMMODATE SPECIFIC PROGRAM DIRECTIONS

In the event that specific program guidance contained in theHouse, Senate, or conference reports requires a general reduction of available funding, such reductions shall not be applied disproportionately against any program, project, or activity.

ENERGY SUPPLY, RESEARCH AND DEVELOPMENT ACTIVITIES

The conference agreement appropriates $2,710,908,000 for Energy Supply, Research and Development Activities instead of $2,668,573,000 as proposed by theHouse and $2,764,043,000 as proposed by the Senate. The agreement deletes language proposed by theHouse directing that $1,440,000 be made available for FTE reductions, and deletes language proposed by the Senate providing $5,000,000 for research of converting saline water to fresh water.

SOLAR AND RENEWABLE ENERGY PROGRAMS

Funding of $29,000,000 is provided for the wind energy program, of which $2,000,000 shall be for the Kotzebue, Alaska project.

Funding of $55,300,000 for biofuels energy systems is equally divided between two distinct programs, the power systems program and the transportation program. The $27,650,000 provided for the power systems program includes the budget request amount to complete demonstration of the hot-gas filtration system at the gasifier in Hawaii. This year's funding is the final year of funding for this project. The power systems program also includes funding for the gasifier in Burlington, Vermont, and $4,000,000 for the biomass cogeneration turbine development program, $1,000,000 less than the amount requested. The transportation program includes $3,000,000 for the cost-shared biomass ethanol plant in Gridley, California, and $1,000,000 for testing forest residue feedstocks at the Department's biomass ethanol user facility, with the remainder of the funds made available for biochemical conversion. The conferees direct that funding for the regional biomass program and the feedstock program be allocated equally between the power systems and transportation programs.

Funding of $750,000 for the solar international program is to be allocated to nongovernmental organizations which are active in joint implementation activities to develop specific international energy projects. The conferees direct that any carryover funds available on October 1, 1996 in the solar international and solar transfer programs be used only to honor existing contracts. Carryover funds from these two programs are not to be available for obligation for new contracts or agreements.

Funding of $30,000,000 is provided for the geothermal program, including $300,000 for the Geo-Heat Center at the University of Oregon Institute of Technology and $2,000,000 for the Geysers geothermal project, which represents the final Federal contribution to this program.

Funding of $1,000,000 is provided for hydropower for the cost-shared fish-friendly turbine research and development program.

Funding of $4,000,000 is provided for renewable Indian energy resources, including $1,000,000 for the final Federal share of theHaida Alaska Native Village Corporation's Reynolds Creek hydroelectric project, $2,000,000 for the Eyak Native Corporation's Power Creek hydroelectric project and $1,000,000 for the Klawock-Thorne Bay-Kasaan electrical intertie.

Due to severe budget constraints, the conferees have not included the Senate language encouraging the Department to start a new program developing metal matrix composites.

The conference agreement does not direct a specific reduction in the number of federal employees at Headquarters.

NUCLEAR ENERGY

The conferees have provided $38,000,000 for the light water reactor program, $2,000,000 less than the budget request and the Senate amount. This is the final Federal contribution to the light water reactor program. The conferees have not included funding to demonstrate or study annealment of reactor cores.

The conferees note that there is insufficient funding to support a viable nuclear engineering and radiation science research program. This program is underfunded to the point where the viability of the nuclear engineering academic departments in the United States, and the nuclear science capability of the nation, are at risk. The health and vitality of the academic infrastructure in nuclear science and engineering in the U.S. depends on an adequately funded research program. Therefore, the conferees urge the Department to include sufficient funding to reinstate the Nuclear Engineering Education Research program in the fiscal year 1998 budget request.

The conference agreement includes $12,704,000 for the isotope support program including $5,000,000 to implement the Department's record of decision on the production of molybdenum-99.

ENVIRONMENT, SAFETY AND HEALTH

The Radiation Effects Research Foundation (RERF) is a private foundation co-funded by the governments of the United States and Japan to study the effects of radiation on the survivors of theHiroshima and Nagasaki bombings. The conferees agree that this program is a defense-related activity and have included the fiscal year 1997 funding of $15,000,000 in the environment, safety and health program under Other Defense Activities.

ENERGY RESEARCH

Biological and environmental research

The conference agreement includes $10,000,000 for the final phase of the Biomedical Information Communication Center at the Oregon Health Sciences University. The database resulting from the project will be used to track the efficacy and effect of medical treatments, and assist in research efforts associated with the long-term effects of low-level exposure to potential environmental hazards such as radiation or electromagnetic fields. The conference agreement also includes $3,000,000 for the Indiana University School of Medicine. The University is nationally renowned for its achievements in the field of nuclear medicine. This contribution will allow the university to expand its efforts in the research and treatment of cancer, AIDS and other life-threatening diseases.

Within available funds, $1,000,000 is provided to establish a collaborative Boron Neutron Capture Therapy (BNCT) program utilizing the nuclear radiation capabilities at the McClellan Nuclear Radiation Center (MNRC). This program will help establish the efficacy of BNCT for the treatment of inoperable brain tumors and will expand to include other difficult-to-treat malignancies such as melanoma, skull-base tumors, inherently radio-resistant tumors, long-bone sarcoma in children and pediatric brain tumors.

Fusion

The conferees have provided $232,500,000 for the fusion energy program, an increase of $7,500,000 over theHouse recommendation. The conferees support theHouse and Senate inclusion of program direction and computational support within the amount provided for the fusion program. The conferees encourage the Department to reduce the amount identified for program direction, but do not stipulate amounts for program direction or computational support. To further provide maximum flexibility, the conferees have not included the prescriptive language included in theHouse report.

The conferees have provided funds to continue and complete operations and provide for safe shutdown of the TFTR in fiscal year 1997. This is the final year of funding for fusion operations at the TFTR.

The conference agreement includes funding to continue the U.S. participation in the engineering design activities phase of the international thermonuclear experimental reactor (ITER) project, to which the United States is committed through fiscal year 1998.

Basic energy sciences

Funding of $7,000,000 is provided for the Experimental Program to Stimulate Competitive Research (EPSCoR) program. Also, the conference agreement provides $3,200,000, for the Midwest Superconductivity Consortium. The conferees support collaborative multi-institution, multi-discipline materials research efforts involving ion exchange membranes, ion exchange resins, and solidification-stabilization for immobilization of hazardous wastes. The conferees are aware of an

industrial multi-institutional consortium in the southeast which is exploring research in these applications and encourages the Department to determine whether there is a Departmental interest in joining this consortium.

The conference agreement includes $10,000,000 for the University of Alabama. Funding of $9,500,000 is provided to complete the Energy, Minerals, and Materials Research Center which focuses on fundamental research in state-of-the-art manufacturing technologies related to energy efficiency and conservation, environmentally responsible production techniques and advanced information systems at the University of Alabama-Tuscaloosa. The remaining $500,000 is provided to the University of Alabama-Birmingham in support of a cooperative research agreement to use magnetic resonance imaging systems to develop advanced cardiovascular imaging applications. The conference agreement also includes $7,000,000 for the Center for Technological Research with Industry at Rose-Hulman Institute of Technology. This project will complement the school's ongoing efforts to increase our nation's competitiveness by coordinating technology-based research with industrial and governmental sponsors.

Other energy research activities

The conference agreement includes $10,000,000 for the establishment of the energy and environmental technology applications project at the University of Southwestern Louisiana. The project will enhance fundamental automation research in areas designed to improve the nation's global competitiveness and energy efficiency.

The conferees have included theHouse recommendation for program direction, $30,600,000, but do not agree with theHouse direction that $2,500,000 be available for expenses related to workforce reduction. The conferees have not recommended a specific amount for the technology transfer program.

ENERGY SUPPORT ACTIVITIES

The conferees agree with theHouse recommendation that funding for University and Science Education programs be provided from the sponsoring programs in the Department. The Department of Energy spends well over $100,000,000 throughout its programs to support science and education activities. To the extend such activities benefit and are a byproduct of the line programs, those programs should, within available funds, be the educational sponsor.

IN-HOUSE ENERGY MANAGEMENT

Last year, Congress eliminated the In-House Energy Management program as a stand-alone program. Notwithstanding this direction, the Department defied the clear intent of Congress and continued the program by using other available Departmental resources. The conferees encourage the Department to continue to carry out energy conservation activities, but do not support the resurrection of a separate program which was eliminated last year. To the extent the Department has not already done so, the conferees recommend that the Department conform its procurement regulations to the procurement authorities provided by subsections (a) and (c) of section 546 of the National Energy Conservation Policy Act (42 U.S.C. 8256). The conferees expect the Department to set an example and continue to lead the Federal Government in the procurement of energy saving devices and services.

ENVIRONMENTAL RESTORATION AND WASTE MANAGEMENT (NON-DEFENSE)

The conferees agree with theHouse report language on the Wayne, New Jersey project.

The university robotics program is funded in the Defense Environmental Restoration and Waste Management program.

URANIUM SUPPLY AND ENRICHMENT ACTIVITIES

The conference agreement appropriates net funding of $1,000,000 instead of $11,772,000 as proposed by theHouse and no funding as proposed by the Senate.

The conference agreement includes bill language proposed by the Senate which would permit security guards to carry side arms at the gaseous diffusion plants.

The conference agreement retains bill language proposed by the Senate providing for payment by the United States Enrichment Corporation of necessary employee and agency contributions to the Thrift Savings Fund.

The conferees agree to provide up to $10,000,000 of program funds for transparency measures.

URANIUM ENRICHMENT DECONTAMINATION AND DECOMMISSIONING FUND

The conference agreement appropriates $200,200,000 as proposed by theHouse instead of $205,200,000 as proposed by the Senate. The conference agreement retains language proposed by theHouse providing $34,000,000 for the uranium and thorium reimbursement program.

GENERAL SCIENCE AND RESEARCH ACTIVITIES

The conference agreement appropriates $996,000,000 for General Science and Research Activities as proposed by theHouse instead of $1,000,626,000 as proposed by the Senate.

NUCLEAR WASTE DISPOSAL FUND

The conference agreement appropriates $182,000,000 as proposed by theHouse instead of $200,028,000 as proposed by the Senate and deletes language proposed by theHouse making the appropriation subject to authorization. The conference agreement includes language proposed by theHouse prohibiting distribution of funds appropriated under this heading for the State of Nevada or affected units of local government. The agreement also includes language proposed by the Senate requiring the Secretary to prepare a viability assessment of the Yucca Mountain site, amended to impose a deadline of September 30, 1998 instead of June 30, 1998 as proposed by the Senate.

The conferees direct that the appropriated funds be used in accordance with the Civilian Radioactive Waste Management Draft Program plan issued by the Department in May 1996 and for interim storage activities as authorized by law.

DEPARTMENTAL ADMINISTRATION

The conference agreement appropriates $215,021,000 for Departmental Administration instead of $194,000,000 as proposed by theHouse and $218,017,000 as proposed by the Senate. Revenues of $125,388,000 are estimated to be received in fiscal year 1997, resulting in a net appropriation of $89,633,000. The proposed funding level includes $6,000,000 available only for severance, termination, and related costs resulting from the reduction in personnel in Departmental Administration. The conference agreement includes $2,000,000 in environmental policy studies for the Department to continue analytic global climate change studies.

The conference agreement deletes bill language proposed by theHouse specifying end-of-year employment levels by organization in the Department of Energy. However, the conferees are cognizant of these proposed employment levels and strongly urge the Department to use these as a guideline for proportionate reductions in fiscal year 1997.

The conference agreement deletes language proposed by the Senate to provide voluntary separation incentives for the Department of Energy and to require payment by the Department of Energy to the Office of Personnel Management.

OFFICE OF THE INSPECTOR GENERAL

The conference agreement appropriates $23,853,000 instead of $25,000,000 as proposed by theHouse and $23,103,000 as proposed by the Senate.

The conferees agree that the current case load of the Office of Contractor Employee Protection does not support a separate office of the current size, and direct the Inspector General to assume the responsibility for these activities.

ATOMIC ENERGY DEFENSE ACTIVITIES

Weapons activities

The conference agreement appropriates $3,911,198,000 instead of $3,684,378,000 as proposed by theHouse and $3,988,602,000 as proposed by the Senate.

The conference agreement supports the direction provided in the Senate report for the stockpile stewardship program with the following adjustments. An increase of $30,000,000 over the budget request is provided for the accelerated strategic computing initiative. An additional $10,000,000 over the budget request has been provided for the technology transfer program; within this program up to $10,000,000 should be allocated for the American Textile Partnership (AMTEX), and up to $10,000,000 should be allocated for the Advanced Computational and Technology Initiative (ACTI). The conference agreement provides specific funding levels identified by theHouse and Senate for the University of Rochester and the Naval Research Laboratory in the inertial confinement fusion program.

For core stockpile management, the conference agreement provides $1,834,470,000. Funding of $150,000,000 is provided for a new tritium source, instead of $100,000,000 as proposed by theHouse and $160,000,000 as proposed by the Senate. The conferees direct the Department to notify theHouse and Senate Committees on Appropriations prior to initiating in-reactor tests of tritium target rods at a commercial light water reactor. Enhanced surveillance activities are increased by $15,000,000; advanced manufacturing activities are increased by $80,000,000; and $6,000,000 is included for upgrades for the tritium recycling facility.

For program direction funding, the conference agreement provides $325,000,000 which includes $22,600,000 for the final settlement payment for the community assistance program at Los Alamos, New Mexico. The funding provided is $31,404,000 less than the budget request for salaries and other expenses, and the conferees agree that these reductions should be taken proportionately as recommended in theHouse report.

DEFENSE ENVIRONMENTAL RESTORATION AND WASTE MANAGEMENT

The conference agreement appropriates $5,459,304,000 for Defense Environmental Restoration and Waste Management instead of $5,409,310,000 as proposed by theHouse and $5,605,210,000 as proposed by the Senate.

The conference agreement deletes language included by the Senate earmarking $2,000,000 for demonstration of stir-melter technology and $5,000,000 for the electrometallurgical treatment of spent nuclear fuel.

The conferees have provided $15,000,000 for ''Closure Projects,'' a new initiative to accelerate the closure of facilities or significantly reduce outyear mortgage costs. The conferees direct the Department to include funding at an appropriate level for this activity as part of the fiscal year 1998 budget request.

The conference agreement provides $1,762,194,000 for environmental restoration, the same as the budget request.

Within the waste management program, up to $2,000,000 is provided for demonstration of stir-melter technology developed by the Department and previously intended to be used

at the Savannah River Site. The Department is directed to seek alternative use of this technology to maximize the investment already made in this technology.

The conferees encourage the Department to support planning and concepts refinement for a Systems Approach to Precision Farming and Technology Integration consistent with the 1995 Department of Energy/U.S. Department of Agriculture Memorandum of Understanding.

The conference agreement provides the budget request for site operations activities which were transferred to the nuclear materials and facility stabilization program. This includes the training and transportation budget requests which were reduced by theHouse.

The conferees also direct the Department to provide $2,000,000 from the Defense Environmental Restoration and Waste Management account, through the Department's Memorandum of Understanding with the Department of Health and Human Services, for theHanford Thyroid study.

Within the budget request for robotics in the technology development program, $4,000,000 is provided for the university robotics program as proposed by theHouse.

The conferees are pleased with the progress to date in implementing the environmental basic research program. In a recent review by the National Research Council, the Council endorsed this program and acknowledged, ''* * * establishment of this mission-directed, basic research program as both an urgent and a prudent investment for the nation.'' The National Research Council report further notes that the, ''* * * long-term success of this program is highly dependent on the continuing partnership between EM, which understands the cleanup problems and research needs, and ER, which, through its mission to manage the department's basic research programs, understands how to select and manage research. The committee endorses the efforts made by EM and ER staff to work together and encourages them to continue their efforts to build an effective Environmental Management Science Program.''

Due to budget constraints, the conference agreement provides $170,000,000 for the environmental privatization program at Richland, Washington. The conferees note with much interest the recent National Academy of Sciences (NAS) report on theHanford high-level waste tank remediation program. The conferees agree with the NAS statement that, ''* * * a time during which funding is constrained is precisely the wrong time to drop work on alternatives that might achieve satisfactory results at a significantly lower cost.'' The NAS report notes that developing such backup technologies ''* * * would still allow remediation to proceed expeditiously.'' The conferees therefore recommend allocating up to $15,000,000 for technology development of such alternatives. An example of such alternatives brought to the attention of the Committees is a recent industry proposal to develop small, modular inductive in-can vitrification and in-tank processing as high-payoff backup technologies.

The conferees have provided $411,511,000 for the program direction account, a reduction of $35,000,000 from the budget request. The number of Headquarters Federal employees are to be reduced, and travel expenses and advisory and assistance services at Headquarters and the field are to be reduced. The conferees are very concerned with the Department's current plan to reduce employees at Headquarters by transferring them to the field. Any attempt to move employees to field offices without sufficient justification and a demonstrated critical need in the field will not be supported by Congress. Funding for environmental cleanup programs will continue to be constrained next year, and the Department must ensure that it is not just moving the problem to another year and another location.

The conference agreement maintains the current policy that no cleanup funds are to be used for economic development activities. The conferees have provided $62,000,000 in the worker and community transition program which was established and authorized to fund such activities, and expect all economic development activities to be funded from that program.

The conferees note with concern the tendency of the FY 1997 defense authorization Act to disregard an equitable allocation of funds added above the budget request in the Defense Environmental Restoration and Waste Management account. Therefore, the conferees encourage the Department to prioritize those programs and activities which would benefit from these additional funds and submit a reprogramming request necessary to implement such programs and activities which the Department deems a priority for the Defense Environmental Management mission.

Hanford Tank Farms privatization

The conferees support statements in theHouse report that steps should be taken to minimize any negative budgetary impact on current cleanup activities at Hanford resulting from the creation of a privatization fund for theHanford Tank Waste Remediation System program. The Department has also advised the conferees that this privatization fund does not take monies away from theHanford cleanup operating budget for FY 1997. Despite these assurances, however, concerns persist that the privatization fund will result in further funding cuts to Hanford's operating budget and accompanying job losses at the site. In response to these concerns, the conferees state their agreement with the Department that the specific establishment of the privatization fund will not directly cause additional delays in cleanup schedules or layoffs at Hanford in FY 1997.

Furthermore, the conferees strongly encourage the Department, to the maximum extent possible, to allocate savings that result from the new management contract at Hanford and any prior year balances to the privatization program for the treatment of high and low level waste at theHanford site.

FIXED ASSET ACQUISITION

The conference agreement provides $160,000,000 for this activity, instead of $134,500,000 as proposed by theHouse and $182,000,000 as proposed by the Senate. This funding is included in the Defense Environmental Restoration and Waste Management appropriation account.

OTHER DEFENSE ACTIVITIES

The conference agreement appropriates $1,605,733,000 for Other Defense Activities instead of $1,459,533,000 as proposed by theHouse and $1,606,833,000 as proposed by the Senate. Details of the conference agreement are provided below.

NONPROLIFERATION AND NATIONAL SECURITY

The conference agreement provides $634,472,000 for nonproliferation and national security instead of $564,272,000 as proposed by theHouse and $649,872,000 as proposed by the Senate.

In the nonproliferation and verification research and development program, the conferees have provided an additional $17,000,000 to the Department to undertake a research and development program to address the technical means for detecting the presence, transportation, production, and use of materials to make biological and chemical weapons.

Within the funding for arms control, a total of $30,000,000 is for the Industrial Partnering Program, $7,900,000 is to complete the canning of spent nuclear fuel rods in North Korea, and an additional $20,000,000 over the budget request of $92,637,000 is provided for the materials protection, control, and accounting program.

The conference agreement includes the Senate proposal or the intelligence program, and provides $88,122,000 for the program direction account.

ENVIRONMENT, SAFETY AND HEALTH (DEFENSE)

The conference agreement provides $78,800,000, an increase of $15,000,000 over the budget request, for defense-related environment, safety and health activities. The conferees have recommended funding the budget request of $15,000,000 for the Radiation Effects Research Foundation in fiscal year 1997 in this account. The Foundation had previously been funded in the environment, safety and health (nondefense) account.

WORKER AND COMMUNITY TRANSITION

The conference agreement provides $62,000,000 for the worker and community transition program instead of $57,000,000 as provided by theHouse and $67,000,000 as provided by the Senate.

NUCLEAR ENERGY (DEFENSE)

The conference agreement provides $45,000,000 for the international nuclear safety program to improve the safety of Soviet-designed nuclear reactors. The conferees have provided $3,500,000 for preparatory work for converting the fuel in three Russian production reactors so that they do not produce weapons-grade plutonium while providing heat and electricity.

FISSILE MATERIALS DISPOSITION

The conference agreement provides $103,796,000 for fissile materials disposition, an increase of $10,000,000 over the budget request. As proposed by the Senate, the additional funding will permit the Department to undertake a cooperative technology effort on the verifiable dismantlement and conversion of plutonium from former Soviet Union weapons. This effort will use new ARIES technology to transform weapons grade plutonium removed from Russian weapons into plutonium oxide or hydride which is unsuitable for weapons.

NAVAL REACTORS

The conference agreement provides $681,932,000, as proposed by theHouse, instead of $663,932,000 as proposed by the Senate. The additional $18,000,000 over the budget request will be used to continue test reactor inactivation efforts.

POWER MARKETING ADMINISTRATIONS

Alaska Power Marketing Administration

The conference agreement appropriates $4,000,000, as proposed by theHouse and the Senate.

Bonneville Power Administration

A total of $3,750,000,000 has been made available to Bonneville as permanent borrowing authority. For fiscal year 1997, the conferees recommend $277,000,000 in new borrowing authority, a reduction of $10,000,000 from the budget request. During fiscal year 1997, Bonneville plans to repay the Treasury $835,000,000, of which $278,000,000 is to repay principal on the Federal investment in these facilities. The conferees agree that no new direct loans may be made in fiscal year 1997. The conferees agree with the Senate report language pertaining to fish and wildlife agreements and mid-Columbia hydroelectric plants. While the conferees recognize Bonneville's need to remain competitive and assure its payments to the Treasury, Bonneville should make every effort to fulfill the

commitments it has made to renewable energy and energy conservation resources.

The conferees have agreed to retain the voluntary separation incentive language provided in fiscal year 1996, but have agreed to limit the authority to September 30, 2000.

BPA energy services business

The changes occurring in the electric utility industry are expected to result in changes to the authorities and responsibilities of the Bonneville Power Administration. The conferees support the efforts of the Governors, through establishment of the Regional Review, to develop consensus recommendations for restructuring Bonneville. The conferees have heard legitimate concerns expressed about Bonneville's formation of an energy services business. While the conferees are not eliminating funding for this venture, it should only be continued in the context of the historic energy efficiency services Bonneville has offered to its existing customers.

The conferees have agreed to limit Bonneville's borrowing authority to $10 million for their energy services business line, a decrease of $10 million from Bonneville's request. Including this amount should not be viewed as an endorsement by the conferees of Bonneville's ESB activities. Bonneville should limit its activities to the continuation of historic services to existing customers, including new contracts with existing customers, not to cumulatively exceed $3 million until the Regional Review has determined the appropriateness of the activities and developed clear parameters. If the Regional Review or ultimately Congressional action does not support Bonneville's proposed new venture, Bonneville should not expand its activities into this area. When entering into these contracts with existing customers, such contracts shall provide full cost recovery. The parameters developed by the Regional Review should address the appropriate level of capitalization, competitive implications and maintenance of a competitive energy services market, and minimize the risk of cross-subsidies from BPA's core power marketing and transmission customers. The conferees expect Bonneville to act consistent with the recommendations made by the Regional Review.

The conferees share the concern of theHouse report that Bonneville's activities in this area may compete with the private sector. Bonneville shall work with representatives of the energy services industry in the Northwest to reach agreement on principles which assure that Bonneville's activities are structured to enlarge the energy services market and do not compete with work that the private sector could reasonably perform. The conferees understand that, with the exception of Federal agencies, Bonneville has committed to doing virtually no work with retail consumers without the support of the local utility and the conferees expect Bonneville to carry out this commitment.

The Northwest Power Planning Council shall prepare a report on Bonneville's implementation of the Regional Review recommendations regarding the Energy Services Business within 180 days of enactment of this legislation, but in any case not later than May 1, 1997. The Council is encouraged to provide greater definition to the recommendations provided by the Regional Review.

OPERATION AND MAINTENANCE, SOUTHEASTERN POWER MARKETING ADMINISTRATION

The conference agreement appropriates $16,359,000, $2,500,000 more than the amount proposed by the Senate and $2,500,000 less than the amount proposed by theHouse.

OPERATION AND MAINTENANCE, SOUTHWESTERN POWER MARKETING ADMINISTRATION

The conference agreement appropriates $25,210,000, as proposed by theHouse and the Senate.

OPERATION AND MAINTENANCE, WESTERN AREA POWER MARKETING ADMINISTRATION

The conference agreement appropriates $193,582,000, instead of $211,582,000 as proposed by theHouse and $201,582,000 as proposed by the Senate.

FALCON AND AMISTAD OPERATING AND MAINTENANCE FUND

The conference agreement appropriates $970,000, as proposed by theHouse and the Senate.

FEDERAL ENERGY REGULATORY COMMISSION

The conference agreement appropriates $146,290,000 as proposed by the Senate instead of $141,290,000 as proposed by theHouse. Revenues are established at a rate equal to the amount provided for program activities, resulting in a net appropriation of zero.

GENERAL PROVISIONS

The conference agreement includes language proposed by theHouse pertaining to priority placement, job placement, retraining, and counseling programs for Department of Energy employees affected by a reduction in force.

The conference agreement includes language providing that none of the funds appropriated by this or any other Act may be used in implement section 3140 of H.R. 3230 as reported by the Committee on Conference on July 30, 1996. The Secretary of Energy shall develop a plan to reorganize the field activities and management of the national security functions of the Department of Energy and shall submit such plan to the Congress not later than 120 days after the date of enactment of this Act. The plan will specifically identify all significant functions performed by the Department's national security operations and area offices and make recommendations as to where those functions should be performed.

The conference agreement deletes language proposed by the Senate pertaining to use of voluntary separation incentives by the Department of Energy and payments to the Office of Personnel Management for retirement benefits.

Department of Energy (in thousands)

	Budget Estimate	Conference
ENERGY SUPPLY, RESEARCH AND DEVELOPMENT		
SOLAR AND RENEWABLE ENERGY		
Solar energy		
Solar building technology research	5,000	2,500
Photovoltaic energy systems	86,994	60,000
Solar thermal energy systems	23,750	22,250
Biomass/biofuels energy systems	80,890	---
Power systems	---	27,650
Transportation	---	27,650
Subtotal, Biomass/biofuels energy systems	80,890	55,300
Wind energy systems	49,650	29,000
Renewable energy production incentive program	3,489	2,000
International solar energy program	---	750
National renewable energy laboratory	2,200	500
Construction		
96-E-100 FTLB renovation and expansion, Golden, CO	2,800	2,800
Subtotal, National renewable energy laboratory	5,000	3,300
Solar and renewable energy deployment	8,509	---
Total, Solar Energy	263,282	175,100
Geothermal		
Geothermal technology development	35,600	30,000
Hydrogen research	11,012	15,000
Hydropower development	---	1,000
Renewable Indian energy resources	---	4,000
Electric energy systems and storage		
Electric and magnetic fields R&D	8,000	8,000
High temperature superconducting R&D	23,050	19,750
Energy storage systems	4,000	4,000
Climate challenge	1,000	---
Total, Electric energy systems and storage	36,050	31,750
Program direction	17,301	13,102
TOTAL, SOLAR AND RENEWABLE ENERGY	363,245	269,952

Department of Energy (in thousands)

	Budget Estimate	Conference
NUCLEAR ENERGY		
Nuclear energy R&D		
Light water reactor	40,000	38,000
Advanced radioisotope power system	40,000	38,810
Nuclear technology R&D	30,000	20,000
Oak Ridge landlord	16,000	11,520
Test reactor area landlord	3,000	2,000
Construction		
95-E-201 Test reactor area fire and life safety improvements, Idaho National Engineering Laboratory, ID	1,000	1,000
Subtotal, Test reactor area landlord	4,000	3,000
Advanced test reactor fusion irradiation	800	800
University reactor fuel assistance and support	6,950	4,000
Total, Nuclear energy R&D	137,750	116,130
Termination costs	76,900	76,900
Construction		
97-E-200 Modifications to reactors, sodium system drain and closure, Argonne National Lab - West, ID	1,200	1,200
97-E-201 Modifications to reactors, hot fuel examination facility equipment upgrades, ANL-W	1,000	1,000
Subtotal, Construction	2,200	2,200
Total, Termination costs	79,100	79,100
Isotope support	12,704	12,704
Program direction	18,500	14,800
TOTAL, NUCLEAR ENERGY	248,054	222,734

Department of Energy (in thousands)

	Budget Estimate	Conference
ENVIRONMENT, SAFETY AND HEALTH		
Environment, safety and health	73,160	48,200
Program direction	39,046	37,300
TOTAL, ENVIRONMENT, SAFETY AND HEALTH	112,206	85,500
ENERGY RESEARCH		
Biological and environmental research		
Biological and environmental research R&D	342,962	352,962
Construction		
91-EM-100 Environmental & molecular sciences laboratory, PNL, Richland, WA	35,113	35,113
Total, Biological and environmental research	379,075	389,075
Fusion energy	255,600	232,500
Basic energy sciences		
Materials sciences	334,560	332,060
Chemical sciences	173,370	171,870
Engineering and geosciences	41,250	41,250
Energy biosciences	28,185	28,185
Capital equipment	45,695	45,695
Construction		
GPE-400 General plant projects	9,275	9,275
97-E-305 Accelerator and reactor improvements and modifications, various locations	2,500	2,500
95-E-305 Accelerator improvement projects	9,840	9,840
96-E-300 Combustion research facility, Phase II, SNL/L	9,000	9,000
Subtotal, Construction	30,615	30,615
Total, Basic energy sciences	653,675	649,675

Department of Energy (in thousands)

	Budget Estimate	Conference
Other energy research		
Computational and technology research	158,143	153,500
Energy research analyses	2,000	2,000
Program direction	42,154	30,600
Multiprogram energy labs - facility support		
Multiprogram general purpose facilities	7,625	---
Construction		
MEL-001 Multiprogram energy laboratory infrastructure projects, various locations	21,260	---
95-E-301 Central heating plant rehabilitation, Phase I (ANL)	---	2,500
95-E-303 Electrical safety rehab (PNL)	---	1,500
95-E-310 Multiprogram laboratory rehabilitation, phase I (PNL)	---	2,960
Subtotal, Construction	21,260	6,960
Subtotal, Multiprogram gen. purpose facilities	28,885	6,960
Environment, safety and health		
Construction		
96-E-333 Multiprogram energy laboratories upgrades, various locations	---	7,424
95-E-307 Fire Safety imp. III (ANL)	---	1,000
95-E-308 Sanitary system mods. II (BNL)	---	1,032
95-E-309 Loss prevention upgrades (BNL)	---	4,620
93-E-320 Fire and safety improvements, phase II (ANL)	---	224
Subtotal, Environment, safety and health	---	14,300
Subtotal, Multiprogram energy labs - fac. suppor	28,885	21,260
Total, Other energy research	231,182	207,360
TOTAL, ENERGY RESEARCH	1,519,532	1,478,610

Department of Energy (in thousands)

	Budget Estimate	Conference
ENERGY SUPPORT ACTIVITIES		
University and science education programs	19,900	---
Technical information management program	2,300	2,300
Program direction	8,700	8,700
Construction	1,000	1,000
Total, Technical information management program	12,000	12,000
Field offices and management	121,723	98,400
Information systems investment	14,900	---
In-house energy management	3,941	---
Construction		
IHE - 500 Modifications for energy mgmt	1,759	---
Total, In-house energy management	5,700	---
TOTAL, ENERGY SUPPORT ACTIVITIES	174,223	110,400

Department of Energy (in thousands)

	Budget Estimate	Conference
ENVIRONMENTAL RESTORATION & WASTE MGMT. (NON-DEFENSE)		
Environmental restoration	358,239	328,000
Waste management	192,799	177,994
Construction		
97-E-600 ANL waste handling facility, CH	360	360
94-E-602 Bethel Valley federal facility agreement upgrades, ORNL	1,106	1,106
91-E-600 Rehabilitation of waste management building 306, ANL	2,066	2,066
88-R-830 Liquid low-level waste collection and transfer system upgrade, ORNL	2,692	2,692
Subtotal, Construction	6,224	6,224
Total, Waste management	199,023	184,218
Nuclear materials and facilities stabilization	84,782	73,100
Construction		
93-E-900 Long-term storage of TMI-2 fuel, INEL	6,571	6,571
Total, Nuclear materials and fac stabilization	91,353	79,671
Site operations	2,799	---
TOTAL, ENVIRONMENTAL RESTORATION AND WASTE MGMT	651,414	591,889
Subtotal, Energy supply, research and development	3,068,674	2,759,085
Use of prior year balances	---	-48,177
General reduction, ESR&D	-48,177	---
TOTAL, ENERGY SUPPLY, RESEARCH AND DEVELOPMENT	3,020,497	2,710,908

Department of Energy (in thousands)

	Budget Estimate	Conference
URANIUM SUPPLY AND ENRICHMENT ACTIVITIES		
Uranium program activities	77,594	52,466
Program direction	5,672	4,000
Construction		
96-U-201 depleted UF6 cylinder storage yards, Paducah, Kentucky gaseous diffusion plant	4,000	4,000
Subtotal, Uranium supply & enrichment activities	87,266	60,466
Revenues - Sales	-42,200	-42,200
Use of prior year balances	-17,266	-17,266
TOTAL, URANIUM SUPPLY AND ENRICHMENT ACTIVITIES	27,800	1,000
URANIUM ENRICHMENT DECONTAMINATION AND DECOMMISSIONING FUND		
Decontamination and Decommissioning Fund	240,200	200,200

Department of Energy (in thousands)

	Budget Estimate	Conference
GENERAL SCIENCE AND RESEARCH		
High energy physics		
Research and technology	---	210,000
Physics research	141,290	---
Facility operations	362,955	360,075
Construction		
97-G-303 Master substation upgrade, SLAC	3,000	3,000
94-G-304 B-Factory, SLAC	45,000	45,000
92-G-302 Fermilab main injector, Fermilab	52,000	52,000
Subtotal, Construction	100,000	100,000
Subtotal, Facility operations	462,955	460,075
High energy technology	74,880	---
Total, High energy physics	679,125	670,075
Nuclear physics	253,425	250,925
Construction		
91-G-300 Relativistic heavy ion collider, BNL	65,000	65,000
Total, Nuclear physics	318,425	315,925
General science program direction	11,600	10,000
TOTAL, GENERAL SCIENCE AND RESEARCH	1,009,150	996,000

Department of Energy (in thousands)

	Budget Estimate	Conference
DEPARTMENTAL ADMINISTRATION		
Administrative operations		
Office of the Secretary - salaries and expenses.....	2,850	2,000
General management - personnel compensation and benefits.....	119,647	100,695
Severance, termination and related cost.....	---	6,000
General management - other expenses.....	83,604	74,900
Program support		
Minority economic impact.....	2,900	1,500
Policy analysis and system studies.....	3,493	500
Consumer affairs.....	40	40
Public affairs.....	65	50
Environmental policy studies.....	4,928	2,500
Scientific and technical training.....	1,000	500
Subtotal, Program support.....	12,426	5,090
Total, Administrative operations.....	218,527	188,685
Cost of work for others.....	26,336	26,336
Total, Departmental administration (gross).....	244,863	215,021
Miscellaneous revenues.....	-125,388	-125,388
TOTAL, DEPARTMENTAL ADMINISTRATION (net).....	119,475	89,633
OFFICE OF INSPECTOR GENERAL		
Office of Inspector General.....	30,502	24,750
Use of prior year balances.....	-897	-897
TOTAL, OFFICE OF INSPECTOR GENERAL.....	29,605	23,853

Department of Energy (in thousands)

	Budget Estimate	Conference
ATOMIC ENERGY DEFENSE ACTIVITIES		
WEAPONS ACTIVITIES		
Stockpile stewardship		
Core stockpile stewardship	1,062,570	1,132,570
Construction		
96-D-102 Stockpile stewardship facilities revitalization, Phase VI, various locations	19,250	19,250
96-D-103 ATLAS, Los Alamos National Laboratory	15,100	15,100
96-D-104 Process and environmental technology laboratory, SNL	14,100	14,100
96-D-105 Contained firing facility addition, LLNL	17,100	17,100
95-D-102 Chemistry and metallurgy research (CMR) upgrades project, LANL	15,000	15,000
94-D-102 Nuclear Weapons Research, development and testing facilities revitalization, Phase V, various locations	7,787	7,787
Subtotal, Construction	88,337	88,337
Subtotal, Core stockpile stewardship	1,150,907	1,220,907
Inertial fusion	234,560	234,560
Construction		
96-D-111 National ignition facility, TBD	131,900	131,900
Subtotal, Inertial fusion	366,460	366,460
Technology transfer/education		
Technology transfer	49,400	59,400
Education	10,000	10,000
Subtotal, Technology transfer/education	59,400	69,400
Total, Stockpile stewardship	1,576,767	1,656,767

Department of Energy (in thousands)

	Budget Estimate	Conference
Stockpile management	1,704,470	1,834,470
Construction		
Production base		
88-D-122 Facilities capability assurance program (FCAP), various locations	21,940	21,940
Environmental, safety and health		
97-D-121 Consolidated pit packaging system, Pantex plant, Amarillo, TX	870	870
97-D-122 Nuclear materials storage facility renovation, LANL, Los Alamos, NM	4,000	4,000
97-D-123 Structural upgrades, Kansas City plant, Kansas City, KS	1,400	1,400
97-D-124 Steam plant waste water treatment facility, upgrade, Y-12 plant, Oak Ridge, TN	600	600
96-D-122 Sewage treatment quality upgrade (STQU) Pantex plant	100	100
96-D-123 Retrofit HVAX and chillers, for Ozone protection Y-12 plant	7,000	7,000
95-D-122 Sanitary sewer upgrade, Y-12 plant	10,900	10,900
94-D-124 Hydrogen fluoride supply system, Y-12 plant	4,900	4,900
94-D-125 Upgrade life safety, Kansas City plant	5,200	5,200
94-D-127 Emergency notification system, Pantex plant	2,200	2,200
93-D-122 Life safety upgrades, Y-12 plant	7,200	7,200
Subtotal, Environmental, safety and health	44,370	44,370

Department of Energy (in thousands)

	Budget Estimate	Conference
Safeguards and security		
88-D-123 Security enhancement, Pantex plant.....	9,739	9,739
Nuclear weapons incident response		
96-D-125 Washington measurement operations facility, Andrews Air Force Base, MD.....	3,825	3,825
Reconfiguration		
93-D-123 Non-nuclear reconfiguration, various locations.....	14,487	14,487
Subtotal, Construction.....	94,361	94,361
Total, Stockpile management.....	1,798,831	1,928,831
Program direction.....	334,404	325,600
TOTAL, WEAPONS ACTIVITIES.....	3,710,002	3,911,198

Department of Energy (in thousands)

	Budget Estimate	Conference
DEFENSE ENVIRONMENTAL RESTORATION AND WASTE MGMT.		
Environmental restoration	1,385,546	1,385,546
Uranium enrichment D&D fund contribution	376,648	376,648
Total, Environmental restoration	1,762,194	1,762,194
Waste management	1,448,326	1,490,320
Construction		
97-D-402 Tank farm restoration and safe operations, Richland, WA	7,584	7,584
96-D-408 Waste mgmt upgrades, various locations	11,246	11,246
95-D-402 Install permanent electrical service WIPP, AL	752	752
95-D-405 Industrial landfill V and construction/demolition landfill VII, Y-12 Plant, Oak Ridge, TN	200	200
94-D-404 Melton Valley storage tank capacity increase, ORNL	6,345	6,345
94-D-407 Initial tank retrieval systems, Richland, WA	12,600	12,600
93-D-182 Replacement of cross-site transfer system, Richland, WA	8,100	8,100
93-D-187 High level waste removal from filled waste tanks, Savannah River, SC	20,000	20,000
89-D-174 Replacement high level waste evaporator, Savannah River, SC	11,500	11,500
86-D-103 Decontamination and waste treatment facility, LLNL, Livermore, CA	10,000	10,000
Subtotal, Construction	88,327	88,327
Total, Waste management	1,536,653	1,578,647

Department of Energy (in thousands)

	Budget Estimate	Conference
Nuclear materials and facilities stabilization.....	818,664	1,173,718
Construction		
97-D-450 Actinide packaging and storage facility, Savannah River Site, Aiken, SC.....	7,900	7,900
97-D-451 B-Plant safety class ventilation upgrades, Richland, WA.....	1,500	1,500
97-D-470 Environment monitoring laboratory, Savannah River, Aiken, SC.....	---	2,500
97-D-473 Health physics site support facility, Savannah River, Aiken, SC.....	---	2,000
96-D-406 Spent nuclear fuels canister storage and stabilization facility, Richland, WA.....	60,672	60,672
96-D-461 Electrical distribution upgrade, Idaho National Engineering Laboratory, ID.....	---	6,790
96-D-464 Electrical & utility systems upgrade, Idaho Chemical Processing Plant, Idaho National Engineering Laboratory, ID.....	10,440	10,440
96-D-471 CFC HVAC/chiller retrofit, Savannah River Site, Aiken, SC.....	---	8,541
95-E-600 Hazardous materials training center, Richland, WA.....	---	7,900
95-D-155 Upgrade site road infrastructure, Savannah River, South Carolina.....	---	4,137
95-D-456 Security facilities consolidation, Idaho Chemical Processing Plant, INEL, Idaho.....	4,645	4,645
94-D-401 Emergency response facility, INEL, ID....	---	547
Subtotal, Construction.....	85,157	117,572
Total, Nuclear materials & fac. stabilization.....	903,821	1,291,290

Department of Energy (in thousands)

	Budget Estimate	Conference
Site operations	297,054	---
Construction		
96-D-461 Electrical distribution upgrade, Idaho National Engineering Laboratory, ID	6,790	---
97-D-470 Environment monitoring laboratory, Savannah River, Aiken, SC	2,500	---
96-D-471 CFC HVAC/chiller retrofit, Savannah River Site, Aiken, SC	8,541	---
97-D-473 Health physics site support facility, Savannah River, Aiken, SC	2,000	---
95-E-600 Hazardous materials management and emergency response training center, Richland, WA	7,900	---
95-D-155 Upgrade site road infrastructure, Savannah River, SC	4,137	---
94-D-401 Emergency response facility, INEL, ID	547	---
Total, Site operations	329,469	---
Technology development	303,771	303,771
Policy and management	48,155	23,155
Environmental science program	52,136	62,136
Environmental management privatization	185,000	170,000
Closure projects	---	15,000
Program direction	446,511	411,511
Subtotal, Defense environmental management	5,567,710	5,617,704
Savannah river pension refund	-8,000	-8,000
Use of prior year balances	-150,400	-150,400
TOTAL, DEFENSE ENVIRON. RESTORATION AND WASTE MGMT	5,409,310	5,459,304
FIXED ASSET ACQUISITIONS (SEC. 621)		
Defense Environmental Restoration & Waste Management Privatization initiative, various locations	182,000	160,000

Department of Energy (in thousands)

	Budget Estimate	Conference
OTHER DEFENSE ACTIVITIES		
Other national security programs		
Nonproliferation and national security		
Verification and control technology		
Nonproliferation and verification, R&D	194,919	211,919
Arms control	181,244	216,244
Intelligence	29,185	34,185
Subtotal, Verification and control technology	405,348	462,348
Emergency management	16,794	16,794
Nuclear safeguards and security	47,208	47,208
Security investigations	22,000	20,000
Program direction - NN	95,622	88,122
Subtotal, Nonproliferation and national security	586,972	634,472
Environment, safety and health (Defense)	53,094	68,094
Program direction - EH	10,706	10,706
Subtotal, Environment, safety & health (Defense)	63,800	78,800
Worker and community transition	62,659	57,659
Program direction - WT	4,341	4,341
Subtotal, Worker and community transition	67,000	62,000
Fissile materials disposition	73,163	83,163
Program direction - MD	3,633	3,633
Construction		
97-D-140 Consolidated special nuclear materials storage plant, site TBD	17,000	17,000
Subtotal, Fissile materials control/disposition	93,796	103,796
Nuclear energy (Defense)		
International nuclear safety	66,200	45,000
Nuclear security	6,000	3,500
Subtotal, Nuclear energy (Defense)	72,200	48,500
Total, Other national security programs	883,768	927,568

Department of Energy (in thousands)

	Budget Estimate	Conference
Naval reactors		
Naval reactors development	623,130	641,130
Construction		
GPN-101 General plant projects, various locations	8,200	8,200
97-D-201 Advanced test reactor secondary coolant system refurbishment, INEL, ID	400	400
95-D-200 Laboratory systems and hot cell upgrades, various locations	4,800	4,800
95-D-201 Advanced test reactor radioactive waste system upgrades, Idaho National Engineering Laboratory, ID	500	500
90-N-102 Expended core facility dry cell project, Naval Reactors Facility, ID	8,000	8,000
Subtotal, Construction	21,900	21,900
Subtotal, Naval reactors development	645,030	663,030
Program direction	18,902	18,902
Total, Naval reactors	663,932	681,932
Subtotal, Other defense activities	1,547,700	1,609,500
Use of prior year balances	---	-3,767
TOTAL, OTHER DEFENSE ACTIVITIES	1,547,700	1,605,733
DEFENSE NUCLEAR WASTE DISPOSAL		
Defense nuclear waste disposal	200,000	200,000
TOTAL, ATOMIC ENERGY DEFENSE ACTIVITIES	11,049,012	11,336,235

Department of Energy (in thousands)

	Budget Estimate	Conference
POWER MARKETING ADMINISTRATIONS		
ALASKA POWER ADMINISTRATION		
Operation and maintenance/program direction.....	4,000	4,000
SOUTHEASTERN POWER ADMINISTRATION		
Operation and maintenance		
Operation and maintenance/program direction.....	3,989	3,989
Purchase power and wheeling.....	23,456	23,456
Subtotal, Operation and maintenance.....	27,445	27,445
Use of prior year balances.....	-6,545	-11,086
TOTAL, SOUTHEASTERN POWER ADMINISTRATION.....	20,900	16,359
SOUTHWESTERN POWER ADMINISTRATION		
Operation and maintenance		
Operating expenses.....	2,793	2,793
Purchase power and wheeling.....	1,095	1,095
Program direction.....	17,862	17,862
Construction.....	6,054	6,054
Subtotal, Operation and maintenance.....	27,804	27,804
Use of prior year balances.....	-904	-2,594
TOTAL, SOUTHWESTERN POWER ADMINISTRATION.....	26,900	25,210

Department of Energy (in thousands)

	Budget Estimate	Conference
WESTERN AREA POWER ADMINISTRATION		
Operation and maintenance		
Construction and rehabilitation	29,764	29,764
System operation and maintenance	33,453	33,453
Purchase power and wheeling	74,235	74,235
Program direction	105,807	105,807
Utah mitigation and conservation	5,432	5,432
Subtotal, Operation and maintenance	248,691	248,691
Use of prior year balances	-30,800	-55,109
Transfer of authority from Department of Interior	3,774	3,774
TOTAL, WESTERN AREA POWER ADMINISTRATION	217,891	193,582
FALCON AND AMISTAD OPERATING AND MAINTENANCE FUND		
Operation and maintenance	970	970
TOTAL, POWER MARKETING ADMINISTRATIONS	270,661	240,121
FEDERAL ENERGY REGULATORY COMMISSION		
Federal energy regulatory commission	159,397	156,290
Use of prior year balances (FERC)	---	-10,000
FERC revenues	-159,397	-146,290
TOTAL, FEDERAL ENERGY REGULATORY COMMISSION	---	---

Department of Energy (in thousands)

	Budget Estimate	Conference
FIXED ASSET ACQUISITIONS (SEC. 621)		
Energy Supply, Research and Development		
Basic sciences		
96-E-300, Combustion research facility, Phase II, SNL/L	13,000	---
General Science and Research Activities		
High energy physics		
94-G-304, B-factory, SLAC	35,100	---
92-G-302, Fermilab main injector, Fermilab	36,750	---
Nuclear physics		
91-G-300, Relativistic heavy ion collider, BNL	131,216	---
Subtotal, General Science and Research Activities	203,066	---
TOTAL, FIXED ASSET ACQUISITIONS (SEC. 621)	216,066	---
NUCLEAR WASTE DISPOSAL FUND		
Discretionary funding	200,028	182,000

Department of Energy (in thousands)

	Budget Estimate	Conference
ENERGY AND WATER DEVELOPMENT ACCOUNTS		
Energy Programs:		
Energy Supply, Research and Development	3,020,497	2,710,908
Uranium Supply and Enrichment Activities	70,000	43,200
Revenues	-42,200	-42,200
Total, Uranium supply and enrichment	27,800	1,000
Uranium enrichment D&D fund	240,200	200,200
General Science and Research Activities	1,009,150	996,000
Nuclear Waste Disposal Fund	200,028	182,000
Departmental Administration	244,863	215,021
Revenues	-125,388	-125,388
Total, Departmental administration	119,475	89,633
Office of the Inspector General	29,605	23,853
Total, Energy programs	4,646,755	4,203,594
Environmental Restoration and Waste Management		
Defense function	(5,591,310)	(5,619,304)
Non-defense function	(891,614)	(792,089)
Total, Environmental Restoration and Waste Mgmt	(6,482,924)	(6,411,393)
Atomic Energy Defense Activities		
Weapons Activities	3,710,002	3,911,198
Defense Environmental Restoration and Waste Mgmt	5,409,310	5,459,304
Fixed asset acquisitions (sec. 621)	182,000	160,000
Other Defense Activities	1,547,700	1,605,733
Defense nuclear waste disposal	200,000	200,000
Total, Atomic Energy Defense Activities	11,049,012	11,336,235

Department of Energy (in thousands)

	Budget Estimate	Conference
Power Marketing Administrations		
Alaska Power Administration	4,000	4,000
Southeastern Power Administration	20,900	16,359
Southwestern Power Administration	26,900	25,210
Western Area Power Administration	217,891	193,582
Falcon and Amistad Operating and Maintenance Fund	970	970
Total, Power Marketing Administrations	270,661	240,121
Federal Energy Regulatory Commission		
Salaries and expenses	159,397	146,290
Revenues	-159,397	-146,290
Total, Federal Energy Regulatory Commission	---	---
Fixed asset acquisitions (sec. 621)	216,066	---
TOTAL, ENERGY AND WATER DEVELOPMENT ACCOUNTS	16,182,494	15,779,950

TITLE IV

INDEPENDENT AGENCIES

APPALACHIAN REGIONAL COMMISSION

The conference agreement appropriates $160,000,000 instead of $155,331,000 as proposed by theHouse and $165,000,000 as proposed by the Senate.

Of the total amount appropriated, $57,000,000 is provided for area development, $3,331,000 is provided for salaries and expenses, and $99,669,000 is provided for highway development.

DEFENSE NUCLEAR FACILITIES SAFETY BOARD

The conference agreement appropriates $16,000,000 for the Defense Nuclear Facilities Safety Board instead of $12,000,000 as proposed by theHouse and $17,000,000 as proposed by the Senate.

DELAWARE RIVER BASIN COMMISSION

The conference agreement appropriates no funding for Salaries and Expenses as proposed by theHouse instead of $342,000 as proposed by the Senate and appropriates no funding as a contribution to the Delaware River Basin Commission instead of $500,000 as proposed by the Senate.

INTERSTATE COMMISSION ON THE POTOMAC RIVER BASIN

The conference agreement appropriates no funding as proposed by theHouse instead of $508,000 as proposed by the Senate.

NUCLEAR REGULATORY COMMISSION

The conference agreement appropriates $471,800,000 as proposed by theHouse and the Senate. Of this amount, $14,500,000 is to be provided from general funds; the remainder, $457,300,000, is to be fully offset by fees and collections.

NUCLEAR WASTE TECHNICAL REVIEW BOARD

The conference agreement appropriates $2,531,000 as proposed by theHouse and Senate.

The conference agreement deletes language proposed by theHouse making the appropriation subject to the authorization required under the heading ''Nuclear Waste Disposal Fund'' and includes technical language proposed by theHouse to derive funds from the Nuclear Waste Fund instead of technical language proposed by the Senate to transfer funds from the Nuclear Waste Fund.

SUSQUEHANNA RIVER BASIN COMMISSION

The conference agreement appropriates no funds for Salaries and Expenses as proposed by theHouse instead of $322,000 as proposed by the Senate and appropriates no funds as a contribution to the Susquehanna River Commission as propose by theHouse instead of $300,000 as proposed by the Senate.

TENNESSEE VALLEY AUTHORITY

The conference agreement appropriates $106,000,000 for the Tennessee Valley Authority instead of $97,169,000 as proposed by theHouse and $113,000,000 as proposed by the Senate.

The conference agreement earmarks $15,000,000 for the Environmental Research Center in Muscle Shoals, Alabama instead of prohibiting the use of funds for the center (except for necessary termination expenses) as proposed by theHouse and $20,000,000 as proposed by the Senate.

The conference agreement earmarks $6,000,000 for Land Between the Lakes instead of $5,000,000 as proposed by theHouse and $8,000,000 as proposed by the Senate.

The conference agreement earmarks $15,000,000 for economic development instead of $16,000,000 as proposed by theHouse and $9,000,000 as proposed by the Senate.

The conference agreement includes $70,000,000 for stewardship and land and water activities of the TVA.

The conference agreement includes language proposed by the Senate prohibiting the use of funds for detailed engineering, design and construction of a replacement for Chickamauga Lock and Dam on the Tennessee River system.

The conferees agree to require TVA to comply with reprogramming guidelines. TheHouse and Senate Committees will work with TVA to establish detailed guidelines to improve the Authority's financial accountability.

TITLE V

GENERAL PROVISIONS

SEC. 501.—The conference agreement includes language proposed by theHouse and Senate regarding the purchase of American-made equipment and products, and language proposed by theHouse prohibiting contracts with persons falsely labeling products as made in America.

SEC. 502.—The conference agreement includes language proposed by theHouse repealing 42 U.S.C. 7262 which provides authority to the Secretary of Energy to accept gifts, bequests, and devises of money.

SEC. 503.—The conference agreement includes language proposed by theHouse which provides that none of the funds made available by this Act may be used to determined the final point of discharge for the interceptor drain for San Luis Unit of the Central Valley Project until development by the Secretary of the Interior and the State of California of a plan, which shall conform to the water quality standards of the State of California as approved by the Administrator of the Environmental Protection Agency, to minimize any detrimental effect of the San Luis drainage waters. The language also provides that the costs of the Kesterson Reservoir Cleanup Program and the San Joaquin Valley Drainage Program shall be classified as reimbursable or nonreimbursable by the Secretary of the Interior as described in the Bureau of Reclamation report entitled, ''Repayment Report, Kesterson Reservoir Cleanup Program and San Joaquin Valley Drainage Program, February 1995'' and that any future obligation of funds for drainage service or drainage studies for the San Luis Unit shall be fully reimbursable by San Luis Unit beneficiaries pursuant to Reclamation law.

SEC. 504.—The conference agreement includes language proposed by theHouse which provides that none of the funds appropriated in this Act may be used to revise the Missouri River Master Water Control Manual if such revision provided for an increase in the springtime water release program during the spring heavy rainfall and snow melt period in states that have rivers draining into the Missouri River below the Gavins Point Dam.

SEC. 505.—The conference agreement amends language proposed by theHouse repealing a provision included in the Energy and Water Development Appropriations Act, 1991, which made bypass releases for temperature control purposes at the Shasta Dam nonreimbursable. The conferees have included this provision to make reimbursable any replacement power purchases necessitated by water releases for fishery purposes that must bypass the generators in Shasta Dam, and have made the provision effective upon operation of the Shasta temperature control device or September 30, 1997. The temperature control device construction should be completed early in fiscal year 1997. The conferees anticipate that it will eliminate waste of electrical energy and the need for replacement power purchases, and urge the Bureau of Reclamation to achieve operation as soon as possible.

SEC. 506.—The conference agreement includes language proposed by the Senate which extends the water service contracts for the Bostwick District (Kansas portion), and Bostwick District (Nebraska portion) projects for a period of one additional year after the dates on which each of the contracts would have otherwise expired. The language has been amended to make technical corrections.

SEC. 507.—The conference agreement includes language proposed by the Senate requiring the Department of Energy to submit a monthly report on adherence to recommendations included in the reports accompanying this appropriations act. The language has been modified to make this a one-time report, due on February 28, 1997. This report should describe the status and expected actions to be taken for each recommendation included in theHouse, Senate, or conference report.

SEC. 508, 509, 510.—The conference agreement includes language proposed by theHouse denying funds to institutions of higher learning which prevent campus access to units of the Senior Reserve Officer Training Corps or Federal military recruiting on campus, amended to apply only to such subelements of affected institutions which prevent campus access. The language also prohibits the use of funds to enter into or renew contracts with entities failing to comply with statutory reporting requirements concerning the employment of certain veterans.

SEC. 511.—The conference agreement deletes language proposed by theHouse repealing section 508(f) of the Energy and Water Development Appropriations Act, 1996, providing the Administrator of the Bonneville Power Administration the authority to offer employees voluntary separation incentives up to $25,000. The voluntary separation incentive language is retained and modified to extend the buyout authority until September 30, 2000.

SEC. 512.—The conference agreement modifies language proposed by the Senate regarding scientific review of the Bonneville Power Administration's fish and wildlife programs.

The Managers believe that successful implementation of the Northwest Power Planning Council's (Council) fish and wildlife program would be benefited by the advice of independent scientists with expertise on the enhancement of Columbia River fish and wildlife. The Managers understand that the Council, together with the National Marine Fisheries Service, has established an ''Independent Scientific Advisory Board'' (ISAB) in order to provide scientific advice to the Council and NMFS on the Council's plan for fish and wildlife for the River system. The Managers have included language in its bill directing the National Academy of Sciences to submit a list of individuals to the Council to serve on an ''Independent Scientific Review Panel'' (Panel) to review projects for funding under BPA's annual fish and wildlife program. The Managers note that nothing in the bill language precludes NAS from recommending the same scientists that serve on the ISAB to serve on the newly created Independent Scientific Review Panel, provided that members meet the conflict of interest standards spelled out in the bill language. If ISAB scientists are selected to serve on the newly created Panel, such scientists should not be compensated twice for their services.

The Managers understand that the Council has also developed multi-year work plans that are used to make decisions for fish and wildlife projects. The Managers note that nothing in the bill language prohibits the Panel and Peer Review Groups from reviewing such multi-year work plan proposals.

BPA's annual fish and wildlife budget for the Council's program totals well over $100 million. Its purpose is to protect, mitigate, and enhance fish and wildlife populations along the Columbia and Snake River system.

The Managers recognize that the Columbia Basin Fish and Wildlife Authority (CBFWA) is presently responsible for prioritizing Council program measures and making recommendations to the Council on projects to be funded through BPA's annual fish and wildlife budget. The Managers understand that each year roughly four hundred proposals are submitted for review by CBFWA in order to receive funding from BPA's annual budget. CBFWA's advice is important. CBFWA members, however, are also the Federal and State fish and wildlife agencies and the tribes who financially benefit from the program. The Managers believe that independent scientific review would remove any suggestion of conflict of interest in prioritizing programs, and add an important element of independent scientific review to the Council decision making process.

The bill language seeks to ensure that Northwest ratepayer dollars are being spent in a cost effective and objective manner. The bill language requires that the Council establish, from a list submitted by NAS, Scientific Peer Review Groups to assist the Panel in making its recommendations to the Council. Projects shall be reviewed based upon the following criteria: projects benefit fish and wildlife in the region; have a clearly defined objective and outcome; and are based on sound science principles.

After review of the projects by the Panel and Peer Review Groups, the Panel shall submit its recommendations on project priorities to the Council for consideration. The Council shall make the Panel's recommendations available to the public for review.

The Council shall review recommendations of the Panel, the Columbia Basin Fish and Wildlife Authority, and others, in making its final recommendations to BPA of projects to be funded through BPA's annual fish and wildlife budget. If the Council does not follow the advice of the Panel, it is to explain in writing the basis for its decision. The Managers understand that ocean conditions are a contributing factor to the health of fish and wildlife populations in the region, and have directed the Council to consider the impacts of ocean conditions in making its recommendations to BPA to fund projects. Bill language also directs the Council to determine whether project recommendations employ cost effective measures to achieve its objectives. The bill language expressly states the Council, after review of Panel and other recommendations, has the authority to make final recommendations to BPA on project(s) to be funded through BPA's annual fish and wildlife budget.

The provision shall go into effect upon the date of enactment, and the Managers intend that the provision be used to start the planning process for the expenditure of BPA's FY98 fish and wildlife budget. This provision shall expire on September 30, 2000.

SEC. 513.—The conference agreement includes language renaming Cooper Lake in Texas as the ''Jim Chapman Lake.''

SEC. 514.—The conference agreement includes language naming a dam on the Rogue River in Jackson County, Oregon, as the ''William L. Jess Dam and Intake Structure.''

SEC. 515.—The conference agreement includes language designating a portion of the Red River in Louisiana as the ''J. Bennett Johnston Waterway.''

GENERAL PROVISIONS NOT ADOPTED

The conference agreement deletes language proposed by theHouse prohibiting the Tennessee Valley Authority from imposing a performance deposit in connection with permits issued for docks and other residential shoreline alternations.

The conference agreement deletes language proposed by the Senate pertaining to the authority of the State of Oregon to enter into memorandum of understanding with the State of Washington to address issues regarding theHanford Reservation.

The conference agreement deletes language proposed by the Senate which gives the State of Oregon an opportunity to review and comment on certain remedial actions at theHanford Nuclear Reservation in the State of Washington.

The conference agreement deletes language contained in sections 507 and 508 of the Senate bill which would have deferred principal and interest payments for one year on the water service contracts for the Nueces River and Canadian River projects in Texas.

The conference agreement deletes language proposed by the Senate, the text of S. 534, to provide authority for states to limit the interstate transportation of municipal solid waste and to provide for state and local government control of the movement of municipal solid waste and recyclable material.

The conference agreement deletes language proposed by the Senate expressing the sense of the Senate regarding a United States semiconductor trade agreement with Japan.

CONFERENCE TOTAL—WITH COMPARISONS

The total new budget (obligational) authority for the fiscal year 1997 recommended by the Committee of Conference, with comparisons to the fiscal year 1996 amount, the 1997 budget estimates, and theHouse and Senate bills for 1997 follow:

New budget (obligational) authority, fiscal year 1996	$19,935,654,000
Budget estimates of new (obligational) authority, fiscal year 1997	20,648,952,000
House bill, fiscal year 1997	19,838,990,000
Senate bill, fiscal year 1997	20,736,858,700
Conference agreement, fiscal year 1997	20,401,108,000
Conference agreement compared with:	
New budget (obligational) authority, fiscal year 1996	+465,454,000
Budget estimates of new (obligational) authority, fiscal year 1997	−247,844,000
House bill, fiscal year 1997	+562,118,000
Senate bill, fiscal year 1997	−335,750,700

JOHN T. MYERS,
HAROLD ROGERS,
JOE KNOLLENBERG,
FRANK RIGGS,
RODNEY P. FRELINGHUYSEN,
JIM BUNN,
MIKE PARKER,
BOB LIVINGSTON,
TOM BEVILL,
VIC FAZIO,
JIM CHAPMAN,
PETER J. VISCLOSKY,
Managers on the Part of theHouse.

PETE V. DOMENICI,
MARK O. HATFIELD,
THAD COCHRAN,
SLADE GORTON,
MITCH MCCONNELL,
ROBERT F. BENNETT,
CONRAD BURNS,
J. BENNETT JOHNSTON,
ROBERT C. BYRD,
FRITZ HOLLINGS,
HARRY REID,
J. ROBERT KERREY,
PATTY MURRAY,
Managers on the Part of the Senate.

MAKING IN ORDER TODAY OR ANY DAY THEREAFTER CONSIDERATION OF CONFERENCE REPORT ON H.R. 3816, ENERGY AND WATER DEVELOPMENT APPROPRIATIONS ACT, 1997

Mr. MYERS of Indiana. Mr. Speaker, I ask unanimous consent that it be in order at any time on Thursday, September 12, 1996, or any day thereafter to consider a conference report to accompany the bill, H.R. 3816; that all points of order against the conference report and against its consideration be waived, and that the conference report be considered as read when called up.

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

There was no objection.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The Chair will entertain fifteen 1-minutes on each side.

WELCOMING THE REVEREND KENNETH P. ROGERS

(Mr. ARMEY asked and was given permission to address theHouse for 1 minute and to revise and extend his remarks.)

Mr. ARMEY. Mr. Speaker, with a great deal of pleasure today I would like to welcome to our body Pastor Ken Rogers of the Lewisville Bible Church, where my wife and I worship.

Ken is a native of New Jersey. He is a graduate of the Dallas Theological Seminary. He has pastored churches in Nebraska and in New York, and now resides in Lewisville, TX, with his wife Lou Ann and his two sons, Dan and Nate.

It is a very special thing for me to see him open our session today in prayer, and I would like to just share a thought with you that Ken shares with me often as he reminds me of a quote from George Washington, our Founding Father, where George Washington said, and I quote, ''It is impossible to rightly govern the world without God and the Bible.''

COMMONSENSE GOVERNMENT REFORM NEEDED

(Mr. GINGRICH asked and was given permission to address theHouse for 1 minute and to revise and extend his remarks.)

Mr. GINGRICH. Mr. Speaker, I brought in an official congressional ice bucket, because I thought it was the perfect symbol of what we are trying to do and how it sometimes gets misrepresented.

When we became a majority for the first time in 40 years, we were trying, frankly, to pinch a few pennies to save some money and to be able to provide tax relief. As we looked around at things that we might not need to be doing, we discovered that ice buckets were being delivered every morning to

every office. We were under the impression that refrigerators have now been invented and were available, and in fact it turned out every office had refrigerators and virtually every staff member knew how to get ice out of the refrigerator. By eliminating the delivery of ice, we save $400,000 a year.

In terms of being a commonsense Congress, I just think this ice bucket tells the story about as well as anything we have done. For years and years, long after refrigerators became common, ice was being delivered. The Washington bureaucracy just kept doing whatever it was doing, even if it made no sense.

Maybe to some folks $400,000 a year is not a lot of money, but that is enough money to give over 300 families the tax relief Bob Dole is offering without increasing the deficit, and I would suggest that it is exactly the kind of commonsense reform, saving $400,000 by stopping the ice bucket, that allows us to talk about returning money to the American people without doing anything to harm the Government that is necessary, but doing everything to cut out the waste that is unnecessary.

GAO REPORT ON THE DEBT CEILING CRISIS

(Mrs. KENNELLY asked and was given permission to address theHouse for 1 minute and to revise and extend her remarks.)

Mrs. KENNELLY. Mr. Speaker, the General Accounting Office recently released its report, demanded by the Republican majority, of the conduct of the Treasury Department and Secretary of the Treasury Robert Rubin during the debt ceiling crisis.

The GAO reports that the Treasury Department and Treasury Secretary Rubin conducted the Nation's debt management legally and properly during the debt ceiling crisis, avoiding default on our Nation's debt and a violation of the statutory debt limit.

In the wake of the GAO's finding that Secretary Rubin acted in accordance with statutory authority provided by the Congress, those Members of the majority that sought Mr. Rubin's impeachment or resignation owe him an apology.

The Republicans were wrong when they opposed the Clinton budget of 1993, which cut in half the debt. The Republicans were wrong when they sought the resignation of Secretary Rubin for keeping the Government solvent, and they are wrong now to go back to voodoo economics that is going to ballon the deficit. Let us not do that again, Mr. Speaker.

AMERICAN PEOPLE NEED RELIEF, NOT NEW TAXES

(Mr. KINGSTON asked and was given permission to address theHouse for 1 minute and to revise and extend his remarks.)

Mr. KINGSTON. Mr. Speaker, I ask the American people, are you working harder and harder every day, every month, every year, and having less to show for it? Are you concerned that your children will not be better off than you are? Are you worried that they will not be able to enjoy and share the American dream as we know it? Do you have concerns that big Government, wasteful spending, and big bureaucracy has stolen the American dream?

I have those concerns. The Republican Congress and many Members on the Democrat side have those concerns, too. We have worked for a balanced budget. We have worked for commonsense reform of the bureaucracy. We have worked for affordable and accessible health care. We have worked to reduce taxes. It concerns met that President Clinton, when he talked about tax cuts at the Democrat Convention, actually his proposals increased taxes over $64 billion, new dollars.

We do not need to increase taxes at this time. The American middle class people need tax relief, not additional taxes. Mr. Speaker, we need to refused the size of government. We need to reduce spending. We do not need to increase taxes at this time.

WILL REPUBLICANS ICE MEDICARE WITH BOB DOLE'S PROPOSED TAX CUT

(Mr. GENE GREEN of Texas asked and was given permission to address theHouse for 1 minute and to revise and extend his remarks.)

Mr. GENE GREEN of Texas. Mr. Speaker, I am glad the Speaker brought that ice bucket in here. My concern is that they are going to ice Medicare with that $548 billion tax cut.

Yesterday, in front of the Republican Caucus Senator Dole said that this year's campaign is about trust. Senator Dole wants the American people to believe and trust that his proposed tax cuts will improve their economic conditions. He wants them to believe that a $548 billion tax cut will not lead to higher budget deficits and increased interest rates, but major Republican economists say that Senator Dole's tax cuts will not work.

If history is any lesson, when Speaker GINGRICH and then Senator Dole tried to pass a $245 billion tax cut last year, they went after Medicare, $270 billion. Do not let them ice Medicare. Senator D'AMATO admitted that under the Dole plan funding for such programs as Medicare would definitely be affected. He went even as far as to say, I know I am not running this year, so he can tell the truth. Even former economic advisers to Reagan are now saying that tax cuts do not produce the kind of economic stimulation Senator Dole promised.

Mr. Speaker, let us not repeat the 1990's budget-busting plans.

INTRODUCING LEGISLATION COMMEMORATING THE UNDERGROUND RAILROAD

(Mr. PORTMAN asked and was given permission to address theHouse for 1 minute and to revise and extend his remarks.)

Mr. PORTMAN. Mr. Speaker, today I am going to introduce legislation commemorating an important story in our Nation's history, the underground railroad in my hometown of Cincinnati, which was a major stop in the underground railroad, a vital means for thousands of slaves to escape to freedom until the end of the Civil War.

The stories of the brave men, women, and children of all races that comprised the underground railroad experience have tremendous power to inspire us and teach us about racial understanding, about cooperation, reconciliation today, 130 years later.

The legislation I am introducing today is simple. It authorizes no additional Federal funding. The citizens of Cincinnati have already raised more than $400,000 in private contributions for this effort. The bill designates the National Underground Railroad Freedom Center in Cincinnati as an affiliated area within the National Park Service, and establishes a framework for cooperation between the Underground Railroad Center and the National Park Service.

People from around the country will be able to come to this center to learn more about this important chapter in our history. Mr. Speaker, I want to commend the dedicated Cincinnatians who have led this effort, and I would urge all of my colleagues to join me in this.

TIME FOR AN INVESTIGATION OF INTERNATIONAL TRADE COMMISSION AND LEE FRANKEL

(Mr. TRAFICANT asked and was given permission to address theHouse for 1 minute and to revise and extend his remarks.)

Mr. TRAFICANT. Mr. Speaker, Florida tomato farmers have simply gone bankrupt. Mexican tomatoes are being dumped on our market, $2 a crate. It cost about $7 to produce them. Florida farmers went to the WhiteHouse, and then came to Congress, and everybody laughed at them. They filed a section 201 lawsuit under the Trade Act. The International Trade Commission ruled in favor of Mexico.

The chief investigator, Lee Frankel, now works for the organization that imports most of the Mexican tomatoes, and is making most of the money on Mexican tomatoes. I say it is time for a grand jury to investigate the International Trade Commission and Lee Frankel, who I believe are lining their pockets and screwing American farmers.

Right to the point, I would also like to suggest to somebody they start looking inside those tomato trucks

down there. They would not be surprised to find out, I suspect, that most of the heroin and cocaine coming into this country is coming in produce trucks.

Beam me up, Mr. Speaker.

TRIBUTE TO RALPH GABBARD

(Mr. ROGERS asked and was given permission to address theHouse for 1 minute and to revise and extend his remarks.)

Mr. ROGERS. Mr. Speaker, this morning I pay tribute to Ralph Gabbard, a friend and a servant to Kentucky. Ralph passed away Tuesday night at the young age of 50.

Ralph was a radio and TV broadcaster all of his life.

And from his teenage days as a radio disc jockey in the 1960's, Ralph grew to serve our State, and unintentionally made a name for himself, like no other media person of our time.

Unassumingly, yet with tenacity, he went about the task of being the best broadcaster he could be, and succeeded. He redefined what we call the broadcaster's public service obligation.

His commitment to news, his commitment to community, his commitment to industry excellence, was unsurpassed inside or outside of the TV stations and boardrooms where his legacies will live.

EXPRESSING CONCERN THAT THE REPORT OF THE SPECIAL COUNSEL WAS PUT ON ICE

(Mr. WISE asked and was given permission to address theHouse for 1 minute.)

Mr. WISE. Mr. Speaker, just a moment ago the Speaker of theHouse held up an ice bucket. What concerns the American people, and should concern them, is that the report of the Special Counsel which was given to the Ethics Committee one month ago may well have been put on ice, because, Mr. Speaker, this report, which took 9 months to complete——

POINTS OF ORDER

Mr. LINDER. Point of order, Mr. Speaker.

The SPEAKER pro tempore (Mr. LATOURETTE). The gentleman will state the point of order.

Mr. LINDER. Mr. Speaker, is it not correct that the rules of theHouse under regular order prevent people from speaking on the floor of theHouse with respect to matters before the Ethics Committee?

The SPEAKER pro tempore. The gentleman is correct.

The gentleman from West Virginia may proceed in order.

Mr. WISE. Continuing, Mr. Speaker, my concern is that any report which has been presented and investigated——

Mr. LINDER. Regular order, Mr. Speaker. Regular order.

Mr. WISE. Regular order, Mr. Speaker.

The SPEAKER pro tempore. The gentleman will state his point of order.

□ 1015

Mr. LINDER. Mr. Speaker, I will repeat that references to matters before the Ethics Committee are out of order to be addressed on the floor of this House.

The SPEAKER pro tempore (Mr. LATOURETTE). The previous ruling of the Chair is again sustained and the gentleman from West Virginia may proceed in order.

PARLIAMENTARY INQUIRY

Mr. VOLKMER. Mr. Speaker, I have a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. VOLKMER. Mr. Speaker, if the gentleman from Georgia who raised a point of order feels that the words of the gentleman from West Virginia concerning the lack of the Ethics Committee to make the report public is out of order, the gentleman can demand that the gentleman from West Virginia's words be taken down, is that not correct, Mr. Speaker?

Mr. LINDER. I appreciate the gentleman's instructions on parliamentary procedure.

The SPEAKER pro tempore. The gentleman will kindly suspend so there may be proper decorum in theHouse.

The gentleman from Georgia has not taken that step. The gentleman from Georgia made a point of order.

Mr. VOLKMER. I just asked if that was available.

The SPEAKER pro tempore. The gentleman is correct.

The gentleman from West Virginia will please proceed in order.

Mr. WISE. Continuing, Mr. Speaker, or trying to, any report dealing with an investigative body that has had at least 9 months of investigation and may have cost as much as one-half million dollars I think should be released before the Congress goes home.

POINT OF ORDER

Mr. WALKER. Point of order, Mr. Speaker.

The SPEAKER pro tempore. The gentleman will suspend.

The gentleman from Pennsylvania will state his point of order.

Mr. WALKER. Mr. Speaker, the gentleman from West Virginia continues to proceed out of order of theHouse and should be called to order by the Chair.

Mr. WISE. Mr. Speaker, if I may respond.

The SPEAKER pro tempore. If both gentlemen will suspend.

The Chair at this time will read the rule and will repeat the admonition from the Chair of June 26, 1996.

It is an essential rule of decorum in debate that Members should refrain from references in debate to the conduct of other Members where such conduct is not the question actually pending before theHouse by way of a report from the Committee on Standards of Official conduct or by way of another question of the privileges of theHouse. This principle is documented on pages 168 and 526 of theHouse Rules and Manual and reflects the consistent rulings of the Chair in this and in prior Congresses and applies to 1-minute and special-order speeches.

Neither the filing of a complaint before the Committee on Standards of Official Conduct, nor the publication in another forum of charges that are personally critical of another Member, justify the references to such charges on the floor of theHouse. This includes references to the motivations of Members who file complaints and to members of the Committee on Standards of Official Conduct.

Clause 1 of rule XIV is a prohibition against engaging in personality in debate. It derives from article I, section 5 of the Constitution, which authorizes each House to make its own rules and to punish its Members for disorderly behavior, and has been part of the rules of theHouse in some relevant form since 1789. This rule supersedes any claim of a member to be free from questioning in any other place.

On January 27, 1909, theHouse adopted a report that stated the following: ''It is * * * the duty of theHouse to require its Members in speech or debate to preserve that proper restraint which will permit theHouse to conduct its business in an orderly manner and without unnecessarily and unduly exciting animosity among its Members. * * *'' (Cannon's Precedents, volume 8, at section 2497). This report was in response to improper references in debate to the President, but clearly reiterated a principle that all occupants of the Chair in this and in prior Congresses have held to be equally applicable to Members' remarks in debate toward each other.

The Chair asks and expects the cooperation of all Members in maintaining a level of decorum that properly dignifies the proceedings of theHouse.

PARLIAMENTARY INQUIRIES

Mr. VOLKMER. Mr. Speaker, I have a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. VOLKMER. I listened to the Speaker in support of his ruling and comment upon the precedents of theHouse. But I did not hear the words ''reports from other special counsel.'' I did not hear that report. I heard about the reports from the Ethics Committee, et cetera, but not from the special counsel.

The SPEAKER pro tempore. Until such time as there is a report pending on the floor of theHouse from the Standards Committee, or a question of privilege, the issue is not debatable on the floor of theHouse.

Mrs. SCHROEDER. Mr. Speaker, I have a parliamentary inquiry.

The SPEAKER pro tempore. The gentlewoman will state it.

Mrs. SCHROEDER. Mr. Speaker, I may have misunderstood the gentleman from West Virginia, but I heard the gentleman from West Virginia talk about any report from any committee. I do not think he directly attached it to the Ethics Committee. And so, therefore, I cannot understand what this ruling has to do with what the gentleman said.

The SPEAKER pro tempore. Any reference to pending proceedings is out of order. The Chair in the course of this morning's activities first ruled on the gentleman from Georgia's point of order when there was a specific reference to the counsel's report, and now the Chair has issued an admonishment reiterating the rule of theHouse and would invite the gentleman from West Virginia to proceed in order.

Mrs. SCHROEDER. Further parliamentary inquiry, Mr. Speaker.

Is the Chair saying that we cannot refer to anything in any committee? That is what I understand the ruling to be. Because the gentleman is talking generically.

The SPEAKER pro tempore. It is in particular to matters before the Standards Committee dealing with sitting Members. That is the ruling of the Chair.

Mr. WISE. Mr. Speaker, how much time do I have left?

The SPEAKER pro tempore. The gentleman has 20 seconds remaining.

The gentleman from West Virginia will please proceed in order.

Mr. WISE. Mr. Speaker, the Speaker himself stated in 1989 the 435 Members of theHouse should look at all the facts, should have available to them all the reports and all the background documents, and the American people should have the same.

It is clear the Republican leadership today wants to talk about ice buckets, and they do not want to let me talk about whether reports from the Ethics Committee are being put on ice. I think it is a sad day.

THE CLINTON ADMINISTRATION AND THE WAR ON DRUGS

(Ms. GREENE of Utah asked and was given permission to address theHouse for 1 minute and to revise and extend her remarks.)

Ms. GREENE of Utah. Mr. Speaker, let us talk about a real scandal, and that is the Clinton administration's approach to the war on drugs. Ever since President Clinton took office, his cavalier attitude about drug use has had widespread effect across the country. According to a recent administration study, overall drug use by teenagers has nearly doubled in the last 4 years. Marijuana use is up 37 percent, LSD use is up 183 percent, cocaine use is up 166 percent.

Mr. Speaker, I thought the President was supposed to be a role model for children. But when asked on MTV if he had the chance to do it over again would he inhale, the President replied, sure, if I could, I tried before.

Mr. Speaker, this is the wrong message for our children. The Clinton administration has dropped the ball on taking the war on drugs seriously, causing untold suffering, pain, and even death for our children and their families. To the people on the other side of Pennsylvania Avenue, it all seems to be a game, a game where the only response is, do whatever you want.

ENOUGH IS ENOUGH

(Mr. LEWIS of Georgia asked and was given permission to address theHouse for 1 minute and to revise and extend his remarks.)

Mr. LEWIS of Georgia. Mr. Speaker, in an editorial yesterday, the New York Times said, theHouse Ethics Committee, quote, ''seems determined to sacrifice whatever little is left of its credibility by letting Congress adjourn without resolving any of the pending ethics complaints against Speaker NEWT GINGRICH.''

POINT OF ORDER

Mr. WALKER. Mr. Speaker, point of order.

The SPEAKER pro tempore. The gentleman from Georgia will suspend.

The gentleman from Pennsylvania will state his point of order.

Mr. WALKER. Mr. Speaker, the gentleman from Georgia is engaging in debate which is outside the rules of theHouse and should be admonished by the Chair.

Mr. VOLKMER. Mr. Speaker, the gentleman from Georgia is merely reading from a New York newspaper.

The SPEAKER pro tempore. The gentleman from Missouri will suspend.

The gentleman from Pennsylvania is correct. Consistent with prior rulings, the gentleman from Georgia is advised to proceed in order.

Does the gentleman from Missouri wish to be recognized?

PARLIAMENTARY INQUIRY

Mr. VOLKMER. Mr. Speaker, I have a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. VOLKMER. Is the Chair now telling us that if there has been a periodical published, that in regard to the Ethics Committee, that we cannot comment on it? Or cannot read from it?

The SPEAKER pro tempore. Newspaper accounts detailing a pending investigation before the Standards Committee not yet brought to the floor of theHouse come under the same restrictions as the Member's own words. That has been the basis of the rulings of the Chair, yes, sir.

Mr. VOLKMER. Further parliamentary inquiry, Mr. Speaker.

In other words, you are saying, under your ruling, every Member of this House is gagged as far as commenting on a report from the Ethics Committee?

The SPEAKER pro tempore. Precedents have long held that to be the standard, that is correct. That is the ruling of the Chair.

The gentleman from Georgia may proceed in order.

Mr. LEWIS of Georgia. Mr. Speaker, I can clearly understand that the gentlemen from Pennsylvania and Georgia desire to silence us on this issue, but this issue will not go away.

Mr. Speaker, if I might continue.

The outside counsel, James Cole, has submitted an extensive report on his 9-month investigation of Speaker GINGRICH.

POINT OF ORDER

Mr. WALKER. Mr. Speaker, point of order.

The SPEAKER pro tempore. The gentleman from Georgia will suspend.

The gentleman from Pennsylvania will state his point of order.

Mr. WALKER. Mr. Speaker, the gentleman from Georgia continues to proceed out of order, and the Chair should require that the gentleman observe the regular order of theHouse.

The SPEAKER pro tempore. The gentleman from Georgia must either proceed in regular order or be seated.

Mr. VOLKMER. Did the Chair rule that the gentleman's words were not in order?

The SPEAKER pro tempore. That is correct. The gentleman continues to refer to a pending investigation before the Standards Committee.

Mr. VOLKMER. He merely stated that a report had been filed with the Ethics Committee. He did not mention any action of the Ethics Committee.

The SPEAKER pro tempore. It is the Chair's opinion and ruling that that is part of the prohibited debate.

The gentleman from Georgia is invited to proceed in regular order.

Mr. LEWIS of Georgia. Mr. Speaker, let me just say, enough is enough.

Mr. Speaker, if the Ethics Committee will not act, the American people have a right to judge for themselves.

POINT OF ORDER

Mr. WALKER. Mr. Speaker, the gentleman from Georgia continues to proceed out of order in theHouse. The gentleman is not following the Chair's admonishment that Members have an obligation to theHouse and to the institution to proceed in order.

The point of order is that the gentleman is out of order.

The SPEAKER pro tempore. The point of order is again sustained, and the gentleman from Georgia is again advised to please proceed in regular order or be seated.

Mr. LEWIS of Georgia. Mr. Speaker, the Ethics Committee has a responsibility and a moral obligation to release the outside counsel's report.

POINT OF ORDER

Mr. LINDER. Mr. Speaker, point of order.

The SPEAKER pro tempore. The gentleman from Georgia will suspend.

The other gentleman from Georgia will state his point of order.

Mr. LINDER. Mr. Speaker, this is the fourth time that the gentleman has referred to matters on the floor that

were in the Ethics Committee and ignored the admonition of the Chair. Maybe it is perhaps time for him to be seated.

The SPEAKER pro tempore. The gentleman's point of order for the fourth time is sustained and correct and the other gentleman from Georgia is again invited to proceed in regular order.

Mr. LEWIS of Georgia. Mr. Speaker, if the committee refuses to release the report, the American people can only assume a coverup of massive proportions.

Release this report. Release it now, Mr. Speaker.

UPHOLD THE RULES OF THE HOUSE

(Mr. WALKER asked and was given permission to address theHouse for 1 minute.)

Mr. WALKER. Mr. Speaker, it is disappointing to watch this institution rip itself apart in the way that is happening here today. The fact is that every Member of this institution has an obligation to the rules of the institution. It is entirely legitimate for Members to engage in very tough debate, but they should do it within the rules. That is very hard when we all feel very emotional about some of these issues and we feel as though the politics of the moment demands that we step beyond what is required of us as House Members.

Mr. Speaker, I thought we all swore a duty to the Constitution of the United States. I thought that that is what this institution is supposed to be all about. The fact is that what we are witnessing this morning is people who put politics above that oath. That is a disappointment. It should never happen on this floor. It is obvious that, despite any kind of ruling of the Chair, Members are going to proceed because they think it is politically feasible for them to do so.

WHEN IS A REPORT A REPORT?

(Mr. STUPAK asked and was given permission to address theHouse for 1 minute and to revise and extend his remarks.)

Mr. STUPAK. Mr. Speaker, I was prepared to speak on another matter, but I think I am prepared now to speak that in this body, Members have a right to speak. And if we cannot speak on theHouse floor, when we cannot mention words like report and what has happened to this country when one side is gagged because the other side has more votes than this side, I must ask, Mr. Speaker, when is a report a report?

When a gentlewoman from Connecticut discusses it with the majority leader, is it then a report? When later that day the majority leader says, oh, no, there is no report, then it is not a report? When the American taxpayers pay a half million dollars and then get 100 pages back, is that a report?

POINT OF ORDER

Mr. LINDER. Mr. Speaker, point of order.

The SPEAKER pro tempore. The gentleman from Michigan will suspend.

The gentleman from Georgia will state his point of order.

Mr. LINDER. Mr. Speaker, the gentleman is referring to matters again before the Standards Committee and the Speaker has ruled again and again that that is out of order. The gentleman should either continue in order or sit down.

The SPEAKER pro tempore. The point of order is well taken. To the extent that the gentleman from Michigan refers to a pending matter before the Standards Committee, he is asked to refrain from those observations and proceed in order.

PARLIAMENTARY INQUIRY

Mr. VOLKMER. Mr. Speaker, I have a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. VOLKMER. Mr. Speaker, I have listened very carefully to the gentleman from Michigan. Very, very carefully. Never once was the word Ethics Committee mentioned or Official Standards mentioned. Only a generic statement as to meetings between a gentlewoman, whom he did not identify the gentlewoman from Connecticut, and he only said the gentlewoman from Connecticut talked to the gentleman from Texas.

If you want to assume that he is talking about the Ethics Committee, you can do that. But that is what it is, an assumption. He never once mentioned it.

The SPEAKER pro tempore. In response to the gentleman from Missouri, the Chair determined the gentleman from Michigan's remarks to refer to the chairman of the committee, and, hence, the ruling.

Mr. LINDER. Mr. Speaker, the gentleman is not stating a parliamentary inquiry, he is engaging in debate.

The SPEAKER pro tempore. The gentleman from Michigan may proceed in order on his 1-minute address.

Mr. STUPAK. I would like to be heard on the point of order.

The SPEAKER pro tempore. The Chair has ruled. The gentleman may either make a point of order or proceed in order.

POINT OF ORDER

Mr. STUPAK. Mr. Speaker, I would like to make a point of order.

The SPEAKER pro tempore. The gentleman will state his point of order.

□ 1030

Mr. STUPAK. Mr. Speaker, I have talked about 100 pages that cost the taxpayers half a million dollars. I have asked when is a report a report? I have asked when a Member from Connecticut discusses it with the majority leader is it a report? I have asked when the majority leader then denies there is not a report, then is it a report? And, based upon that, according to the gentleman who made the objection and the ruling from the Chair, there is a report, if I reach your conclusions correctly.

So if there is a report, then why do you know there is a report, why do the people over here know there is a report, and none of us know there is a report? So if there is a report, why do we not just release the report?

That is my point of order, Mr. Speaker.

The SPEAKER pro tempore (Mr. LATOURETTE). The gentleman fails to state a point of order. The Chair, however, has not ruled that there is a report. The Chair has ruled it is improper during the course of 1-minute discussions to discuss a pending investigation before the Committee on Standards of Official Conduct.

The gentleman is invited to proceed in order on the balance of his time.

Mr. STUPAK. Mr. Speaker, since you have reached the conclusion that there is a report, let me then go back to what Speaker GINGRICH said in 1989, and I quote: The Speaker said: ''435 Members of theHouse should look at all the facts, should have available to them all the reports and all the background documents, and the American people should have the same.''

Mr. Speaker, since you have concluded there is a report, please release the report.

A WOLF IN SHEEP'S CLOTHING

(Mr. CHRYSLER asked and given permission to address theHouse for 1 minute and to revise and extend his remarks.)

Mr. CHRYSLER. Mr. Speaker, some say that it is tough for normal, hard-working Americans to tell one political party from another. However, if you are out there looking to hang your hat on a defining issue separating the two major parties, look no further than taxes.

The Democrats' view of the economy could be summed up in a few short phrases, according to Ronald Reagan: If it moves, tax it; if it keeps moving, regulate it; and if it stops moving, subsidize it.

We believe that we need less Government and lower taxes. We need to let people keep more of what they earn and save, and we need to let people make their own decisions how they spend their money, not the Government.

Keep this in mind when you examine President Clinton's latest tax proposal: Initially it appears to be Republican, but upon closer examination, the tax cuts are temporary, while the tax increases are permanent, totaling $63 billion.

Mr. Speaker, I think we all remember that story about the wolf in sheep's clothing.

RELEASE REPORT BY OUTSIDE COUNSEL

(Ms. DELAURO asked and was given permission to address theHouse for 1

minute and to revise and extend her remarks.)

Ms. DELAURO. Mr. Speaker, there are only 15 days left before this Congress adjourns, and, with so little time left, it is critically important that theHouse Committee on Standards of Official Conduct immediately release the 100-page report by the outside counsel probing the dealings of Speaker NEWT GINGRICH.

POINTS OF ORDER

Mr. LINDER. Mr. Speaker, I rise to a point of order.

The SPEAKER pro tempore. The gentleman will state his point of order.

Mr. LINDER. Mr. Speaker, the gentlewoman from Connecticut is referring directly to matters before the Committee on Standards of Official Conduct.

The SPEAKER pro tempore. The gentleman is correct. The gentlewoman is directed to continue in order.

Ms. DELAURO. Mr. Speaker, I think it is important to heed the words of Speaker GINGRICH in 1989, and I quote: ''I think it is vital that we establish as a Congress our commitment to publish that report,'' making reference to the report against Speaker Jim Wright at the time, ''and to release those documents, so the country can judge whether or not the man second in line to be President of the United States of America, the Speaker of theHouse, should be in that position.''

Stop the coverup. Release the report.

Further in 1989, Speaker GINGRICH said——

POINT OF ORDER

Mr. LINDER. Mr. Speaker, further point of order.

The SPEAKER pro tempore. The gentleman will state his point of order.

Mr. LINDER. Mr. Speaker, I would ask you to enforce the rules of this House, because each of these Members has found ways to go back to the references to the Committee on Standards of Official Conduct, when they should be called out of order and asked to sit down.

The SPEAKER pro tempore. The Chair has repeatedly asked Members to respect the rules of theHouse and rulings of the Chair. There are opportunities available to the Chair to enforce the rules of theHouse. The appropriate manner in which to enforce it at this moment in time is a point of order made by another Member.

PARLIAMENTARY INQUIRIES

Mr. VOLKMER. Mr. Speaker, I have a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. VOLKMER. Mr. Speaker, is the Speaker ruling that the comments made by Speaker GINGRICH in March 1989 are inappropriate?

The SPEAKER pro tempore. The Chair has not ruled on the historical references made by this Speaker or the previous Speaker. The Chair is ruling that the observations concerning the pending matter, the matter pending before the Committee on Standards of Official Conduct, should not be brought to the floor of theHouse.

Mr. VOLKMER. Mr. Speaker, I believe the gentlewoman was quoting the Speaker of theHouse from March 1989.

The SPEAKER pro tempore. With all due respect, in the hearing of the Chair, the gentlewoman went beyond that and inserted in the middle of her historical reference another reference.

Mr. STUPAK. Mr. Speaker, I have a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. STUPAK. Mr. Speaker, the gentlewoman from Connecticut was going to comment upon a 1990 statement made concerning a past case. Is the Speaker saying that is improper for her to do that?

The SPEAKER pro tempore. Once again, the Chair has not stated nor made any ruling in reference to the historical observations made by this speaker. It was relative to other observations made by the speaker.

Mr. STUPAK. Mr. Speaker, it would then be relevant for the speaker to comment on a 1990 Member without objection?

The SPEAKER pro tempore. The Chair is doing its best to be clairvoyant, but the Chair will make its ruling when matters occur, and not in anticipation of speech.

Mr. STUPAK. I heard 1990. I just did not want another comment about something in anticipation, so the gentlewoman can at least finish her statement, in all due respect.

The SPEAKER pro tempore. The gentlewoman may proceed in order.

Ms. DELAURO. Mr. Speaker, a further historical, further perspective. I quote from Congressman GINGRICH at the time in 1989: ''The 435 Members of theHouse should look at all of the facts, should have available to them all of the reports and all of the background documents, and the American people should have the same.''

Indeed, the American people are owed the same. Release the report.

RESPECT RIGHTS OF COMMITTEE ON STANDARDS OF OFFICIAL CONDUCT

(Mr. BOEHNER asked and was given permission to address theHouse for 1 minute and to revise and extend his remarks.)

Mr. BOEHNER. Mr. Speaker, the tactics being employed on the floor today I think are extremely unfortunate. All 435 Members of this House know that the Committee on Standards of Official Conduct is made up in a bipartisan way, the only such committee of the Congress, where there are equal numbers of Democrats and Republicans. These 10 Members serve on this committee for the benefit of all of us, and there is not one Member that does not understand that they have a very, very difficult job.

We also know that over the years this committee, under difficult circumstances, has always done its job, and they have done it in a bipartisan way. The committee continues to work in such a fashion, and we ought to respect the 10 Members, 5 Democrats and 5 Republicans, who are on this committee, respect the work they do on behalf of the institution, and on behalf of each and every one of us, who at some point in time or another have been subject to such allegations.

Please respect their rights.

HISTORICAL PERSPECTIVE ON COMMITTEE ON STANDARDS OF OFFICIAL CONDUCT

(Mr. MILLER of California asked and was given permission to address theHouse for 1 minute and to revise and extend his remarks.)

Mr. MILLER of California. Mr. Speaker, ''I have a number of concerns regarding the Ethics Committee's contract and instructions to the special counsel.

''First, I am concerned that the scope and authority and the independence of the special counsel will be limited by the guidelines the Ethics Committee has established.

''The committee shall give the special counsel full cooperation in the issuance of subpoenas.''

POINT OF ORDER

Mr. LINDER. Mr. Speaker, I rise to a point of order.

The SPEAKER pro tempore. The gentleman will state his point of order.

Mr. LINDER. Mr. Speaker, the gentleman is not adhering to the rulings of theHouse again with respect to speaking on the floor regarding matters before the Committee on Standards of Official Conduct.

Mr. MILLER of California. Mr. Speaker, if I may be heard on the point of order?

The SPEAKER pro tempore. The Chair will hear the gentleman from California.

Mr. MILLER of California. Mr. Speaker, the words I have uttered up until the time I was interrupted are not my words. They are in fact the words of Speaker GINGRICH on July 28, 1988, in a letter from Speaker GINGRICH to theHonorable JULIAN DIXON, the former Chair of the Committee on Standards of Official Conduct. Therefore, Mr. Speaker, this is proper.

If I can continue to be heard on the point of order, Mr. Speaker, I am not speaking to a matter that is currently before the Committee on Standards of Official Conduct. I am speaking to a matter that was before the Committee on Standards of Official Conduct in 1988, where the question was raised at that time as to whether or not that committee had, one, limited the scope of inquiry by the special counsel, where the question was raised as to the contract between the special counsel and the committee, and whether or not the committee was——

The SPEAKER pro tempore. The gentleman will kindly suspend. The Chair is prepared to rule.

Mr. MILLER of California. Mr. Speaker, I have not been heard on the point of order. I have a right to be heard.

The SPEAKER pro tempore. The Chair is acceding to the gentleman from California's points. The gentleman may proceed in that context.

Mr. MILLER of California. I only wanted you to do that after I presented the evidence.

The SPEAKER pro tempore. The Chair has ruled. The gentleman may proceed in order, with his 1-minute time limitation.

Mr. MILLER of California. Further, ''The committee shall give the outside counsel full cooperation in the issuance of subpoenas.

''The outside counsel shall be free, after discussions with the Committee, to make such public statements and reports the counsel deems appropriate.

''The outside counsel shall have full authority to recommend what formal charges be brought before the Ethics Committee.

''The committee shall not countermand or interfere with the outside counsel's ability to take steps necessary to conduct a full and fair investigation.''

The Speaker went on to say it was his impression from the press reports that ''the Ethics Committee has specifically failed to meet the test that was set forth by Common Cause.''

He says, ''I would therefore like a copy of the resolution, the guidelines adopted by the Ethics Committee outlining the authority the committee has given the special counsel in order to carry out the responsibilities of the outside counsel.''

Mr. Speaker, if it was good in 1988 for Speaker Wright, then it is good today for Speaker GINGRICH.

AMERICA CANNOT AFFORD DOLE'S MASSIVE TAX CUTS

(Mr. FOGLIETTA asked and was given permission to address theHouse for 1 minute and to revise and extend his remarks.)

Mr. FOGLIETTA. Mr. Speaker, 20 years ago a Republican President told the city of New York and, by extension, all American cities to drop dead. Now with Bob Dole, the Republicans are planning the funeral. It just takes simple arithmetic to know that his plan to cut taxes by $550 billion just does not add up, especially for urban America.

Bob Dole says he would not put forward such a plan if it would mean massive cuts in Medicare and would hurt Social Security. He told a group of veterans last month he would not cut their programs. He also said he would increase defense spending. But he still says he can do all of this and balance the budget by 2002.

Now, this is not pie in the sky; this is a whole bakery in the sky. But for cities the big question is what is left to cut? The answer is programs that are helping urban America, programs that are helping working families, cuts in Medicare, education, and health and environment.

But urban Americans just cannot afford Bob Dole's bakery in the sky. The difference between Bob Dole and Bill Clinton could not be more stark.

DEBATE SHOULD NOT BE STIFLED IN THE HOUSE

(Mr. KLINK asked and was given permission to address theHouse for 1 minute and to revise and extend his remarks.)

Mr. KLINK. Mr. Speaker, I love this House of Representatives. I love what it stands for. And when there is a shadow cast upon the Speaker of theHouse of Representatives, there is a shadow cast upon this institution, there is a shadow cast upon the democracy that this institution represents.

As a reporter, I will tell you that many times I have seen myself in a position where I have been threatened by someone who was in authority, who did not want me to bring forward a certain news story, bring forth certain facts. But never in my life did I imagine it would be when I would leave the job of being a reporter and come to be an elected official on the floor, that my colleagues would say let us stifle the debate. Let us not talk about it. Let us not remove the shadow that hangs over the head of the Speaker and this House and this Nation by allowing sunlight to shine upon it. Let us stifle the people.

It was when the Democrats were running theHouse that then Congressman GINGRICH was allowed to say I think it is vital that we establish as a Congress our commitment to publish the report to release those documents so that the country can judge. Today the country cannot judge, Mr. Speaker.

A GOVERNMENT OF LAWS, NOT OF MEN

(Mrs. SCHROEDER asked and was given permission to address theHouse for 1 minute and to revise and extend her remarks.

Mrs. SCHROEDER. Mr. Speaker, these 1-minutes opened with the Speaker talking about an ice bucket, and then we went to the gentleman from California talking about historically how this House was dealt with every single issue dealing with conduct, no matter who the Member was, that we treated ourselves as a group that abided by laws, because that is the tradition of our country, a government of laws and not of men.

But the one thing we have not seen and that we have now seen today is the Speaker forgot to tell us his recipe for ice, and that is to take anything that deals with him, add water, and freeze it, and you never let it come out.

□ 1045

Today free speech has been frozen on theHouse floor. I never thought I could live to see that day. We have now had a ruling today that newspapers can discuss these issues, editorial boards can discuss these issues, but the Members of this body who are most affected are gagged and frozen.

URGING SUPPORT OF H.R. 4066, EMERGENCY DISASTER ASSISTANCE SUPPLEMENTARY APPROPRIATIONS ACT FOR FISCAL YEAR 1996

(Mrs. CLAYTON asked and was given permission to address theHouse for 1 minute and to revise and extend her remarks.)

Mrs. CLAYTON. Mr. Speaker, I had not planned to speak on this issue, but what I would say is it is unfortunate we would want to use a rule to stifle an opportunity to have full discussion and we should find ways, whether we like what is going to come out on any given thing, to be able to discuss things with a certain amount of civility.

What I do want to say, to use the rest of my 1 minute, is that America has been struck by hurricanes and hurricanes, and certainly we are aware of the devastation that Fran has brought more than five States throughout this country, an the oncoming of other hurricanes is very present with us.

More than 800,000 people in my State were without electricity and water and now some one-third of them still remain without electricity or water. More than 26 people have lost their lives in this hurricane.

Yesterday, many of us introduced into theHouse a bill, H.R. 4066, an Emergency Disaster Assistance Supplementary Appropriation Act for fiscal year 1996. I urge all of my colleagues on both sides of the aisle to support that for the life and the protection and property of all the people who may potentially be hurt. FEMA needs our help. We need to act immediately.

WE MUST NOT SLASH MEDICARE

(Mr. HINCHEY asked and was given permission to address theHouse for 1 minute and to revise and extend his remarks.)

Mr. HINCHEY. Mr. Speaker, yesterday, Presidential candidate Bob Dole came back to Washington in an attempt to rally the troops around his tax cut proposal. It has become increasingly obvious, sadly, that the leadership of this House and the Presidential Republican candidate are capable of generating only one basic idea, and that basic idea is to cut taxes for the wealthy at the expense of every other American.

There is no way we can reduce taxes by $550 billion, which is what Mr. Dole proposes to do, without slashing away at Medicare even more severely than was attempted by this House in the budget that was passed here and vetoed by the President. We saw an attempt to cut Medicare here by $270 billion. The Dole plan will cut it, in all probability, by more than twice that amount.

Let us not slash Medicare. Let us be sensible about it and let us see this plan for exactly what it is: An attempt to deprive elderly Americans of the health care they so desperately need and the security that their families need as well.

PROPOSED REPUBLICAN CUTS WILL RESULT IN DEVASTATION OF MEDICARE

(Mr. PALLONE asked and was given permission to address theHouse for 1 minute and to revise and extend his remarks.)

Mr. PALLONE. Mr. Speaker, I just want to follow up on what my colleague from New York just said. We know what happened in the last 2 years with the Republican leadership plans to cut Medicare and Medicaid.

If those plans had gone into effect, and thank goodness they did not because of the President and because Democrats in Congress constantly fought against it, if they had gone into effect what we would have seen is increased costs for senior citizens as well as the general population. We would have seen the actual costs for part B premiums under Medicare almost doubled. We would have seen copayments go up and deductibles go up for Medicare, and, at the same time, we also saw the proposal this year in 1996 that would basically have allowed doctors, if a senior stayed in traditional Medicare, to charge whatever they want over and above what Medicare pays the physician.

The bottom line is that there is no free lunch. If we impose these tremendous cuts in Medicare that were proposed by the Republican leadership in the past 2 years, and even more cuts that would be proposed because of what Presidential candidate Dole is saying, we will see devastation of Medicare.

JUST SAY NO TO ''HEMP–DOPE''

(Ms. MCKINNEY asked and was given permission to address theHouse for 1 minute and to revise and extend her remarks.)

Ms. MCKINNEY. Mr. Speaker, I want to know what these guys are smoking. TheHemp-Dope ticket expects to cut taxes by $550 billion, increase military spending, balance the budget, and, at the same time, promises not to decimate Medicare and Social Security.

As always, their plan cuts taxes for the wealthy first, then leaves the hard spending cuts for future Presidents. That is what I would call a political hit and run.

Moreover, Mr. Speaker, Hemp-Dope wants to abolish the Department of Education at a time when our young people will have to compete in a changing global economy. Simply put, our Nation cannot afford another decade of voodoo Reaganomics, which bankrupted us in the first place.

As the President said, we are on the right track to the 21st century. Just say no to Hemp-Dope.

ABIDING BY THE RULES OF THE HOUSE WILL MAINTAIN CIVILITY ON THE HOUSE FLOOR

(Mr. LINDER asked and was given permission address theHouse for 1 minute and to revise and extend his remarks.)

Mr. LINDER. Mr. Speaker, in closing these 1 minutes this morning, I want to make the point that nobody here was gagged, nobody was prevented from speaking on a subject they wished to speak on. They can go outside these doors in the Speaker's lobby or upstairs and hold a press conference and say all they want to say about the matters they were referring to this morning.

What they cannot do is talk about matters before the Committee on Standards of Official Conduct on the floor of this House because it is against the rules of theHouse to do so. And that is the only point that was raised consistently this morning and was also being ignored, even ignoring rule after rule by the Speaker.

If we want to maintain some degree of civility on the floor of this House to engage in honest political debate, we should at least abide by the rules or try to change them and not continually ignore the Speaker's admonitions.

REQUEST FOR PERMISSION TO HAVE UNTIL MIDNIGHT, FRIDAY, SEPTEMBER 13, 1996, TO FILE CONFERENCE REPORT ON H.R. 3675, DEPARTMENT OF TRANSPORTATION AND RELATED AGENCIES APPROPRIATIONS ACT, 1997

Mr. MYERS of Indiana. Mr. Speaker, I ask unanimous consent that the managers on the part of theHouse may have until midnight Friday, September 13, 1996, to file a conference report on the bill H.R. 3675, a bill making appropriations for the Department of Transportation and related agencies for the fiscal year 1997, and for other purposes.

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

Mr. OBEY. Mr. Speaker, reserving the right to object, I would urge that the gentleman withhold that request.

I do not personally have an objection to its being filed, I support the bill, but I have been informed by our leadership that another committee does, and absent their presence, I would feel obligated to object if the motion is made at this time.

Mr. MYERS of Indiana. Mr. Speaker, I will withdraw it. I understood it had been cleared by the gentleman's side.

Mr. OBEY. Mr. Speaker, it had been cleared as far as the committee is concerned, but we were just informed by our leadership that there is a problem with another committee.

Mr. MYERS of Indiana. Mr. Speaker, I withdraw my unanimous-consent request at this time.

GENERAL LEAVE

Mr. MYERS of Indiana. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the conference report to accompany the bill (H.R. 3816) making appropriations for energy and water development for the fiscal year ending September 30, 1997, and for other purposes, and that I may include tabular and extraneous materials.

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

There was no objection.

CONFERENCE REPORT ON H.R. 3816, ENERGY AND WATER DEVELOPMENT APPROPRIATIONS ACT, 1997

Mr. MYERS of Indiana. Mr. Speaker, pursuant to the previous order of theHouse, I call up the conference report on the bill (H.R. 3816), making appropriations for energy and water development for the fiscal year ending September 30, 1997, and for other purposes.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Pursuant to the order of theHouse today, the conference report is considered as having been read.

(For conference report and statement, see proceedings of theHouse of earlier today.)

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.

The conference agreement that we are bringing to the floor at this time for this next fiscal year is $19.973 billion of new budget authority. This is $562 million higher than the version passed by theHouse a few weeks ago and $343 million below the Senate-passed level.

The greatest amount of this increase is in Defense—a $449 million increase in Defense activities.

A lot of people do not realize that 57 percent of the energy and water bill—over half—is Defense related. Domestic discretionary programs have been reduced by $48 million below last year. $11.4 billion is in Defense. Of that amount, $5,620,000,000 is for environmental restoration and waste management. No small amount.

That is the most rapidly growing account that we have. We are cleaning up the nuclear waste and other wastes that have been accumulating through the years.

Mr. Speaker, the bill has five titles. Title I is related to water resources. We have more than 25,000 miles of inland waterways. The deep ports of our country all come under the jurisdiction

of this bill. The title contains $3.5 billion for Corps of Engineers water resource programs this year. This is $136 million more than last year, and it is $210 million above the President's request.

A great amount is for operation and maintenance. Some of the locks and dams that are operating in our country, delivering goods to the seaports for world markets, are 60 years old and in bad repair. We should really be appropriating more money for their maintenance. But unfortunately, this year, because of the budget restraints, we are unable to do the entire job that should be done.

Title II funds the Bureau of Reclamation. It appropriates $819 million. It is less than last year.

Title III contains $15.8 trillion for the Department of Energy. The biggest part of this is for Defense-related activities. Much of it is for the environmental restoration and waste management program.

Title IV funds independent agencies.

And title V is the portion of the bill containing general provisions that are the responsibility of this committee.

Mr. Speaker, there are many people to thank for this conference report, particularly our staff who worked into the wee hours this morning preparing the conference report. And they worked hard over the last weekend preparing the materials. So our staff and their capable leadership is to be thanked for the document we have today. And we are especially grateful to the members of our committee, both on the majority and minority side.

I especially want to thank my colleague for 30 years, the ranking minority member, former chairman of this subcommittee, the gentleman from Alabama, Mr. TOM BEVILL. We have worked together very closely through the years. When he was chairman, we worked very closely. He honored my requests and we always had complete agreement. That has not changed this year.

I personally want to thank the chairman and all the Members in the other body who have worked on this bill under the capable leadership of Chairman PETE DOMENICI and the ranking member, Senator JOHNSTON from Louisiana. They have worked very cooperatively with us to make this product possible.

Mr. Speaker, I urge all Members to support the conference report.

Mr. Speaker, I rise in support of the conference report to accompany H.R. 3816, the Energy and Water Development Appropriations Act, 1997.

Mr. Speaker, the committee of conference on H.R. 3816 met throughout yesterday afternoon and into the evening to revolve the substantial differences between theHouse and Senate versions of the bill. Because of the dedicated efforts of Members on both sides of the aisle and both sides of theHill, we were able to reach satisfactory compromises on a range of difficult issues.

The conference agreement appropriates $19.973 billion in new budget authority for programs under the subcommittee's jurisdiction. This amount includes $11.352 billion for atomic Defense-related activities and $8.621 billion for domestic discretionary programs of the Department of Energy, the Corps of Engineers, the Bureau of Reclamation, and various independent agencies. The total amount is $562 million higher than appropriated by theHouse-passed bill but $343 million lower than the Senate-passed version. The greatest portion of the increase above theHouse—approximately $449 million—is committed to the Defense-related activities of the Department of Energy. These additional funds are necessary to maintain our nuclear defense capabilities and to address the environmental legacy of the nuclear production era.

While Defense spending in the energy and water bill has risen for fiscal year 1997, domestic discretionary appropriations have continued to decline. Funding for civilian energy and water programs is reduced by $48 million below last year's level. Once again, the energy and water bill turns the rhetoric of deficit reduction into reality, without sacrificing the necessary and cost-effective programs within the bill's domain.

Title I of the conference report appropriates $3.5 billion to the water resource programs of the U.S. Army Corps of Engineers. This represents a $136 million increase over the fiscal year 1996 level and an increase of $210 million over the administration's budget request. The conferees have taken positive action to address critical infrastructure needs throughout the country. The conferees appreciate the benefits to be derived from navigation, flood control, and harbor maintenance projects and have acted to ensure that the Nation will continue to realize a meaningful return on its infrastructure investments.

The committee on conference emphatically rejected proposed policies of the administration which would effectively terminate the role of the corps in coastal flood protection and small harbor maintenance. The conferees recognize the real national benefits—economic and otherwise—which accrue from corps activities in these areas and continue to support the agency's historical water resource missions.

Title II of the bill includes funding for the Bureau of Reclamation and the Central Utah Project completion account. The amount appropriated under title II, $819 million, is less than both the fiscal year 1996 level and the budget request for fiscal year 1997. The conferees recognize that the Bureau has largely accomplished its historical mission of reclaiming the West and expect that declining appropriations will continue to match the agency's diminishing role in western life.

Title III appropriates $15.78 billion for the Department of Energy. The conferees recognize that certain missions of the Department are critical to the welfare of the country. The Department's management of these programs, however, has evoked frustration, disappointment and, in some instances, hostility. The Department must streamline and improve its management; shed low-value and nonessential missions; and set a bold new direction for the future. Otherwise, its own institutional future will remain very much in doubt.

Funding levels for certain DOE programs include: $270 million for solar and renewable energy; $223 million for nuclear energy research; $233 million for fusion energy sciences; $996 million for general science and research; and $382 million for nuclear waste disposal activities. Spending for atomic energy defense activities of DOE includes $3.911 billion for weapons, including stockpile stewardship and management, $5.459 billion for Defense environmental restoration and waste management, and $1.606 billion for other Defense activities.

Title IV of the bill funds various agencies and commissions with missions relating to energy and water development. Within title IV, the conference agreement includes $160 million for the Appalachian Regional Commission, $16 million for the Defense Nuclear Facilities Safety Board, $106 million for the Tennessee Valley Authority, and $472 million for the Nuclear Regulatory Commission. The conferees provided final year funding for independent river basin commissions in fiscal year 1996.

Mr. Speaker, our conference could not have concluded so successfully without the dedicated and unified efforts of my colleagues on the Subcommittee on Energy and Water Development. We approached the conference in a spirit of teamwork and collegiality and stuck together through often difficult negotiations. I am proud to have been associated with each and every one of the subcommittee members during our recent deliberations and throughout the 104th Congress.

I pay a special tribute, Mr. Speaker, to the esteemed ranking minority member and longtime chairman of the subcommittee, theHonorable TOM BEVILL. Throughout his career on the committee and in the Congress, he has established a model for civility and honor. He has always approached his responsibilities in a fair and nonpartisan manner. He is a gentleman in the truest sense of the word and will be sorely missed by this institution once he begins his well-deserved retirement.

Mr. Speaker, I urge all Members to support the conference agreement.

ENERGY AND WATER DEVELOPMENT APPROPRIATIONS BILL, 1997 (H.R. 3816)

	FY 1996 Enacted	FY 1997 Estimate	House	Senate	Conference	Conference compared with enacted
TITLE I - DEPARTMENT OF DEFENSE - CIVIL						
DEPARTMENT OF THE ARMY						
Corps of Engineers - Civil						
General investigations	121,767,000	142,500,000	153,628,000	154,557,000	153,872,000	+32,105,000
Construction, general	804,573,000	914,000,000	1,035,364,000	1,049,306,000	1,081,942,000	+277,369,000
Flood control, Mississippi River and tributaries, Arkansas, Illinois, Kentucky, Louisiana, Mississippi, Missouri, and Tennessee	307,885,000	292,500,000	302,990,000	312,513,000	310,374,000	+2,489,000
Operation and maintenance, general	1,703,697,000	1,663,000,000	1,701,180,000	1,688,358,000	1,697,015,000	-6,682,000
Emergency appropriations (P.L. 104-134)	30,000,000	.....	.....	.....	.....	-30,000,000
Regulatory program	101,000,000	112,000,000	101,000,000	101,000,000	101,000,000	.....
Flood control and coastal emergencies	10,000,000	15,000,000	10,000,000	10,000,000	10,000,000	.....
Emergency appropriations (P.L. 104-134)	135,000,000	.....	.....	.....	.....	-135,000,000
General expenses	151,500,000	153,000,000	145,000,000	153,000,000	149,000,000	-2,500,000
Oil spill research	850,000	850,000	.....	.....	.....	-850,000
Total, title I, Department of Defense - Civil	3,366,272,000	3,292,850,000	3,449,192,000	3,468,734,000	3,503,203,000	+136,931,000
TITLE II - DEPARTMENT OF THE INTERIOR						
Central Utah Project Completion Account						
Central Utah project construction	18,905,000	25,827,000	25,827,000	25,827,000	25,827,000	+6,922,000
Fish, wildlife, and recreation mitigation and conservation	18,503,000	11,700,000	11,700,000	11,700,000	11,700,000	-6,803,000
Utah reclamation mitigation and conservation account	5,485,000	5,000,000	5,000,000	5,000,000	5,000,000	-485,000
Program oversight and administration	1,246,000	1,100,000	1,100,000	1,100,000	1,100,000	-146,000
Total, Central Utah project completion account	44,139,000	43,627,000	43,627,000	43,627,000	43,627,000	-512,000
Bureau of Reclamation						
General investigations	12,684,000	15,095,000	14,548,000	18,105,000	16,650,000	+3,966,000
Construction program	411,046,000	392,524,000	367,496,000	398,596,700	394,056,000	-16,990,000
Emergency appropriations (P.L. 104-134)	9,000,000	.....	.....	.....	.....	-9,000,000
Operation and maintenance	273,076,000	292,876,000	288,232,000	280,876,000	267,876,000	-5,200,000
Loan program	11,668,000	12,715,000	12,715,000	12,715,000	12,715,000	+1,047,000
(Limitation on direct loans)	(37,000,000)	(37,000,000)	(37,000,000)	(37,000,000)	(37,000,000)	.....
General administrative expenses	48,150,000	48,971,000	45,150,000	48,307,000	46,000,000	-2,150,000
Colorado River Dam fund (by transfer, permanent authority)	(-4,556,000)	(-3,774,000)	(-3,774,000)	(-3,774,000)	(-3,774,000)	(+782,000)
Central Valley project restoration fund	43,579,000	38,000,000	38,000,000	38,000,000	38,000,000	-5,579,000
Total, Bureau of Reclamation	809,203,000	800,181,000	764,141,000	796,599,700	775,297,000	-33,906,000
Total, title II, Department of the Interior	853,342,000	843,808,000	807,768,000	840,226,700	818,924,000	-34,418,000
(By transfer)	(-4,556,000)	(-3,774,000)	(-3,774,000)	(-3,774,000)	(-3,774,000)	(+782,000)
TITLE III - DEPARTMENT OF ENERGY						
Energy Supply, Research and Development Activities	2,727,407,000	3,020,497,000	2,868,573,000	2,764,043,000	2,710,908,000	-16,499,000
Uranium Supply and Enrichment Activities	64,197,000	70,000,000	53,972,000	42,200,000	43,200,000	-20,997,000
Gross revenues	-34,903,000	-42,200,000	-42,200,000	-42,200,000	-42,200,000	-7,297,000
Net appropriation	29,294,000	27,800,000	11,772,000	.....	1,000,000	-28,294,000
Uranium enrichment decontamination and decommissioning fund	278,807,000	240,200,000	200,200,000	205,200,000	200,200,000	-78,607,000
General Science and Research Activities	981,000,000	1,009,150,000	996,000,000	1,000,626,000	996,000,000	+15,000,000
Nuclear Waste Disposal Fund	151,600,000	200,028,000	182,000,000	200,028,000	182,000,000	+30,400,000
Departmental Administration	366,897,000	244,863,000	194,000,000	218,017,000	215,021,000	-151,876,000
Miscellaneous revenues	-122,306,000	-125,388,000	-125,388,000	-125,388,000	-125,388,000	-3,082,000
Net appropriation	244,391,000	119,475,000	68,612,000	92,629,000	89,633,000	-154,758,000
Office of the Inspector General	25,000,000	29,605,000	25,000,000	23,103,000	23,853,000	-1,147,000
Environmental Restoration and Waste Management:						
Defense function	(5,557,532,000)	(5,591,310,000)	(5,543,810,000)	(5,787,210,000)	(5,619,304,000)	(+61,772,000)
Non-defense function	(900,348,000)	(891,614,000)	(822,346,000)	(801,905,000)	(792,089,000)	(-108,259,000)
Total	(6,457,880,000)	(6,482,924,000)	(6,366,156,000)	(6,589,115,000)	(6,411,393,000)	(-46,487,000)
Atomic Energy Defense Activities						
Weapons Activities	3,460,314,000	3,710,002,000	3,684,378,000	3,988,602,000	3,911,198,000	+450,884,000
Defense Environmental Restoration and Waste Management	5,557,532,000	5,409,310,000	5,409,310,000	5,605,210,000	5,459,304,000	-98,228,000
Fixed asset acquisitions (sec. 621)	.....	182,000,000	134,500,000	182,000,000	160,000,000	+160,000,000
Other Defense Activities	1,388,212,000	1,547,700,000	1,459,533,000	1,606,833,000	1,605,733,000	+217,521,000
Defense Nuclear Waste Disposal	248,400,000	200,000,000	200,000,000	200,000,000	200,000,000	-48,400,000
Total, Atomic Energy Defense Activities	10,654,458,000	11,049,012,000	10,887,721,000	11,582,645,000	11,336,235,000	+681,777,000

ENERGY AND WATER DEVELOPMENT APPROPRIATIONS BILL, 1997 (H.R. 3816) — continued

	FY 1996 Enacted	FY 1997 Estimate	House	Senate	Conference	Conference compared with enacted
Power Marketing Administrations						
Operation and maintenance, Alaska Power Administration	4,260,000	4,000,000	4,000,000	4,000,000	4,000,000	-260,000
(By transfer)	(5,500,000)					(-5,500,000)
Operation and maintenance, Southeastern Power Administration	19,843,000	20,900,000	18,859,000	13,859,000	16,359,000	-3,484,000
Operation and maintenance, Southwestern Power Administration	29,778,000	26,900,000	25,210,000	25,210,000	25,210,000	-4,568,000
Construction, rehabilitation, operation and maintenance, Western Area Power Administration	257,652,000	217,891,000	211,582,000	201,582,000	193,582,000	-64,070,000
(By transfer, permanent authority)	(4,556,000)	(3,774,000)	(3,774,000)	(3,774,000)	(3,774,000)	(-782,000)
Falcon and Amistad operating and maintenance fund	1,000,000	970,000	970,000	970,000	970,000	-30,000
Total, Power Marketing Administrations	312,533,000	270,661,000	260,621,000	245,621,000	240,121,000	-72,412,000
Federal Energy Regulatory Commission						
Salaries and expenses	131,290,000	159,397,000	141,290,000	146,290,000	146,290,000	+15,000,000
Revenues applied	-131,290,000	-159,397,000	-141,290,000	-146,290,000	-146,290,000	-15,000,000
Fixed asset acquisitions (sec. 621)		216,066,000				
Total, title III, Department of Energy	15,404,490,000	16,182,494,000	15,300,499,000	16,113,895,000	15,779,950,000	+375,460,000
(By transfer)	(10,056,000)	(3,774,000)	(3,774,000)	(3,774,000)	(3,774,000)	(-6,282,000)
TITLE IV - INDEPENDENT AGENCIES						
Appalachian Regional Commission	170,000,000	170,000,000	155,331,000	165,000,000	160,000,000	-10,000,000
Defense Nuclear Facilities Safety Board	17,000,000	17,000,000	12,000,000	17,000,000	16,000,000	-1,000,000
Delaware River Basin Commission:						
Salaries and expenses	343,000	342,000		342,000		-343,000
Contribution to Delaware River Basin Commission	428,000	534,000		500,000		-428,000
Total	771,000	876,000		842,000		-771,000
Interstate Commission on the Potomac River Basin:						
Contribution to Interstate Commission on the Potomac River Basin	511,000	508,000		508,000		-511,000
Nuclear Regulatory Commission:						
Salaries and expenses	468,300,000	475,300,000	471,800,000	471,800,000	471,800,000	+3,500,000
Revenues	-457,300,000	-457,800,000	-457,300,000	-457,300,000	-457,300,000	
Subtotal	11,000,000	17,500,000	14,500,000	14,500,000	14,500,000	+3,500,000
Office of Inspector General	5,000,000	5,000,000	5,000,000	5,000,000	5,000,000	
Revenues	-5,000,000	-5,000,000	-5,000,000	-5,000,000	-5,000,000	
Subtotal						
Total	11,000,000	17,500,000	14,500,000	14,500,000	14,500,000	+3,500,000
Nuclear Waste Technical Review Board	2,531,000	3,214,000	2,531,000	2,531,000	2,531,000	
Susquehanna River Basin Commission:						
Salaries and expenses	318,000	322,000		322,000		-318,000
Contribution to Susquehanna River Basin Commission	250,000	380,000		300,000		-250,000
Total	568,000	702,000		622,000		-568,000
Tennessee Valley Authority: Tennessee Valley Authority Fund	109,169,000	120,000,000	97,169,000	113,000,000	106,000,000	-3,169,000
Total, title IV, Independent agencies	311,550,000	329,800,000	281,531,000	314,003,000	299,031,000	-12,519,000
Scorekeeping adjustments	-609,343,000	-428,000,000	-428,000,000	-421,000,000	-428,000,000	+181,343,000
Grand total:						
New budget (obligational) authority	19,326,311,000	20,220,952,000	19,410,990,000	20,315,858,700	19,973,108,000	+646,797,000
(By transfer)	(5,500,000)					(-5,500,000)

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

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

Mr. Speaker, I rise today in support of this fiscal year 1997 Energy and Water Appropriations Conference Report. I am honored to be here with my good friend and colleague of many years, the gentleman from Indiana, Chairman JOHN MYERS, and I want to commend him for the leadership that he has shown in crafting this very difficult bill.

Also, I want to commend the staff for their outstanding work. It looked impossible about 24 hours ago for this bill to get to the floor here, but they worked, as the chairman pointed out, until 5:30 this morning, worked all night, and, as a matter of fact, day and night all week.

So, actually, this conference report is a fine example of nonpartisan legislating. There were very significant differences between theHouse and the Senate bills, and so after those many hours, and many difficult issues were worked out and compromises were made, we have come out, in my judgment, with the best possible conference report that we could with the limited funds that we were allocated.

Under the chairman's able leadership this was certainly a responsible compromise that was fashioned. He played a very important role in this, of course.

The report recommends, as the chairman has pointed out, $19.9 billion in funding for the Corps of Engineers, the Bureau of Reclamation, the Department of Energy, the Nuclear Regulatory Commission, which, by the way, is over last year, and many other programs. All these programs are crucial to the development and maintenance of our Nation's infrastructure as well as our science and technological research capabilities.

□ 1100

Although the conference report is a fair and balanced agreement, there just was not enough money, especially for nondefense, discretionary funds for all the good and worthwhile projects. We know and we are very much aware and very conscious of the fact that many good projects, civil works projects that are needed, we were not able to fund them. As a matter of fact, we are very much aware and very conscious of the fact that many of our locks and dams and canals and waterways, there are 25,000 miles of navigable inland waterways in this country, they are not adequately funded even for maintenance, and we know and are very much aware that this is false economics.

This conference report required us to make tough choices. I think we have done the best that we could to maintain a responsible energy and water program for America within the limited funds. I hope that Members will consider the delicate balance realized in crafting this legislation. It is a good compromise and will ensure the Nation continues to move forward with critical water projects, energy programs, vital research, and particularly one that we put a great deal of money in, as much as possible, flood control projects. With the recent floods we are all very mindful of what these mean to our Nation in saving lives and of course property damages.

I urge the Members to support this conference report. On this occasion of my last energy and water development appropriation bill, I want to take this opportunity to thank the Members for their support and friendship through the years. I admire their dedication to this country and their constituents, and I wish for them individually and as a Congress much success. They and this great institution have enriched my life and made on it better. Again, I urge my colleagues to support this conference report and I urge Members to be supportive of this throughout on this occasion.

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

Mr. MYERS of Indiana. Mr. Speaker, I yield such time as he may consume to the gentleman from Kentucky [Mr. ROGERS], ranking majority member of this committee, a very valuable member of this conference. At a time when he had concerns on his own subcommittee where he is chair, he gave all of his time to this committee. We thank him for that.

Mr. ROGERS. Mr. Speaker, obviously, I stand here in support of a good, fiscally sound bill that provides for the national security, as well as for important comfort to small forgotten communities that are flooded routinely. I support the bill very strongly.

Mr. Speaker, I rise for a much more, I think, important reason. That is to personally state, and I think I speak for all Members of the body when I say this, how much we owe a debt of gratitude to Chairman JOHN MYERS and to his very able ranking member, TOM BEVILL. This subcommittee has truly worked in a very nonpartisan way under Chairman BEVILL earlier and now under Chairman MYERS.

Yogi Berra said you can observe a lot just by watching, and I have been watching the operation of these two men in that subcommittee for a number of years now. I have never heard a partisan word spoken in that subcommittee, never. Every member of the subcommittee, regardless of party, is given equal standing to say or do whatever they think is best. And the chairman, Chairman MYERS, and before him, Chairman BEVILL, always gave us the opportunity to speak, to make our case and, whenever possible, when they could find the money, they were always there to try to help their colleagues help their part of America.

They say that the only place where success comes before work is the dictionary, and I can say that on this subcommittee that certainly is true. The big success of this subcommittee has been the tremendous hard work that goes into it.

There are literally thousands of projects and programs that this subcommittee has to go through every year, many of them extremely complicated. The Nation's nuclear laboratories, for example, and the nuclear programs the subcommittee has to oversee, many of them top secret military matters which have to be heard behind closed doors, you get no glory for that type of thing. These men sought no glory, certainly, in their work on the subcommittee.

I stand here mainly to thank JOHN MYERS and TOM BEVILL, two Members obviously, of course, who are choosing to retire. TheHouse and, more importantly, the Nation will be at a great loss because the accumulated and cumulative experience and expertise of these two men on all the projects covered in this very important bill will be sorely missed. It is going to be really tough for the rest of us to try to pick up the slack that is laying there, really tough, because none of us have the experience nor the expertise that these two gentlemen have accumulated over the years. They have both been here quite a few years, not long enough but quite a few. But they have been here just long enough to pick up a vast amount of knowledge and expertise that we are going to sorely miss.

Mr. Speaker, they say that duty makes one do a job well but that love makes one do a job beautifully. I have to tell my colleagues that the job these two gentlemen have been doing for their Nation has been beautiful, and we appreciate their love of Nation and their love of their work more than we can every say.

They were also able to keep their eye on the horizon. They had to realize they have a finite number of dollars to spend and an incredible amount of work to do. They were always able to keep their eyes on that larger picture. The larger picture was something so important to our Nation that in its very earliest days it was given the highest of priorities by one of my favorite people in all time, and that is Henry Clay from my beloved State of Kentucky, who had what he called the American plan.

Henry Clay the conservative, the fiscal conservative, believed that one of the most important things that we had to do as a nation was build its canals and its roads and its infrastructure. And this great conservative led the charge to defend the American plan and promote it. And these two gentlemen have picked up that cause and have carried it to a new height, in my judgment; that is, protecting and building the infrastructure, the important things that make our Nation work for all of us. And that is their modern day American plan, one that we support. They have kept their eyes on that horizon.

I will close with this. Two stonecutters were asked the same question: What are you doing? The first one said, why, I am cutting this stone into

two blocks. But the second one said, and these would be the answers of both JOHN MYERS and TOM BEVILL, the second stonecutter said, I am on a team that is building a cathedral.

Gentlemen, you have built a great America in large part and we thank you for that.

Mr. BEVILL. Mr. Speaker, I yield 5 minutes to the gentleman from Wisconsin [Mr. OBEY].

Mr. OBEY. Mr. Speaker, I take this time for two purposes, first of all of all to explain that at the proper time I will have a motion to recommit at the desk, and I am offering it essentially for three reasons.

First of all, on the overall spending question, this bill is $646 million above last year. I personally find it difficult to explain that when we compare it to the spending level which is being provided in other bills for programs which affect the needs of desperately needy children.

Second, I support adequate funds for cleanup of our nuclear weapons sites and programs, and to assist the former Soviet Union in its efforts to secure nuclear material and clean up unsafe nuclear power plants, and the bill provides for these programs. I congratulate the committee for it. But I do not believe that it is rational that we continue to increase funds for nuclear weapons production in the wake of the end of the cold war.

Third, this bill contains $38 million for the advanced light water reactor program. Members may recall theHouse bill contained $17 million. The Senate bill contained $22 million. Those amounts have been added together to continue this corporate welfare program for the nuclear industry. These funds will go to large corporations to assist them in licensing new nuclear power plants which will never be built. There are several other reasons that I have concerns about this bill, as well, and that is why I will be offering a straight motion to recommit with no instructions.

Having said that, I would like to spend the rest of my time commenting on the two gentlemen who brought this bill to us today. If you took a poll of this House and asked Members to name the two most decent Members of theHouse, I would be very surprised if the name of JOHN MYERS and the name of TOM BEVILL will not wind up at the very top of the list.

There are two kinds of people in public life, just like there are two kinds of people in private endeavors. There are angle players and then there are problem solvers. I think anybody who knows these two gentleman knows that they fall into the latter category.

I have watched both of them for as long as I have had the privilege to serve in this institution, and I have never once seen either one of them in any way bring dishonor to this House or the constituents who were wise enough to elect them as many times as they elected them. This House will suffer from their departure. We respect their decision to retire, but I think that whether JOHN was speaking on the Republican side of the aisle or TOM on the Democratic side of the aisle, you could never tell which was which, had you seen them deal with the substance of the bill.

We have various responsibilities in our efforts to serve our constituents in this place. Sometimes those responsibilities are complementary and sometimes they are conflicting. We have responsibilities to country, responsibilities to this institution, responsibilities to our political parties, to our districts, to our constituents, and to our principles.

I have seen both of these gentlemen meet those responsibilities in the highest possible fashion, in the way that brings the greatest honor to this institution and to the country that this institution tries to serve. I consider it a personal privilege to have served with both of them, and I think every Member who knows them feels the same way.

I wish them both everything good that can happen in life when they leave here, and thank them on behalf of the Members of this House for their service.

Mr. MYERS of Indiana. Mr. Speaker, I yield 4 minutes to our colleague, the gentleman from Michigan [Mr. KNOLLENBERG], a very valued, hard-working member of this subcommittee.

Mr. KNOLLENBERG. Mr. Speaker, I, too, want to pay tribute to the outstanding work of my good friend, the chairman, JOHN MYERS, and ranking member, TOM BEVILL. I can tell you that it really is not a partisan or challenging or confrontational kind of committee. With these two gentlemen they have been kind of like family. I do not suggest to you that it always is calm and cool, but for the most part it really is.

I think it is, it really is a case where we must and should be obligated, are obligated to salute these two fine gentlemen for all their work. I have come to know them, I think, very closely, and I value their friendship and wish them both the very, very best in their future endeavors. I understand they both have something lined up, so good luck on all of that.

I rise in strong support of this conference report for the Energy and Water Appropriations Act for 1997. I believe it is a good bill, and you have heard the story. It may not be perfect, but we must not let perfection become the enemy of good. I urge my colleagues on both sides to support the conference report.

As with every other appropriations bill, this conference report is a product of some tough choices. We do not simply spread the pain evenly among the programs in our jurisdiction, because I think that causes a fault of subsidizing in many cases failure, programs that should be in fact downsized or terminated.

□ 1115

Instead what we did, we prioritized spending program by program based on their efficiency and their national importance.

One thing that I like about this bill is the committee continued commitment to basic research and development especially when the nature of the research is such that it may take years or even decades to complete. It is the proper role of the Federal Government to support basic research. I am concerned that too often, however, we support applied technology and commercialization interfering with the marketplace at the expense of basic research.

The portion of this bill which I am very enthusiastic about is the initiation of the closure project fund. The conference report includes money for this fund which will accelerate the decommissioning and cleanup of former defense nuclear facilities. By stabilizing, consolidating and removing nuclear material from the facilities more rapidly, we will ensure a safer environment for our workers and our communities. To qualify for the closure project funds, the sites must demonstrate and validate several criteria including a project completion date within 10 years of the application.

Mr. Speaker, the closure project fund is a type of program that can save the EM from becoming a century-long spending fiasco. What we need and what the closure projects fund incentives is a responsible manageable cleanup program to bring closure to the EM program and free up the Department of Energy's largest fiscal expenditure for budget deficit reduction. We see this as a first step toward an accelerated cleanup program with a defined ending. We anticipate that this fund will play a much more significant role in the years to come.

This is again a good conference report. I encourage my colleagues to support this conference report. I thank the gentleman from Indiana [Mr. MYERS] for yielding me this time.

Mr. BEVILL. Mr. Speaker, I yield 1 minute to our colleague, the gentleman from Colorado [Mr. SKAGGS].

Mr. SKAGGS. I thank the gentleman from Alabama very much for the time.

Mr. Speaker, I want join the chorus in paying tribute to our colleagues who are retiring, the gentleman from Indiana [Mr. MYERS] and the gentleman from Alabama [Mr. BEVILL]. It was my pleasure to serve with them on their subcommittee for a couple of years, and they have been kind to me then and ever since. I think we all wish them good health and happiness in the years that lie ahead.

I also appreciate their good work in this bill and particularly with respect to funding for nuclear weapons plant cleanup sites. I am glad that the conference report, like theHouse bill, provides for a separate account for so-called privatization projects at DOE sites such as the one in my area, Rocky

Flats. My understanding is that this can be used for high-priority cleanup projects including both those that would involve construction of new treatment facilities and others that might not necessarily involve that sort of construction. If I may engage the gentleman for a moment, I just wanted to inquire whether this is a correct interpretation of that part of the bill.

Mr. MYERS of Indiana. Mr. Speaker, will the gentleman yield?

Mr. SKAGGS. Mr. Speaker, I yield to the gentleman from Indiana.

Mr. MYERS of Indiana. Mr. Speaker, the gentleman is correct. The funds for the privatization can be used either for new facilities for treatment, or they may be used to upgrade and to improve facilities. Rocky Flats was covered.

Mr. SKAGGS. Mr. Speaker, I thank the gentleman very much.

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

Mr. FAZIO of California. Mr. Speaker, I rise in obvious strong support of this legislation. This is once again an excellent product of the subcommittee that has always known how to work together. The efforts of the chairman and ranking member, the gentleman from Indiana [Mr. MYERS] and the gentleman from Alabama [Mr. BEVILL] have resulted in a conference agreement that is fair, balanced, and which seeks to achieve many goals with few resources.

I want to congratulate these two Members on their long careers and their fine achievements in Congress. Their cooperative spirit is a valuable example of how bipartisan leadership can produce excellent results.

This year's energy and water bill manages to provide funding for many important water projects including, I might say, a number in my State of California as well as funding for environmental cleanup, renewable energy and many other vital activities.

Overall, the bill is a remarkable achievement in this time of declining budgets.

The writing is on the wall. Each year it becomes more and more difficult to meet all of the flood control, water supply, energy and environmental needs of this country. More and more emphasis is being placed on setting priorities, and, as in many other years, the Federal Government will play a reduced role in the future. It is imperative that we take a comprehensive review of our energy and water needs and focus less on incremental projects and more on broad-based solutions to our problems.

I want to point out that this bill is $200 million less than was requested by the administration. It is, I think, far more than many thought would be available to this committee, or possible to pass through this body.

I want to pay particular tribute to the chairman and his longtime sidekick, the gentleman from Alabama [Mr. BEVILL], for the degree to which they fought the battle that made it possible to provide the budget authority to this committee to meet the minimum needs that all of us understood needed to be provided. I want to thank both of them for their distinguished service. This year's bill is testament to their hard work, their strong leadership. I want to congratulate them for a wonderful achievement, and I can only say for those of us like the gentleman from Michigan [Mr. KNOLLENBERG] and myself who will hopefully be here in the next Congress, we have no better model from which we can take whatever key to success we may have in the future.

Mr. BEVILL. Mr. Speaker, I yield 3 minutes to our colleague, the gentleman from Texas [Mr. CHAPMAN].

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

I rise in obvious support of the conference report. But more than supporting the product of the subcommittee this year in the conference work of yesterday, I want to join so many of my colleagues today in saying that what I think is a fine legislative product that theHouse will vote on in just a few minutes exemplifies, as many have said, the tremendous work not only of this subcommittee, which I have been pleased to be a member of for a number of years, but the team spirit and the nonpartisan work ethic of the gentleman from Indiana [Mr. MYERS], the chairman, and the gentleman from Alabama [Mr. BEVILL], the ranking member. It has been my privilege to serve with these two gentleman since 1985 and on the committee since 1989.

I will say that I do not believe there exists in this body, and perhaps in the history of the country, two men who came to public life together in this institution and who have worked hand in hand in a way to fashion not just a legislative product that is good for the country and good for all of us, but a product that truly has improved the lives of all Americans because it is our infrastructure, our future, our economy. It is transportation and water resources that truly have made America without question the strongest country in the world.

The legacy of the gentleman from Alabama [Mr. BEVILL], and the legacy of the gentleman from Indiana [Mr. MYERS], will be one that they leave this institution after three decades, with a legacy that they have made this country stronger and better, have helped its people and its families, and who leave here the kind of dedicated service and an example to which all who follow should aspire to duplicate.

My hat is off, and my congratulations to both of these gentleman. I appreciate so much just having the opportunity to work with them, to be a part of their great careers in this institution, and to have been able to serve with them on what I think is some of the best work, the best committee in the entire U.S. Congress. I congratulate them on this product and urge the adoption of the conference report.

Mr. BEVILL. Mr. Speaker, I yield back the balance of our time.

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

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

I just want to say as these two gentleman leave the Chamber after years of distinguished service, when I came here as a freshman in 1993, they were among the first two leaders I met, and I remember the gentleman from Indiana, JOHN MYERS, when we were going up to what was called the Princeton Conference, but should have been called Plainsboro because that is where it was, I remember he said on the way, ''Don't let anyone tell you how to vote, including me,'' and I have not forgotten that, and I have followed his wisdom, and I can remember the distinguished chairman at that time, the gentleman from Alabama, [Mr. BEVILL] who was nice enough when he met me to take me back to his office, offered me a cup of tea and introduced me to his wife, and both of these gentleman are the type of hard-working legislators, they do not always hit the headlines, they are both very civil gentleman, and they are the key and the core of what makes the Congress of the United States work. We have a few colleagues on both sides that get up and scream and shout and do a lot of things. Not much happens. We have a few that even violateHouse rules in terms of assaulting other Members occasionally. Nobody much cares about them. But when it comes to the team of MYERS and BEVILL and that is replicated in a few places, I think all of theHouse and the American people can take pride in what these two gentleman have done during their career in Congress, and I wish them both the best in the years ahead.

Mr. MYERS of Indiana. Mr. Speaker, I yield myself such time as I may consume to say, ''Thank you'' for the nice things people have said about this subcommittee, and more particularly, what they have said about the gentleman from Alabama [Mr. BEVILL] and me. There are three of us on the subcommittee who are voluntarily not coming back next year: the gentleman from Texas, Mr. CHAPMAN, Mr. BEVILL, and myself. While we are retiring from Congress, that does not mean we are quitting. We are still going to be concerned about Congress and what it is doing and the activities of this subcommittee.

It has been a great honor for 30 years to serve in theHouse, but even more particularly, to serve with my colleague Mr. BEVILL. The subcommittee truly has been not bipartisan, but nonpartisan. But under Mr. BEVILL's leadership, the subcommittee has always disregarded politics. So it has been a

honor to have served on this committee. I thank the staff and the committee for their charity, their understanding, and the help that they have provided for both TOM and me.

So we thank you very much from deep in our heart.

Mr. THORNBERRY. Mr. Speaker, I would like to take this opportunity to briefly address section 302 of H.R. 3816, the Energy and Water Development Conference Report for Fiscal Year 1997. Section 302 pertains to section 3140 of the 1997 Defense Authorization Act, H.R. 3230, which I had introduced in the National Security Committee and which has been approved by both theHouse and Senate.

Section 3140 addresses an issue of critical importance to our national security—the management of the Nation's nuclear weapons complex and, specifically, whether a management structure which was designed 45 years ago is able to meet the challenges we face today. Numerous studies completed over the past several years have revealed that it is not.

As far back as 1981, in a report revealingly entitled ''A New Headquarters/Field Structure Could Provide a Better Framework for Improving Department of Energy Operations,'' the General Accounting Office was recommending that changes needed to be made to the basic management structure at DOE.

More recently, in August 1993, the GAO issued a detailed criticism of past management practices in the Department entitled ''Management Problems Require a Long-Term Commitment to Change.'' The report lauded recent initiatives by the DOE over the previous year, but noted that strong leadership was needed to build an effective management structure for the future. The report noted communication problems and a weak work force with limited technical and administrative skills. Overall, GAO concluded, ''DOE has significant management problems, as reported by many oversight groups and acknowledged by agency leadership.'' As examples, the report cited a number of telling observations and conclusions, including:

According to over 90 percent of the 114 senior DOE managers we interviewed, organizational lines of authority need to be clarified * * *. Many of DOE's senior managers told GAO that ''fiefdoms'' throughout the field structure hampered their operations.

Management of the nuclear weapons complex and the national laboratory system * * * is today in disarray * * * its management is under severe stress.

GAO believes that having field units report directly to senior officials at headquarters who are responsible for a program is a promising strategy. We have supported stronger headquarters-to-field-program accountability in DOE, and having field offices report directly to program assistant secretaries is a way to establish accountability. [Our goal] is to establish a more direct line of command between headquarters and field program personnel.

Overall reporting between field offices and headquarters must be established and understood. And direction and guidance on program matters and oversight from headquarters offices needs to be clarified, coordinated, and integrated if the [O'Leary reporting scheme] or any other scheme is to work effectively.

The GAO followed its August 1993 report with another in February 1994 in which it once again found that, ''DOE's management of the laboratories is highly fragmented, lacking both a strategic focus and consistency across program lines.''

Two years later, and 2 years after the most recent reforms by the current Secretary were put in place, the GAO released another report which uncovered still more problems. In this report, entitled ''Department of Energy, A Framework for Restructuring DOE and Its Missions,'' the GAO found that: ''Attempts to establish direct accountability among program offices at headquarters, administrative units, field offices, and the national laboratories have been especially difficult. Reporting relationships changed often and sometimes have been confusing.''

But GAO is not the only one who has been critical of DOE's management structure over the past several years.

In 1989, in a report to the Secretary of Energy, the Advisory Committee on Nuclear Safety recommended that the Secretary: ''streamline management to make responsibilities clear, that you put knowledgeable people in line positions of responsibility, and that you give them authority. This is important for assurance of nuclear safety. Solving the DOE's problems will require upper management and operating personnel to work together closely and effectively. This will not be possible if the staff must work through buffers of people who are not technically competent.''

The Defense Nuclear Facilities Safety Board—whose members are appointed by the President—has echoed these concerns. In March of 1996, one of its members, John W. Crawford, issued a report titled ''Assessment Concerning Safety at Defense Nuclear Facilities: The DOE Technical Personnel Problem.'' The report contained a number of conclusions regarding DOE management and internal efforts to fix the problems, including:

Field organizations have had a long history of relative independence from subordination to Headquarters; thus these differences are likely to be difficult to resolve. A recent effort to do so was led by an action group of senior Headquarters and field managers under the aegis of the Strategic Alignment Implementation Group. The results of the deliberations by the action group were reported to the Associate Deputy Secretary for Field Management in a memorandum dated June 22, 1995, from the Manager Richland Operations Office. The document states that ''The Strategic Alignment Team identified the need for clarity in roles, responsibilities, authority, and accountability between Headquarters [and] the operations offices * * * to improve coordination and eliminate duplication of work.'' It offered a plan for doing so. However, the plan was submitted in draft form and, as far as the Board has been made aware, no action has been taken on it.

The Defense Nuclear Facilities Safety Board has recommended a strengthened and streamlined managerial approach and clear lines of authority and control. The DNFSB acknowledges that years of doing things a certain way and bureaucratic inertia has made reform next to impossible.

It is because of these studies that section 3140 was included as part of the 1997 Defense Authorization Act. The section would accomplish three main objectives aimed at streamlining the DOE management structure and addressing the concerns raised in these numerous reports. These objectives include: Establishing a clear and streamlined reporting channel between the Assistant Secretary of Energy for Defense Programs and the area offices of the four production sites, three labs and the Nevada test site. The direct reporting channel applies only to site operations matters within the context of the site's security function. Site operations matters are defined to include budget, personnel and procurement matters.

Requiring the Secretary of Energy to report to Congress on how to further reorganize field activities and management of the national security functions of the Department of Energy. The plan must identify all significant functions presently performed by the operations offices relating to any of the facilities and laboratories covered by this section and which of these functions could be performed: (1) by the area offices of the Department of Energy located at the facilities and laboratories; or (2) by the Assistant Secretary of Energy for Defense Programs. The plan must also recommend and address other internal streamlining and reorganization initiatives that the Department of Energy could pursue.

Establishing a Defense Programs Management Council to advise the Secretary on policy matters, operational concerns, strategic planning, and development of priorities relating to the Department's national security functions. The Council shall be composed of the directors of the four production sites, the three labs, and the Nevada test site and shall report directly to the Assistant Secretary for Defense Programs. The Council shall be operated and staffed by the Assistant Secretary for Defense Programs through resources available to the Office of the Secretary of Energy.

Section 3140 would apply to the following facilities and laboratories of the Department of Energy: the Kansas City plant, Kansas City, MO, the Pantex plant, Amarillo, TX; the Y–12 plant, Oak Ridge, TN, the Savannah River site, Aiken, SC; the Los Alamos National Laboratory, Los Alamos, NM; the Sandia National Laboratory, Albuquerque, NM; the Lawrence Livermore National Laboratory, Livermore, CA; the Nevada test site, Nevada.

The provision in this appropriation bill pertains to section 3140 requires that the Secretary of Energy ''develop a plan to reorganize the field activities and management of the national security functions of the Department of Energy.'' I have been assured by officials within the Department of Energy that they recognize the seriousness of the problem, and they will conduct a serious study in response to this provision and that they will take action.

Therefore, I support the conference report. I will, however, closely follow the actions of the DOE to ensure that the safety of workers and civilians are protected, that taxpayer dollars are used wisely and efficiently, and that the security of the country is protected.

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

The SPEAKER pro tempore. Without objection, the previous question is ordered.

There was no objection.

MOTION TO RECOMMIT OFFERED BY MR. OBEY

Mr. OBEY. Mr. Speaker, I offer a motion to recommit.

The SPEAKER pro tempore (Mr. LATOURETTE). Is the gentleman opposed to the conference report?

Mr. OBEY. Yes, I am, Mr. Speaker.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. OBEY moves to recommit the conference report to the committee of conference.

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to recommit.

The motion to recommit was rejected.

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 383, nays 29, not voting 21, as follows:

[Roll No. 413]

YEAS—383

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

NAYS—29

Burton
Chabot
Cooley
Davis
DeFazio
Ensign
Gekas
Hilleary
Holden
Johnson, Sam
Johnston
Klug
McHale
Moran
Morella
Neumann
Obey
Oxley
Petri
Ramstad
Reed
Roemer
Royce
Sanford
Schroeder
Sensenbrenner
Shays
Stearns
Stockman

NOT VOTING—21

Bass
Brown (CA)
Bryant (TX)
Clay
Clinger
de la Garza
Dooley
Flake
Ganske
Hayes
Heineman
Lincoln
McNulty
Meyers
Payne (NJ)
Richardson
Ros-Lehtinen
Scott
Smith (TX)
Stokes
Zeliff

□ 1150

Messrs. PETRI, SHAYS, and BURTON of Indiana changed their vote from ''yea'' to ''nay.''

Mrs. MALONEY, Mrs. LOWEY, and Mr. SCHUMER 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.

EXTENDING MOST-FAVORED-NATION TREATMENT TO CAMBODIA

Mr. CRANE. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 1642) to extend nondiscriminatory treatment—most-favored-nation treatment—to the products of Cambodia, and for other purposes, with a Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Senate amendment: Strike out all after the enacting clause and insert:

SECTION 1. CONGRESSIONAL FINDINGS.

The Congress finds that—

(1) despite recent increases in acts of repression by the Cambodian Government and growing government corruption that has contributed to substantial environmental degradation, Cambodia has made some progress towards democratic rule after 20 years of undemocratic regimes and civil war, and is striving to rebuild its market economy;

(2) extension of unconditional most-favored-nation treatment would assist Cambodia in developing its economy based on free market principles and becoming competitive in the global marketplace;

(3) establishing normal commercial relations on a reciprocal basis with Cambodia will promote United States exports to the rapidly growing Southeast Asian region and expand opportunities for United States business and investment in the Cambodian economy; and

(4) expanding bilateral trade relations that includes a commercial agreement may promote further progress by Cambodia on human rights and democratic rule and assist Cambodia in adopting regional and world trading rules and principles.

SEC. 2. EXTENSION OF NONDISCRIMINATORY TREATMENT TO THE PRODUCTS OF CAMBODIA.

(a) HARMONIZED TARIFF SCHEDULE AMENDMENT.—General note 3(b) of theHarmonized Tariff Schedule of the United States is amended by striking ''Kampuchea''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) applies with respect to goods entered, or withdrawn from warehouse for consumption, on or after the effective date of a notice published in the Federal Register by the United States Trade Representative that a trade agreement obligating reciprocal most-favored-nation treatment between Cambodia and the United States has entered into force.

SEC. 3. REPORT TO CONGRESS.

The President shall submit to the Congress, not later than 18 months after the date of the enactment of this Act, a report on the trade relations between the United States and Cambodia pursuant to the trade agreement described in section 2(b).

Mr. CRANE (during the reading). Mr. Speaker, I ask unanimous consent that the Senate amendment be considered as read and printed in the RECORD.

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

There was no objection.

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

Mr. RANGEL. Mr. Speaker, reserving the right to object, I have discussed

this with the chairman of the Subcommittee on Trade, it is a noncontroversial addition that has been placed on it by the Senate, and I do not object.

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

Mr. RANGEL. Further reserving the right to object, I yield to the gentleman from Illinois.

Mr. CRANE. Mr. Speaker, I thank the ranking minority member of our distinguished trade subcommittee for his comments and would remind colleagues that this already cleared theHouse on a bipartisan basis. The only thing that the Senate did was modify theHouse language in a specific way noting that Cambodia has made progress toward democratic rule and is striving to rebuild its economy. The amendment finds that expanding our bilateral trade relations may promote further progress by Cambodia on human rights and democracy and may assist that country in adopting regional and world trading principles. Given its progress already, I would urge my colleagues to support passage of this important legislation.

Mr. RANGEL. Mr. Speaker, I support the gentleman from Illinois, and I withdraw my reservation of objection.

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

There was no objection.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. CRANE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on H.R. 1642.

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

There was no objection.

LEGISLATIVE PROGRAM

(Mr. FAZIO of California asked and was given permission to address theHouse for 1 minute.)

Mr. FAZIO of California. Mr. Speaker, I yield to the gentleman from Texas [Mr. ARMEY], the distinguished majority leader, to inquire of the schedule for the remainder of the week and next week.

Before I yield, I would like to pose a question as well to the leader. We on this side of the aisle have repeatedly requested that you schedule a vote on House Resolution 288, a resolution commending the U.S. Armed Forces for carrying out the military mission in Iraq.

As you know, the Senate passed this resolution by a vote of 96 to 1 on September 5. I do not note that it is scheduled for the week. I do not believe it has been scheduled for next week. We have heard from staff that it will not be scheduled. We believe that theHouse should act as we traditionally do after a military engagement. I think we should act, as the Senate has, to support our Armed Forces. That is really all the resolution does. I am once again asking if the leader would schedule a vote immediately on this important resolution.

Mr. Speaker, I yield to the majority leader for any response he wants to give.

Mr. ARMEY. I thank the gentleman for yielding. I do not know whether the two gentlemen, the gentleman from Pennsylvania and the gentleman from California, would prefer that I let you have your colloquy and then we go to the schedule.

Mr. FAZIO of California. This is related to the schedule if the gentleman has any response. Otherwise I could yield to the gentleman from Pennsylvania.

Mr. ARMEY. It seems that I might be able to more neatly conduct my business of announcing the schedule. If the two of you gentlemen want to have a bit of a colloquy, go ahead and have that first.

Mr. FAZIO of California. I would be interested in whatever comment the gentleman from Pennsylvania, a member of the Committee on Armed Services, has.

Mr. WELDON of Pennsylvania. I thank my colleague and friend for yielding.

Mr. Speaker, as a senior member of the Committee on National Security and chair of one of the subcommittees, I understand the gentleman's concern about having a vote on this floor and very frankly I agree with him, but I have a great deal of concern with the Senate resolution in light of the actions that have taken place over the past several days. In fact, in a recently adjourned House Committee on National Security meeting where I asked Chairman FLOYD SPENCE if he or Vice Chairman RON DELLUMS have been briefed on what is occurring now, they both replied no. I questioned the chairman of the Committee on International Relations, BEN GILMAN, and he has not been briefed. Chairman LIVINGSTON has not been briefed.

We have a President announcing that we are sending F–117 planes to the base in Kuwait because we cannot base them in Saudi Arabia and now Saddam Hussein is saying by basing them in Kuwait, that is in fact Kuwait declaring an act of war against Iraq.

These are situations that require under the War Powers Act this body to be consulted with. That, in fact, is not taking place. In face the U.N. resolution which authorizes us there in the first place in fact requires this President to abide by that resolution.

To my dear friend and colleague, I say we have to have a vote but not on the Senate resolution. This body needs to vote on whether or not we support this President and what he is doing with our troops right now. I am going to demand that next week and I will be glad to support my colleague but not with a Senate resolution and giving this President the authority to put our people in harm's way with no plan. That is my question to my friend.

Mr. FAZIO of California. Reclaiming my time, Mr. Speaker, I wonder if the leader would want to associate himself with the position taken by the Member in the well.

Mr. ARMEY. If the gentleman will yield further, let me, Mr. Speaker, just predicate my remarks on the schedule by responding to the gentleman from California.

If the gentleman from California will continue to yield, it is very clear, it seems to most of us, that current events have outpaced the resolution on Iraq passed by the Senate last week. It is not likely that theHouse will bring the resolution passed last week up for a vote. While I say that, let me say, Mr. Speaker, that I am sure I speak for every Member of this body when I say theHouse of Representatives stands in support of our men and women in uniform everywhere they may be stationed in the world and that our support for men and women in this area of the world is of particular interest to us today.

Having made those comments, I would just say that the leadership has not had brought to its attention from any of the relevant committees in theHouse that might initiate a resolution related to current events in Iraq, a resolution that they would have us to bring to the floor.

□ 1200

At this point, we have nothing in leadership under consideration to bring to the floor on that subject.

Mr. FAZIO of California. Mr. Speaker, reclaiming my time, and I appreciate the candid response, it seems to me totally inappropriate for us to allow events that may be taking place even as we speak to get in the way of an effort to resolve as a group, bipartisanly, that we want to support the American men and women who are engaged in this conflict. It seems to me that is a minimum thing.

We may want to talk about other aspects of this. We are in the middle of a political campaign. But this is a bottom line request, and I know the leader has brought other matters to the floor without a direct committee jurisdiction. So I guess I would still hope that he would reconsider that decision, let us get this behind us, and move on to other issues.

I yield to the gentleman from California [Mr. MILLER].

Mr. MILLER of California. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, I find it incredible that we might stall a vote for support of our troops that may or may not be in harm's way, but are clearly flying at this time missions of risk, and we would stall that based upon whether or not Saddam Hussein believes this is an

act of war because we have moved some military hardware and perhaps some troops into a country that has already been attacked and assaulted and invaded by Saddam Hussein in the past, and he has built up military assets on their border.

So now it is Saddam Hussein's characterization of what this President has done that may or may not dictate whether or not we are going to provide a congressional resolution of support for our troops. It is just ludicrous that we would be in that situation.

Mr. ARMEY. Mr. Speaker, if the gentleman from California would yield further, I would like to make one statement related to this question and then get on with announcing the schedule. Let me just say to the gentleman from California, when the President of the United States, the Commander in Chief of the Armed Forces, determines that he wants to commit American men and woman and American military resources to a field of action, it is in my judgment appropriate that the President of the United States would share information with the appropriate Members of the Congress in committee positions and in leadership positions on both sides of the aisle, on both ends of the building. Only after Congress is fully and completely briefed by the administration regarding the actions that they have underway and the consequences of those actions as things are playing out on the ground, should Congress then take it upon itself to move forward with a resolution saying something about the position Congress takes on that action.

But I must say, in all candor, it would be very premature for this body to bring forward a resolution about these actions in Iraq at a time when this body has not yet had any briefing by the administration regarding what exactly it is they are doing in Iraq. I personally would not want to, as a Member of this Congress, vote on a resolution that involves American men and women and American materials committed to a field of conflict, with no more knowledge about what is happening on that than what it is I read in the newspapers.

So I would suggest that if the administration would like a resolution from this body, the administration might initiate efforts to brief this body on what actions are being taken.

Mr. FAZIO of California. Reclaiming my time, I would simply say, before briefly yielding to my friend from New York, that the Senate voted 96 to 1 to support the troops. That is all we are talking about. We are not talking about the need for better consultation or any further action that the committees of jurisdiction may want to take. We are simply saying that we ought to be together as a country in support of our men and women. This is not in support of every aspect of this involvement that we have once again been forced to take up in Iraq.

I yield briefly to my friend from New York, Mr. ENGEL, for whatever comment he may wish to make, a member of the Committee on International Relations.

Mr. ENGEL. Mr. Speaker, let me say, with all due respect to the majority leader, I do not think our being briefed has one thing to do with congressional support for our men and women who are putting their lives on the line. Whether or not we feel we have been briefed, I have something here where we had a briefing by the State Department. There have been several other briefings. I think we should just support our men and women over there. I think it is very, very clear, unfortunately, that the Republicans here are playing politics, and frankly want to embarrass the President as much as possible.

Mr. ARMEY. If the gentleman from California would yield further, under regular order, I think it is appropriate at this time for us to announce the schedule on behalf of the Members, and then perhaps the gentlemen so gathered here on the floor would like to come together in a special order to have this very broad-based debate.

I might say to the gentleman from California, first of all, it is not appropriate for us to take up a resolution passed by the other body. That is a resolution of the other body. I might then further say that I am sure the gentleman from California would agree with me that the support that each and every Member of this body gives to our men and women in the field is so profoundly known and stated that it hardly needs a formal vote on a resolution.

That being the case, I think this body in all prudence should await any action taken, by way of any statement from which any inference could be drawn related to the action currently under way in Iraq, until the President and the administration brief Members of this body about what exactly is being done.

Mr. FAZIO of California. At this point I will yield to the gentleman for whatever comments he may wish to make on the schedule.

Mr. ARMEY. I thank the gentleman for yielding.

Mr. Speaker, theHouse has finished its legislative business for the week. TheHouse will next meet at 12 o'clock noon on Monday, September 16, for a pro forma session. Of course, there will be no legislative business and no votes on that day.

On Tuesday, September 17, theHouse will meet at 12:30 p.m. for morning hour and at 2 o'clock p.m. to consider a number of bills under suspension of the rules. We will distribute a list of suspensions to all Members' offices as soon as it is ready. Any recorded votes ordered on the suspensions will be postponed until 5 o'clock p.m. on Tuesday next.

Mr. Speaker, on Wednesday we hope to take up H.R. 1858, the Regulatory Burden Relief Act, which will be subject to a rule. We also expect a number of conference reports will be ready next week, including H.R. 3675, the Department of Transportation Appropriations Act; H.R. 3610, the Department of Defense Appropriations Act; H.R. 3666, VA–HUD Appropriations; H.R. 2202, the Immigration and Nationality Act; and H.R. 3005, the Securities Amendments of 1996.

TheHouse may also consider a fiscal year 1997 omnibus appropriations bill next week.

We will conclude legislative business by 2 o'clock p.m. on Friday, September 20, and I do thank the gentleman for yielding me this time.

Mr. FAZIO of California. Mr. Speaker, if I could reclaim my time, I have a couple of questions. Is it likely that we would have votes only Friday, September 20, or would it be possible we would end up, as recently, not being in on Friday?

Mr. ARMEY. I thank the gentleman for that inquiry, and if the gentleman will yield further, we try to accommodate to the Members as much as we can. I think in all realistic projections, we should expect these conference reports to really be coming out of the various conferences next week, and I think realistically we should all anticipate we will in fact be here on Friday finishing up these conference reports.

We are all anxious to complete the year's business and move to sine die, and I have, as the song says, high hopes that these conference reports will be coming to the body in such numbers that we should project our being here on Friday.

Mr. FAZIO of California. If the gentleman would allow me to reclaim my time, is it possible we would have no votes on Wednesday before noon? Is that likely to be the case?

Mr. ARMEY. At this point I would expect we would have votes after 5 on Tuesday.

Mr. FAZIO of California. We ought to be prepared on Wednesday for votes in the morning.

Mr. ARMEY. It is my hope we will work long and hard cleaning up and passing conference reports next week, and keep ourselves busy until that 2 o'clock departure time.

Mr. FAZIO of California. Mr. Speaker, I have a question regarding the Regulatory Burden Relief Act. I know the gentleman from Iowa, the chairman of the Committee on Banking and Financial Services, has a thankless task in trying to put together the right mix of policies to try to get something that could be supported on the Floor.

Is it possible that the minority could be informed about what the rule consideration will be in terms of getting amendments to the Committee on Rules by a given time? Are we going to be taking it up on Tuesday? Is there going to be ample opportunity to amend that legislation on the floor? Will that come under a closed rule, or on suspension?

Mr. ARMEY. Again, I thank the gentleman for that inquiry. The Committee on Rules is discussing bringing that

up on Tuesday. If the gentleman would accept, I think what we perhaps can best proceed at this time by having the gentleman from New York [Mr. SOLOMON] and the gentleman from Massachusettss [Mr. MOAKLEY] conclude their discussions about their planning for the committee, and then we will make every effort in conjunction with the committee to see that all members are notified of the meeting time and try to accommodate any efforts to bring amendment requests before the committee.

Mr. FAZIO of California. Mr. Speaker, let me yield to my friend, the gentleman from Montana [Mr. WILLIAMS], for any question he may have.

Mr. WILLIAMS. Mr. Speaker, I have no questions. If the minority leader is completed with the schedule, I would ask my friend to yield to continue the dialog which was preceding prior to the announcement of the schedule.

Mr. ARMEY. If the gentleman from California would yield further, if it is in order, I would like to make my unanimous consent requests, and then, if in fact it is the will of the Chair to let the gentleman continue in this in order for the other Members to make their discourse, I actually have other things on my schedule I would like to do.

The SPEAKER pro tempore (Mr. LATOURETTE). The time of the gentleman from California has expired.

PARLIAMENTARY INQUIRY

Mr. FAZIO of California. Mr. Speaker, I have a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. FAZIO of California. Mr. Speaker, would it be possible for the majority leader to pose a unanimous-consent request that the item which has been discussed here be continued for half an hour, since several Members seem to want to be heard?

The SPEAKER pro tempore. Members may seek 1-minute recognition before special orders.

Mr. ARMEY. Mr. Speaker, the gentleman from California [Mr. DORNAN] apparently has the first special order and indicated he would be happy to make time available for Members who want to make comments on this.

ADJOURNMENT TO MONDAY, SEPTEMBER 16, 1996

Mr. ARMEY. Mr. Speaker, I ask unanimous consent that when theHouse adjourns today, it adjourn to meet at noon on Monday next.

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

There was no objection.

HOUR OF MEETING ON TUESDAY, SEPTEMBER 17, 1996

Mr. ARMEY. Mr. Speaker, I ask unanimous consent that when theHouse adjourns on Monday, September 16, 1996, it adjourn to meet at 12:30 p.m. on Tuesday, September 17, for morning hour debates.

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

There was no objection.

DISPENSING WITH CALENDAR WEDNESDAY BUSINESS ON WEDNESDAY NEXT

Mr. ARMEY. Mr. Speaker, I ask unanimous consent that the business in order under the Calendar Wednesday rule be dispensed with no Wednesday next.

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

There was no objection.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will entertain 1-minute requests at this point.

VIOLATING AN AMERICAN TRADITION

(Mr. WILLIAMS asked and was given permission to address theHouse for 1 minute and to revise and extend his remarks.)

Mr. WILLIAMS. Mr. Speaker, I would remind my colleagues and all elected Federal officials, as well as candidates for President and Vice President, that the United States has a long and valued tradition of ending politics at the water's edge.

I have served in this body under a number of administrations, including those of former President Reagan and Bush. Under both Presidents, this country was involved in contentious controversial military matters, but always and without exception the leadership on both sides of the aisle supported those Republican Presidents' military actions overseas.

Speaker Tip O'Neill supported Ronald Reagan's actions, even when he disagreed with them, for example in Lebanon. Speaker Jim Wright supported the actions of his President. Speaker Tom Foley supported the actions of his President.

We are coming perilously close in this Congress and in the Presidential campaigns to violating that valued American tradition.

PRESIDENT GOING BEYOND MANDATES OF U.N. RESOLUTION

(Mr. WELDON asked and was given permission to address theHouse for 1 minute and to revise and extend his remarks.)

Mr. WELDON of Pennsylvania. Mr. Speaker, I am outraged at what is currently happening here—comments being made.

First of all, there is no Member of this body who does not fully support our troops. Let us make that statement known up front. In fact we on this side have restored $8 billion of cuts that this administration made to support those troops.

What is happening right now is that this President is going beyond the mandates of the U.N. resolution, which do not give the United States unilateral authority to go in and take action in Iraq. There is no provision in there for unilateral action. The allies are not behind us, as President Bush had when he went in there in the first place. In fact, Saudi Arabia is now considering denying us basing rights for the F–117's.

□ 1215

We know nothing about what is occurring. As a senior member of the Committee on National Security, I asked our chairman, who has not been briefed, about what is occurring, and we are about to send our young pilots into harm's way with no plan, no functionary understanding for us in this Congress about what the ultimate game plan is.

The War Powers Act requires this President to consult with us, and we in this institution should demand that take place.

If anyone wants to charge politics, I would say the politics is this administration rushing to send our troops into harm's way with no justifiable situation that merits that action.

STOP PLAYING POLITICS AND SUPPORT OUR TROOPS

(Mr. ENGEL asked and was given permission to address theHouse for 1 minute and to revise and extend his remarks.)

Mr. ENGEL. Mr. Speaker, I would say to my colleague from Pennsylvania if this is not politics being played, I do not know what it is.

We can have all the briefings we want, the fact of the matter is the support for our men and women ought to be forthcoming and it ought to be done the way the Senate did, passed it virtually unanimously. We ought to stop playing politics and support our troops. We ought to support our men and women. We ought not to let Saddam Hussein control the situation.

Quite frankly, as someone who supported President Bush when it came to the Persian Gulf War, if President Bush had done what he should have done and removed Saddam Hussein we would not be in the position we are right now.

So I think that we ought to stand behind our President. We ought to stand behind our men and women. We ought to not play politics just because there is an election coming up 6 weeks from now.

We ought to do what is right. We ought to do what the Senate did, and we ought to pass some kind of resolution supporting our men and women.

The fact that we have been briefed or have not been briefed or have not been briefed enough is totally irrelevant. The fact is we should be supporting our President in a bipartisan fashion the way Congress has always done and support our men and women.

CONSULTATION IS IMPORTANT

(Mr. DORNAN asked and was given permission to address theHouse for 1 minute and to revise and extend his remarks.)

Mr. DORNAN. Mr. Speaker, if the gentleman from Pennsylvania [Mr. WELDON] wants to stand tight, I will yield him some time, even though it is only a minute.

I am going to do a one-hour special order on supporting the troops. I am wearing the pin, air force fighter pilot here is wearing the pin of the First Armored Division, which is not an armored division anymore. It is now light infantry in Bosnia, because all our tanks are up in Germany. And that was done without total consultation with this House.

Consultation is important. I served 3 weeks while Jerry Ford was President, 4 years of Carter, 8 years of Reagan, 4 years of Bush, and even though the timing was not timely sometimes, always there was consultation with the gang of 8: the two Intelligence Committee chairmen, the 2 Armed Services Committee chairmen, the 2 Foreign Affairs or International Relations chairmen.

This is just God awful what is happening here. And everybody in uniform knows this chairman supports them, so I do not have to apologize for that.

I demand constitutional authority of this House over men and women going into combat. And the minimum we should get is what we have had ever since World War II: consultation. That is what crossing the beach means: full support with the elected Senators and Representatives of the men and women in uniform; being consulted in this Chamber.

CONGRESS NEEDS TO BE INFORMED

(Mr. CHAMBLISS asked and was given permission to address theHouse for 1 minute and to revise and extend his remarks.)

Mr. CHAMBLISS. Mr. Speaker, I want to just echo the remarks of the gentleman from California and the gentleman from Pennsylvania that have just gotten up here and talked about.

I would say to my friend from New York there has never been anybody in this House in the year and 9 months I have been here who has supported our troops more than I have. I have given them my full support in Bosnia, over an operation which I did not particularly agree with, but I supported the men and women once they were there.

We are on the brink right now of potentially another Operation Desert Storm, but yet nobody in this House has any idea what is going on.

I just left a national security meeting 30 minutes ago, in which the gentleman from Pennsylvania [Mr. WELDON] made the comment, he said does anybody on either side of the aisle have any information about exactly what is going on in Iraq right now.

Nobody, nobody has any idea, and yet we are asked to stand up here and take action to fund operations we know nothing about, to support operations we know nothing about.

I think it is unfair. It is un-American. This body deserves to know. I implore the President to inform us, to let us know what is going on.

TRIBUTE TO MARTI MORGAN

(Mr. MICA asked and was given permission to address theHouse for 1 minute and to revise and extend his remarks.)

Mr. MICA. Mr. Speaker, I come before theHouse for just one moment to announce the passing of one of our staffers, a dear friend, Martha B. Morgan, affectionately known as Marti Morgan, who I had the great pleasure and honor of working with on the Committee on Government Operations, which is now the Committee on Government Reform and Oversight.

Marti was a professional staffer. She was from New Mexico, I believe, and she sat behind me for several years on the Government Reform Subcommittee with the gentleman from New York [Mr. TOWNS] and others, and she was truly one of those unsung heroes of this Chamber and of this Congress.

She worked so hard. On the minority side we had very few staff members on the Committee on Government Reform and Oversight, so she used to have to do double duty. But she was always there and did a great job and I appreciated her service so much to me and to our committee and to our subcommittee.

And then she joined the majority, as I did, and we cut the staff dramatically, eliminated many positions, so our staffers had to work even harder. But she was one of those people who cared about this Congress and who cared about this country and whose efforts will be missed.

I just want to wish Marti's family my sympathy, express the sympathy on behalf of our committee and the subcommittee and this Congress to her family and remember her in this hour.

THE CHURCH INSURANCE PROTECTION ACT

(Mr. FILNER asked and was given permission to address theHouse for 1 minute and to revise and extend his remarks.)

Mr. FILNER. Mr. Speaker, I rise today to remind this House of the continuing threat to our Nation's sacred houses of worship.

Reverend J. Linzie Whitmill recently contacted me to say that his insurance company is threatening to cancel his church's fire protection policy. Mr. Speaker, Reverend Whitmill and his congregation have not been negligent in minimizing the risk of fire, nor have they been negligent in paying their insurance premiums.

How then is it that this model insurance client is facing cancellation of the insurance that provides his congregation financial and emotional security and peace of mind? Apparently, the insurance company feels threatened by the recent plague of church arson. This injustice must be stopped.

Before we adjourn, I urge this Congress to approveH.R. 3830, the Church Insurance Protection Act [CIPA] to guarantee insurance protection for our churches. America's churches cannot wait until next year for passage of this bill.

SPECIAL ORDERS

The SPEAKER pro tempore (Mr. COOLEY of Oregon). Under the Speaker's announced policy of May 12, 1995, and under a previous order of theHouse, the following Members will be recognized for 5 minutes each.

MEMBERS SHOULD LEARN THE RULES OF THE COMMITTEE ON STANDARDS OF OFFICIAL CONDUCT

The SPEAKER pro tempore. Under a previous order of theHouse, the gentleman from Florida [Mr. GOSS] is recognized for 5 minutes.

Mr. GOSS. Mr. Speaker, we have seen a good deal of hand-wringing and posturing these past few days on this floor and in the editorial pages of our Nation's major and minor newspapers about the ethics process. I guess that is to be expected, given that we are deep into the blatant partisan election-year politicking that often overtakes us every 2 years. And I suppose I should not be surprised that editorial writers have not studied the rule book of the Committee on Standards of Official Conduct or of this House, and, therefore, often write pieces that misstate or confuse facts.

But I do expect more from Members of this institution, all of whom are bound by the rules of this House and all of whom have an obligation to improve in its credibility, not attempt to tear it further down.

The fact is, however, that many of my friends on the other side of the aisle seem not to have read and understood the rules of the Committee on Standards of Official Conduct as prescribed in this little blue book. These rules clearly state that we on the Committee on Standards of Official Conduct are not permitted to do what my friends are so desperately trying to get us to do, and that is release information before our process is complete.

Now, I have said before and I say again that I have long believed that the current process, as prescribed by

the rules in this little blue book and our House rules, this process is in serious need of review and reform, and that is happening. But the last time we implemented major changes was in 1989, and most observers, as well as most Members, I think, believe that it is time to do more.

I have been saying that for years, and I have been trying to advance constructive proposals for reform of this process through the Committee on Rules, which is the proper venue for these discussions. But I have been blocked in that effort on the Committee on Rules by some of the very people who are now so vigorously urging our committee to ignore our rules.

So on the one hand they seem to be complaining about the constraints of our current rules, while on the other hand they refuse to allow us on the Committee on Rules to plan for changes in the process so we do not fall into these same problems in the next Congress.

Mr. Speaker, my dear friend from Colorado, Mrs. SCHROEDER, inserted some remarks into Tuesday's RECORD, calling on me to resign my current position on the Committee on Standards of Official Conduct. I would suggest to her, in good nature, that I would like nothing more than to relinquish my post on that committee. I could say it the other way, and do the Brer Rabbit and say, ''Oh, please, don't fire me from the committee; don't throw me into that briar patch,'' but the truth is I have served my time there and I would love to move on.

As all Members know, serving there is a difficult and very thankless task. It is no fun, it is extremely hard work, but, again, I am constrained by the very rules of the committee and by my obligation to faithfully discharge my duty to this House, and I will do that.

I would say to the gentlewoman from Colorado [Mrs. SCHROEDER], and to all my colleagues who have lambasted our committee in recent days, join me in my attempt to get real reform of the ethics process for the next Congress.

For instance, I have proposed changes to the process that would help to address the problem we seem to be having, where Members of this House, perhaps because they have not read or do not fully understand the committee's current rules, make statements that are misleading and confusing to other Members, and to the public, and to the media.

My proposal would make all Members eligible to serve on the ethics panel, similar to a jury approach, where anyone could be called as needed at any time perhaps. Perhaps, then, Members would pay more attention to the rules.

This type of reform would, I think, ensure that Members become more familiar with the rules and procedures of that committee, which are important, and since they too could be called upon to serve duty there in the future. In that case, then, perhaps they would be a little less likely to excoriate their colleagues who are currently doing the heavy lifting on that committee.

I have other ideas, all of which are included in House Resolution 346, and I invite my colleagues to look at the proposal and add others to it, and to bring forward ideas of their own, so that we can have the best possible reform of the ethics process.

We have an opportunity to turn all the partisan rancor into a positive force for change, and I hope we do not let that opportunity pass us by. The purpose of the ethics committee is to build a credibility of the institution. When we abuse the rules, we detract from the credibility of the institution and that does no Member or the institution any good.

□ 1230

The SPEAKER pro tempore (Mr. COOLEY of Oregon). Under a previous order of theHouse, the gentlewoman from Texas [Ms. JACKSON-LEE] is recognized for 5 minutes.

[Ms. JACKSON-LEE of Texas addressed theHouse. Her remarks will appear hereafter in the Extensions of Remarks.]

The SPEAKER pro tempore. Under a previous order of theHouse, the gentleman from Indiana [Mr. MCINTOSH] is recognized for 5 minutes.

[Mr. MCINTOSH addressed theHouse. His remarks will appear hereafter in the Extensions of Remarks.]

The SPEAKER pro tempore. Under a previous order of theHouse, the gentleman from New Jersey [Mr. PALLONE] is recognized for 5 minutes.

[Mr. PALLONE addressed theHouse. His remarks will appear hereafter in the Extensions of Remarks.]

The SPEAKER pro tempore. Under a previous order of theHouse, the gentleman from Indiana [Mr. BURTON] is recognized for 5 minutes.

[Mr. BURTON of Indiana addressed theHouse. His remarks will appear hereafter in the Extensions of Remarks.]

The SPEAKER pro tempore. Under a previous order of theHouse, the gentleman from Louisiana [Mr. FIELDS] is recognized for 5 minutes.

[Mr. FIELDS of Louisiana addressed theHouse. His remarks will appear hereafter in the Extensions of Remarks.]

The SPEAKER pro tempore. Under a previous order of theHouse, the gentleman from Washington [Mr. METCALF] is recognized for 5 minutes.

[Mr. METCALF addressed theHouse. His remarks will appear hereafter in the Extensions of Remarks.]

The SPEAKER pro tempore. Under a previous order of theHouse, the gentleman from Missouri [Mr. VOLKMER] is recognized for 5 minutes.

[Mr. VOLKMER addressed theHouse. His remarks will appear hereafter in the Extensions of Remarks.]

THE CLINTON ADMINISTRATION AND THE WAR ON DRUGS

The SPEAKER pro tempore. Under a previous order of theHouse, the gentleman from Florida [Mr. MICA] is recognized for 5 minutes.

Mr. MICA. Mr. Speaker, I come before theHouse once again, I intent to come before theHouse as many times as it takes, to see what we can do as a Congress, as a Nation, as parents, as concerned citizens to see how we can stem the drug epidemic in this country. I cannot think of any greater failure of an administration in my lifetime then the failure of this current administration in addressing and in fact ignoring the problem of drug abuse and drug misuse.

It is a very documentable history. It is a story that began in 1992, and we see the results today in our communities and our streets and our schools and in our homes. What is interesting to note with this chart that I brought here today is the use of illegal drugs and the history of our efforts in that war on drugs.

In 1980, we see where President Reagan took over and said, just say no. And his wife, Nancy Reagan, said, just say no, and provided the leadership to this Nation and to our young people and said, drugs are the wrong way to go. We see the chart from 1980 going down and then we see President Bush and Mrs. Bush, and they continued that policy of just say no, that drugs will destroy lives and drugs will destroy our young people.

Then we see 1992, and the latest statistics are absolutely astounding. We see 1992, when President Clinton took office and he first fired the drug czar. Then he hired Joycelyn Elders, our chief health officer for this Nation, who said, just say maybe, maybe take drugs, kids.

Then we saw the destruction of our interdiction program to stop in a most cost-effective manner drugs at their source. Then finally, in the insult to the highest office in this land, we saw the WhiteHouse failing to curtail the employment of people with admitted recent drug use and drug abuse histories, which just startled me as a member of the committee that investigated that matter. So this is what we see, this is what they did, and this is what we get.

Take this second chart, if you would, teen drug use. These statistics should shock every Member of Congress and every parent and every person in the media, the rampant increase in drug use by our teenagers, 12 to 17 years old. I repeated this yesterday, drug use up 78 percent, marijuana use, not the kind of marijuana of the 1960's and the 1970's, we are talking about more potent, more brain destructive, more

gene destructive marijuana than kids have ever used before, up 105 percent. LSD use, 105 percent, cocaine, 166 percent increase.

This is among our teenagers. So we see why we have 1.6 million of our Americans in jail, 70 percent of them in jail because of drug-related incidents. We see why we have honest citizens and senior citizens and Americans living behind bars in fear, afraid to go out at night, afraid to go out of their home because we have created this situation.

Mr. Speaker, this is the problem, and what are we doing about it? As part of this new majority, as someone who called on the previous Congress to look at the situation and do something and examine it and restore drug interdiction, we are doing something. Today we are meeting and there are hearings on restoring our Coast Guard effort. Today we are working in the appropriations measures that are before this Congress to restore our military effort to stop drugs in a cost-effective manner at their source. We are going to restore also our efforts with our Drug Enforcement Agency that were proposed for slashing by this administration, not by this new majority.

So, Mr. Speaker, it takes leadership. It takes leadership from the WhiteHouse. It takes leadership from the Congress. We must set the standard. We cannot lower the standard. We cannot have a WhiteHouse or a President that in fact lower the standards for our young people because this is the results we get. This is a headline that every American should see, every American should see that.

ETHICS COMMITTEE INVESTIGATION

The SPEAKER pro tempore. Under a previous order of theHouse, the gentleman from California [Mr. MILLER] is recognized for 5 minutes.

Mr. MILLER of California. Mr. Speaker, just a few moments ago, a member of theHouse Ethics Committee from Florida came and spoke about the rules of that committee. Earlier today we had a discussion on this floor. In fact, we were prevented from having a discussion about whether or not that committee should release a report that is currently before it with respect to the activities of Speaker GINGRICH and the tax laws of this country and the misuse of nonprofit charitable foundations in political campaigns.

The speaker said that apparently they could not release the report, and the chairman of that committee has said they cannot release that report, that the rules do not allow for it.

I would refer them to the rules of theHouse which have been mimicked in the rules of the committee. It said, no information or testimony received—

POINT OF ORDER

Mr. WELDON of Pennsylvania. Mr. Speaker, I have a point of order.

The SPEAKER pro tempore. The gentleman from Pennsylvania will state his point of order.

Mr. WELDON of Pennsylvania. Mr. Speaker, my point of order is, the gentleman is proceeding out of order. This is a matter before the Ethics Committee. The gentleman knows the rules of this body.

Mr. MILLER of California. Mr. Speaker, if I may be heard on the point of order.

The SPEAKER pro tempore. The Chair recognizes the gentleman from California [Mr. MILLER].

Mr. MILLER of California. Mr. Speaker, the previous speaker from Florida got up and was talking about his initiative to reform the rules of theHouse Ethics Committee and stated about whether or not a report could be released or information can be released. I am differing with the gentleman with respect to that statement and the statement of the rules of theHouse. I believe the rules of the Ethics Committee are not a matter before the committee.

The SPEAKER pro tempore. The Chair will remind Members to refrain from discussing specific official conduct cases.

The gentleman from California [Mr. MILLER] may proceed in order.

Mr. MILLER of California. The point being this, if I can finish reading this section: That no information or testimony received or the contents of a complaint or the fact of a finding, of a filing shall be publicly disclosed by any committee or staff member unless, unless specifically authorized in each instance by a vote of the full committee. The point being this: Any report that is before the committee on House ethics at any time can be released by a vote of that committee. Should the committee choose not to vote, that report will continue to be secret. If the committee shall choose to vote, that report will become public both to the Members of this House and to the Members of the public in general.

This issue, this issue about the committee's ability to release or not release a report is not one of first impression before this Congress. It was raised in 1988 in the matter regarding Speaker Jim Wright. At that time Congressman NEWT GINGRICH, not then-Speaker but now-Speaker, Congressman NEWT GINGRICH wrote to the gentleman from California, JULIAN DIXON, then chairman of the Ethics Committee, and said to him that he believed that it was absolutely essential that all 435 Members of this House have access to the reports and to information.

He went on to list, I believe, eight or nine criteria in that letter that he believed should be invoked, the most important of which have not been currently done in this session of the Congress. That is that any special or independent counsel appointed by the Ethics Committee shall have the ability to conduct a free and full investigation, that the committee shall in no way hamper that, the committee shall only cooperate, and that that special counsel shall have the discretion from time to time to make a decision to release information or to make public statements.

Speaker GINGRICH in 1988 said he had serious concerns about whether or not the Ethics Committee was engaging in that fashion, asked for the release of the report on Speaker Wright before the subcommittee had a chance to fully consider it or the full committee and all, all relevant documents, transcripts, statements, interviews of any witnesses before that committee.

Now we find that in fact we are told that we cannot adhere to what has been the policy of the Ethics Committee from its inception on a bipartisan basis to deliver to this Congress and to the people of this country a report on ethical charges by any Member against any other Member, by members of the public against Members, an unbiased report.

The problem that we have today is the problem that we had in 1988. Again, that problem was recognized by Speaker GINGRICH when he stated that it was simply untenable for the American public to believe and for Members of this House to believe that we could have a free and open and fair investigation of the most powerful Member of this House, the Speaker of theHouse of Representatives, by the Ethics Committee, and there should be in place at all times a free and fair investigation by an independent and special counsel.

SITUATION IN IRAQ

The SPEAKER pro tempore. Under a previous order of theHouse, the gentleman from Pennsylvania [Mr. WELDON] is recognized for 5 minutes.

Mr. WELDON of Pennsylvania. Mr. Speaker, I rise today to continue the dialog that we started before theHouse went into special orders regarding the current situation in Iraq.

As a senior member of Committee on National Security and chairman of Subcommittee on Military Research and Development, I take great pride in supporting our troops in all possible ways. I supported the President when he initially went in to take action in Iraq because I had an idea of what was occurring. In fact, I sat through a briefing a week ago that, I might add, was attended by less than 100 of my colleagues, where we were briefed by the State Department and the military on what was happening. Unfortunately, the briefing, which was closed, did not tell me much more than that as reported by CNN and the national news media.

My concern is right now, Mr. Speaker, that we are reading reports that the President, in his position as Commander in Chief, is now escalating that. First, we have seen additional shots of cruise missiles. Now we are hearing that F–117's are being transferred to the theater. We are hearing that those F–117's may be based in Kuwait, partly because the Saudis are saying they do not want to have them

based in their country. We are furthermore hearing that Saddam, in fact, has considered Kuwait's action, in allowing the basing to take place there, an act of aggression against Iraq.

Mr. Speaker, we may want to, in fact, support all of this. But the point is that the President is doing this unilaterally. There, in fact, has been no consultation with this body.

My colleagues on the other side raised the issue of how they supported President Bush during Desert Storm. In fact, I went back and checked the CONGRESSIONAL RECORD. Two of the three speakers who stood up just a few short moments ago actually voted against President Bush's involvement of our troops. That is OK, because they should have that right to speak their mind. But we are not being given the opportunity to even understand what is going on, let alone vote to put our troops into harm's way.

Right now we are sending young troops and 117's over to the Middle East and no one has been briefed. The chairman of the Committee on International Relations, the chairman of the Committee on National Security, the chairman of the Committee on Appropriations, even the majority leader has told me he has not been given a briefing as to what is going on. This, Mr. Speaker, is unacceptable. We need to know what is going on because we are putting our troops in a situation this weekend that could result in actions, hostile actions against our people.

I, for one, as a representative of 600,000 constituents, I want to know what, in fact, my constituents are being subjected to in terms of this President's operations.

□ 1245

Mr. Speaker, that has not been done.

I yield to my friend.

Mr. CHAMBLISS. I know the gentleman was a Member of this body back with events leading, where at the time events leading up to Desert Storm occurred. Can you tell us that President Bush did at that time as far as informing the Members of this body what was going on?

Mr. WELDON of Pennsylvania. The gentleman raises an excellent point and one that we need to keep in mind. President Bush went to the United Nations six or seven consecutive times and had the United Nations pass very specific resolutions, and then he came to this body and allowed us to have a vote, and I might add, by the way, just for the record, that I checked the RECORD. The Speaker at the time, Mr. Foley, voted ''no'' against President Bush; the majority leader at the time, Mr. GEPHARDT, voted ''no''; Mr. BONIOR voted ''no''; all against the deployment and the support of our troops in the Middle East as requested by President Bush. But that is OK. They are allowed to do that.

My point is that we are not being given that opportunity. Who knows what this President is getting us into? We have no idea. We do not know. All we know is our allies are not supporting us except for Great Britain, and all we know is now even some of the Arab countries are having second thoughts about what unilateral actions we are taking. That to me, Mr. Speaker, is outrageous and should allow this body to have a vote.

Mr. Speaker, I am preparing right now today, and I would hope that our colleagues who are sitting in their offices, or their staff members, would call my office to support not only a letter asking what is going on but a resolution asking for the legal justification under the United Nations resolution that is very specific for us to take unilateral action, and also asking for the compliance with the War Powers Act. Why have not the leader of the Committee on National Security, why have not the bipartisan leaders of the Committee on International Affairs been consulted in the current plans for this weekend? Perhaps it is that we do not have any plans, or perhaps those plans have not been totally thought out.

We, in this body, whether a member of those appropriate committees or not, have the right and the responsibility to know what situations our troops are being placed into, and in my opinion based upon what I am seeing and hearing that, in fact, is not occurring.

This is an issue, Mr. Speaker, that is going to be on the minds of the American people this weekend because right now our kids who fly those F–117's are gassing them up and fueling them up for a 2-day flight to the Middle East. There is not one Member in this body who has any idea of what they are doing there. Are we going to be attacking specific targets? Do we know if there is backup support being provided? What is our exit plan? Is our goal to go in and get Saddam Hussein or to go in after chemical weapons facilities? What we are going after? No one knows.

Mr. Speaker, we demand some answers.

MAKING CLOUDS GO AWAY

The SPEAKER pro tempore. (Mr. COOLEY of Oregon). Under a previous order of theHouse, the gentleman from Missouri [Mr. VOLKMER] is recognized for 5 minutes.

Mr. VOLKMER. Mr. Speaker, Members of theHouse, this is a sad day for me as a Member of this body having served here 20 years. You know, last year when the ethics complaints were being filed against the Speaker, I characterized what is happening to this House as there was a great cloud over this House and we needed to remove that cloud. That cloud has not been removed; in fact, it has gotten darker. It has done more to harm the image of the U.S. House of Representatives than any actions that have been taken on legislation.

Even though their Contract With America would have cut Medicare, would have cut environmental protection, would have cut education, all to give tax cuts for the wealthy; that is bad enough. But what is going on today and has been going on with the Committee on Standards of Official Conduct and its coverup of what the Speaker of theHouse has done is shameful beyond any comprehension.

It is a sad day when Members of theHouse cannot even get a copy of the report that the special counsel has filed with the Committee on Standards of Official Conduct on just one of several, seven, complaints that have been filed against the Speaker. Only on one. They have not done anything on the others.

What is the gentlewoman from Connecticut doing? Well, she met with the floor leader the other day. She has had press conferences in Connecticut. But she will not tell us anything. In fact they met just yesterday. Why did they not release the report?

I am sure not one of the five Republican Members of that Committee on Standards of Official Conduct will ever vote to release that report. All they have to do is vote to release it and it comes out. You and the public, Members of theHouse, the media, everybody, will know what is in that report. They do not want you and I or anybody else to know what is in that report.

Mrs. SCHROEDER. Mr. Speaker, will the gentleman yield?

Mr. VOLKMER. Yes, and by the way, for the public's edification, no Democratic member of the Committee on Standards of Official Conduct can tell us what is in that report. The Committee on Standards of Official Conduct, as a body, has to release it. So we cannot find out from them—

Mrs. SCHROEDER. If the gentleman will yield, one of the things that troubled me was I believe they are now trying to say, ''Oh, well, this is not a report.''

Now I want to know what we spent $500,000 for, for a hundred pages of paper, and they think they can escape all the rules of this House by calling it something other than a report. It is a very—what was this? Just kind of a gift to someone to go put some papers together? I mean that does not make any sense to me at all.

Mr. VOLKMER. I say it is a huge waste of taxpayer's money to spend $500,000 to have a very good attorney to gather up all this evidence and give it to the committee, which the committee already had, and if it is not a report, then I do not know what it is, but it is their way of getting out of releasing it.

That is all it amounts to.

Ms. DELAURO. If the gentleman will yield? If I might, there is precedent here for what we are talking about. All you have to do is to go back a few years, and I just will read you two or three quotes, and I will let you guess who said them.

Now that report is secret. I do not know what is in it. I do not know of anybody other than the committee

members and Mr. Phalen who know what is in it, except Mr. Wright's lawyer, and I think that that report and the backup documents have to be published.

That was the then-Congressman NEWT GINGRICH.

I cannot imagine going to the country, tell them we have got a $1.6 million report, and by the way there is nothing in it, but you cannot see it.

This is exactly what we are talking about.

Mr. VOLKMER. That is NEWT GINGRICH all over again.

Ms. DELAURO. Clearly that report is going to have to be published. That is right. The now-Speaker was right when he spoke in 1989. That report, it is a report by any other name is a report, ought to be published and the Members of this House ought to know what is in it. More importantly, the American public ought to know what is in it.

Mr. VOLKMER. That is correct. Good or bad, whatever. The public is entitled to know.

Mr. KLINK. If the gentleman will yield, our friend and colleague, the gentleman from Florida, PORTER GOSS, was on the floor a few moments ago, and he talked about the fact that the Committee on Standards of Official Conduct's investigation in the system was broken, and I would suggest to my colleagues on the other side of the aisle, let us fix it in a bipartisan manner. Let us not make a difference in this House of Representatives whether the Speaker is a Democrat or a Republican, he would be treated differently. I think we need to send some sunshine on this House to make those shadows and those clouds go away.

ANSWER OUR QUESTIONS, MR. PRESIDENT

The SPEAKER pro tempore. Under a previous order of theHouse, the gentleman from Georgia [Mr. CHAMBLISS] is recognized for 5 minutes.

Mr. CHAMBLISS. Mr. Speaker, you know there is something going on here that I simply do not understand. A couple weeks ago when the President took the action that he took to counteract the action of Saddam Hussein and Iraq, I came out immediately in strong support of the action that the President took. I think the President did the right thing. There is not time in an emergency situation like that for the President to come to Congress and say, ''Hey, this is going on, this is what I want to do, can I do it, should I do it?'' That is his decision to make. He made that decision; the American people fully support that.

But now we are 2 weeks after the fact. We are 2 weeks into a crisis situation in the Middle Eastern part of this world, a very dangerous part of the world and a part of the world in which we already had sacrifices back 3 or 4 years ago. It is a part of the world that we have got to keep our pulse on, and what we are into now is the President of the United States again sending our young men and women into harm's way without coming to the Congress and saying after this 2-week period, ''Ladies and gentleman of the Congress, this is what is going on, I need you to know this, and I need your input into this.''

As I go home this weekend, I have 3 military bases in my district, I am going to be asked by men and women, not only military men and women, but civilian men and women, ''Tell me about what is going on in Iraq.''

I am going to say, ''Hey, you pick up the Atlanta Journal, you pick up the Macon telegraph, you will find out what's going on, and you'll know just as much as I know.''

There is something basically wrong about that.

The chairman of a very powerful subcommittee on the Committee on National Security got up a minute ago and said that he knows nothing about this. He is the gentleman that is responsible for the research and development of the weapons that are being sent to Iraq today. He has no idea whether what he has been working on for the last several years by being a member of the Committee on National Security is the right thing to do. He knows nothing, nobody in this Congress knows anything about what is going on.

I do not think we are asking a whole lot of the President to say, ''Mr. President, please come to us and just tell us what's going on. Why are you sending our men and women into harm's way? What should we tell our constituents out there as to why we are supporting you?'' And it is a very crucial question on a very crucial issue that I simply do not understand why we are not being advised on, and I yield to my friend from Pennsylvania.

Mr. WELDON of Pennsylvania. Mr. Speaker, I thank my friend for yielding, and I commend him for his leadership on armed services issues. He has been one of our brightest stars on the committee this year, and we appreciate that.

The issue here, Mr. Speaker, is we supported I publicly supported, President Clinton when he said we were going to send our troops to take action because of the situation with the Kurds. But then, Mr. Speaker, we heard that the first strikes were not successful, that some of the cruise missiles were off by as much as 500 miles. We were not given a specific briefing on that. I sat through the limited briefing that occurred last week, but then a second wave of a attacks occurred, and we were told that was a mop-up operation.

By now, day by day, hour by hour, new information comes out, Mr. Speaker, that we have no idea what is going on. It is all from the news media that we are now sending 8 or 10 F–117's over, that we are redeploying some other troops, that we are now putting in Kuwait, that perhaps Saudi Arabia is not being as supportive as it was, that the whole coalition that was there initially in Desert Storm is falling apart, that we cannot get that kind of support because the action has not taken—we need to have those questions answered because these are our kids that this President is sending into harm's way.

And believe me, Mr. Speaker, if there are casualties over this weekend, we are going to demand to know why we were not consulted, and we are going to demand to know why we did not have compliance with the War Powers Act; why, in fact, we are going beyond the U.N. resolutions where unilaterally it looks like the United States alone is taking up this mission. These are questions that FLOYD SPENCE and RON DELLUMS and BEN GILMAN and LEEHAMILTON need to have answered and should have been briefed on.

But, Mr. Speaker, as of today, as the gentleman pointed out, less than an hour ago in an arms national security markup meeting when I asked the chairman very directly, ''Mr. Chairman, have you at all been briefed on what is going on''; he said, ''No, I will be coming out with a statement and a letter shortly, today or tomorrow, expressing my concern on this issue.''

Mr. Speaker, we are talking about American kids. We are not talking about some far-off. We are talking about our kids that are now being put on alert status to be sent over into a hostile environment where we know this madman is out to get them, and if this President wants us to get behind him, then he better make that case to us.

We will support the troops, no doubt about that. The question is, will we support the President, and that remains to be seen based upon what the plan is. None of us know what the plan is. We read about it every day and not only hear about it from the news announcement by a man named McCurry. He is not the President of the United States, and he is not charged with the responsibility of briefing us.

HURRICANE FRAN

Mr. WISE. Mr. Speaker, I ask unanimous consent to address theHouse for 5 minutes.

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

Mr. DORNAN. Mr. Speaker, reserving the right to object, and of course I will not object, I do not know what happened earlier where 1 minute was cut off for the Members of the minority. I was a minority Member for 18 years. I just think 1 minute and 5 minutes, and 60 minutes can go on all night, and I did not vote for that midnight cutoff. But I just wondered if we have a long series of 5 minutes who were not recorded or requesting a 5-minute speech today so I know how much time I have before my special order, because I am the first with a 60-minute special order today.

Could I inquire of my colleagues how many 5 minutes they are going to ask?

The SPEAKER pro tempore. The Chair cannot predict how many 5 minutes are going to be coming up. The Chair would intend to extend courtesy to all Members on the floor to request 5 minutes.

Mr. DORNAN. Well believe me, a robust, wide open, freewheeling debate in the world's greatest legislature, I will not object to any unanimous-consent request.

Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from West Virginia.

There was no objection.

□ 1300

The SPEAKER pro tempore. The gentleman from West Virginia [Mr. WISE] is recognized for 5 minutes.

CONCERNS REGARDING IRAQ

Mr. WISE. Mr. Speaker, I am going to speak about Hurricane Fran, but I want to take just a moment to address some of the concerns that have been addressed concerning Iraq.

I happen to be one of the most ardent supporters of the War Powers Act. I have been frustrated that Presidents of both parties have disregarded it in years past. Be that as it may, I think this situation that the President is in is difficult enough already.

I note with interest that a previous speaker talked about President Bush going to the United Nations six or seven times. That is true. There was a vote in Congress. That was over a 6-month period, as we slowly built troops up to a 500,000 person level.

In this case, we have surface-to-air missiles winging at our airplanes during the last couple of days. We have Saddam Hussein drawing direct provocations, lines in the sands. I do not remember, in the case of an immediate action, I do not remember President Bush or President Reagan coming to Congress to announce in advance the details of how they are going to invade Grenada, perform the air raid on Libya, or invade Panama, all actions which received bipartisan support. I suggest that may be the reason Congress has not received a full briefing today on the details about what probably will be upcoming military action in Iraq.

Later on, of course, there does need to be full explanation. I, too, watch with concern, as much as anyone else. I also know the Commander in Chief needs some flexibility.

Mr. Speaker, I want to talk about Hurricane Fran because, Mr. Speaker, as that storm has devastated so much of our east coast, as it certainly has eight counties, actually more than that, a number of counties in West Virginia. Governor Caperton requested a disaster assistance declaration from President Clinton. I backed up that request. I am happy to say the WhiteHouse acted immediately. Now eight counties in West Virginia, as well as a number of others across the east coast, are now in a federally declared disaster area.

People should know, Mr. Speaker, that this means that the full range of Federal Emergency Management Agency programs are available today as we speak to the residents of all those declared counties. So what I have encouraged my constituents to do is immediately to call the toll free number, the FEMA, Federal Emergency Management Agency toll-free number of 1–800–462–9029, because they can begin the application process right now, Mr. Speaker. They can start that going. They do not have to wait to speak to anybody personally.

Also, Mr. Speaker, I have gotten a lot of questions about, well, if I were in a flood before, and we have had four now in West Virginia in the last 9 months, if I was in a disaster area during the last year, do I file again? And the answer, Mr. Speaker, is yes. Anyone who was hit by Fran in West Virginia is in one of the declared disaster counties needs to call that toll-free number, once again identify themselves, the county they are in, and begin immediately to receive that assistance.

The Federal Emergency Management Agency is going to be offering, Mr. Speaker, the same assistance as in past floods: disaster housing assistance for those who need it, special crisis counseling for those with special needs, unemployment assistance to those who have been put out of work by the flooding, special loans for homeowners, renters, and business owners to repair or replace damaged property, tax assistance through programs from the IRS, the State and local governments. This is crucial, Mr. Speaker, that people begin this process now.

It is likely that FEMA will set up throughout the State of West Virginia several disaster relief centers where people can walk in and receive personal assistance. I urge, though, Mr. Speaker, that people not wait for that, but call that toll-free number.

There is something else constituents can do as well, Mr. Speaker. That is, if they have suffered damage and they have a lot of debris, they should document that damage as much as possible through photographs, videotaping, whatever means possible. In some cases, the National Guard is going to have to pick that debris up, or others will have to pick that debris up and get it out of the way, so it is important to document that.

Mr. Speaker, there have been an incredible number of sagas of heroism during the last few days. You cannot say enough about the National Guard, the Red Cross, the Salvation Army, the volunteer fire departments, the emergency services operations, both State- and county-wide.

There are so many tales of heroism: The elementary school principal in Moorefield, who came beseeching the Governor to get her school back up and running so they lost as few days as possible, to bring stability back to people's lives; the contractor in Hardy County who worked himself to exhaustion and a trip to the hospital trying to shore up the levee to make sure that damage was minimized.

So many tales: Other contractors donating equipment throughout the area to help try and stave off the damage caused by the flooding; theHampshire County junior high students who went door-to-door taking water to people. Mr. Speaker, there are so many tales that relate, once again, how people pull together in the best spirit of West Virginians.

We have another digging out to do, Mr. Speaker, but happily, FEMA has responded quickly, and now what I urge people to do is to take advantage of that, even if they have another claim in from a previous flood, and we have had far too many this year in our State, but even if they have a claim in, they need to call, Mr. Speaker, that toll-free number of 1–800–462–9029 and begin that process of digging out.

UNITED STATES REACTION TO ACTIONS IN IRAQ

The SPEAKER pro tempore. Under a previous order of theHouse, the gentleman from Missouri [Mr. TALENT] is recognized for 60 minutes.

Mr. TALENT. Mr. Speaker, I wanted to address briefly the incidence and pattern of behavior with regard to our reaction to Saddam Hussein's latest actions in Iraq, and I want to preface it by saying that I have defended the President's decisions in Missouri with my constituents. I think it is important, given the history we have had with Saddam Hussein, to show him that the action we clearly regard as aggressive and the world regards as aggressive not be something he can get away with easily.

This is the kind of person who keeps pushing and keeps pushing until he is stopped. it is better to try to stop him, to stop him at the early stages, rather than to wait until you have some kind of a general conflagration.

I felt the President was right in responding. I did not want to second-guess the particular tactics that he chose. However, I think it is also important to be sensitive now to the kinds of concerns that my friend, the gentleman from Pennsylvania [Mr. WELDON] raised with regard to the fact that we are no longer dealing with a single response to a single incident.

We are now dealing with a chain of responses, an ongoing pattern of behavior, and a policy that is being developed, a policy that involves ongoing and perhaps intermittent but ongoing military strikes. Even apart from the legalities of the War Powers Act, it would, it seems to me, to be both prudent and, as a matter of comity, an important thing for the President to consult at least with the bipartisan leadership.

My understanding is that this has not been done. The longer this goes on,

the more questions are going to be raised about it, the more important it will be to have unity within the Congress and the country as a whole.

I do not understand, completely apart from the politics, completely apart from the War Powers Act, I do not understand why the President would not want at least on a quiet basis to be consulting and informing the bipartisan leadership of the Congress better than he has. It would, it seems to me, be a prudent thing to do.

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

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

Mr. WELDON. Mr. Speaker, I thank my colleague and friend for yielding to me.

Let me just state, in response to the previous gentleman who spoke, nobody questions the United States responding to air strikes against our planes protecting the no-fly zones. No one is questioning that.

We are not asking the President to come in. That was an original, original action as a result of the U.N. resolutions that were passed and the cooperative nations supporting our action agreed to establish no-fly zones. No one in this body is questioning whether or not we can respond if the Iraqis fire missiles at our planes protecting those no-fly zones. But that is not what we are talking about now.

First of all, even though those no-fly zones were a result of the U.N. resolutions, they have now been changed. The definition lines have been expanded. Now we are sending over F–117's for other strikes, for deep-strike bombing strikes. We do not know what this new mission is because it was not in the original U.N. resolutions, which is the reason why we are there in the first place.

The point we are making, Mr. Speaker, is we have a whole new set of issues now that appear to not even be consistent with the U.N. resolutions, appear to be far beyond the original mission that was a multinational effort, and which the Congress has not been consulted on. The urgency is that as we adjourn today, this weekend our young pilots are flying F–117's over, to apparently be based in Kuwait. I think we should at least know that.

I am a strong supporter and friend and defender of Kuwait, but I would like to know if that, in fact, is the case, and if they are in Kuwait, is this going to be their base of action? If they are there, why are they not placed in one of the airfields we are currently involved in in Saudi Arabia? Is it because, as the media are saying, that the Saudis have turned us down? None of these questions have been answered.

Mr. Speaker, mark my words, if there is a casualty of an American, we are going to hold this President accountable. We are talking about our kids. We are not trying to disrupt what the President wants to do or interrupt his foreign policy. But there is a role constitutionally for this Congress to be involved in, and that has not occurred.

I thank my friend for yielding.

Mr. TALENT. It leads me to wonder, Mr. Speaker. I think there would be very strong support on both sides of the aisle for any plausible plan to respond on an ongoing and consistent basis to the depredations by Saddam Hussein. I know I would be very receptive to that.

I repeat, I have been defending the President. I wondered at the time when this was occurring why the press was so interested in my comments back home. I think it was because, here I was a Republican defending what the President was doing, but I thought his response was very appropriate.

If we are having difficulty getting the Saudis to go along, we know we have had difficulty getting the Europeans to go along, all the more important that we be consulted here, and that we be able to act in a united way between the executive and legislative branches.

I am not saying this, inviting the President to come in, so we can step on what he is trying to do. I think probably we would be supportive if it was a reasonable plan. But if he does not do that then certainly he exposes himself to the criticisms.

MEMBERS SHOULD NOT BRING POLITICS INTO SENSITIVE FOREIGN POLICY DECISIONS

The SPEAKER pro tempore. Under a previous order of theHouse, the gentleman from North Carolina [Mr. HEFNER] is recognized for 5 minutes.

Mr. HEFNER. Mr. Speaker, I have served for many years on the Committee on Appropriations. It is interesting to come here and see history rewritten, history changed.

I remember many years ago when, and the gentleman just made a statement, and certainly I do not want to see the blood of one American boy lost, made the statement if we lose one person, we are going to hold the President of the United States accountable. We lost 240 people in Lebanon to a terrorist strike, and we did not hold President Reagan responsible for this, because we thought he was working in the best interests of the United States.

But we have had the Republicans absolutely not supporting the situation in Bosnia, which is an uneasy peace, but there is peace in Bosnia now. There are not grandmothers that are being shot and children shot, they are going back to school. In Haiti, they opposed the mission in Haiti, and so far it has not been perfect, but it is working.

This is, in my view, politics at its crassest, and to me, it is unbecoming of this body. Certainly Saddam has to be the most ruthless dictator in the history of mankind, that would rank right along with Genghis Khan and people of that stripe. And certainly the President of the United States has an awesome responsibility. I do not know what all the problems are in getting cooperation with our allies, but that has always been a problem.

I remember a few years ago when they wanted to close the Persian Gulf, they threatened to close the Persian Gulf, the Iranians. We could not get permission from the Saudis to even fuel in their ports, but we went and unilaterally, unilaterally kept the Persian Gulf open because it was a source of oil for the free world.

So to get into politics on something that is as sensitive as the situation in Iraq in my view goes beyond the political arena.

LAUDING FEMA'S RESPONSIVENESS IN RECENT NATIONAL CRISES

Mr. HEFNER. A couple of other things I would just like to mention here on my time. I would like to congratulate and thank a government agency. They do not get many pats on the back. But FEMA has been one of the most responsive agencies in my memory, not only because North Carolina was hit so hard with Fran, but all across this country, in Oklahoma and all over this country, FEMA has really been an exemplary agency of the Federal Government. I think we owe them a real salute because of the great work they have done.

One other area I would just like to touch on. I do not want to get into the business of being hostile, but I remember many years ago in this House when Jim Wright was Speaker, on a daily basis in this well Special Counsel was called for, and the now Speaker of theHouse, on a daily basis was in this well making accusations and saying this was the most corrupt Speaker in the history of this Congress, calling for a Special Counsel and special investigations.

We got to the bottom of all of these things, the book deals and what have you, and we voted. Even Democrats defected, we did not stonewall. We voted to support a full investigation. We voted when that investigation was finished to bring it before this body.

We have spent $500,000 for the Independent Counsel to go out and supposedly to interview people and get at the facts. I think the thing that bothers me is, I do not know what transpired before he went in and began to talk to these people in different institutions. What bothers me, I guess, and I do not know and I am not making an accusation, but if his instructions were, you go and interview these people, find out what the facts are, but you do not draw any conclusions, you do not make any suggestions, you just get the information and you put it in this document and you bring it back and give it to us and we will decide, if that is the case, if that be the case, in my view that is an absolute tame dog with no teeth, and it is it is an absolute travesty.

It seems to me that the American people need an explanation.

I would think that the Speaker of this House would like for his name, his

good name and his reputation to be cleared. I would think that he would want us to bring this 100-page document to this House, let us read it, and if he has done nothing wrong, we will be done with it, and the 1st of November he can go back to his district and say, folks, I have been persecuted, they have investigated me, and they have found nothing wrong. I stand before you here in Georgia as a pure Speaker. I have done nothing wrong. I want you to vote for me because I have been doing the things you want me to do.

But there is going to be a cloud over this, because it is not going to go away. There is a 100-page document that languishes in the Ethics Committee. We have paid $500,000 of taxpayers' money, and it needs to be released and clear the air on this issue.

□ 1315

SCANDALS IN CLINTON ADMINISTRATION

The SPEAKER pro tempore (Mr. COOLEY). Under the Speaker's announced policy of May 12, 1995, the gentleman from California [Mr. DORNAN] is recognized for 60 minutes as the designee of the majority leader.

Mr. DORNAN. Mr. Speaker, before I begin my special order, which is on the multiple and expanding scandals of this administration, I yield to the gentleman from Pennsylvania [Mr. WELDON], my wing man who sits in the senior position to my left on the Committee on National Security, for a few more thoughts upon the constitutional crisis we are working our way through this very day, where Mr. Clinton has frozen out 100 elected Senators and 434, with Bill Emerson in heaven, elected Representatives. I yield to the distinguished gentleman from Pennsylvania.

Mr. WELDON of Pennsylvania. I thank my friend and colleague for yielding. I want to start off by just making one statement at the beginning here because, Mr. Speaker, while we cannot directly speak to those people who may be watching this at home, I can speak to you, Mr. Speaker. I can repeat what is, in fact, the case.

As you know, I objected from a parliamentary standpoint to our colleagues who for the past hour or so have been raising questions about the ethics case of Speaker GINGRICH. The reason I raise those, as you pointed out, Mr. Speaker, is we are not allowed to discuss an open ethics case in this body until it is concluded.

The problem is that they can keep speaking. I have to sit here and every minute raise the objection again, and you would warn them, and that would just go back and forth all night. So we just sit down and let them speak.

But I just want, Mr. Speaker, to remind everyone, including our colleagues, that we could have sat here and we could have discussed the ethics case against the gentleman from Michigan [Mr. BONIOR], which to my understanding is still pending before the Ethics Committee, or perhaps to my understanding there was an ethics case, maybe it has been resolved, against the gentleman from Missouri [Mr. GEPHARDT]. But we did not choose to do that because we play by the rules and we know that, in fact, as a Member of this institution, any matter currently pending before the Ethics Committee is not to be discussed because the Ethics Committee is totally bipartisan, equal numbers of Democrats and Republicans, and until it is ultimately resolved and brought to a recommendation of this body, we are not supposed to respond.

So we could have done the same thing. We could have got up here and laid out all the facts on the Bonior allegations and all the facts about the Gephardt allegations, but we did not choose to do that. We choose to just let them vent their frustrations, if you will, because of their concern of Speaker GINGRICH's impact on revolutionizing this country.

So if, Mr. Speaker, there are those who think that we were not prepared to respond, that is why, because we, in fact, are abiding by the rules of theHouse. Just to further respond and thank my good friend and colleague who has been a leader in this body, I want to commend him for today passing one of the most historic and most important bills that this institution will pass in this session, and that is how POW Accountability Act, which the gentleman from California [Mr. DORNAN] has worked on diligently for how many years?

Mr. DORNAN. Obviously, I thank the gentleman for bringing it up.

Mr. WELDON of Pennsylvania. How many years have you worked on this issue?

Mr. DORNAN. I started, believe it or not, when I was 19 years old, when I joined the Air Force. And while I was waiting to go to pilot training in July 1953, I had just turned 20 by then, I joined when I was 19 in October 1952. I served basic, waiting at Williams Air Force Base to go. And an Army psychiatrist who had interviewed all the men coming back from Korea, the first waves who had been brainwashed, tortured is the proper word, and broken, and given confessions, 21 were still sitting in China, young high school dropout enlisted kids. One committed suicide. All 20 saw the error of their ways, came home, our country forgave them.

But I started then. But legislatively I have spent 31 years, since my best friend David Hurdlica was shot down. His wife Carol testified yesterday, my wife's best friend. We were neighbors, bridge partners. I checked him out in the F–100 HUN, the Super Sabre. For 31 years my interest has been intense.

If I may say so, I won the Mendel Rivers award by testifying in that committee room today. I thought about it and thought, well, do not mention it. That was the summer of 1971. PETE PETERSON, who was sitting in the room, was still in prison, and I was testifying, do not end Vietnam the way we ended Korea. And we did. More controversy, more conspiracy theories, more men left behind, certainly in Laos for sure. And as I said today in our Committee on National Security room, with all those battle streamers on our 4 services' flags, including the Coast Guard, our 5 services' flags, we left hundreds behind in Korea, so I thank the gentleman. It was H.R. 4000.

Now comes the tricky part. That is, we have 2 weeks, maybe 3 if we do not get out on Friday the 27th, to find a vehicle, an appropriations continuing resolution, which was used as a vehicle to destroy my proper and fair HIV public law, signed the same day as all this POW–MIA protective laws. Clinton signed it February 10.

Why we are stripping it out of law, because of one friend of ours who wants to put all of Vietnam behind us, normalize relations, trade, most-favored-nation status, forget the wounds of war, everybody is full of baloney, there are no traces of people left behind, when this good friend knows absolutely zilch about Laos or Cambodia and did not have the full picture on Vietnam.

A hero, an 8-victory jet ace, severely tortured, Robbie Reisner, came home with the same opinions: We are all home. On the tap code we learned about everybody here. And he reversed himself and said, ''I don't know anything about Laos and Cambodia,'' and now I have no proof that there was not a second prison system, small, hidden, underground, shipping people to the Soviet Union as they shipped people from Korea to the Soviet Union, for sure.

Mr. WELDON of Pennsylvania. Your bill today, if I am not mistaken, passed with a unanimous vote. As you very eloquently put it, you were the author and the prime mover of this, but you had strong support from your ranking member, OWEN PICKETT, and you also did your legislation in total consult with, as you said, one of our most respected former POW's, PETE PETERSON.

Mr. DORNAN. And with SAM JOHNSON.

Mr. WELDON of Pennsylvania. And with SAM JOHNSON from this body, another POW. And you are to be commended for that because you have righted a terrible wrong in letting those families know that we are going to continue to persevere to force a full accounting and to force a full assessment and to have a process in place to make sure that what happened in Korea and what happened in Vietnam never happens again in this country. I commend you for that action. I wanted to mention that today. I know that is not the subject of your special order but so that all of those troops and all of those families across the country know that it was Chairman BOB DORNAN who has been diligent and tireless in this effort to make sure that they are not forgotten.

Just before I let you complete you special order on what I think is an outrageous topic but one that needs to be aired, I just want to say that I hope you will join me in requesting answers from this administration on what our plans are the in Middle East, what our game plan is, what our strategy is. Are we, in fact, letting Saddam suck us into a tar pit where we are going to lose additional lives, where we are not going to have a clear way to get out? Why are we not getting the kind of support from our allies? Why is the President not consulting with the leadership of this body, both Republicans and Democrats, because it is not an urgent situation. He could have called them today. He could have come back from his campaigning. We are talking about kids' lives. Kids' lives are more important than campaigning out in California. If he is going to deploy them, he has a responsibility to let the intelligence leadership know, the leadership from both parties' standpoint, and the various committees, because we are the ones who have to answer when we go back home to our constituents, who have kids in the service, what is going on. I can tell you, I am frustrated. I go home, last weekend, I do not know what is happening, as a senior member of the security committee, I have no idea what is going on with this President and that is outrageous.

I thank my colleague and friend for yielding. I wish him well in his deliberations this evening as he does a service for this country with his report.

Mr. DORNAN. Stay in the well just one more second in this colloquy. Let us make a pact now as colleagues, because you are the leader on defending the American homeland from one or several or any number of missile attacks, nonpareil, as the French would say, without parallel, on both sides of the aisle, you are the leader. Let us make a pact that if, God willing and the wisdom of the voters sustaining us in our chairmanships on the election, which is 56 days away tomorrow, if we come back, whether it is President Dole—please, Lord—or President Clinton, that we will do a special order, if the first ceremonial day is too much family and friends or if Mr. NEWT, our still Speaker and wants a day of action, on the next day, we will do back-to-back special orders. One on the 105th Congress' responsibility to not only have theater missile defense for our men and women in the field and our allies but that we will get to the job of defending the homeland of this country, even the big cities on the coasts, like Los Angeles and New York City where I was born. I will help you with that.

Then you help me with a special order. We will crank in our professor, STEVEHORN, get a moderate Republican voice, and start to talk about Lou Fisher, the professor and scholar, senior scholar at the Library of Congress, about the constitutional authority, the responsibility of this House, to decide when American men and women go and die in the alleys of Mogadishu, Somalia; or Haiti or Bosnia or in the skies over Iraq. God forbid if they get their hands on some female fighter pilot in this conflict. We have got to resolve that, because even if it is President Dole, although Bob did not want troops to go into Bosnia, he said to me, backed up by our colleague Vin Webber, who I served 10 great years with here, that Clinton had the right to put them in there without the authority of Congress, a Desert Storm type debate which I am going to open with because all the people objecting to what you were saying today all voted against, some of them voted against the sanctions, at least my pal ELIOT ENGEL voted for the sanctions, all the rest voted against the sanctions, let alone taking hostile, aggressive, offensive combat action. We are going to have to discuss these authorities, because Senator Dole, then the leader, said, ''Well, I don't want them there in Bosnia but he's got the right to send them there.''

Thomas Jefferson, our third President, the one Kennedy said that when he had about 15 Nobel, Pulitzer Prize winners, ''This is the most intellect in the WhiteHouse except for when Thomas Jefferson dined alone.'' If Jefferson was that smart, we should listen to him when he said, I have no authority as President, talking about Barbary pirates, it is in the MarineHymn, shores of Tripoli, I have no authority as President under the Constitution to do anything except respond to direct attack defensively, is what he meant, I cannot send offensive action anywhere unless Congress orders me to. And we ordered his predecessor Adams, we ordered him, we ordered his successor James Madison, Monroe, 10 times this House said, ''go get them,'' referring to the pirates and brigands and cutthroats interrupting commerce in the Mediterranean.

Now we have had a 6th Fleet there since World War II and we have got a 7th Fleet in the Pacific and it is still this Congress and you and I as chairmen, you as chairman of Readiness and Defense, DUNCAN HUNTER of Acquisition/Procurement, HERB BATEMAN of Virginia on Readiness, HEFLEY to my right on Installations and me on Military Personnel, how we pay them, how we clothe them, how we feed them, the quality of life, the recruitment problem, the retention, the hollowing out problem, all of FLOYD SPENCE, our great chairman, his five marshals—you can think of us as sphere marshals or western marshals—we are his gunsels in this House and likewise five marshals under STROM THURMOND in the Senate to decide when our men and women—our kids as you call them—go into combat. So we will do those 2-hour special orders and we will set the tone and resolve in the 105th Congress no matter which one of the Presidents prevail, Lord knows, it may be President Perot with his excellent Vice Presidential choice, we will make that vow to do that the first or second day we are sworn in.

Mr. WELDON of Pennsylvania. I accept the gentleman's challenge. I will be happy to do those special orders with him. As the gentleman has pointed out, I hope it is under a Dole administration but we will do it under any administration, God willing, we come back. One quick final statement, Mr. DORNAN, and I know you will agree with me. Why do we raise this issue as we are about to adjourn today for the weekend, and why would the Democrats characterize this as politics? It is not politics. In fact, what is our greatest concern, in the 4 years that I have served here under a Clinton administration, I think back to that outrageous moment when we were called down to the basement of this building for a briefing—and the gentleman was there—by Warren Christopher and Les Aspin, giving us a summary of what was occurring in Somalia. And there were a number of Senators, I think there were over 300 of us all total in this one room and they said to us, asking us a question. ''What do we do next?'' They had no clear policy. And we had just lost 19 brave young Americans. When we finally got to the answers of why we lost those 19 brave young Americans, we were told that the commanding officer in Somalia had requested additional backup about a month before for his troops. He said he could not handle the situation. He was denied that request. And when Les Aspin was asked why he was denied that request, his answer was that he though there was not the appropriate political climate in this city to support the backup support for those troops.

□ 1330

Mr. Speaker, that is the only time in the 10 years I have been here that I have ever heard that we imposed a political decision on how to support and deploy American troops. It may have happened before I got here, whether it was Vietnam or Lebanon ow whatever, but it is the only time in the 10 years that I have been here that a political decision dealt with by this administration caused indirectly or directly the loss of 19 young American lives.

Mr. Speaker, we could not even go into Mogadishu and pull those bodies out when they were being massacred. The reason why we are raising this issue today is we are not going to let this President repeat what happened in Somalia. We are going to demand that this Congress play its rightful role under the Constitution, under the War Powers Act, in having consultations on what our plans are, to make sure we are giving adequate backup.

If this President thinks we should take some action, maybe it is to go in and get Saddam. Then he needs to sell that plan to the American people and the Congress, and not allow this to go day by day, step by step, into a bigger

and bigger conflict, and then all of a sudden next week we are into a wholesale war and the Members of Congress all of a sudden stand up and say, hey, what happened here. How did we get in this mess.

We are saying up front now we are putting the administration on notice that we want to know the justification under the U.N. resolutions. We want to know we were in compliance with the War Powers Act. We want to know what the ultimate game plan here is. Is it just a short-sighted, 1-day plan? Or in fact is there a long-term scheme to go in and do something else besides enforce the U.N. resolutions that were passed when President Bush was in office?

I thank my colleague and friend for yielding and wish him well in his special order.

Mr. DORNAN. I thank the very, very distinguished gentleman from the great Commonwealth of Pennsylvania.

What Mr. WELDON brought up that happened in the national security room today, the reason we got a unanimous vote and six Democratic Members on the spot joined my bill, H.R. 4000, as cosponsors, was I opened by reading a letter, a speech, that I have been trying to get my hands on for years that Henry Cabot Lodge, then the permanent U.S. representative with ambassadorial title to the United Nations, delivered in New York on December 4, 1954. I had just had my last flight in a F–80 or T–33 jet in pilot training, then ahead of time had to wait a long, agonizing week's period to get my wings on February 7.

That was a Republican House then, Republican Senate. It was Eisenhower's second year. We had just lost theHouse in an election, just less than a month before. Henry Cabot Lodge got up and said these words. I think this is why it carried. DUNCAN HUNTER asked for a recorded vote anyway, and I think this is why it carried unanimously. To keep until public law everything I fought for for 20 years here, in generalities, and specifically for the last 3 years, dotting the law, signed by Clinton February 10 of this year, 1996. And it was stripped out at 11:52 at night without a phone call to me to join the conference and fight for it.

Here is what Ambassador Lodge said to the United Nations: Mr. President, referring to whoever was in the chair at the United Nations Building at the East River, it is an immemorial principle of human decency that a family looks after its own members. A nation must also look after its own if it is to continue to be a nation. And the United Nations must show an equal interest in these men who by their personal effort sought to repel an aggression which this United Nations itself was opposing.

We did 98 percent of the fighting. You know that because you were on active duty then, Mr. Speaker, pro tempore.

The thing that sustains the man in uniform, and now we would have to say woman in uniform, when he is so far from home, is the thought that he is being supported by those for whom he is fighting. We in the United Nations, of course by extension, America, cannot let these men down. They are United Nations men. They were sent to Korea in response to a request from the United Nations. Well, Harry Truman may have gotten ahead of the proposition there, but our troops were being overrun, the Tropic Lightning Division out of Hawaii and the 24th Division, rather, were being overrun, hundreds of men being taken prisoner in June and July of 1950.

I had just graduated from high school. I could not believe what I was reading and seeing on the news in that we had just won the Second World War 5 short years before against Tojo and Mussolini and Adolph Hitler and Stalin. We had found out they kept killing and held back United States prisoners, those with the misfortune to have a Ukrainian, Russian, or any type of Slavic or Polish last name.

Henry Cabot Lodge continues,

> For these reasons, the United States believes that the proposed item before the UN agenda, placed on the agenda, that the United Nations should act promptly and with determination to bring about the release of the 11 airmen and all other captured military personnel of the United Nations command who are still detained.

We got back in June 1955 an F–84 Thunderjet fighter and 3 F–86 Saber Jet pilots, and 11 of the 13 crew-members of Jack Arnold's B–29 shot down over North Korea, dropping leaflets, but the whole crew was taken around the Korean Gulf and taken to China, all the way to Beijing. They kept the two radio men and executed them, or they are rotting as men in their late sixties and seventies today in China, they kept back the two radar men who could pinpoint they were over North Korea, not invading China, which had invaded North Korea to support the Communist cause that they had instigated in that whole terrible war, that caused millions of Koreans to die. They held back 40,000 ROK forces, Republic of Korea forces, and 10,000 may be alive today still in North Korea.

Mr. Lodge says the Soviet representative, Jacob A. Mallek, by the way, talks about confessions which had been obtained from American personnel, and that, let me say, is no new story here. Last year we demonstrated the way in which false confessions were extracted from U.N. military personnel, what can only be described as torture.

I skip forward.

We produced last year films showing some of the young Americans making these confessions from the Communist film that they took, and then showing the same man getting off the boat in San Francisco saying he had been tortured into making these so-called confessions.

He uses the term ''brainwashing,'' which was a fairly new term then.

Then he goes on with letters I have gotten hold of, to write on December 7 to the Secretary General, Dag Hammarskjold. Since it took me so long to get these records, and so that other people will not have that same problem, I will placeHenry Cabot Lodge's remarks and letters, starting from these U.N. documents, in today's RECORD, on the 12th of September, 1996.

Now, Mr. Speaker, I am entering that period that 4 years ago started a series of discussions by me on theHouse floor, that then Governor and candidate Bill Clinton was not being candid with the American people on all the scandals that were swirling around him, scandals of a personal character nature, scandals which have come to be called Whitewater, that was broken way back in March 8, 1992, by no less a journal than America's wealthiest paper, the New York Times, and all of the other financial chicanery in a one-party city, putting a cloud over a whole great State that is as good as any other State. But Little Rock was a cesspool of intrigue because of one party rule ever since the tragic War Between the States, the Civil War.

I was joined on the second or third night by DUNCAN HUNTER, and then the next night by 7-year POW combat air combat veteran of both Korea and Vietnam, SAM JOHNSON, who spent as long in solitary confinement in his 7-year captivity in Hanoi, spent half of that, longer than World War II's total course for the United States of America, he spent in solitary confinement for being what they called ''uneducable,'' a hard head, a resistor, what I call being a patriot, living up to the code of conduct.

Then we were joined by the only aerial ace from World War I, there were no aces before World War I, or World War II or Korea, the only ace to ever serve in this House or the other Chamber, DUKE CUNNINGHAM.

After awhile I referred to us as Tiger Flight, using SAM JOHNSON's call sign in Vietnam, which amazingly he also used in Korea, Tiger Flight. Tiger Flight went right down to the wire into October, trying to get at the truth about Mr. Clinton's political career.

Since then, the news media is always intrigued with this, Secret Service agents have told me that they have been in the Roosevelt Room when my name has come up. My pal that I served with here for years, Norm Panetta, has gotten a little rough in his language, and the President goes into one of his volcanic eruptions, Mr. Clinton does, when he hears my name.

I had a newspaper guy from the Orange County Register call and ask me to give him the names of the Secret Service agents. One stopped me at a church in Virginia and one stopped me at a church in the DC area, to ask for an autographed picture no less. No, I am not going to give the names. Then they called the Secret Service and said, ''Which of your agents have been talking to Congressman BOB DORNAN saying unkind things about Mr. Clinton?''

Where do we get these reporters? I mean, is this child's play or what? I am

ready to polygraph, but they will have to torture and brainwash me to have me end the careers of Secret Service people. I mean, it is all in this book, Unlimited Access.

The President is protected to some extent, Mr. Clinton, by rule 18. Just in the last year and 10 months I was against including my friend AL GORE or Mr. Clinton in on rule 18. But Hillary Clinton is not protected.

In here, it has her using the F word. This is Unlimited Access by Gary Aldrich. Since I last brought up this book on the floor, I spent some time with him in San Diego, and he is an honorable quarter century retired FBI agent.

She tells the Secret Service, ''Stay the F away from me.''

''Ma'am, we can't protect you from this distance.''

''I don't give a blank what you do. Get your blank-ing self out of my sight and get the blank over her.''

This is a man who passed all the security checks of the Nation, that Mr. Clinton could not pass, because of what Mr. Clinton did at Oxford, in a foreign country, his resisting the draft, avoiding the draft, and then dodging the draft with an induction date notice July 28, 1969, he never could get a security clearance unless he got elected to theHouse or the Senate or the presidency. That is the only way he could ever get a top secret clearance.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. COOLEY of Oregon). The Chair would remind all Members that it is not in order to refer to the President in personal offensive terms.

Mr. DORNAN. Would the Chair tell me if it is the words ''draft dodger'' that the Parliamentarian objects to? I thought we worked that out. ''Dodging the draft'' are simple English language words.

The SPEAKER pro tempore. The gentleman should refrain from using pejorative labels.

Mr. DORNAN. Right. ''Draft dodger'' is certainly a pejorative label. If I moved it around and used gerunds and verbs and said ''dodging the draft,'' that is what he did.

I went to the Cambridge cemetery at Cambridge, England, and looked up the grave just a few days ago, to be exact, September 1, to look at the grave of Bob Holmes, the younger brother of Col. EugeneHolmes, the man who was used so shamefully to enlist Clinton in the ROTC as a student about to enter law school, 1 year of graduate school, ditching class at Oxford, 1 year out of Arkansas with a degree from Georgetown, he was put back into an ROTC class with undergraduate college students, a brand new program which he used to have the draft induction date of July 29, 1969, and this is history, Mr. Speaker, crushed, suppressed, reversed; the only time I have ever heard of that in the history of my life, unless it was a hard football injury, like a broken leg or neck injury, or a car crash that was traumatic, and even then if you can recover from your injuries and pass a minimal buck private physical to enter the army, your induction date is merely postponed for a while.

Never have I heard one politically suppressed by a Senator, Senator Fulbright, by a Governor, Winthrop Rockefeller, by the head of the draft board, being leaned on by Buick dealers related to Mr. Clinton. It is a scandal. And that, plus England, would have prevented him from ever getting a top secret clearance.

But henceforth in this special order I will refer to him as the ''unmentioned one.'' No, that is too cute. I will just talk about the Clintons as a team and as an administration. I will use the euphemistic term, ''the administration.''

□ 1345

Now, here is a chart. Yes, it is a political chart, and it has on here someone who I will not talk about, with a wife at his side, but here are the names of people associated—how is that camera 5 doing up there? I will turn this way.

It says Whitewater's Most Wanted List. I will leave out two people and start up here. David Hale, key witness on his to jail. Jim Guy Tucker, convicted. Jim McDougal, convicted, and both of them are talking, what unkind people would say, singing to the prosecution. Susan Thomases, the enforcer.

Vince Foster, deceased, still being discussed some of the mystery surrounding whether or not his body was moved, if not deeper fears. Webster Hubbell, convicted, in prison.

Susan McDougal, in ankle chains and handcuffs, waddling off to prison as though she is a victim. All she had to do was tell the truth, and the grand jury that is empowered in Little Rock is there for over a year, and that is how long she is going to sit in prison and stop pretending to be a victim because if she wanted to say I know nothing and everybody you are questioning me about is innocent that is my belief and they were not involved, all she has to do is say that. But if she is afraid of perjuring herself to say that, then she does have information that the good citizens of Arkansas through their grand jury are allowed to hear the truth.

Neil Eggleston, bagman. William Kennedy III, resigned in disgrace. Bruce Lindsey, they claim here he is another bagman. Maggie Williams, they claim she is a perjurer, but she sure had total amnesia without brainwashing of all her memory. Bernie Nussbaum, resigned in disgrace. David Watkins, fired and now I find out—I cannot get hold of everything—that in his memo that the gentleman from California, CHRISTOPHER COX and DANA ROHRABACHER, discussed last night, which I am going to get to, Mr. Speaker, that David Watkins was brought up on sexual harassment charges as the chief administrator of the campaign of Bill Clinton in the war room at the old newspaper headquarters near the Excelsior Hotel in downtown Little Rock and that the campaign paid $37,000 of taxpayer matching funds to suppress and seal confidentially this woman working for the campaign that charged him with sexual harassment, and they listed it as a consulting fee to this woman, actually used another woman as a go-between, beard, and the FEC audit caught it. Finally they justified their huge salaries over there, and they wanted him to repay all of that and to have the campaign actually pay back in 1994, 2 years after the campaign ended, $3 to $4 million. And of course, and Americans should know this, Mr. Speaker, since the FEC is designed for deadlock, six people, 3 to 3, and they vote along political lines, they deadlocked at 3 to 3, no repayment by the Clinton campaign of $4 million. But it was so outrageous, some of these changes, that the three Democrats on the Federal Election Commission settled at about a million that they did pay back. Easy to raise money when you are an incumbent President with all that power.

That was David Watkins, he of golfing fame. He would not resign in disgrace; he was fired in disgrace. Chris Wade, a father-in-law of Web Hubbell, convicted. Mark Fabiani, they designate him as attack puppy. Harold Ickes, consiglieer, good name made famous by Hollywood. Lloyd Cutler, a good man deluded and left with the broken heart, saying that he really thinks the Government has broken down.

Jack Quinn, a fixer. Louis Freeh, whom I praised on this House floor, they are not so kind to him. Craig Livingstone, well they only have ''heavy'' here but it is getting a lot worse than that. Patsy Thomasson, drug dealer's aide, head of administration at the WhiteHouse but was Miss Fix-It, while Dan Lasater was in prison for cocaine, the man who had gotten cocaine for the President's brother. He is the next one up. David Lasater, drug dealer pardoned by Clinton, sent to a halfway house, did not serve any of his serious Federal time.

Arthur Coia, it just says ''wise guy.'' Seth Ward also named disgrace. Beverly Bassett Schaffer, a fixer. Then it mentions a Senator. I will respect House rules and skip over him. Just said ''stonewall'' anyway. Then it has a couple of wanted. Then it has Tony Marseca today another fixer. Jim Blair, he of the cattle futures fame. Borrowed $1,000, rising to $100,000 in days and then cut off once the payback had taken place.

Richard Ben-Veniste, boy, it hits him hard. David Kendall, another fixer. Harry Thomason, the player who is still the impresario arranging some of the—we did it too, the extended infomercials that both parties pulled off in the month of August.

L. Jean Lewis, vindicated. That is the one good person on here. Ron Brown, still seven investigations going on with the deceased Ron Brown.

Cisneros, Espy, Betsey Wright, the bimbo fixer. That is her own title, bimbo fixer. She is sort of on the out.

Carolyn Huber, a decent woman who told the truth, how documents mysteriously appeared on coffee tables at the family level of the WhiteHouse. Mack McLarty, demoted. They needed a slicker and younger guy in there. George Stephanopoulos, attack puppy who came to the Republican Convention. The press said are you going to the Democratic Convention. I said I do not rain on their parade because Dodd and Stephanopoulos, showed up at ours to try to spin things.

Roger Altman, resigned in disgrace. Josh Steiner, who denied his own diary and left in disgrace. Jean Hanson, resigned in disgrace. Don Tyson, well, he has changed sides now. He is for Bob Dole. The chicken czar of Arkansas.

And Bob Bennett, my pall bill's Brother Bob as he calls him, who is one of the tougher hired gun consiglieres in town here.

If you go back over the Clinton record, this came in the mail, in what we call my ''white mail,'' people who just do not send me a small donation but want to talk to me out of frustration. Mr. Speaker, they listed this: Whitewater, the Ron Brown scandal, historic world tax increases, the Vince Foster so-called suicide, the Zoe Baird scandal, Nanny-gate, the cattle futures deal, Travel-gate, the FEC election fraud that I just mentioned, General Janet Reno and Waco, not to mention other things that happened on her watch.

In Great Britain she would have honorably resigned the day after Waco, with 3 pregnant women and over 20 children and several teenagers, some of them choked to death on gas, mercifully being spared being burned to death.

Joycelyn Elders' resignation. The woman who said, ''If I could wear a condom on my head as a crown, I would do it.'' That is how she picked up the name, the condom queen. Then she said it was a proud moniker.

Shredded evidence, disappearing documents, disappearing memories.

The Paula Jones lawsuit, which we will have to suffer through in the spring of next year whether Mr. Clinton wins or not.

Savings and loans problems. Still, that is a bipartisan scandal there, but I know where most of the votes were when my good friends on the other side were in the majority.

TheHazel O'Leary fiascoes. The Michael Espy resignation. The Roger Altman resignation. The shadowy finances. TheHenry Cisneros scandal. The national debt, at record high and still going up. And that is pretty much bipartisan.

And then, as my writer says, and the list goes on, and on, and on.

Here is a document, a political document. Looks like a Federal document, but it is not. I do not even know the group that sent it out, but it says ''Murder in the First Degree: Interim Report on the Death of commerce Secretary Ron Brown and 34 Other citizens''. And in the first paragraph, and I am going to check this, as the chairman of an Armed Services subcommittee and Committee on National Security, it says all 35 people were dead at the crash except for a stewardess. That is not the right title. They are sergeant attendants. Shelly Kelly, who was riding in the tail, sustained only minor cuts and bruises; that she was well enough to get out as sole survivor of the 35 on the plane; that she climbed on the helicopter itself, it says here. This goes on for 37 pages. And that she died on the helicopter mysteriously.

I flew four times with Sergeant Shelly Kelly. Her husband is an Air Force sergeant. Two children. And in the PX, where we went to get some supplies, some toiletries for a trip into Bosnia with Shelly Kelly on this very same airplane, she was in the line ahead of me. Intelligent, strikingly professional, good looking lady sergeant. And I said why are you buying those wine bottles; is my crew partying tonight? Oh, no. I always bring home two wine bottles from everywhere I go as air mobility command member, Congressman. And she said my husband does the same. He is up at Ramstein. And when I get home, we have one bottle of wine at dinner, and then we save the other one. We have quite a collection to give to our children.

Well, Shelly Kelly is in heaven now, Mr. Speaker, and her husband is left with that wine bottle collection from all around the world. These two excellent servants of the people in the Air Mobility Command. And I am going to have to find out if there is any truth that she survived that crash, less than a month after CODEL members, the gentleman from Alabama, SONNY CALLAHAN, the gentleman from Arizona, BOB STUMP, myself, and four or five other Members flew four times on that aircraft, from Aviano to Zagreb to Tuzla and other flights in that area just March of this year.

Now, last night, on this floor, two Californians who had joined my district, CHRISTOPHER COX has the coastline, DANA ROHRABACHER has the coastline just north of Huntington Beach on the inland land-locked Democrat majority district by about 10 points. They had a special order because Mr. COX got hold of a memo, which I guess the dominant media culture, liberal to the core, at least in New York and Hollywood and D.C., has not really printed this full memo; that somehow or other was obtained by House committees through document searches and demands.

They have been stonewalling, most of the records that the gentleman from Pennsylvania [Mr. CLINGER], doing a great job in his last few months serving this House, serving the people of Pennsylvania, and it is a task list and it is dated December 13, 1994.

This is the culmination of the first 2 years of the Clinton administration. It is only 35 days after the historical election of November 8, 1994, which turned this House over from Democrats, from 40 years of rule, most of it liberal leadership. And I repeat, referring to that Henry Cabot Lodge speech on the Senate floor, that was my first election. The age was 21 then. I had gotten my wings just past 21 and a half years of age, and I watched theHouse go the other way in my first election. Everything else in California went the other way, too. I voted absentee.

And after 40 years, we take theHouse and here is a memo 35 days later called task list. It sounds like the pejorative politically inspired documents, but also seeking the truth, that I just read. This is a Clinton administration document. They use the alphabet instead of numbers. So here are 26 items, and then they follow with double letters, 13 more. So here is 39 steps to Pennsylvania Avenue.

A. Foster document handling, and it assigns it to somebody named Nemetz, N-E-M-E-T-Z.

Travel office, assigned.

WhiteHouse, treasury contacts.

Obstruction of justice.

Criminal referrals, the Jay Stephens thing. RTC whistle-blower reprisals.

E. Use of WhiteHouse resources for response efforts. Give that one to Nolan, wherever he is.

Foster suicide. Nemetz again.

Epsy, ethics, expanded Smaltz inquiry in relation to: Tyson's Hatch Act.

Cisneros, Brown, Hubbell. Those are all separate items.

Ickes, union representation.

Stephanopoulos and his NationsBank problem.

State Department. The passport files.

Archives. Abuse of the personnel system.

Legal defense fund.

Health care task force.

WhiteHouse operations. Passes, drugs. Drugs, helicopters. That is a reference to David Watkins again.

Residence renovations. That goes to Neuwirth.

Presidential immunity goes to Sloan.

WhiteHouse, Arkansans. That is Thomasson, Nash, Rasco.

PIC surplus. I do not even know what that is. I will find out.

Improper electioneering.

GSA. That is the Orange County guy that endorsed Clinton, Roger Johnson. His life has never been the same.

Value partners.

Presidential campaign. The FEC audit.

See, December 13, 1994. They are talking about this $37,000 payoff fund to cover up a sexual harassment case against the chief administrator of the Clinton campaign, David Watkins.

Commodities. That goes to Kendall, whoever he is.

Then they start the double A, double B numbering.

Gubernatorial campaigns. Lindsey Wright. Record keeping.

Gubernatorial something else.

Whitewater and MGSL. The Madison Guaranty Savings & Loan. That goes to Kendall.

□ 1400

Other Madison Guaranty, that cost the taxpayers $60 million, and McDougal. That went to Kendall, too. He ought to be subpoenaed before a House committee before we close here. Rose law firm, we have a statute of Mr. Rose who founded that law firm, one of Arkansas's two allowed statues in Statuary Hall here. He must be turning in his grave the last 3 years and 10 months.

Then under the same heading as the Rose law firm is HRC work for, that is the Rose firm work for Madison Guaranty Savings & Loan. The Frost case. FSLIC representation. Kendall got that. David Hale, Susan McDougal, small business, she is going to jail. David Hale is on his way. Well, he has given testimony. That went to Kendall. Tucker sits all by itself. He is going to jail. Lasater, he got a better break than Susan McDougal. He is under house arrest without an anklet. For 4 years he cannot leave his home because he does have serious health problems. What a lucky guy.

African-Americans all across the country said, let some African-American get a phony loan for $300,000, rip the taxpayer off, and they gave the case in Arkansas where a gentleman was sick and he was sent to jail anyway and he died a year later. He was in wheelchair. So they are not too happy about that. Lasater, bond deals. This is their memo, their memo. Task list, December 13, 1994. Under I, issues, it says, ah, that is item 35, Lasater, open parentheses, bond deals, cocaine; Roger Clinton, close parentheses. Next one, use of loans to achieve legislative initiatives. Talk about campaign reform. ADFA, aid to families, political favors, Larry Nichols. Larry Nichols was the original whistleblower in all of Clinton's last gubernatorial campaign. Mena Airport, CBS, ABC, NBC, and even CNN have assiduously disregarded anything to do with this infamous airport in West Arkansas near the Mississippi River, and yet they have it on a WhiteHouse memo, Mena Airport. And this one is a small ''t,'' troopers, trooper-gate.

Because one year before, on December 20, as this member sat in for the incomparable Rush Limbaugh, the Rush man, I introduced because Rush was in the Caribbean on his well-earned first vacation in years with Ed McLaughlin, his discoverer, I got to introduce the trooper-gate mess on the Rush Limbaugh show coast to coast to a rolling audience then of 15 to 20 million people.

So it says troopers. And then, item am, No. 39 numerically, it simply says, small ''w,'' women. Women. The unmentioned one will not be mentioned. Open parentheses, Kendall/Bennett, that has to be Bob Bennett, assigned it to him. Then it starts and he switches from a Roman numeral to an Arabic numeral 2, new category titled Preliminaries. Identify the key Republican objectives and reasons for achieving them; that is, sustain the shadow on WJC character.

Mr. Speaker, could that be WILLIAM CLINGER? Hype theHRC threat to white men, traditional women. Identify guiding principles for responses.

These are all items. Nothing to hid, stick to the facts, get it right the first time. Keep it simple, stupid. That sounds like Carville writing this memo. It goes on and on and on and on through a whole page, surrogate roles, and then it comes over to an entire, you know how the CONGRESSIONAL RECORD has tiny print, send for this CONGRESSIONAL RECORD, folks, those leaving up in the gallery, then it comes down to item 18, they keep changing, they did not Jesuit outlining skills taught to them. I wonder if Clinton got that at Georgetown. Here is No. 18 of about the fifth category, it says FEC audit, determine congressional interest. Somebody should have written ''intense'' next to that. This is, again, the disgraced David Watkins. Assembled binders with summary and key documents. Media let them get off on that. They would have hammered war hero George Bush or the beloved Ronald Reagan if they had him on that. Then it comes down to 21 other preinaugural items, (a), Lindsey role, Betsey Wright, role of the Bank of Cherry Valley, that is one where one of the juries that let off people on blatant evidence, but that is our jury system. Starr is looking at 1984, 1986, 1990, these are guberatorial elections in Arkansas.

Then it comes down to 21, subcategory (b), negative associations, Jim Guy Tucker, year and a half later he is convicted, any number of felonies. David Hale, Small Business Association loan. He is talking to the prosecutors, to Kenneth Starr. Then he goes to jail. Jim McDougal, talking, Dan Lasater, dodged everything, got that house arrest and a pardon by Clinton. It says there, bond deals, cocaine, Roger Clinton. Then Mena Airport again, a line item. Then it goes on and on.

And then troopers, troopers. Identify the issue. Job for silence. And then this young guy, Buddy Young, the captain of the troopers, who literally whored out for Clinton, I deliberately use that tough word because his salary was more than doubled from $45,000 as captain of the troopers to way over $95,000 to go to Denton, Texas and take over a FEMA, a Federal Emergency Management key spot in this country with no experience whatsoever for threatening some of the troopers and actually silencing some, particularly one who had 5 children and triplets, unbelievable disgrace.

Then Mr. COX goes on, this memo is quite extraordinary. It is single spaced. Goes on for 12 pages. As I said, lists 39 scandals, most of which now, 2 years later, are at least known to American people. Yes, those that follow these important things.

My point is, as I said, last week on this, America has an IQ test that it is going to have to take on November 5. Today is the 12th. We are not in Friday, Saturday, Sunday, Monday. No votes Tuesday until late. That is 5 more days gone in this month. So that is 17 days. We have 13 days left in September when the next special order takes place. I hope I will be up for one. I will continue with Tiger Flight and recruit my combat tested friends, HUNTER, SAM JOHNSON.

I will be back next week with 5 more days gone, 12, that is 17, so that means 13 days in this 30-day month; 31 next, that is 44. When we come back in for legislative business, there will be 49 days left in the presidential election, 49 days before GIL GUTKNECHT rides to glory with a 60, 70 percent election up there in God's country in the northwest of our great country, middle northwest it should be called now.

Mr. Speaker, here is why this is so important to me, all these scandals. It is because we are faced with a constitutional crisis right now. Last Sunday, a few days ago I was in my district. I went to the back of the church, St. Columbans, great Irish saint that turned wild blue-faced Picts in Scotland into Christians, brought the word of Christ to Scotland with St. Kevin and St. Columba. But this is Columban.

In St. Columbans in Garden Grove, CA, at the back of the church is a plaque and it says on the plaque that these men, the following, died in the service of their country in the war in Vietnam. And it lists six names and then it says, may their souls repose in peace, or words to that effect.

I said to my wife, it is time for me to write down these names and go to the Vietnam Memorial at the kiosk, because I had done this at Cambridge, England to look at Colonel EugeneHolmes' kid brother, Bob, as I mentioned earlier who, and last week I mentioned him, who had died from his wounds at altitude, German fighter aircraft and flak tearing up the B–17, died of his wounds on the aircraft, but the aircraft made it safely back to his base and he was buried the next day on Veterans Day of 1943. The air war had been canceled over Germany because we were losing so many airplanes, 2 raids, we lost six four-engine ten- or 11-man crewed bombers over Schreinford and then Regensburg-Schreinford. So we ended the air war from October, so he must have been hit over France. We did not start up again until February. We started. We could still lose the air war. Germans had not even put their jets in the field yet. But since I have looked up and I had forgotten how easy is to get a man's date of death and birth and age, so forth, and I took down these 6 names and my Sally reminded me yesterday. So I could not get off the floor so I sent a staffer down to the Vietnamese Memorial. Within minutes he was back with their names, I mean the barest of statistics on their death.

Here they are. In my parish church, here is the names of six young Americans who died serving their country in Vietnam. I will make a point on this. J. Patrick Fitzsimmons, lance corporal Marine Corps, died a month past his 21st birthday, May 18, 1967, he was born in 1946, I guess that is the beginning of the baby boom. His dad was probably a veteran who came home from the war and count back 9 months from 1946 and that is certainly a child brought into the world at the end of our victorious allied effort of World War II. George Xavier Rocha, private first class, born February 3, 1946. He was conceived after the war in Europe ended, the very month, VE day. May of 1945. Birthday February 3, 1946. Died 21 years old, 10 and a half months, on December 18 of 1967. Bill Clinton is starting his 3 months into his senior year at Georgetown, getting ready to use graduate school to avoid his first draft notice which, by the way, was not right because graduate school deferments ended in 1967.

Then David Simmons, born in Grand Rapids but died as a citizen of Garden Grove, sergeant, Army, date of birth, August 16, 1944. Probably his dad home on leave. He died March 16, 1968, 23 years and one month to the day.

Patrick F. Scharosch, spec 4, U.S. Army, born December 18, 1945, war had been over just a few months when his mother went into labor and brought him into what looked like a very promising world, Christmas of 1945, the world at peace for the first time in six horrible bloodletting years, 55 million dead in all the extended families with broken hearts that their loved son or daughter, in the case of European Jewry, the whole extended families gone up literally in evil smoke from Hitler's crematoria. He died April 15, 1968. I know exactly where I was that day, on the way to Vietnam as a reporter.

He was 22 years, 4 months, J. Michael Foster, another marine, corporal, he was born on VE day itself, May 8, 1945. In between his mother's birth pangs, no TV in the hospital rooms then, but I am sure proud dad and brothers and sisters bringing her newspapers, the war is over in Europe. Well, it ended the day before, it ended on the sixth, Ike took the unconditional surrender, would not even show up, he so disrespected General Yodal and then declared May 8 the VE day. Some prisoners were still dying. Some people liberated in camps were still dying but at least they knew freedom, breathed free for a day or two before their emaciated bodies gave up their souls to God and in Russian camps that had been overrun, U.S. prisoners, I repeated from earlier, those with the Slavic names died in the Gulag camps over the next decade.

Let me please give this last name, Mr. Speaker, J. Michael Foster, died March 24, 1969, 23 years, 10 months and, thank you for the courtesy of the one officer, major, Marine Corps, Robert M. Fitzgerald, born in Yonkers, NY, date of birth, January 3, 1936, the year of my brother's birth. His death was June 1, 1970, 34 years, 5 months, the year Bill Clinton returned from his triumphal tour of Prague, Moscow, and Scandinavia.

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

[From POLI news, Sept. 10, 1996]

FROM WATERGATE TO WHITEWATER TO FILEGATE, THERE MAY NOT BE A SANTA CLAUS, BUT THERE'S DEFINITELY A LAW OF KARMA!

When Hillary Clinton and Bernie Nussbaum were manipulating the law to continue their vendetta against Nixon, which eventually brought the word 'impeachment' into everyday usage, who thought the law of Karma, AKA The Law of Return, would come into play some 25 years later? One may well wonder if HRC had been studying Eastern Philosophy instead of cranking out McGovern posters, would the WhiteHouse be the Sing-Sing on-the-Potomac?

Let's take a brief stroll down felony lane and look at the Clintons' Legacy:

Trooper-Gate, our randy President-to-be uses state employees, State Police to be exact, to pimp for him, rating the women on a scale of one to ten, (with HRC un-listed) with basement 'soirees' as HRC slept upstairs and even an assignation at 4:45 am on the very morning he left for D.C. According to Trooper Roger Perry, Clinton offered him a federal job in return for his silence. Candy may be dandy, and liquor, quicker, but a Federal job has real appeal! Among those supposedly given jobs-for-sex: the infamous Gennifer Flowers, who replaced a black woman for a administrative post for which Ms. Flowers had no expertise. Now there's a new use for tax dollars.

Nanny-gate, with a full 27 nominees for high office disqualified for not paying Social Security taxes. Among these, Zoe Baird, who with her husband, both high-priced lawyers, failed to take a few bucks out of their annual $500,000 income to pay the green carded nanny's way.

Haircut-gate, where his royal highness Bill tied up the Los Angeles airport while he got a $250 haircut which cost the airport thousands of dollars, while delaying the busy lives of actual 'little tax-paying people.' Looking at our President's bushy hair, I think the cut was overpriced.

Travel-gate, where seven loyal WhiteHouse workers were not only fired, which the Clintons had every right to do as these people served 'at the pleasure of the President' but against all laws of the land, the First Lady and the First Bill brought in the FBI and the IRS to trash the reputations of innocents to save their own, since the 'Haircut' had previously left a bad taste in the public's mouth. Clinton so-called 'cousin' (because no one can find her lineage actually connecting her, by blood or marriage, to the family) young, blonde and inexperienced, (at least in the travel business), Catherine Cornelius was hired to run the Travel Office. Unbeknownst to them, but latter knownst to us, their stalling on document-releases in this affair, gave Rep. William Clinger the power to threaten Contempt of Congress, thereby yielding a treasure trove of documents. Among the papers, it was learned that, yet another scandal, involving the FBI and secret documents, was to be revealed.

File-gate, where, in true Clinton style a ''few,'' then ''about 300, from A to G,'' to the current 'over 1,000' classified personal FBI files, mostly of Republicans who had served in the Reagan and Bush administrations. Incredibly, we have learned that those in charge of this enemies list were never, themselves, able to pass a security clearance for such reasons as drug use, including, marijuana, cocaine, crack-cocaine and other 'hard drugs', theft, including thousands of dollars of lap-top computers stolen after the campaign, (with surveillance camera videos of the actual stealing!), and other past histories of the criminal kind.

Mena-gate, which is currently being worked on, Mena being an airport in Arkansas, under the direction of FOB (formerly, Friend-of-Bill, now Felon-of-Bill) Dan Lassiter, used to traffic an estimated $110 MILLION/month of cocaine into the U.S.A.

Foster-gate, in which for the first time in this century, a dead body smells up the WhiteHouse. Vince Foster, one-time 'special' friend of Hillary and family lawyer, was suspiciously found dead, jurisdiction was given to 'park police' to, contrary to all the evidence (e.g., clean, polished shoes, after a long walk through a dusty brush-filled park, unexplained carpet fibers on the dead man's clothing, blonde hair and semen stains on the underclothes, non-functioning gun found in the wrong hand, absence of bullet, spent shell, skull-fragments and other forensic evidence, fingerprint-less 'suicide note' w/o any words of love for family, torn into 27 pieces (try this at home), gravity-defying bloodstain on face, impossibly small amount of blood for a 'head shot' etc., etc.) rule 'suicide' and then the body was quickly cremated before extensive examination would be done.

Lest we forget to note the, shall we say, interesting list of Presidential appointees:

Joycelyn (the Condom Queen) Elders, who suggested prostitutes be implanted with 'Norplant' to enable them to ply their trade, wanted ''safer bullets'' (!?!, Ed.) Most famous quote, '''''If I could wear a crown on my head with a condom on it. I would.''''

Henry Foster, who said he had performed ''a few'' abortions, then continued to lie to Congress as it was revealed that ''a few'' equaled over 700. Dr. Foster claimed those opposing his nomination were ''racists.''

Web Hubbel, former FOB and Hillary's Rose Law partner, actual un-appointed Attorney General, responsible for the Waco Massacre, now serving time in the penal Club Fed, who let the blame for the dead children fall on the broad shoulders of

Janet Reno, Attorney General, most famous quote ''My highest priority is not to convict criminals, but to protect their rights.'' Ms. Reno was also given 'what-for' in a Senate vote of 100–0 when she tried to overturn George Bush's position on child pornography.

Ron Brown, deceased Commerce Secretary, formerly under investigation by: Department of Justice; Special Prosecutor; FDIC; Congressional Reform and Oversight Committee; FBI; DOE; Senate Judiciary Committee; Commerce Dept.; and Inspector General. At the time of the plane crash which reportedly killed Sec'y. Brown, there were 22 Congressmen demanding Brown's removal and prosecution. Among the major scandals in which Brown was involved: Whitewater; Mena Drug smuggling; the Denver Airport mess; The Keating Five; Haitian Madame Lillian Madsen's prostitution ring; $700,000 received from Russia and deposited in a Singapore Bank to drop trade embargo with Viet Nam (which was accomplished), thereby propping up the Viet Nam Communists; Special 'favors' (tax and regulatory) breaks given by Brown to Democrat Party and Clinton Victory Fund (to re-elect Clintons) Influence Peddling by Cabinet Official $12.5K/mo. from Haitian dictator-in-Exile Duvalier; $50M sent to Viet Nam Communist gov't.; $360,000 town house for the aforementioned Mme. Madsen; illegal ChemFix Waste Mgt. account with

former NYC Mayor David Dinkins, worth millions; Capitol/Pebsco illegal pension fund account with DC Mayor Marion Barry; sale of gas-turbine engine to China for use in cruise missiles; illegal Iranian Muslims weapons deal into Bosnia against US/Ally Trade Embargo, money for which came from Depts. of Commerce and Agriculture slush funds, and supplied helicopter gunships, stinger missiles, land mines, anti-aircraft guns, anti-tanks weapons, grenade launchers and over 20,000 muslim troops, including their elite Mujahedeen; illegal $500,000 cash with gov't loans money deal with Yolanda Hill to fund Democratic National Committee; illegal $6 Billion Saudi deal for military aircraft and hardware coupled with illegal $4 Billion AT&T contract, of which DNC and Bill Clinton were beneficiaries. Now here lies a busy, busy capitalist!

Henry Cisneros, Sec'y of HUD, under investigation for lying to FBI in matter involving money and mistress.

Mike Espy, former Sec'y of Agriculture, resigned after Tyson (FOB) Food Giant 'bought influence,' with this case still active.

Ira Magaziner, Health Care Czar and Friend of Hillary, investigated for spending a bit over budget for the now infamous, socialist Health-Care Task-Force fiasco. A bit over budget, you ask? Well, for an original estimate of $300,000 to become an actual bill of over $15 Million from the taxpayers, I, for one, would like my money back. It would seem the 'Force' was 'tasked' to redistribute wealth from the tax payer to their private Swiss accounts, non? Ooh la la!

Hazel O'Leary, Energy Secretary, who has shown she can overspend with the best of 'em. Hazel took 68 of her closest friends on a Madonna-like tour, using theHollywood and Rock stars' favorite transport jet, (complete with gold toilet fixtures and hot tubs) claiming billions of business garnered for the US, which was proven to be less than millions.

Donna Shalala HHS Sec'y and another 'special' friend of Hillary, famous for the television and radio, condom campaign, at taxpayer's expense, spending over $1 Million thus far.

9. H.J. RES. 77. USE OF FORCE AGAINST IRAQ/PASSAGE

Passage of the joint resolution to authorize the use of military force if Iraq has not withdrawn from Kuwait and complied with U.N. Security Council resolutions by Jan. 15. The resolution authorizes the use of force and the expenditure of funds under the War Powers act and requires the president to report to Congress every 60 days on the efforts to obtain Iraqi compliance. Passed 250–183: R 164–3; D 86–179 (ND 33–147, SD 53–32); I 0–1, Jan 12, 1991. A ''yea'' was a vote supporting the president's position.

Alabama:

Callahan–Y.
Dickinson–Y.
Browder–Y
Bevill–Y.
Cramer–Y.
Erdreich–Y.
Harris–Y.

Alaska:

Young–Y.

Arizona:

Rhodes–Y.
Udall–?.
Stump–Y.
Kyl–Y.
Kolbe–Y.

Arkansas:

Alexander–N.
Thornton–Y.
Hammerschmidt–Y.
Anthony–N.

California:

Riggs–N.
Herger–Y.
Matsui–N.
Fazio–N.
Pelosi–N.
Boxer–N.
Miller–N.
Dellums–N.
Stark–N.
Edwards–N.
Lantos–Y.
Campbell–Y.
Mineta–N.
Doolittle–Y.
Condit–Y.
Panetta–N.
Dooley–N.
Lehman–Y.
Lagomarsino–Y.
Thomas–Y.
Gallegly–Y.
Moorhead–Y.
Beilenson–N.
Waxman–N.
Roybal–N.
Berman–Y.
Levine–Y.
Dixon–N.
Waters–N.
Martinez–N.
Dymally–?.
Anderson–Y.
Dreier–Y.
Torres–N.
Lewis–Y.
Brown–N.
McCandless–Y.
Dornan–Y.
Dannemeyer–Y.
Cox–Y.
Lowery–Y.
Rohrabacher–Y.
Packard–Y.
Cunningham–Y.
Hunter–Y.

Colorado:

Schroeder–N.
Skaggs–N.
Campbell–Y.
Allard–Y.
Hefley–Y.
Schaefer–Y.

Connecticut:

Kennelly–N.
Gejdenson–N.
DeLauro–N.
Shays–Y.
Franks–Y.
Johnson–Y.

Delaware:

Carper–Y.

Florida:

Huffo–Y.
Peterson–N.
Bennett–N.
James–Y.
McCollum–Y.
Stearns–Y.
Gibbons–N.
Young–Y.
Bilirakis–Y.
Ireland–Y.
Bacchus–Y.
Lewis–Y.
Goss–Y.
Johnston–N.
Shaw–Y.
Smith–N.
Lehman–N.
Ros-Lehtinen–Y.
Fascell–Y.

Georgia:

Thomas–Y.
Hatcher–Y.
Ray–Y.
Jones–Y.
Lewis–N.
Gingrich–Y.
Darden–Y.
Rowland–Y.
Jenkins–N.
Barnard–Y.

Hawaii:

Abercrombie–N.
Mink–N.

Idaho:

LaRocco–N.
Stallings–N.

Illinois:

Hayes–N.
Savage–N.
Russo–N.
Sangmeister–N.
Lipinski–N.
Hyde–Y.
Collins–N.
Rostenkowski–Y.
Yates–N.
Porter–Y.
Annunzio–N.
Crane–Y.
Fawell–Y.
Hastert–Y.
Madigan–Y.
Cox–N.
Evans–N.
Michel–Y.
Bruce–N.
Durbin–N.
Costello–N.
Poshard–N.

Indiana:

Visclosky–N.
Sharp–N.
Roemer–N.
Long–N.
Jontz–N.
Burton–Y.
Myers–Y.
McCloskey–N.
Hamilton–N.
Jacobs–N.

Iowa:

Leach–Y.
Nussle–Y.
Nagle–N.
Smith–N.
Lightfoot–Y.
Grandy–Y.

Kansas:

Roberts–Y.
Slattery–Y.
Meyers–Y.
Glickman–Y.
Nichols–Y.

Kentucky:

Hubbard–Y.
Natcher–N.
Mazzoli–N.
Bunning–Y.
Rogers–Y.
Hopkins–Y.
Perkins–N.

Louisiana:

Livingston–Y.
Jefferson–N.
Tauzin–Y.
McCrery–Y.
Huckaby–Y.
Baker–Y.
Hayes–Y.
Holloway–Y.

Maine:

Andrews–N.
Snowe–Y.

Maryland:

Gilchrest–Y.

Bentley–Y.
Cardin–N.
McMillen–Y.
Hoyer–N.
Byron–Y.
Mfume–N.
Morella–N.

Massachusetts:

Conte–N.
Neal–N.
Early–N.
Frank–N.
Atkins–N.
Mavroules–N.
Markey–N.
Kennedy–N.
Moakley–N.
Studds–N.
Donnelly–N.

Michigan:

Conyers–N.
Pursell–Y.
Wolpe–N.
Upton–Y.
Henry–Y.
Carr–N.
Kildee–N.
Traxler–N.
Vander Jagt–Y.
Camp–Y.
Davis–Y.
Bonior–N.
Collins–N.
Hertel–N.
Ford–N.
Dingell–Y.
Levin–N.
Broomfield–Y.

Minnesota:

Penny–N.
Weber–Y.
Ramstad–Y.
Vento–N.
Sabo–N.
Sikorski–N.
Peterson–N.
Oberstar–N.

Mississippi:

Whitten–Y.
Espy–N.
Montgomery–Y.
Parker–Y.
Taylor–N.

Missouri:

Clay–N.
Horn–N.
Gephardt–N.
Skelton–Y.
Wheat–N.
Coleman–Y.
Hancock–Y.
Emerson–Y.
Volkmer–Y.

Montana:

Williams–N.
Marlenee–Y.

Nebraska:

Bereuter–Y.
Hoagland–Y.
Barrett–Y.

Nevada:

Bilbray–Y.
Vucanovich–Y.

New Hampshire:

Zeliff–Y.
Swett–Y.

New Jersey:

Andrews–N.
Hughes–Y.
Pallone–Y.
Smith–Y.
Roukema–Y.
Dwyer–N.
Rinaldo–Y.
Roe–N.
Torricelli–Y.
Payne–N.
Gallo–Y.
Zimmer–Y.
Saxton–Y.
Guarini–N.

New Mexico:

Schiff–Y.
Skeen–Y.
Richardson–N.

New York:

Hochbrueckner–N.
Downey–N.
Mrazek–N.
Lent–Y.
McGrath–Y.
Flake–N.
Ackerman–Y.
Scheuer–N.
Manton–N.
Schumer–N.
Towns–N.
Owens–N.
Solarz–Y.
Molinari–Y.
Green–Y.
Rangel–N.
Weiss–N.
Serrano–N.
Engel–Y.
Lowey–N.
Fish–Y.
Gilman–Y.
NcNulty–Y.
Solomon–Y.
Boehlert–Y.
Martin–Y.
Walsh–Y.
McHugh–N.
Horton–Y.
Slaughter–N.
Paxon–Y.
LaFalce–N.
Nowak–N.
Houghton–Y.

North Carolina:

Jones–Y.
Valentine–Y.
Lancaster–Y.
Price–N.
Neal–N.
Coble–Y.
Rose–N.
Hefner–N.
McMillan–Y.
Ballenger–Y.
Taylor–Y.

North Dakota:

Dorgan–N.

Ohio:

Luken–Y.
Gradison–Y.
Hall–N.
Oxley–Y.
Gillmor–Y.
McEwen–Y.
Hobson–Y.
Boehner–Y.
Kaptur–N.
Miller–Y.
Eckart–N.
Kasich–Y.
Pease–N.
Sawyer–N.
Wylie–Y.
Regula–Y.
Traficant–N.
Applegate–N.
Feighan–N.
Oakar–N.
Stokes–N.

Oklahoma:

Inhofe–Y.
Synar–N.
Brewster–Y.
McCurdy–Y.
Edwards–Y.
English–N.

Oregon:

AuCoin–N.
Smith–Y.
Wyden–N.
DeFazio–N.
Kopetski–N.

Pennsylvania:

Foglietta–N.
Gray–N.
Borski–Y.
Kolter–N.
Schulze–Y.
Yatron–N.
Weldon–Y.
Kostmayer–N.
Shuster–Y.
McDade–Y.
Kanjorski–N.
Murtha–Y.
Coughlin–Y.
Coyne–N.
Ritter–Y.
Walker–Y.
Gekas–Y.
Santorum–Y.
Goodling–Y.
Gaydos–N.
Ridge–Y.
Murphy–N.
Clinger–Y.

Rhode Island:

Machtley–Y.
Reed–N.

South Carolina:

Ravenel–Y.
Spence–Y.
Derrick–Y.
Patterson–Y.
Spratt–Y.
Tallon–Y.

South Dakota:

Johnson–N.

Tennessee:

Quillen–Y.
Duncan–Y.
Lloyd–Y.
Cooper–Y.
Clement–Y.
Gordon–Y.
Sundquist–Y.
Tanner–Y.
Ford–N.

Texas:

Chapman–Y.
Wilson–Y.
Bartlett–Y.
Hall–Y.
Bryant–N.
Barton–Y.
Archer–Y.
Fields–Y.
Brooks–Y.
Pickle–N.
Edwards–Y.
Geren–Y.
Sarpalius–Y.
Laughlin–Y.
de la Garza–Y.
Coleman–N.
Stenholm–Y.
Washington–N.
Combest–Y.
Gonzalez–N.
Smith–Y.
DeLay–Y.
Bustamante–N.
Frost–Y.
Andrews–Y.
Armey–Y.

Ortiz–Y.

Utah:

Hansen–Y.
Owens–N.
Orton–Y.

Vermont:

Sanders–N.

Virginia:

Bateman–Y.
Pickett–Y.
Bliley–Y.
Sisisky–Y.
Payne–Y.
Olin–N.
Slaughter–Y.
Moran–N.
Boucher–N.
Wolf–Y.

Washington:

Miller–Y.
Swift–N.
Unsoeld–N.
Morrison–Y.
Foley–N.
Dicks–N.
McDermott–N.
Chandler–Y.

West Virginia:

Mollohan–Y.
Staggers–N.
Wise–N.
Rahall–Y.

Wisconsin:

Aspin–Y.
Klug–Y.
Gunderson–Y.
Kleczka–N.
Moody–N.
Petri–Y.
Obey–N.
Roth–Y.
Sensenbrenner–Y.

Wyoming:

Thomas–Y.

ENERGY AND ENVIRONMENT SUBCOMMITTEE FIELD BRIEFING

The SPEAKER pro tempore. Under the Speaker's announced policy of May 12, 1995, the gentleman from California [Mr. ROHRABACHER] is recognized for 60 minutes as the designee of the majority leader.

Mr. DORNAN. Mr. Speaker, if the gentleman will yield for a second.

Mr. ROHRABACHER. Yes; I would.

Mr. DORNAN. I thank my colleague for yielding.

I made reference earlier to your hard-hitting, factual, truthful special order last night with CHRIS COX, and I would like to ask unanimous consent that this not interrupt the flow of this fascinating environmental presentation, but that my question of you and my short statement hear appear at the beginning of your special order so it has a flow from special order.

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

There was no objection.

Mr. DORNAN. What I wanted to do was to point out at the end of my special order, because I got caught a little about there, that I have asked unanimous consent they duplicate it to put it in the RECORD at the end of my remarks for any Americans tracking us through the gallery of visits here, or through the electronic wizardry of C–SPAN I and II, that I am putting into the record the vote.

You were here for that great debate in January 1991, so was the Speaker pro tempore; 180 Democrats voted against doing anything about Saddam Hussein. Some of them even voted against the sanctions, like my pal, ELIOT ENGEL, although he voted for hostile action. But all the leadership: Tom Foley, who was the Speaker, Mr. BONIOR, who was in leadership then, Mr. HOYER, the entire leadership here and the entire leadership that is over there today in the Senate: Mr. DASCHLE, then the majority leader, Mr. Mitchell, they all voted against doing anything. And Admiral Crowe, who had risen to glory under Reagan and Bush, he wrote against any action, and his reward is to be the Ambassador to England in the Court of St. James.

Now we have these same people coming to the floor. The gentleman from Massachusetts [Mr. MARKEY] at least had the decency to say, well, he voted no because he thought we went into week 2 early and left a few days too late, and I might agree with the analysis, but that is not a reason to vote against going in at all, because he did not know when we were going in.

Mr. ROHRABACHER. If I could reclaim my time for a moment?

Mr. DORNAN. Sure.

Mr. ROHRABACHER. Actually, it is worse than what you are presenting. The fact is that we had hundreds of thousands of Americans in the desert in a very vulnerable situation. They were in a hostile environment, even if there were no enemy troops out to kill them; and what happened, what you are talking about, the vast majority of the members of the Democratic Party who were here in this body decided and voted that they should not be permitted to conduct offensive military operations.

What, in essence, that vote was all about was saying our troops, vulnerable in the middle of a hostile desert, facing a well-armed foe would not be able to conduct offensive operations but would have to sit there and fry in the desert and take hits, but were not permitted to take offensive action.

This is Vietnam times 10, if they would have succeeded. Luckily a number, Democrats crossed over to join almost every Republican.

Mr. DORNAN. 240 to 183.

Mr. ROHRABACHER. Right. Almost every Republican voted to side with our troops.

You do not put people out in that condition unless you are willing to back them up, and the last thing you want to do is put them out in the middle of the desert as it is going into summertime and make them sit there and make them take the hits for not letting offensive military operations take place.

They voted that way, and then when Schwarzkopf came here, when he came here to give a speech to this body after the great victory that he led us to, I remember the Schwarzkopf reception because all of those who voted, not all of them, but so many of those who voted to make him a sitting duck elbowed everybody else out of the way in order to get their picture with General Schwarzkopf.

At that time, if you remember, right after we voted to give them the right to conduct offensive military operations, and it became clear that our forces were going to win a magnificent victory, the Democrats who controlled this body at the time, if you remember, BOB, called us back, immediately called us back in order to have a vote which was nothing but a face-saving vote for them at massive expense to the taxpayers to get everybody back here for just a face-saving vote for——

Mr. DORNAN. To support the men and women.

Mr. ROHRABACHER. That is right.

Mr. DORNAN. Two quick final thoughts:

You are right. Boy, was I understating it. Those of us who were raised in California and in New York, a few other big cities, find words like arrogance, gall, the effrontery of it all. They are not strong enough.

We must turn to Yiddish, one of the world's most powerfully expressive and emotional languages. The word with great accent ''chutzpah'' comes to mind, that they would ask us, without even being consulted, let alone a fulsome debate, as President Bush and Dick Cheney gave us, that we should sign off on some feel-good thing from the other Chamber without being consulted about the air war that may be beginning any second over there of hostilities again affronting our Constitution.

□ 1430

A final thought. I leave you now to go to the West Front, Ronald Reagan the first President ever sworn in out there, where bishops, cardinals of the Catholic Church, bishops of the Mormon Church, prolife ministers and pastors, great evangelical leaders and prolife rabbis are gathering to ask the U.S. Senate, six hardened hearts, to turn around and support the overwhelming majority of theHouse and Senate to override Clinton's veto on partial birth infanticide of 80-percent-delivered babies held in the mother's birth canal under great distress to the mother, heck with the distress on the baby, because the abortionist is about to stab it in the back of its head and remove its brains by suction. I am going out there now to that.

Mr. ROHRABACHER. Reclaiming my time, Mr. Speaker, I have always believed that there is an honest disagreement on the issue of pro-life and pro-choice and the abortion issue. I personally, until I came to the conclusion that life begins at conception, I was ambivalent about this whole issue. But once you come to a conclusion, once

you say to yourself, I honestly believe that we are talking about a baby, once you actually say to yourself this is the conclusion I have come to, and looking at all the facts, then that is it. There is no more decision. If you believe life begins at conception, you cannot permit the killings of babies.

Many of our colleagues have an honest disagreement. They have not come to that. Their eyes have not been opened to that. I did not believe that all the time, either. But as soon as I did, then my decisionmaking was past. No moral person could permit a baby to be killed.

But a partial birth abortion, even those people who do not believe that life begins at conception, as I now have come to believe, even those people who do not believe that know that a partial birth abortion is a baby that is well along the way.

Mr. DORNAN. You see the arms and legs moving.

Mr. ROHRABACHER. This really is tragic that the other side, who is so opposed to any restrictions on abortion, have been able to blind themselves about what this is. There should be no question about this.

Mr. DORNAN. Senator DANIEL PATRICK MOYNIHAN is changing his vote. At least one has let his conscience kick in. He wrote a speech titled ''Too Close to Infanticide.'' Great cardinals and bishops and Protestant leaders have said it is infanticide, and that is what I say. Eighty percent of the infant is there, You are holding the mother in distress while you take its brains out and kill it right in front of your eyes. That is infanticide.

Mr. ROHRABACHER. Let us just hope, I happen to believe that we should try to explain in a very heartfelt, way, those of us whose eyes have been opened, that honestly, there is no other, once you conclude that life begins at conception you cannot have any other belief. Even the most strident person who is pro-choice that I know, if they believed that it was a baby that we were talking about, they would not believe that there should be an abortion.

Mr. DORNAN. Beautifully put. You have actually picked up the theme of the cardinals, to try and win by persuasion. But when you are a fighter pilot, that is hard. Your dad is a fighter pilot. Ask your dad how hard it is to be loving and kind and try to open people's eyes when they keep trying to funnel Federal dollars into what is obviously the infanticide of a living child, 80 percent born. I am going to take your advice and speak with love out there on the West Front today.

Mr. ROHRABACHER. I think we should.

Mr. Speaker, I asked for this time to report to theHouse on a field briefing and site visit that was held on August 8, a hearing and field briefing that was hosted by the Energy and Environmental Subcommittee which I chair. Joining me at that field briefing were four other members of the Committee on Science: Mr. SCHIFF, the distinguished chairman of the Basic Research Subcommittee, Mr. CALVERT, Mr. FOLEY, and Mr. STOCKMAN. The field briefing could well have been called: Free Enterprise Works. Each of the sites that we visited gave us a firsthand look and a better understanding of the private sector's response to environmental challenges. We found that in southern California new technologies are emerging to clean and purify the environment and to make a profit, to boot.

We began the day by attending a ground-breaking for C-launch. This is an innovative project of the Boeing Corporation which will launch commercial satellites from platforms based at sea. I am particularly pleased that Boeing has chosen the site of the now closed Long Beach Naval Station for its home port, bringing much-needed jobs to the area.

We next visited the Long Beach headquarters of Gridcore. Gridcore is a company that has commercialized technology originally developed at the Department of Agriculture research lab in Wisconsin. They are a proud example of a public-private partnership.

The result of this cooperation is a remarkable product. They are panels with the strength of plywood at half the weight made from 100 percent recycled material, primarily fiber from old corrugated cardboard containers. It is keeping our landfills from overflowing while at the same time producing a building substitute for trees.

Even more, this technology allows the production of Gridcore products without the use of toxic resins or binders. Not only is Gridcore made from recycled materials, but the product itself is also recyclable.

So what we have here, a product of a basically public-private partnership, is the development of an environmental technology that will keep our landfills from overflowing, but at the same time save trees, and at the same time, of course, make a profit for those who are engaged in the enterprise.

Mr. Speaker, I ask unanimous consent to enter Gridcore's specification sheet at this point in the RECORD.

The SPEAKER pro tempore (Mr. BARTON of Texas). Is there objection to the request of the gentleman from California?

There was no objection.

The specification sheet referred to is as follows:

GRIDCORE®

SPECIFICATION SHEET

Product description

Gridcore® is an engineered molded fiber stressed skin panel. Proprietary technology facilitates the pressure forming of recycled resources into three dimensional geometric ribs molded to smooth faces. When laminated together, they form a honeycomb panel with high strength-to-weight features and impressive design, fabrication and application flexiblity.

Size

4′ x 10′ x 23/32″ (Internally Tested)

Thickness Tolerance: ±1/64″

(Equivalent to A/C plywood specifications)

Weight

1.0–1.25 pounds per square foot (nominal 3/4″ basis) (Internally Tested)

Density

20 pounds per cubic foot (nominal 3/4″ basis) (Internally Tested)

Bending Strength

ASTM D 1037 @ 50% RH

Modulus of Rupture: 1,000–1,300 PSI (Timber Products Inspection Lab)

Modulus of Elasticity: 150,000–200,000 PSI

(Equivalent to low density particleboard specifications)

Flat Crush

ASTM C 365 @ 50% RH: 50–60 PSI (Internally Tested)

Screw Withdrawal

ANSI A208.1 @ 50% RH:

Hollow Core: 76 pounds (Timber Products Inspection Lab)

Epoxy Filled Core: 254 pounds

Linear Expansion

50%–90% RH: 0.15%–0.20% (Fiber Research International)

Flame Spread

ASTM E-84: Class C (United States Testing Company)

Flame Spread Index: 115 Test performed on Gridcore®

Smoke Density: <450 Gridboard assembly.

Environmental Features

Current Gridcore® products are made from 100% recycled resources, primarily kraft fiber from old corrugated containers. Gridcore® is free of formaldehyde's and urea reins. Non-toxic PVA (white) glue is used to laminate sub-panels. The manufacturing process generates no toxic off-gasses. The water utilized in the forming & pressing cycles is recycled back into the system. Widespread adoption of Gridcore® can slow deforestation and provide sustainable building solutions for the growing needs of Twenty-First Century development.

NOTE.—Changes in raw material content can affect the structural characteristics of the panels. If surfaced with coatings, veneers or laminates, Gridcore® should be balanced with similar treatments on both faces to prevent warping.

Mr. ROHRABACHER. Mr. Speaker, as part of its commercialization agreement with the Government, Gridcore is paying royalties on its profits. As a result, the taxpayers will get more back in terms of what Gridcore is giving them through royalties than it costs us in the original investment.

Well, I have been somewhat skeptical of developing a partnership-type relationship between government and private companies. In this case it has obviously worked, and certainly these royalty arrangements by which private companies commercialize government-developed technologies, certainly this should be encouraged, and in this case, Gridcore has developed a product which is a win for the taxpayers, a win for the consumers, and a win for the environment.

From Gridcore, our field briefing went on and we visit the headquarters of Simple Green in Huntington Beach. Simple Green began in the family workshop of Bruce Fabrizio and his father, Joseph. They successfully developed an alternative to toxic cleaners

used to remove tannic acid that results from coffee roasting. Twenty years later they have developed an all-purpose cleaner that degreases products marketed around the world, and these products are nontoxic nonflammable, nonabrasive, and even biodegradable.

One of the greatest obstacles to this success, to the development of an environmentally friendly product, a cleaner that went well beyond anything that was on the market at that time, one of the greatest obstacles they had to overcome was the high taxes, high interest rates and double-digit inflation during the 1970's.

This was the time during the late 1970's when, as entrepreneurs, they struggled to establish their new company to offer this environmentally sound alternative to the cleaning products that were already on the market. But with high interest rates and a killer inflation they were almost kept off of the market simply by the general economic conditions.

So let us never forget that when we are talking about cleaning the environment or any other very laudable goal that we must insure that the fundamental economic factors that are at play in our society are conducive to entrepreneurs developing new products and creating jobs and basically bringing about the progress that will make this a better world.

Well, once they were successful, Simple Green did not stop at just making a good product and making a profit. In fact, the product itself, of course, is beneficial in that it is more environmentally safe than the other cleaners that are on the market, but they did not stop at just making a profit at doing that. They went on to establish the Egbar Foundation which stands for: everything is going to be all right, which is, of course, in stark contrast to some of the pessimism that we hear from other people who claim to be interested in the environment but basically are so pessimistic and are making such outlandish claims that the world is going to end and that we all are going to be consumed in our own waste that it actually decreases the amount of activity, of human activity, that is aimed at solving the problems because they are so pessimistic.

Well, the Simple Green people established this foundation, everything is going to be all right, in order to stimulate new ideas and to get people active and personally mobilized to try to make this a better planet environmentally. Using 1 percent of the company's annual sales, the foundation sponsors an environmental education program which involves over 200,000 California students.

While onsite we learned that Simple Green has recently begun research on using its technologies to improve bioremediation techniques. They now have developed a method to reclaim land despoiled by oil and other toxics in a more effective and more efficient way than the currently alternatives.

Again they are making money by building a better more effective product that will be better for the environment as the product is being used.

Mr. Speaker, I ask unanimous consent to place a statement from Simple Green, on its bioremediation research, into the RECORD.

The SPEAKER pro tempore (Mr. BARTON of Texas). Is there objection to the request of the gentleman from California?

There was no objection.

The statement referred to is as follows:

SIMPLE GREEN—THE KEY TO ENVIRONMENTAL TECHNOLOGY

For more than 20 years, Simple Green has been helping make our planet a much cleaner place. Unlike hazardous solvents and harsh detergents, Simple Green's unique formula is non-toxic, non-flammable and biodegradable.

Now marketed throughout the world as an environmentally sensitive cleaner and degreaser, Simple Green's reputation continues to grow.

Simple Green is versatile, safe and effective. We're still discovering brand-new applications for its use. At home, industry, and, now even in the land, as an integral part of promising new techniques for bioremediation.

Bioremediation is proving to be an attractive alternative for waste disposal. The United States Environmental Protection Agency defines bioremediation as ''a process whereby naturally occurring microbes, typically bacteria or fungi, degrade harmful chemicals into less toxic or non-toxic compounds.''

One of the most difficult problems in bioremediation is that the pollutant is often not readily available to the microbial community. Material that disperse organic pollutants prove to be a very important part of an effective bioremediation process. Even at relatively low levels compared to the pollutant concentration.

Simple Green has proven to be outstanding for this kind of intermediary function. Simple Green's chelating capacity decreases metal toxicity problems and its formulation significantly increases the bioavailability of many types of pollutants.

Bacterial viability is a critical consideration for any additive proposed for use in a bioremediation effort. Simple Green has properties that will increase the effectiveness of bioremediation, and could be used safely with no deleterious effect on the indigenous bacteria.

According to Celia Bonaventura, Co-Director, Marine Biomedical Center Duke University Marine Laboratory, ''The part that Simple Green plays in this process is facilitating the hydrocarbon bacterial juxtaposition. Hydrocarbons tend to stay in oily pockets and bacteria likes to live in watery places and Simple Green works well to help these come together.''

Simple Green's cutting edge formulation and superior results is something chemists call Micro-Particulate-Fractionalization, or MPF.

Simple Green uses special ''surface active'' agents to break down large globs of oil, grease and fat to create much smaller microscopic droplets called ''micelles.''

Unlike ordinary industrial cleaners and dispersants, Simple Green's special MPF properties continue breaking down these microscopic droplets even further.

These droplets are made increasingly smaller and more numerous by Simple Green's MPF process, which provide increasingly greater surface area for Simple Green and water to attack. The end result of the MPF process is the pollutant is much more available to the microbial community.

Simple Green has invested millions of dollars in independent testing and research to thoroughly evaluate the products, the efficacy and safety.

According to Dr. John Todhunter, President, Science Regulatory Services, International, and former head of toxicology for the U.S. Environmental Protection Agency, ''Simple Green's unprecedented MPF process is a scientifically advanced method of achieving effective cleaning.''

In the past, surfactants have been used in bioremediation with minimal success. What makes Simple Green different? Simple Green's combination of surfactants has been found to actually encourage bacterial activity. While surfactants alone such as Tergitol can actually inhibit bacteria growth due to toxicity.

H & H Eco Systems of North Bonneville, WA, founded by Terry Horn, has established itself on the leading edge of biological systems.

Terry Horn, President of H & H Eco Systems and with 20 years of experience in the field, realized that no one single bioremediation approach would work. Bioremediation needs to be individually assessed for every site.

Because of heterogeneity in the distribution of pollutants, indigenous micro-organisms and soil components, bioremediation methods in a given project vary from site to site.

The approach developed by H & H Eco Systems, Inc. is unlike any other. It's called ''the bio-triangle'' approach.

The ''attack'' on contaminants involves a combination of Simple Green, biological and mechanical components. Simple Green chemically acts to alter the physical composition of the contaminant whileH & H Nutrients provide a balanced biological diet, and the System 614 Turbo-rator serves as the mechanical component to enhance this process.

Simple Green is also an extremely effective vapor suppressant able to keep vapors below state and Federal levels. Its deodorizing properties, even at diluted levels, help overcome tough odor problems, particularly a concern when doing sites in residential areas.

Celia Bonaventura states ''as a cleaner Simple Green makes a good dispersion between the hydrocarbon or oily material and water. As the material is held in that contact it's tendency to vaporize will be much less. Thus there is a very nice complimentary between the cleaning properties of Simple Green and it's ability to act as a vapor suppression.''

Today, we are working on sites and showing that we have improved the efficiency of the biological systems and that our approach works.

''We've looked at the growth rates of these bacteria under different conditions in laboratory settings where we would control the temperature and everything in the environment of the bacteria and we're able to see how Simple Green is one of these facilitators which actually enhance the growth of the bacteria in ways that promoted degradation of the hydrocarbon.''

The results produced by this collaboration between Simple Green and H & H Eco Systems are both encouraging and impressive.

BREMERTON, WASHINGTON—CONTAMINATE: HEATING OIL (B–2)

Date and levels: 12/03/93, 2,400 ppm; 02/08/93, 53 ppm; Outside Ambient Temperature, 20° F; Cell Temperature, 70° F.

CLEELUM, WASHINGTON—CONTAMINATE: PENTACHLOROPHENOL (PCP)

Date and levels; 06/18/93, 87 ppm; 06/25/93, 9.5 ppm.

CLEELUM, WASHINGTON—CONTAMINATE: CREOSOTE

Date and levels: 06/18/98, 1000 ppm; 06/25/93, 9 ppm.

CLEELUM, WASHINGTON—CONTAMINATE: DIESEL

Date and levels: 06/18/03, 530 ppm; 06/25/93, 20 ppm.

SAUVIN FORD, OREGON—CONTAMINATE: USED MOTOR OIL

Date and TPH level: 11/14/92, 35,000 ppm; 12/16/92, 13,000 ppm; 01/21/03, 850 ppm.

OLYMPIA, WASHINGTON—CONTAMINATE: GASOLINE AND KEROSENE

Date and levels: 06/14/93, 3000–6000 ppm; 06/23/93, 32 ppm.

Terry Hom states, ''This was a really high clay soil and now it's a real mealy soil, very fine texture able to be used in agriculture, in lawns and gardens. Compared to what we started with, it was nothing but a slab of silt and clay. Silt and clay level on this was 87 percent fines which means you could squeeze it together and play baseball with the hunks. We've ended up with a soil that now will grow anything. Before it sat for 2½ years without any growth on it at all, now we have stuff coming out of it within two weeks.''

At Simple Green, the research and development we fund, the products we make, and the soil bioremediation techniques we're helping to pioneer, all share a common goal: To help make the world a cleaner and better place.

But perhaps Bruce FaBrizio, Founder and CEO of Simple Green, describes the company's philosophy best:

''The world is a finite piece of ground, the environment is finite and not infinite, and if we don't do something aggressive now it won't be there for our grandchildren and yet there is plenty of time to make it a better place for our grandchildren if we just start doing things that are in our ability today.''

Our atmosphere, attitude and actions haven't been concocted to achieve a certain appearance. They stem from a natural dedication to excellence and improving the environment—something that's been with us from the very beginning.

It's a dedication all of us at Simple Green invite you to share.

While at Simple Green, we also visited with representatives of Microbics, which is a company based in Carlsbad, CA. They demonstrated a biological toxicity test the company has developed with private funds. They believe that this test is faster, less expensive, and more precise than test methods currently approved in the United States. So they showed us a test that would demonstrate biological toxicity in a way that we then, we have used that knowledge to try to clean the environment and know the threats around us.

Although approved in Canada and in eight European countries, our EPA has yet to see the value of this very effective, low-cost test for toxicity. Thus, it has been hampering its commercial use in the United States. This reconfirms the hesitation many of us have about increasing government's role in most endeavors. While in Gridcore there was an example, of course, where working together and getting the Government involved actually did help that company produce a similar, a new product that will help the environment; but in this particular case with this company down from Carlsbad, the Microbics, we found that the Government's power that it has through the EPA has been used to actually thwart innovation and progress.

So that is one of the drawbacks. Government can be helpful on one hand and you strengthen it, but you have to remember you are also strengthening the Government's hand to be an obstructionist in the game of human progress.

Our final stop at the field briefing was at a site of a former leaking underground storage tank behind the Fountain Valley City Hall. That is Fountain Valley, CA, city hall. There the Regenesis Co., and it is based in San Juan Capistrano, demonstrated a bioremediation technique known as oxygen release compound. By inserting the compound into a well, naturally occurring micro-organisms flourish and use the petroleum hydrocarbons as a food source. What has developed then is a product that protects our valuable water resources and cost-effectively reclaims that water that has already been contaminated.

Mr. Speaker, I include the Regenesis project results for the RECORD.

The information referred to is as follows.

ENVIRONMENTAL SCIENCE & ENGINEERING, INC.,
Fountain Valley, CA, September 4, 1996.

MR. CRAIG SANDEFUR,
Regeoesis Bioremediation Products, San Juan Capistrano, CA.

DEAR MR. SANDEFUR: Environmental Science & Engineering, Inc. (ESE) is pleased to submit this report of current activities at the subject site. A figure, tables and appendices of current and historical data are attached.

On August 6, 1996, ESE installed oxygen release compound (ORC) in Well MW–9. ESE is evaluating the effects of the ORC at 2-week intervals by collecting a grab sample (non-purge) and monitoring the concentrations of petroleum hydrocarbons in the well. As the rate of biodegradation of petroleum hydrocarbons is controlled partly by the availability of dissolved oxygen (DO), ESE believes that by monitoring the amount of DO, you can better evaluate the effectiveness of the ORC. The historical monitoring data is presented on the next page.

The results of this groundwater monitoring event shows that petroleum hydrocarbons decreased several orders of magnitude in 2 weeks time. The concentrations in this well had remained high for approximately 5.5 years prior to the application of ORC. The levels of petroleum hydrocarbons increased at the 4 week sampling. ESE will conduct groundwater monitoring in the future to track the fluctuations in these levels.

ANALYTICAL RESULTS FOR GROUNDWATER SAMPLES COLLECTED OVER TIME

Well ID and Sample date	EPA Method (μg/L)					Dissolved oxygen (mg/L)
	8015M	8020				
	TPH	B	T	E	X	
MW–9:						
08/17/90	3,400	470	810	84	850	NA
04/03/92	26,000	700	1,000	500	2,000	NA
10/20/92	94,000	11,000	18,000	24,000	5,000	NA
10/10/93	39,000	2,900	5,600	1,400	8,400	NA
01/06/94	10,000	1,900	2,000	630	2,900	NA
04/27/94	9,600	810	700	720	2,100	NA
04/07/95	1,700	42	14	130	280	NA
10/31/95	8,100	1,000	440	330	990	*2.3
03/25/96	10,000	660	540	440	860	<1
08/06/96	NA	NA	NA	NA	NA	<1
08/20/96	ND<100	0.84	ND<0.3	0.55	4.0	1.6
09/03/96	15,000	ND<12.5	320	ND<12.5	3,800	2.6

Notes.—EPA—U.S. Environmental Protection Agency; TPH—total petroleum hydrocarbons as gasoline; M—modified for volatile hydrocarbons; BTEX—benzene, toluene, ethylbenzens and total xylenes; NA—not analyzed; μg/L—micrograms per liter; mg/L—milligrams per liter; ND—not detected; *—readings taken after purging.

If you have any questions regarding this report, please call me at (714) 964–8722.

Sincerely,

DAVID A. FERREIRA,
Senior Project Hydrogeologist.

Mr. Speaker, I believe my colleagues on the Committee on Science, as I did, found these site visits to be enlightening and informative. The environment is too important simply to be relegated to a Federal bureaucratic program, and it is too important to just simply rely on the dictates of government employees to meet the environmental challenges facing America.

Instead of Federal restrictions and mandates, new technology and the profit motive can and must be the primary forces at work in this effort. We can clean the environment and make a profit in doing so. That is what we learned at our field briefing. It is a lesson that we must keep in mind while making policy for this country.

Many of our environmental problems have been and will continue to be solved not by reducing our standard of living, not by increasing the cost of government and hiring government employees to look over our shoulder and control our lives, but, instead, through innovative technology and commercialization developed in the

private sector, and motivated, motivated by the profit motive.

Unfortunately, far too many people in government think that the profit motive is a dirty phrase.

Instead, the profit motive can give people the incentive to do good things, rather than the alternative method, which is having government order people to do that which they think is a good thing.

What we have seen throughout this competition between the Soviet Union and the United States is that societies that are based on incentives, societies which give their people a profit motive to produce and to do good things and to increase the standard of living and produce more wealth and to clean the environment, that those societies are the progressive societies. Those societies that rely on hiring more government bureaucrats or hiring more government employees and empowering them to give orders to other people in order to accomplish those ends have not succeeded. That is why when the Berlin Wall went down, people started rushing from the East to the West, and not in the other direction.

Finally, Mr. Speaker, I would like to go back to Simple Green's motto: EGBAR, everything is going to be alright. This is not the blather of some unrealistic optimist. The EGBAR concept, everything is going to be all right, is in stark contrast to what is basically being presented to especially young people in this country in terms of the environment.

I know that young people who visit from California come to visit me in my office, and I in fact have a policy that says any people from my district who want to see me, I am their Congressman, and they come all the way to Washington, DC, I spend time with them, especially the young people, especially students who come here as a group.

It never ceases to amaze me, when I am talking to the young people and I ask them about air pollution. In southern California, we know all about air pollution. But what has happened is that the young people are being told that air pollution today is the worst it has ever been, and that their lives are being shortened, and they are frightened out of their wits.

But I always take this poll and say to the young people visiting from southern California, ''Is the air cleaner today, or is it worse today than when I went to high school back in southern California 30 years ago?'' And it happens every time. Almost every student raises their hands and says, the air is much dirtier now than it was when you were in high school back in southern California 30 years ago. It is terrible, because now it is going to destroy our health, we are going to live worse lives, and it is terrible how the big companies are trying to hurt us so much. You have these young people telling you that.

In fact, in southern California, the air is cleaner today than it has ever been in my lifetime. When I was in high school, and I tell these kids, when I was in high school, about every third day when you wanted to go out for a gym class they would say, there will be no exercise today because we are having a smog alert, a heath alert, and young people cannot go out and exercise and breathe in that air because it is unhealthy. Of course, there have only been about 20 such days like that in southern California per year for the last few years.

Mr. Speaker, what we have is a pessimism, talking about global warming, global cooling. We are talking about factors that are gong to destroy all of mankind that immobilize us, when, instead, we should be giving incentives for people to develop new technologies that will make it a better place and encourage people to be active, rather than to give up. Mr. Speaker, this is a Republican message of hope, but it is also an American theme.

EDUCATION CUTS

The SPEAKER pro tempore (Mr. BARTON of Texas). Under a previous order of theHouse, the gentleman from New Jersey [Mr. PALLONE] is recognized for 5 minutes.

Mr. PALLONE. Mr. Speaker, earlier this week while out on the campaign trail Republican Presidential candidate Bob Dole claimed that if he were elected President, he would make education the cornerstone of his administration policy. I want to warn the American people to beware—the Republicans, led by the dormant Presidential campaign of Bob Dole, are once again trying to convince the American people that their agenda to reduce funding for Federal education programs and restrict access to higher education is the way to strengthen the country's educational system.

One need only to look at the Republican's record on education in the 104th Congress to come to the conclusion that there objective is exactly the opposite of what Bob Dole says it is. In short, it is abundantly clear that Republicans who run Congress are determined to destroy the quality of education in America.

During last year's budget negotiations, the Republicans tried to blackmail the Nation into accepting their extremist budgetary agenda by forcing repeated Government shutdowns. Two times they succeeded in shutting the Government down, and both times Democrats in the Congress and President Clinton stood firm, telling the Republicans we would not allow them to gut education.

The Republicans, however, have not given up. With just a few weeks left before Congress adjourns for the remainder of the year, the Republicans, with Bob Dole's blessing, are yet again pushing an education agenda that would restrict access to higher education in this country by gutting student assistance programs. It's the same old story: Republicans are protecting the ability of the wealthy to send their children to college at the same time they limit the ability average American parents to send their children to college.

The latest Republican plan resumes attack on the most important student assistance programs for middle- and low-income families. TheHouse's bill allows for a mere 1.2-percent increase in the maximum Pell grant award as compared to the President's budget request. This lack of funding would serve 191,000 fewer students next year and 2.7 million fewer between 1997 and 2002.

The Republican plan also eliminates the Federal contribution to the fund for Perkins Loans thereby denying low-interest loans to 96,000 students in the coming school year. TheHouse's education bill also effectively realizes a long-time Republican objective of decimating the Direct Loan Program by capping the number of direct loans through a reduction in funds to administer the program. In addition, Republicans are also proposing to eliminate the AmeriCorps Program, which allows individuals to earn rewards for higher education in exchange for community service.

On the other hand, Democrats in Congress and President Clinton have truly been promoting a plan to expand educational opportunity throughout the 104th Congress. The administration and WhiteHouse have joined together to fashion the Families First agenda—a plan that will not only increase the minimum level of education obtained by the average citizen, but assist them in obtaining it. The Democrats want to provide American families with a $10,000 tax deduction for college and job training—under this plan families will be able to deduct up to $10,000 from their taxes for tuition at college graduate school or job training programs.

Democrats are also proposing to provide a $1,500 tax credit for the first 2 years of college for students who are prepared to work hard, keep a B average, and stay off drugs. This proposal will, moreover, help strengthen our education system by providing assistance to students to help them obtain at least 2 years of postsecondary education or through the assistance could also be used to get a good start on tuition at a 4-year college.

In short, Democrats have not only proposed expanding traditional student assistance programs as opposed to the Republicans, who have voted time and again to cut these programs; we have also developed new educational plans to ensure that the dream of a college education does not reside exclusively in the domain of America's wealthiest citizens. So when Bob Dole promises to make education the centerpiece of his administration, I would say watch out, because that means the budget ax is coming and access will be diminished.

Mr. Speaker, we can only hope that at some point the extremist Republican forces in Congress will realize that the American people will reject

their radical plan to gut education, health, and the environment no matter how many forms it takes, and no matter how many times they try. If they do not realize it now, they certainly will in November.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mrs. COLLINS of Illinois (at the request of Mr. GEPHARDT), for September 11, 1996, on account of personal illness.

Mr. MCNULTY (at the request of Mr. GEPHARDT), for today, on account of personal business.

Mr. CLINGER (at the request of Mr. ARMEY), for today, on account of personal reasons.

Mr. SCOTT (at the request of Mr. GEPHARDT), for today, on account of personal business.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address theHouse, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. ENGEL) to revise and extend their remarks and include extraneous material:)

Ms. JACKSON-LEE of Texas, for 5 minutes, today.

Mr. PALLONE, for 5 minutes, today.

Mr. FIELDS of Louisiana, for 5 minutes, today.

Mr. VOLKMER, for 5 minutes, today.

(The following Members (at the request of Mr. HAYWORTH) to revise and extend their remarks and include extraneous material:)

Mr. TALENT, for 5 minutes, today.

Mr. HEFNER, for 5 minutes, today.

(The following Members (at the request of Mr. GOSS) to revise and extend their remarks and include extraneous material:)

Mr. METCALF, for 5 minutes, today.

Mr. MICA, for 5 minutes, today.

Mr. WELDON of Pennsylvania, for 5 minutes, today.

Mr. SAM JOHNSON of Texas, for 5 minutes, today.

(The following Member (at his own request) to revise and extend his remarks and include extraneous material:)

Mr. MILLER of California, for 5 minutes, today.

EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

(The following Members (at the request of Mr. ENGEL) and to include extraneous matter:)

Ms. VELÁZQUEZ.

Mr. FILNER.

Mr. STARK.

Mr. ANDREWS.

Mr. KANJORSKI.

Mrs. MINK of Hawaii.

Mr. BENTSEN.

Mrs. MALONEY.

Mr. LIPINSKI.

Mr. BORSKI.

Mr. SPRATT.

Ms. DELAURO.

(The following Members (at the request of Mr. GOSS) and to include extraneous matter:)

Mrs. SMITH of Washington.

Mr. EWING.

Mr. FIELDS of Texas.

Mr. HORN.

Mrs. JOHNSON of Connecticut.

(The following Members (at the request of Mr. PALLONE) and to include extraneous matter:)

Mr. YOUNG of Alaska.

Mr. SOLOMON.

Ms. KAPTUR.

Mr. RIGGS.

Mr. GORDON.

Mr. BEVILL.

Mr. ROTH.

Mr. POMEROY.

Mr. SANDERS.

Mr. SHAYS.

Mr. TOWNS.

Mr. BENTSEN.

Mr. BARCIA in three instances.

Mr. JOHNSON of South Dakota.

Mrs. COLLINS of Illinois.

Mr. MCINTOSH.

Mr. JACOBS.

Mr. MENENDEZ.

Mr. ENGEL.

Mr. HUNTER.

Mr. MILLER of California.

A BILL PRESENTED TO THE PRESIDENT

Mr. THOMAS, from the Committee on House Oversight, reported that that committee did on the following date present to the President, for his approval, a bill of theHouse of the following title:

On September 11, 1996:

H.R. 4018. An act to make technical corrections in the Federal Oil and Gas Royalty Management Act of 1982.

ADJOURNMENT

Mr. PALLONE. Mr. Speaker, I move that theHouse do now adjourn.

The motion was agreed to; accordingly (at 2 o'clock and 48 minutes p.m.), under its previous order, theHouse adjourned until Monday, September 16, 1996, at 12 noon.

NOTICE OF ISSUANCE OF FINAL REGULATIONS

U.S. CONGRESS,
OFFICE OF COMPLIANCE,
Washington, DC, September 10, 1996.

Hon. NEWT GINGRICH
Speaker of theHouse, U.S. House of Representatives, Washington, DC

DEAR MR. SPEAKER: Pursuant to Section 304(d) of the Congressional Accountability Act of 1995 (2 U.S.C. §1384(d)), I am transmitting on behalf of the Board of Directors the enclosed final regulations for issuance by publication in the Congressional Record. The Board determined that there is a good cause to make these regulations effective as of October 1, 1996.

Sincerely,

GLEN D. NAGER,
Chair of the Board.

OFFICE OF COMPLIANCE—THE CONGRESSIONAL ACCOUNTABILITY ACT OF 1995: EXTENSION OF RIGHTS, PROTECTIONS AND RESPONSIBILITIES UNDER CHAPTER 71 OF TITLE 5, UNITED STATES CODE, RELATING TO FEDERAL SERVICE LABOR-MANAGEMENT RELATIONS (REGULATIONS UNDER SECTION 220(D) OF THE CONGRESSIONAL ACCOUNTABILITY ACT)

NOTICE OF ISSUANCE OF FINAL REGULATIONS

On July 9, 1996, the Board of Directors of the Office of Compliance adopted and submitted for publication in the Congressional Record final regulations implementing section 220(d) of the Congressional Accountability Act of 1995 (CAA), which extends to the Congress certain rights, protections, and responsibilities under chapter 71 of title 5, United States Code, relating to Federal service labor-management relations. On August 2, 1996, theHouse agreed both to H. Res. 504, to provide for the approval of final regulations that are applicable to the employing offices and covered employees of theHouse, and to H. Con. Res. 207, to provide for approval of final regulations that are applicable to employing offices and employees other than those offices and employees of theHouse and the Senate. As of the date of this Notice, the Senate has yet to approve the 220(d) regulations for itself or to act on H. Con. Res. 207.

The Board understands passage of H. Res. 504 to constitute approval under section 304(c) of the CAA of the Board's section 220(d) regulations as applicable to employing offices and covered employees of theHouse (other than thoseHouse offices expressly listed in section 220(e)(2)). Accordingly, pursuant to section 304(d) of the CAA, the Board submits these regulations to the Speaker of theHouse of Representatives and the President pro tempore of the Senate for issuance by publication in the Congressional Record.

Pursuant to paragraph (3) of section 304(d) of the CAA, the Board finds good cause for advancing the effective date of theHouse regulations from 60 days after their issuance to October 1, 1996. That date corresponds with the effective date of application of CAA section 220 to the Congress. The Board finds that the effective implementation of the CAA is furthered by making these regulations effective for theHouse on that effective date rather than allowing the default provisions of the CAA contained in section 411 and the derivative regulations of the executive branch to control the administration of the statute during the sixty day period otherwise required by section 304(d)(3) of the CAA.

Signed at Washington, D.C. on this 10th day of September, 1996.

GLEN D. NAGER,
Chair of the Board, Office of Compliance.

Accordingly, the Board of Directors of the Office of Compliance hereby issues the following final regulations:

[Final Regulations]

Subchapter C

2420 Purpose and scope
2421 Meaning of terms as used in this subchapter
2422 Representation proceedings
2423 Unfair labor practice proceedings
2424 Expedited review of negotiability issues
2425 Review of arbitration awards
2426 National consultation rights and consultation rights on Government-wide rules or regulations
2427 General statements of policy or guidance

2428 Enforcement of Assistant Secretary standards of conduct decisions and orders
2429 Miscellaneous and general requirements

Subchapter D

2470 General
2471 Procedures of the Board in impasse proceedings

Subchapter C

PART 2420—PURPOSE AND SCOPE

§ 2420.1 Purpose and scope

The regulations contained in this subchapter are designed to implement the provisions of chapter 71 of title 5 of the United States Code, as applied by section 220 of the Congressional Accountability Act (CAA). They prescribe the procedures, basic principles or criteria under which the Board and the General Counsel, as applicable, will:

(a) Determine the appropriateness of units for labor organization representation under 5 U.S.C. 7112, as applied by the CAA;

(b) Supervise or conduct elections to determine whether a labor organization has been selected as an exclusive representative by a majority of the employees in an appropriate unit and otherwise administer the provisions of 5 U.S.C. 7111, as applied by the CAA, relating to the according of exclusive recognition to labor organizations;

(c) Resolve issues relating to the granting of national consultation rights under 5 U.S.C. 7113, as applied by the CAA;

(d) Resolve issues relating to determining compelling need for employing office rules and regulations under 5 U.S.C. 7117(b), as applied by the CAA;

(e) Resolve issues relating to the duty to bargain in good faith under 5 U.S.C. 7117(c), as applied by the CAA;

(f) Resolve issues relating to the granting of consultation rights with respect to conditions of employment under 5 U.S.C. 7117(d), as applied by the CAA;

(g) Conduct hearings and resolve complaints of unfair labor practices under 5 U.S.C. 7118, as applied by the CAA;

(h) Resolve exceptions to arbitrators' awards under 5 U.S.C. 7122, as applied by the CAA; and

(i) Take such other actions as are necessary and appropriate effectively to administer the provisions of chapter 71 of title 5 of the United States Code, as applied by the CAA.

§ 2420.2

Notwithstanding any other provisions of these regulations, the Board may, in deciding an issue, add to, delete from or modify otherwise applicable requirements as the Board deems necessary to avoid a conflict of interest or the appearance of a conflict of interest.

Part 2421—Meaning of Terms as Used in This Subchapter

Sec.
2421.1 Act; CAA.
2421.2 Chapter 71.
2421.3 General Definitions.
2421.4 National consultation rights; consultation rights on Government-wide rules or regulations; exclusive recognition; unfair labor practices.
2421.5 Activity.
2421.6 Primary national subdivision.
2421.7 Executive Director.
2421.8 Hearing Officer.
2421.9 Party.
2421.10 Intervenor.
2421.11 Certification.
2421.12 Appropriate unit.
2421.13 Secret ballot.
2421.14 Showing of interest.
2421.15 Regular and substantially equivalent employment.
2421.16 Petitioner.
2421.17 Eligibility Period.
2421.18 Election Agreement.
2421.19 Affected by Issues raised.
2421.20 Determinative challenged ballots.

§ 2421.1 Act; CAA

The terms ''Act'' and ''CAA'' mean the Congressional Accountability Act of 1995 (P.L. 104–1, 109 Stat. 3, 2 U.S.C. §§ 1301–1438).

§ 2421.2 Chapter 71

The term ''chapter 71'' means chapter 71 of title 5 of the United States Code.

§ 2421.3 General definitions

(a) The term ''person'' means an individual, labor organization or employing office.

(b) Except as noted in subparagraph (3) of this subsection, the term ''employee'' means an individual—

(1) Who is a current employee, applicant for employment, or former employee of: theHouse of Representatives; the Senate; the Capitol Guide Service; the Capitol Police; the Congressional Budget Office; the Office of the Architect of the Capitol; the Office of the Attending Physician; the Office of Compliance; or the Office of Technology Assessment; or

(2) Whose employment in an employing office has ceased because of any unfair labor practice under section 7116 of title 5 of the United States Code, as applied by the CAA, and who has not obtained any other regular and substantially equivalent employment as determined under regulations prescribed by the Board, but does not include—

(i) An alien or noncitizen of the United States who occupies a position outside of the United States;

(ii) A member of the uniformed services;

(iii) A supervisor or a management official or;

(iv) Any person who participates in a strike in violation of section 7311 of title 5 of the United States Code, as applied the CAA.

(3) For the purpose of determining the adequacy of a showing of interest or eligibility for consultation rights, except as required by law, applicants for employment and former employees are not considered employees.

(c) The term ''employing office'' means—

(1) The personal office of a Member of theHouse of Representatives or of a Senator;

(2) A committee of theHouse of Representatives or the Senate or a joint committee;

(3) Any other office headed by a person with the final authority to appoint, hire, discharge, and set the terms, conditions, or privileges of the employment of an employee of theHouse of Representatives or the Senate; or

(4) The Capitol Guide Board, the Capitol Police Board, the Congressional Budget Office, the Office of the Architect of the Capitol, the Office of the Attending Physician, the Office of Compliance, and the Office of Technology Assessment.

(d) The term ''labor organization'' means an organization composed in whole or in part of employees, in which employees participate and pay dues, and which has as a purpose the dealing with an employing office concerning grievances and conditions of employment, but does not include—

(1) An organization which, by its constitution, bylaws, tacit agreement among its members, or otherwise, denies membership because of race, color, creed, national origin, sex, age, preferential or nonpreferential civil service status, political affiliation, marital status, or disability;

(2) An organization which advocates the overthrow of the constitutional form of government of the United States;

(3) An organization sponsored by an employing office; or

(4) An organization which participates in the conduct or a strike against the Government or any agency thereof or imposes a duty or obligation to conduct, assist, or participate in such a strike.

(e) The term ''dues'' means dues, fees, and assessments.

(f) The term ''Board'' means the Board of Directors of the Office of Compliance.

(g) The term ''collective bargaining agreement'' means an agreement entered into as a result of collective bargaining pursuant to the provisions of chapter 71 of title 5 of the United States Code, as applied by the CAA.

(h) The term ''grievance'' means any complaint—

(1) By any employee concerning any matter relating to the employment of the employee;

(2) By any labor organization concerning any matter relating to the employment of any employee; or

(3) By any employee, labor organization, or employing office concerning—

(i) The effect or interpretation, or a claim of breach, of a collective bargaining agreement; or

(ii) Any claimed violation, misinterpretation, or misapplication of any law, rule, or regulation affecting conditions of employment.

(i) The term ''supervisor'' means an individual employed by an employing office having authority in the interest of the employing office to hire, direct, assign, promote, reward, transfer, furlough, layoff, recall, suspend, discipline, or remove employees, to adjust their grievances, or to effectively recommend such action, if the exercise of the authority is not merely routine or clerical in nature, but requires the consistent exercise of independent judgment, except that, with respect to any unit which includes firefighters or nurses, the term ''supervisor'' includes only those individuals who devote a preponderance of their employment time to exercising such authority.

(j) The term ''management official'' means an individual employed by an employing office in a position the duties and responsibilities of which require or authorize the individual to formulate, determine, or influence the policies of the employing office.

(k) The term ''collective bargaining'' means the performance of the mutual obligation of the representative of an employing office and the exclusive representative of employees in an appropriate unit in the employing office to meet at reasonable times and to consult and bargain in a good-faith effort to reach agreement with respect to the conditions of employment affecting such employees and to execute, if requested by either party, a written document incorporating any collective bargaining agreement reached, but the obligation referred to in this paragraph does not compel either party to agree to a proposal or to make a concession.

(l) The term ''confidential employee'' means an employee who acts in a confidential capacity with respect to an individual who formulates or effectuates management policies in the field of labor-management relations.

(m) The term ''conditions of employment'' means personnel policies, practices, and matters, whether established by rule, regulation, or otherwise, affecting working conditions, except that such term does not include policies, practices, and matters—

(1) Relating to political activities prohibited under subchapter III of chapter 73 of title 5 of the United States Code, as applied by the CAA;

(2) Relating to the classification of any position; or

(3) To the extent such matters are specifically provided for by Federal statute.

(n) The term ''professional employee'' means—

(1) An employee engaged in the performance of work—

(i) Requiring knowledge of an advanced type in a field of science or learning customarily acquired by a prolonged course of specialized intellectual instruction and study in an institution of higher learning or a hospital (as distinguished from knowledge acquired by a general academic education, or from an apprenticeship, or from training in the performance of routine mental, manual, mechanical, or physical activities);

(ii) Requiring the consistent exercise of discretion and judgment in its performance;

(iii) Which is predominantly intellectual and varied in character (as distinguished from routine mental, manual, mechanical, or physical work); and

(iv) Which is of such character that the output produced or the result accomplished by such work cannot be standardized in relation to a given period of time; or

(2) An employee who has completed the courses of specialized intellectual instruction and study described in subparagraph (1)(i) of this paragraph and is performing related work under appropriate direction and guidance to qualify the employee as a professional employee described in subparagraph (1) of this paragraph.

(o) The term ''exclusive representative'' means any labor organization which is certified as the exclusive representative of employees in an appropriate unit pursuant to section 7111 of title 5 of the United States Code, as applied by the CAA.

(p) The term ''firefighter'' means any employee engaged in the performance of work directly connected with the control and extinguishment of fires or the maintenance and use of firefighting apparatus and equipment.

(q) The term ''United States'' means the 50 states, the District of Columbia, the Commonwealth of Puerto Rico, Guam, the Virgin Islands, the Trust Territory of the Pacific Islands, and any territory or possession of the United States.

(r) The term ''General Counsel'' means the General Counsel of the Office of Compliance.

(s) The term ''Assistant Secretary'' means the Assistant Secretary of Labor for Labor-Management Relations.

§ 2421.4 National consultation rights; consultation rights on Government-wide rules or regulations; exclusive recognition; unfair labor practices

(a)(1) The term ''national consultation rights'' means that a labor organization that is the exclusive representative of a substantial number of the employees of the employing office, as determined in accordance with criteria prescribed by the Board, shall—

(i) Be informed of any substantive change in conditions of employment proposed by the employing office; and

(ii) Be permitted reasonable time to present its views and recommendations regarding the changes.

(2) National consultation rights shall terminate when the labor organization no longer meets the criteria prescribed by the Board. Any issue relating to any labor organization's eligibility for, or continuation of, national consultation rights shall be subject to determination by the Board.

(b)(1) The term ''consultation rights on Government-wide rules or regulations'' means that a labor organization which is the exclusive representative of a substantial number of employees of an employing office determined in accordance with criteria prescribed by the Board, shall be granted consultation rights by the employing office with respect to any Government-wide rule or regulation issued by the employing office effecting any substantive change in any condition of employment. Such consultation rights shall terminate when the labor organization no longer meets the criteria prescribed by the Board. Any issue relating to a labor organization's eligibility for, or continuation of, such consultation rights shall be subject to determination by the Board.

(2) A labor organization having consultation rights under paragraph (1) of this subsection shall—

(i) Be informed of any substantive change in conditions of employment proposed by the employing office; and

(ii) shall be permitted reasonable time to present its views and recommendations regarding the changes.

(3) If any views or recommendations are presented under paragraph (2) of this subsection to an employing office by any labor organization—

(i) The employing office shall consider the views or recommendations before taking final action on any matter with respect to which the views or recommendations are presented; and

(ii) The employing office shall provide the labor organization a written statement of the reasons for taking the final action.

(c) The term ''exclusive recognition'' means that a labor organization has been selected as the sole representative, in a secret ballot election, by a majority of the employees in an appropriate unit who cast valid ballots in an election.

(d) The term ''unfair labor practices'' means—

(1) Any of the following actions taken by an employing office—

(i) Interfering with, restraining, or coercing any employee in the exercise by the employee of any right under chapter 71, as applied by the CAA;

(ii) Encouraging or discouraging membership in any labor organization by discrimination in connection with hiring, tenure, promotion, or other condition of employment;

(iii) Sponsoring, controlling, or otherwise assisting any labor organization, other than to furnish, upon request, customary and routine services and facilities if the services and facilities are also furnished on an impartial basis to other labor organizations having equivalent status;

(iv) Disciplining or otherwise discriminating against an employee because the employee has filed a complaint, affidavit, or petition, or has given any information or testimony under chapter 71, as applied by the CAA;

(v) Refusing to consult or negotiate in good faith with a labor organization as required by chapter 71, as applied by the CAA;

(vi) Failing or refusing to cooperate in impasse procedures and impasse decisions as required by chapter 71, as applied by the CAA;

(vii) Enforcing any rule or regulation (other than a rule or regulation implementing section 2302 of this title) which is in conflict with any applicable collective bargaining agreement if the agreement was in effect before the date the rule or regulation was prescribed; or

(viii) Otherwise failing or refusing to comply with any provision of chapter 71, as applied by the CAA;

(2) Any of the following actions taken by a labor organization—

(i) Interfering with, restraining, or coercing any employee in the exercise by the employee of any right under this chapter;

(ii) Causing or attempting to cause an employing office to discriminate against any employee in the exercise by the employee of any right under this chapter;

(iii) Coercing, disciplining, fining, or attempting to coerce a member of the labor organization as punishment, reprisal, or for the purpose of hindering or impeding the member's work performance or productivity as an employee or the discharge of the member's duties as an employee;

(iv) Discriminating against an employee with regard to the terms or conditions of membership in the labor organization on the basis of race, color, creed, national origin, sex, age, preferential or nonpreferential civil service status, political affiliation, marital status, or disability;

(v) Refusing to consult or negotiate in good faith with an employing office as required by chapter 71, as applied by the CAA;

(vi) Failing or refusing to cooperate in impasse procedures and impasse decisions as required by chapter 71, as applied by the CAA;

(vii)(A) Calling, or participating in, a strike, work stoppage, or slowdown, or picketing of an employing office in a labor-management dispute if such picketing interferes with an employing office's operations; or

(B) Condoning any activity described in subparagraph (A) of this paragraph by failing to take action to prevent or stop such activity; or

(viii) Otherwise failing or refusing to comply with any provision of chapter 71, as applied by the CAA;

(3) Denial of membership by an exclusive representative to any employee in the appropriate unit represented by such exclusive representative except for failure—

(i) To meet reasonable occupational standards uniformly required for admission, or

(ii) To tender dues uniformly required as a condition of acquiring and retaining membership.

§ 2421.5 Activity

The term ''activity'' means any facility, organizational entity, or geographical subdivision or combination thereof, of any employing office.

§ 2421.6 Primary national subdivision

''Primary national subdivision'' of an employing office means a first-level organizational segment which has functions national in scope that are implemented in field activities.

§ 2421.7 Executive Director

''Executive Director'' means the Executive Director of the Office of Compliance.

§ 2421.8 Hearing officer

The term ''Hearing Officer'' means any individual designated by the Executive Director to preside over a hearing conducted pursuant to section 405 of the CAA on matters within the Office's jurisdiction, including a hearing arising in cases under 5 U.S.C. 7116, as applied by the CAA, and any other such matters as may be assigned.

§ 2421.9 Party

The term ''party'' means:

(a) Any labor organization, employing office or employing activity or individual filing a charge, petition, or request;

(b) Any labor organization or employing office or activity

(1) Named as

(i) A charged party in a charge,

(ii) A respondent in a complaint, or

(iii) An employing office or activity or an incumbent labor organization in a petition;

(2) Whose intervention in a proceeding has been permitted or directed by the Board; or

(3) Who participated as a party

(i) In a matter that was decided by an employing office head under 5 U.S.C. 7117, as applied by the CAA, or

(ii) In a matter where the award of an arbitrator was issued; and

(c) The General Counsel, or the General Counsel's designated representative, in appropriate proceedings.

§ 2421.10 Intervenor

The term ''intervenor'' means a party in a proceeding whose intervention has been permitted or directed by the Board, its agents or representatives.

§ 2421.11 Certification

The term ''certification'' means the determination by the Board, its agents or representatives, of the results of an election, or the results of a petition to consolidate existing exclusively recognized units.

§ 2421.12 Appropriate unit

The term ''appropriate unit'' means that grouping of employees found to be appropriate for purposes of exclusive recognition under 5 U.S.C. 7111, as applied by the CAA, and for purposes of allotments to representatives under 5 U.S.C. 7115(c), as applied by the CAA, and consistent with the provisions of 5 U.S.C. 7112, as applied by the CAA.

§ 2421.13 Secret ballot

The term ''secret ballot'' means the expression by ballot, voting machine or otherwise, but in no event by proxy, of a choice with respect to any election or vote taken upon any matter, which is cast in such a manner that the person expressing such choice cannot be identified with the choice expressed, except in that instance in which any determinative challenged ballot is opened.

§ 2421.14 Showing of interest

The term ''showing of interest'' means evidence of membership in a labor organization; employees' signed and dated authorization cards or petitions authorizing a labor organization to represent them for purposes of exclusive recognition; allotment of dues forms executed by an employee and the labor organization's authorized official; current dues records; an existing or recently expired agreement; current certification; employees' signed and dated petitions or cards indicating that they no longer desire to be represented for the purposes of exclusive recognition by the currently certified labor organization; employees' signed and dated petitions or cards indicating a desire that an election be held on a proposed consolidation of units; or other evidence approved by the Board.

§ 2421.15 Regular and substantially equivalent employment

The term ''regular and substantially equivalent employment'' means employment that entails substantially the same amount of work, rate of pay, hours, working conditions, location of work, kind of work, and seniority rights, if any, of an employee prior to the cessation of employment in an employing office because of any unfair labor practice under 5 U.S.C. 7116, as applied by the CAA.

§ 2421.16 Petitioner

Petitioner means the party filing a petition under Part 2422 of this Subchapter.

§ 2421.17 Eligibility period

The term ''eligibility period'' means the payroll period during which an employee must be in an employment status with an employing office or activity in order to be eligible to vote in a representation election under Part 2422 of this Subchapter.

§ 2421.18 Election agreement

The term ''election agreement'' means an agreement under Part 2422 of this Subchapter signed by all the parties, and approved by the Board, the Executive Director, or any other individual designated by the Board, concerning the details and procedures of a representation election in an appropriate unit.

§ 2421.19 Affected by issues raised

The phrase ''affected by issues raised'', as used in Part 2422, should be construed broadly to include parties and other labor organizations, or employing offices or activities that have a connection to employees affected by, or questions presented in, a proceeding.

§ 2421.20 Determinative challenged ballots

''Determinative challenged ballots'' are challenges that are unresolved prior to the tally and sufficient in number after the tally to affect the results of the election.

Part 2422—Representation Proceedings

Sec.
2422.1 Purposes of a petition.
2422.2 Standing to file a petition.
2422.3 Contents of a petition.
2422.4 Service requirements.
2422.5 Filing petitions.
2422.6 Notification of filing.
2422.7 Posting notice of filing of a petition.
2422.8 Intervention and cross-petitions.
2422.9 Adequacy of showing of interest.
2422.10 Validity of showing of interest.
2422.11 Challenge to the status of a labor organization.
2422.12 Timeliness of petitions seeking an election.
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§ 2422.1 Purposes of a petition

A petition may be filed for the following purposes:

(a) *Elections or Eligibility for dues allotment.* To request:

(1)(i) An election to determine if employees in an appropriate unit wish to be represented for the purpose of collective bargaining by an exclusive representative; and/or

(ii) A determination of eligibility for dues allotment in an appropriate unit without an exclusive representative; or

(2) An election to determine if employees in a unit no longer wish to be represented for the purpose of collective bargaining by an exclusive representative.

(3) Petitions under this subsection must be accompanied by an appropriate showing of interest.

(b) *Clarification or Amendment.* To clarify, and/or amend:

(1) A certification then in effect; and/or

(2) Any other matter relating to representation.

(c) *Consolidation.* To consolidate two or more units, with or without an election, in an employing office and for which a labor organization is the exclusive representative.

§ 2422.2 Standing to file a petition

A representation petition may be filed by: an individual; a labor organization; two or more labor organizations acting as a joint-petitioner; an individual acting on behalf of any employee(s); an employing office or activity; or a combination of the above: *provided, however,* that (a) only a labor organization has standing to file a petition pursuant to section 2422.1(a)(1); (b) only an individual has standing to file a petition pursuant to section 2422.1(a)(2); and (c) only an employing office or a labor organization may file a petition pursuant to section 2422.1(b) or (c).

§ 2422.3 Contents of a petition

(a) *What to file.* A petition must be filed on a form prescribed by the Board and contain the following information:

(1) The name and mailing address for each employing office or activity affected by issues raised in the petition, including street number, city, state and zip code.

(2) The name, mailing address and work telephone number of the contact person for each employing office or activity affected by issues raised in the petition.

(3) The name and mailing address for each labor organization affected by issues raised in the petition, including street number, city, state and zip code. If a labor organization is affiliated with a national organization, the local designation and the national affiliation should both be included. If a labor organization is an exclusive representative of any of the employees affected by issues raised in the petition, the date of the certification and the date any collective bargaining agreement covering the unit will expire or when the most recent agreement did expire should be included, if known.

(4) The name, mailing address and work telephone number of the contact person for each labor organization affected by issues raised in the petition.

(5) The name and mailing address for the petitioner, including street number, city, state and zip code. If a labor organization petitioner is affiliated with a national organization, the local designation and the national affiliation should both be included.

(6) A description of the unit(s) affected by issues raised in the petition. The description should generally indicate the geographic locations and the classifications of the employees included (or sought to be included) in, and excluded (or sought to be excluded) from, the unit.

(7) The approximate number of employees in the unit(s) affected by issues raised in the petition.

(8) A clear and concise statement of the issues raised by the petition and the results the petitioner seeks.

(9) A declaration by the person signing the petition, under the penalties of the Criminal Code (18 U.S.C. 1001), that the contents of the petition are true and correct to the best of the person's knowledge and belief.

(10) The signature, title, mailing address and telephone number of the person filing the petition.

(b) *Compliance with 5 U.S.C. 7111(e), as applied by the CAA.* A labor organization/petitioner complies with 5 U.S.C. 7111(e), as applied by the CAA, by submitting to the employing office or activity and to the Department of Labor a roster of its officers and representatives, a copy of its constitution and bylaws, and a statement of its objectives. By signing the petition form, the labor organization/petitioner certifies that it has submitted these documents to the employing activity or office and to the Department of Labor.

(c) *Showing of interest supporting a representation petition.* When filing a petition requiring a showing of interest, the petitioner must:

(1) So indicate on the petition form;

(2) Submit with the petition a showing of interest of not less than thirty percent (30%) of the employees in the unit involved in the petition; and

(3) Include an alphabetical list of the names constituting the showing of interest.

(d) *Petition seeking dues allotment.* When there is no exclusive representative, a petition seeking certification for dues allotment shall be accompanied by a showing of membership in the petitioner of not less than ten percent (10%) of the employees in the unit claimed to be appropriate. An alphabetical list of names constituting the showing of membership must be submitted.

§ 2422.4 Service requirements

Every petition, motion, brief, request, challenge, written objection, or application for review shall be served on all parties affected by issues raised in the filing. The service shall include all documentation in support thereof, with the exception of a showing of interest, evidence supporting challenges to the validity of a showing of interest, and evidence supporting objections to an election. The filer must submit a written statement of service to the Executive Director.

§ 2422.5 Filing petitions

(a) *Where to file.* Petitions must be filed with the Executive Director.

(b) *Number of copies.* An original and two (2) copies of the petition and the accompanying material must be filed with the Executive Director.

(c) *Date of filing.* A petition is filed when it is received by the Executive Director.

§ 2422.6 Notification of filing

(a) *Notification to parties.* After a petition is filed, the Executive Director, on behalf of the Board, will notify any labor organization, employing office or employing activity that the parties have identified as being affected by issues raised by the petition, that a petition has been filed with the Office. The Executive Director, on behalf of the Board, will also make reasonable efforts to identify and notify any other party affected by the issues raised by the petition.

(b) *Contents of the notification.* The notification will inform the labor organization, employing office or employing activity of:

(1) The name of the petitioner;

(2) The description of the unit(s) or employees affected by issues raised in the petition; and,

(3) A statement that all affected parties should advise the Executive Director in writing of their interest in the issues raised in the petition.

§ 2422.7 Posting notice of filing of a petition

(a) *Posting notice of petition.* When appropriate, the Executive Director, on behalf of the Board, after the filing of a representation petition, will direct the employing office or activity to post copies of a notice to all employees in places where notices are normally posted for the employees affected by issues raised in the petition and/or distribute copies of a notice in a manner by which notices are normally distributed.

(b) *Contents of notice.* The notice shall advise affected employees about the petition.

(c) *Duration of notice.* The notice should be conspicuously posted for a period of ten (10) days and not be altered, defaced, or covered by other material.

§ 2422.8 Intervention and cross-petitions

(a) *Cross-petitions.* A cross-petition is a petition which involves any employees in a unit covered by a pending representation petition. Cross-petitions must be filed in accordance with this subpart.

(b) *Intervention requests and cross-petitions.* A request to intervene and a cross-petition, accompanied by any necessary showing of interest, must be submitted in writing and filed with the Executive Director before the pre-election investigatory hearing opens, unless good cause is shown for granting an extension. If no pre-election investigatory hearing is held, a request to intervene and a cross-petition must be filed prior to action being taken pursuant to § 2422.30.

(c) *Labor organization intervention requests.* Except for incumbent intervenors, a labor organization seeking to intervene shall submit a statement that it has complied with 5 U.S.C. 7111(e), as applied by the CAA, and one of the following:

(1) A showing of interest of ten percent (10%) or more of the employees in the unit covered by a petition seeking an election, with an alphabetical list of the names of the employees constituting the showing of interest; or

(2) A current or recently expired collective bargaining agreement covering any of the employees in the unit affected by issues raised in the petition; or

(3) Evidence that it is or was, prior to a reorganization, the certified exclusive representative of any of the employees affected by issues raised in the petition.

(d) *Incumbent.* An incumbent exclusive representative, without regard to the requirements of paragraph (c) of this section, will be considered a party in any representation proceeding raising issues that affect employees the incumbent represents, unless it serves the Board, through the Executive Director, with a written disclaimer of any representation interest in the claimed unit.

(e) *Employing office.* An employing office or activity will be considered a party if any of its employees are affected by issues raised in the petition.

(f) *Employing office or activity intervention.* An employing office or activity seeking to intervene in any representation proceeding must submit evidence that one or more employees of the employing office or activity may be affected by issues raised in the petition.

§ 2422.9 Adequacy of showing of interest

(a) *Adequacy.* Adequacy of a showing of interest refers to the percentage of employees in the unit involved as required by §§ 2422.3(c) and (d) and 2422.8(c)(1).

(b) *Executive Director investigation and action.* The Executive Director, on behalf of the Board, will conduct such investigation as deemed appropriate. The Executive Director's determination, on behalf of the Board, that the showing of interest is adequate is final and binding and not subject to collateral attack at a representation hearing or on appeal to the Board. If the Executive Director determines, on behalf of the Board, that a showing of interest is inadequate, the Executive Director will dismiss the petition, or deny a request for intervention.

§ 2422.10 Validity of showing of interest

(a) *Validity.* Validity questions are raised by challenges to a showing of interest on grounds other than adequacy.

(b) *Validity challenge.* The Executive Director or any party may challenge the validity of a showing of interest.

(c) *When and where validity challenges may be filed.* Party challenges to the validity of a showing of interest must be in writing and filed with the Executive Director before the pre-election investigatory hearing opens, unless good cause is shown for granting an extension. If no pre-election investigatory hearing is held, challenges to the validity of a showing of interest must be filed prior to action being taken pursuant to § 2422.30.

(d) *Contents of validity challenges.* Challenges to the validity of a showing of interest must be supported with evidence.

(e) *Executive Director investigation and action.* The Executive Director, on behalf of the Board, will conduct such investigation as deemed appropriate. The Executive Director's determination, on behalf of the Board, that a showing of interest is valid is final and binding and is not subject to collateral attack or appeal to the Board. If the Executive Director finds, on behalf of the Board, that the showing of interest is not valid, the Executive Director will dismiss the petition or deny the request to intervene.

§ 2422.11 Challenge to the status of a labor organization

(a) *Basis of challenge to labor organization status.* The only basis on which a challenge to the status of a labor organization may be made is compliance with 5 U.S.C. 7103(a)(4), as applied by the CAA.

(b) *Format and time for filing a challenge.* Any party filing a challenge to the status of a labor organization involved in the processing of a petition must do so in writing to the Executive Director before the pre-election investigatory hearing opens, unless good cause is shown for granting an extension. If no hearing is held, challenges must be filed prior to action being taken pursuant to § 2422.30.

§ 2422.12 Timeliness of petitions seeking an election

(a) *Election bar.* Where there is no certified exclusive representative, a petition seeking an election will not be considered timely if filed within twelve (12) months of a valid election involving the same unit or a subdivision of the same unit.

(b) *Certification bar.* Where there is a certified exclusive representative of employees, a petition seeking an election will not be considered timely if filed within twelve (12) months after the certification of the exclusive representative of the employees in an appropriate unit. If a collective bargaining agreement covering the claimed unit is pending employing office head review under 5 U.S.C. 7114(c), as applied by the CAA, or is in effect, paragraphs (c), (d), or (e) of this section apply.

(c) *Bar during employing office head review.* A petition seeking an election will not be considered timely if filed during the period of employing office head review under 5 U.S.C. 7114(c), as applied by the CAA. This bar expires upon either the passage of thirty (30) days absent employing office head action, or upon the date of any timely employing office head action.

(d) *Contract bar where the contract is for three (3) years or less.* Where a collective bargaining agreement is in effect covering the claimed unit and has a term of three (3) years or less from the date it became effective, a petition seeking an election will be considered timely if filed not more than one hundred and five (105) and not less than sixty (60) days prior to the expiration of the agreement.

(e) *Contract bar where the contract is for more than three (3) years.* Where a collective bargaining agreement is in effect covering the claimed unit and has a term of more than three (3) years from the date it became effective, a petition seeking an election will be considered timely if filed not more than one hundred and five (105) and not less than sixty (60) days prior to the expiration of the initial three (3) year period, and any time after the expiration of the initial three (3) year period.

(f) *Unusual circumstances.* A petition seeking an election or a determination relating to representation matters may be filed at any time when unusual circumstances exist that substantially affect the unit or majority representation.

(g) *Premature extension.* Where a collective bargaining agreement with a term of three

(3) years or less has been extended prior to sixty (60) days before its expiration date, the extension will not serve as a basis for dismissal of a petition seeking an election filed in accordance with this section.

(h) *Contract requirements.* Collective bargaining agreements, including agreements that go into effect under 5 U.S.C. 7114(c), as applied by the CAA, and those that automatically renew without further action by the parties, do not constitute a bar to a petition seeking an election under this section unless a clear and unambiguous effective date, renewal date where applicable, duration, and termination date are ascertainable from the agreement and relevant accompanying documentation.

§ 2422.13 Resolution of issues raised by a petition

(a) *Meetings prior to filing a representation petition.* All parties affected by the representation issues that may be raised in a petition are encouraged to meet prior to the filing of the petition to discuss their interests and narrow and resolve the issues. If requested by all parties a representative of the Office will participate in these meetings.

(b) *Meetings to narrow and resolve the issues after the petition is filed.* After a petition is filed, the Executive Director may require all affected parties to meet to narrow and resolve the issues raised in the petition.

§ 2422.14 Effect of withdrawal/dismissal

(a) *Withdrawal/dismissal less than sixty (60) days before contract expiration.* When a petition seeking an election that has been timely filed is withdrawn by the petitioner or dismissed by the Executive Director or the Board less than sixty (60) days prior to the expiration of an existing agreement between the incumbent exclusive representative and the employing office or activity or any time after the expiration of the agreement, another petition seeking an election will not be considered timely if filed within a ninety (90) day period from either:

(1) The date the withdrawal is approved; or

(2) The date the petition is dismissed by the Executive Director when no application for review is filed with the Board; or

(3) The date the Board rules on an application for review; or

(4) The date the Board issues a Decision and Order dismissing the petition.

Other pending petitions that have been timely filed under this Part will continue to be processed.

(b) *Withdrawal by petitioner.* A petitioner who submits a withdrawal request for a petition seeking an election that is received by the Executive Director after the notice of pre-election investigatory hearing issues or after approval of an election agreement, whichever occurs first, will be barred from filing another petition seeking an election for the same unit or any subdivision of the unit for six (6) months from the date of the approval of the withdrawal by the Executive Director.

(c) *Withdrawal by incumbent.* When an election is not held because the incumbent disclaims any representation interest in a unit, a petition by the incumbent seeking an election involving the same unit or a subdivision of the same unit will not be considered timely if filed within six (6) months of cancellation of the election.

§ 2422.15 Duty to furnish information and cooperate

(a) *Relevant information.* After a petition is filed, all parties must, upon request of the Executive Director, furnish the Executive Director and serve all parties affected by issues raised in the petition with information concerning parties, issues, and agreements raised in or affected by the petition.

(b) *Inclusions and exclusions.* After a petition seeking an election is filed, the Executive Director, on behalf of the Board, may direct the employing office or activity to furnish the Executive Director and all parties affected by issues raised in the petition with a current alphabetized list of employees and job classifications included in and/or excluded from the existing or claimed unit affected by issues raised in the petition.

(c) *Cooperation.* All parties are required to cooperate in every aspect of the representation process. This obligation includes cooperating fully with the Executive Director, submitting all required and requested information, and participating in prehearing conferences and pre-election investigatory hearings. The failure to cooperate in the representation process may result in the Executive Director or the Board taking appropriate action, including dismissal of the petition or denial of intervention.

§ 2422.16 Election agreements or directed elections

(a) *Election agreements.* Parties are encouraged to enter into election agreements.

(b) *Executive Director directed election.* If the parties are unable to agree on procedural matters, specifically, the eligibility period, method of election, dates, hours, or locations of the election, the Executive Director, on behalf of the Board, will decide election procedures and issue a Direction of Election, without prejudice to the rights of a party to file objections to the procedural conduct of the election.

(c) *Opportunity for an investigatory hearing.* Before directing an election, the Executive Director shall provide affected parties an opportunity for a pre-election investigatory hearing on other than procedural matters.

(d) *Challenges or objections to a directed election.* A Direction of Election issued under this section will be issued without prejudice to the right of a party to file a challenge to the eligibility of any person participating in the election and/or objections to the election.

§ 2422.17 Notice of pre-election investigatory hearing and prehearing conference

(a) *Purpose of notice of an investigatory hearing.* The Executive Director, on behalf of the Board, may issue a notice of pre-election investigatory hearing involving any issues raised in the petition.

(b) *Contents.* The notice of hearing will advise affected parties about the pre-election investigatory hearing. The Executive Director will also notify affected parties of the issues raised in the petition and establish a date for the prehearing conference.

(c) *Prehearing conference.* A prehearing conference will be conducted by the Executive Director or her designee, either by meeting or teleconference. All parties must participate in a prehearing conference and be prepared to fully discuss, narrow and resolve the issues set forth in the notification of the prehearing conference.

(d) *No interlocutory appeal of investigatory hearing determination.* The Executive Director's determination of whether to issue a notice of pre-election investigatory hearing is not appealable to the Board.

§ 2422.18 Pre-election investigatory hearing procedures

(a) *Purpose of a pre-election investigatory hearing.* Representation hearings are considered investigatory and not adversarial. The purpose of the hearing is to develop a full and complete record of relevant and material facts.

(b) *Conduct of hearing.* Pre-election investigatory hearings will be open to the public unless otherwise ordered by the Executive Director or her designee. There is no burden of proof, with the exception of proceedings on objections to elections as provided for in § 2422.27(b). Formal rules of evidence do not apply.

(c) *Pre-election investigatory hearing.* Pre-election investigatory hearings will be conducted by the Executive Director or her designee.

(d) *Production of evidence.* Parties have the obligation to produce existing documents and witnesses for the investigatory hearing in accordance with the instructions of the Executive Director or her designee. If a party willfully fails to comply with such instructions, the Board may draw an inference adverse to that party on the issue related to the evidence sought.

(e) *Transcript.* An official reporter will make the official transcript of the pre-election investigatory hearing. Copies of the official transcript may be examined in the Office during normal working hours. Requests by parties to purchase copies of the official transcript should be made to the official hearing reporter.

§ 2422.19 Motions

(a) *Purpose of a motion.* Subsequent to the issuance of a notice of pre-election investigatory hearing in a representation proceeding, a party seeking a ruling, an order, or relief must do so by filing or raising a motion stating the order or relief sought and the grounds therefor. Challenges and other filings referenced in other sections of this subpart may, in the discretion of the Executive Director or her designee, be treated as a motion.

(b) *Prehearing motions.* Prehearing motions must be filed in writing with the Executive Director. Any response must be filed with the Executive Director within five (5) days after service of the motion. The Executive Director shall rule on the motion .

(c) *Motions made at the investigatory hearing.* During the pre-election investigatory hearing, motions will be made to the Executive Director or her designee, and may be oral on the record, unless otherwise required in this subpart to be in writing. Responses may be oral on the record or in writing, but, absent permission of the Executive Director or her designee, must be provided before the hearing closes. The Executive Director or her designee will rule on motions made at the hearing.

(d) *Posthearing motions.* Motions made after the hearing closes must be filed in writing with the Board. Any response to a posthearing motion must be filed with the Board within five (5) days after service of the motion.

§ 2422.20 Rights of parties at a pre-election investigatory hearing

(a) *Rights.* A party at a pre-election investigatory hearing will have the right:

(1) To appear in person or by a representative;

(2) To examine and cross-examine witnesses; and

(3) To introduce into the record relevant evidence.

(b) *Documentary evidence and stipulations.* Parties must submit two (2) copies of documentary evidence to the Executive Director or her designee and copies to all other parties. Stipulations of fact between/among the parties may be introduced into evidence.

(c) *Oral argument.* Parties will be entitled to a reasonable period prior to the close of the hearing for oral argument. Presentation of a closing oral argument does not preclude a party from filing a brief under paragraph (d) of this section.

(d) *Briefs.* A party will be afforded an opportunity to file a brief with the Board.

(1) An original and two (2) copies of a brief must be filed with the Board within thirty (30) days from the close of the hearing.

(2) A written request for an extension of time to file a brief must be filed with and received by the Board no later than five (5) days before the date the brief is due.

(3) No reply brief may be filed without permission of the Board.

§ 2422.21 Duties and powers of the Executive Director in the conduct of the pre-election investigatory hearing

(a) *Duties.* The Executive Director or her designee, on behalf of the Board, will receive evidence and inquire fully into the relevant and material facts concerning the matters that are the subject of the investigatory hearing, and may make recommendations on the record to the Board.

(b) *Powers.* During the period a case is assigned to the Executive Director or her designee for pre-election investigatory hearing and prior to the close of the hearing, the Executive Director or her designee may take any action necessary to schedule, conduct, continue, control, and regulate the pre-election investigatory hearing, including ruling on motions when appropriate.

§ 2422.22 Objections to the conduct of the pre-election investigatory hearing

(a) *Objections.* Objections are oral or written complaints concerning the conduct of a pre-election investigatory hearing.

(b) *Exceptions to rulings.* There are automatic exceptions to all adverse rulings.

§ 2422.23 Election procedures

(a) *Executive Director conducts or supervises election.* The Executive Director, on behalf of the Board, will decide to conduct or supervise the election. In supervised elections, employing offices or activities will perform all acts as specified in the Election Agreement or Direction of Election.

(b) *Notice of election.* Prior to the election a notice of election, prepared by the Executive Director, will be posted by the employing office or activity in places where notices to employees are customarily posted and/or distributed in a manner by which notices are normally distributed. The notice of election will contain the details and procedures of the election, including the appropriate unit, the eligibility period, the date(s), hour(s) and location(s) of the election, a sample ballot, and the effect of the vote.

(c) *Sample ballot.* The reproduction of any document purporting to be a copy of the official ballot that suggests either directly or indirectly to employees that the Board endorses a particular choice in the election may constitute grounds for setting aside an election if objections are filed under § 2422.26.

(d) *Secret ballot.* All elections will be by secret ballot.

(e) *Intervenor withdrawal from ballot.* When two or more labor organizations are included as choices in an election, an intervening labor organization may, prior to the approval of an election agreement or before the direction of an election, file a written request with the Executive Director to remove its name from the ballot. If the request is not received prior to the approval of an election agreement or before the direction of an election, unless the parties and the Executive Director, on behalf of the Board, agree otherwise, the intervening labor organization will remain on the ballot. The Executive Director's decision on the request is final and not subject to the filing of an application for review with the Board.

(f) *Incumbent withdrawal from ballot in an election to decertify an incumbent representative.* When there is no intervening labor organization, an election to decertify an incumbent exclusive representative will not be held if the incumbent provides the Executive Director with a written disclaimer of any representation interest in the unit. When there is an intervenor, an election will be held if the intervening labor organization proffers a thirty percent (30%) showing of interest within the time period established by the Executive Director.

(g) *Petitioner withdraws from ballot in an election.* When there is no intervening labor organization, an election will not be held if the petitioner provides the Executive Director with a written request to withdraw the petition. When there is an intervenor, an election will be held if the intervening labor organization proffers a thirty percent (30%) showing of interest within the time period established by the Executive Director.

(h) *Observers.* All parties are entitled to representation at the polling location(s) by observers of their own selection subject to the Executive Director's approval.

(1) Parties desiring to name observers must file in writing with the Executive Director a request for specifically named observers at least fifteen (15) days prior to an election. The Executive Director may grant an extension of time for filing a request for specifically named observers for good cause where a party requests such an extension or on the Executive Director's own motion. The request must name and identify the observers requested.

(2) An employing office or activity may use as its observers any employees who are not eligible to vote in the election, except:

(i) Supervisors or management officials;

(ii) Employees who have any official connection with any of the labor organizations involved; or

(iii) Non-employees of the legislative branch.

(3) A labor organization may use as its observers any employees eligible to vote in the election, except:

(i) Employees on leave without pay status who are working for the labor organization involved; or

(ii) Employees who hold an elected office in the union.

(4) Objections to a request for specific observers must be filed with the Executive Director stating the reasons in support within five (5) days after service of the request.

(5) The Executive Director's ruling on requests for and objections to observers is final and binding and is not subject to the filing of an application for review with the Board.

§ 2422.24 Challenged ballots

(a) *Filing challenges.* A party or the Executive Director may, for good cause, challenge the eligibility of any person to participate in the election prior to the employee voting.

(b) *Challenged ballot procedure.* An individual whose eligibility to vote is in dispute will be given the opportunity to vote a challenged ballot. If the parties and the Region are unable to resolve the challenged ballot(s) prior to the tally of ballots, the unresolved challenged ballot(s) will be impounded and preserved until a determination can be made, if necessary, by the Executive Director or the Board.

§ 2422.25 Tally of ballots

(a) *Tallying the ballots.* When the election is concluded, the Executive Director or her designee will tally the ballots.

(b) *Service of the tally.* When the tally is completed, the Executive Director will serve the tally of ballots on the parties in accordance with the election agreement or direction of election.

(c) *Valid ballots cast.* Representation will be determined by the majority of the valid ballots cast.

§ 2422.26 Objections to the election

(a) *Filing objections to the election.* Objections to the procedural conduct of the election or to conduct that may have improperly affected the results of the election may be filed by any party. Objections must be filed and received by the Executive Director within five (5) days after the tally of ballots has been served. Any objections must be timely regardless of whether the challenged ballots are sufficient in number to affect the results of the election. The objections must be supported by clear and concise reasons. An original and two (2) copies of the objections must be received by the Executive Director.

(b) *Supporting evidence.* The objecting party must file with the Executive Director evidence, including signed statements, documents and other materials supporting the objections within ten (10) days after the objections are filed.

§ 2422.27 Determinative challenged ballots and objections

(a) *Investigation.* The Executive Director, on behalf of the Board, will investigate objections and/or determinative challenged ballots that are sufficient in number to affect the results of the election.

(b) *Burden of proof.* A party filing objections to the election bears the burden of proof by a preponderance of the evidence concerning those objections. However, no party bears the burden of proof on challenged ballots.

(c) *Executive Director action.* After investigation, the Executive Director will take appropriate action consistent with § 2422.30.

(d) *Consolidated hearing on objections and/or determinative challenged ballots and an unfair labor practice hearing.* When appropriate, and in accordance with § 2422.33, objections and/or determinative challenged ballots may be consolidated with an unfair labor practice hearing. Such consolidated hearings will be conducted by a Hearing Officer. Exceptions and related submissions must be filed with the Board and the Board will issue a decision in accordance with Part 2423 of this chapter and section 406 of the CAA, except for the following:

(1) Section 2423.18 of this Subchapter concerning the burden of proof is not applicable;

(2) TheHearing Officer may not recommend remedial action to be taken or notices to be posted; and,

(3) References to ''charge'' and ''complaint'' in Part 2423 of this chapter will be omitted.

§ 2422.28 Runoff elections

(a) *When a runoff may be held.* A runoff election is required in an election involving at least three (3) choices, one of which is ''no union'' or ''neither,'' when no choice receives a majority of the valid ballots cast. However, a runoff may not be held until the objections to the election and determinative challenged ballots have been resolved.

(b) *Eligibility.* Employees who were eligible to vote in the original election and who are also eligible on the date of the runoff election may vote in the runoff election.

(c) *Ballot.* The ballot in the runoff election will provide for a selection between the two choices receiving the largest and second largest number of votes in the election.

§ 2422.29 Inconclusive elections

(a) *Inconclusive elections.* An inconclusive election is one where challenged ballots are not sufficient to affect the outcome of the election and one of the following occurs:

(1) The ballot provides for at least three (3) choices, one of which is ''no union'' or ''neither'' and the votes are equally divided; or

(2) The ballot provides for at least three (3) choices, the choice receiving the highest number of votes does not receive a majority, and at least two other choices receive the next highest and same number of votes; or

(3) When a runoff ballot provides for a choice between two labor organizations and results in the votes being equally divided; or

(4) When the Board determines that there have been significant procedural irregularities.

(b) *Eligibility to vote in a rerun election.* A current payroll period will be used to determine eligibility to vote in a rerun election.

(c) *Ballot.* If a determination is made that the election is inconclusive, the election will be rerun with all the choices that appeared on the original ballot.

(d) *Number of reruns.* There will be only one rerun of an inconclusive election. If the rerun results in another inconclusive election, the tally of ballots will indicate a majority of valid ballots has not been cast for any choice and a certification of results will be issued. If necessary, a runoff may be held when an original election is rerun.

§ 2422.30 Executive director investigations, notices of pre-election investigatory hearings, and actions; board decisions and orders

(a) *Executive Director investigation.* The Executive Director, on behalf of the Board, will make such investigation of the petition and any other matter as the Executive Director deems necessary.

(b) *Executive Director notice of pre-election investigatory hearing.* On behalf of the Board, the Executive Director will issue a notice of pre-election investigatory hearing to inquire into any matter about which a material issue of fact exists, where there is an issue as to whether a question concerning representation exists, and any time there is reasonable cause to believe a question exists regarding unit appropriateness.

(c) *Executive Director action.* After investigation and/or hearing, when a pre-election investigatory hearing has been ordered, the Executive Director may, on behalf of the Board, approve an election agreement, dismiss a petition or deny intervention where there is an inadequate or invalid showing of interest, or dismiss a petition where there is an undisputed bar to further processing of the petition under law, rule or regulation.

(d) *Appeal of Executive Director action.* A party may file with the Board an application for review of an Executive Director action taken pursuant to section (c) above.

(e) *Contents of the Record.* When no pre-election investigatory hearing has been conducted all material submitted to and considered by the Executive Director during the investigation becomes a part of the record. When a pre-election investigatory hearing has been conducted, the transcript and all material entered into evidence, including any posthearing briefs, become a part of the record.

(f) *Transfer of record to Board; Board Decisions and Orders.* In cases that are submitted to the Board for decision in the first instance, the Board shall decide the issues presented based upon the record developed by the Executive Director, including the transcript of the pre-election investigatory hearing, if any, documents admitted into the record and briefs and other approved submissions from the parties. The Board may direct that a secret ballot election be held, issue an order dismissing the petition, or make such other disposition of the matter as it deems appropriate.

§ 2422.31 Application for review of an executive director action

(a) *Filing an application for review.* A party must file an application for review with the Board within sixty (60) days of the Executive Director's action. The sixty (60) day time limit provided for in 5 U.S.C. 7105(f), as applied by the CAA, may not be extended or waived.

(b) *Contents.* An application for review must be sufficient to enable the Board to rule on the application without recourse to the record; however, the Board may, in its discretion, examine the record in evaluating the application. An application must specify the matters and rulings to which exception(s) is taken, include a summary of evidence relating to any issue raised in the application, and make specific reference to page citations in the transcript if a hearing was held. An application may not raise any issue or rely on any facts not timely presented to the Executive Director.

(c) *Review.* The Board may, in its discretion, grant an application for review when the application demonstrates that review is warranted on one or more of the following grounds:

(1) The decision raises an issue for which there is an absence of precedent;

(2) Established law or policy warrants reconsideration; or,

(3) There is a genuine issue over whether the Executive Director has:

(i) Failed to apply established law;

(ii) Committed a prejudicial procedural error;

(iii) Committed a clear and prejudicial error concerning a substantial factual matter.

(d) *Opposition.* A party may file with the Board an opposition to an application for review within ten (10) days after the party is served with the application. A copy must be served on the Executive Director and all other parties and a statement of service must be filed with the Board.

(e) *Executive Director action becomes the Board's action.* An action of the Executive Director becomes the action of the Board when:

(1) No application for review is filed with the Board within sixty (60) days after the date of the Executive Director's action; or

(2) A timely application for review is filed with the Board and the Board does not undertake to grant review of the Executive Director's action within sixty (60) days of the filing of the application; or

(3) The Board denies an application for review of the Executive Director's action.

(f) *Board grant of review and stay.* The Board may rule on the issue(s) in an application for review in its order granting the application for review. Neither filing nor granting an application for review shall stay any action ordered by the Executive Director unless specifically ordered by the Board.

(g) *Briefs if review is granted.* If the Board does not rule on the issue(s) in the application for review in its order granting review, the Board may, in its discretion, afford the parties an opportunity to file briefs. The briefs will be limited to the issue(s) referenced in the Board's order granting review.

§ 2422.32 Certifications and revocations

(a) *Certifications.* The Executive Director, on behalf of the Board, will issue an appropriate certification when:

(1) After an election, runoff, or rerun,

(i) No objections are filed or challenged ballots are not determinative, or

(ii) Objections and determinative challenged ballots are decided and resolved; or

(2) The Executive Director takes an action requiring a certification and that action becomes the action of the Board under § 2422.31(e) or the Board otherwise directs the issuance of a certification.

(b) Revocations. Without prejudice to any rights and obligations which may exist under the CAA, the Executive Director, on behalf of the Board, will revoke a recognition or certification, as appropriate, and provide a written statement of reasons when an incumbent exclusive representative files, during a representation proceeding, a disclaimer of any representational interest in the unit.

§ 2422.33 Relief obtainable under Part 2423

Remedial relief that was or could have been obtained as a result of a motion, objection, or challenge filed or raised under this subpart, may not be the basis for similar relief if filed or raised as an unfair labor practice under Part 2423 of this Chapter: *provided, however,* that related matters may be consolidated for hearing as noted in § 2422.27(d) of this subpart.

§ 2422.34 Rights and obligations during the pendency of representation proceedings

(a) *Existing recognitions, agreements, and obligations under the CAA.* During the pendency of any representation proceeding, parties are obligated to maintain existing recognitions, adhere to the terms and conditions of existing collective bargaining agreements, and fulfill all other representational and bargaining responsibilities under the CAA.

(b) *Unit status of individual employees.* Notwithstanding paragraph (a) of this section and except as otherwise prohibited by law, a party may take action based on its position regarding the bargaining unit status of individual employees, pursuant to 5 U.S.C. 7103(a)(2), 7112(b) and (c), as applied by the CAA: *provided, however,* that its actions may be challenged, reviewed, and remedied where appropriate.

Part 2423—Unfair Labor Practice Proceedings

Sec.
2423.1 Applicability of this part.
2423.2 Informal proceedings.
2423.3 Who may file charges.
2423.4 Contents of the charge; supporting evidence and documents.
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2423.12 Filing and contents of the complaint.
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2423.29 Action by the Board.
2423.30 Compliance with decisions and orders of the Board.
2423.31 Backpay proceedings.

§ 2423.1 Applicability of this part

This part is applicable to any charge of alleged unfair labor practices occurring on or after October 1, 1996.

§ 2423.2 Informal proceedings

(a) The purposes and policies of chapter 71, as applied by the CAA, can best be achieved by the cooperative efforts of all persons covered by the program. To this end, it shall be the policy of the Board and the General Counsel to encourage all persons alleging unfair labor practices and persons against whom such allegations are made to meet and, in good faith, attempt to resolve such matters prior to the filing of unfair labor practice charges.

(b) In furtherance of the policy referred to in paragraph (a) of this section, and noting the 180 day period of limitation set forth in section 220(c)(2) of the CAA, it shall be the policy of the Board and the General Counsel to encourage the informal resolution of unfair labor practice allegations subsequent to the filing of a charge and prior to the filing of a complaint by the General Counsel.

(c) In order to afford the parties an opportunity to implement the policy referred to in paragraphs (a) and (b) of this section, the investigation of an unfair labor practice charge by the General Counsel will normally not commence until the parties have been afforded a reasonable amount of time, not to exceed fifteen (15) days from the filing of the charge, during which period the parties are urged to attempt to informally resolve the unfair labor practice allegation.

§ 2423.3 Who may file charges

An employing office, employing activity, or labor organization may be charged by any person with having engaged in or engaging in any unfair labor practice prohibited under 5 U.S.C. 7116, as applied by the CAA.

§ 2423.4 Contents of the charge; supporting evidence and documents

(a) A charge alleging a violation of 5 U.S.C. 7116, as applied by the CAA, shall be submitted on forms prescribed by the General Counsel and shall contain the following:

(1) The name, address and telephone number of the person(s) making the charge;

(2) The name, address and telephone number of the employing office or activity, or labor organization against whom the charge is made;

(3) A clear and concise statement of the facts constituting the alleged unfair labor practice, a statement of the section(s) and subsection(s) of chapter 71 of title 5 of the United States Code made applicable by the CAA alleged to have been violated, and the date and place of occurrence of the particular acts; and

(4) A statement of any other procedure invoked involving the subject matter of the charge and the results, if any, including whether the subject matter raised in the charge (i) has been raised previously in a grievance procedure; (ii) has been referred to the Board under Part 2471 of these regulations, or the Federal Mediation and Conciliation Service, or (iii) involves a negotiability issue raised by the charging party in a petition pending before the Board pursuant to Part 2424 of this subchapter.

(b) Such charge shall be in writing and signed and shall contain a declaration by the person signing the charge, under the penalties of the Criminal Code (18 U.S.C. 1001), that its contents are true and correct to the best of that person's knowledge and belief.

(c) When filing a charge, the charging party shall submit to the General Counsel any supporting evidence and documents.

§ 2423.5 Selection of the unfair labor practice procedure or the negotiability procedure

Where a labor organization files an unfair labor practice charge pursuant to this part which involves a negotiability issue, and the labor organization also files pursuant to part 2424 of this subchapter a petition for review of the same negotiability issue, the Board and the General Counsel ordinarily will not process the unfair labor practice charge and the petition for review simultaneously. Under such circumstances, the labor organization must select under which procedure to proceed. Upon selection of one procedure, further action under the other procedure will ordinarily be suspended. Such selection must be made regardless of whether the unfair labor practice charge or the petition for review of a negotiability issue is filed first. Notification of this selection must be made in writing at the time that both procedures have been invoked, and must be served on the Board, the General Counsel and all parties to both the unfair labor practice case and the negotiability case. Cases which solely involve an employing office's allegation that the duty to bargain in good faith does not extend to the matter proposed to be bargained and which do not involve actual or contemplated changes in conditions of employment may only be filed under part 2424 of this subchapter.

§ 2423.6 Filing and service of copies

(a) An original and four (4) copies of the charge together with one copy for each additional charged party named shall be filed with the General Counsel.

(b) Upon the filing of a charge, the charging party shall be responsible for the service of a copy of the charge (without the supporting evidence and documents) upon the person(s) against whom the charge is made, and for filing a written statement of such service with the General Counsel. The General Counsel will, as a matter of course, cause a copy of such charge to be served on the person(s) against whom the charge is made, but shall not be deemed to assume responsibility for such service.

(c) A charge will be deemed to be filed when it is received by the General Counsel in accordance with the requirements in paragraph (a) of this section.

§ 2423.7 Investigation of charges

(a) The General Counsel shall conduct such investigation of the charge as the General Counsel deems necessary. Consistent with the policy set forth in § 2423.2, the investigation will normally not commence until the parties have been afforded a reasonable amount of time, not to exceed fifteen (15) days from the filing of the charge, to informally resolve the unfair labor practice allegation.

(b) During the course of the investigation all parties involved will have an opportunity to present their evidence and views to the General Counsel.

(c) In connection with the investigation of charges, all persons are expected to cooperate fully with the General Counsel.

(d) The purposes and policies of chapter 71, as applied by the CAA, can best be achieved by the full cooperation of all parties involved and the voluntary submission of all potentially relevant information from all potential sources during the course of the investigation. To this end, it shall be the policy of the Board and the General Counsel to protect the identity of individuals and the substance of the statements and information they submit or which is obtained during the investigation as a means of assuring the Board's and the General Counsel's continuing ability to obtain all relevant information.

§ 2423.8 Amendment of charges

Prior to the issuance of a complaint, the charging party may amend the charge in accordance with the requirements set forth in § 2423.6.

§ 2423.9 Action by the general counsel

(a) The General Counsel shall take action which may consist of the following, as appropriate:

(1) Approve a request to withdraw a charge;

(2) Refuse to file a complaint;

(3) Approve a written settlement and recommend that the Executive Director approve a written settlement agreement in accordance with the provisions of section 414 of the CAA;

(4) File a complaint;

(5) Upon agreement of all parties, transfer to the Board for decision, after filing of a complaint, a stipulation of facts in accordance with the provisions of § 2429.1(a) of this subchapter; or

(6) Withdraw a complaint.

§ 2423.10 Determination not to file complaint

(a) If the General Counsel determines that the charge has not been timely filed, that the charge fails to state an unfair labor practice, or for other appropriate reasons, the General Counsel may request the charging party to withdraw the charge, and in the absence of such withdrawal within a reasonable time, decline to file a complaint.

(b) The charging party may not obtain a review of the General Counsel's decision not to file a complaint.

§ 2423.11 Settlement or adjustment of issues

(a) At any stage of a proceeding prior to hearing, where time, the nature of the proceeding, and the public interest permit, all interested parties shall have the opportunity to submit to the Executive Director or General Counsel, as appropriate, for consideration, all facts and arguments concerning offers of settlement, or proposals of adjustment.

Precomplaint settlements

(b)(1) Prior to the filing of any complaint or the taking of other formal action, the General Counsel will afford the charging party and the respondent a reasonable period of time in which to enter into a settlement agreement to be submitted to and approved by the General Counsel and the Executive Director. Upon approval by the General Counsel and Executive Director and compliance with the terms of the settlement agreement, no further action shall be taken in the case. If the respondent fails to perform its obligations under the settlement agreement, the General Counsel may determine to institute further proceedings.

(2) In the event that the charging party fails or refuses to become a party to a settlement agreement offered by the respondent, if the General Counsel concludes that the offered settlement will effectuate the policies of chapter 71, as applied by the CAA, the agreement shall be between the respondent and the General Counsel and the latter shall decline to file a complaint.

Post complaint settlement policy

(c) Consistent with the policy reflected in paragraph (a) of this section, even after the filing of a complaint, the Board favors the settlement of issues. Such settlements may be accomplished as provided in paragraph (b) of this section. The parties may, as part of the settlement, agree to waive their right to a hearing and agree further that the Board may issue an order requiring the respondent to take action appropriate to the terms of the settlement. Ordinarily such a settlement agreement will also contain the respondent's consent to the Board's application for the entry of a decree by the United States Court of Appeals for the Federal Circuit enforcing the Board's order.

Post complaint prehearing settlements

(d)(1) If, after the filing of a complaint, the charging party and the respondent enter into a settlement agreement, and such agreement is accepted by the General Counsel, the settlement agreement shall be submitted to the Executive Director for approval.

(2) If, after the filing of a complaint, the charging party fails or refuses to become a party to a settlement agreement offered by the respondent, and the General Counsel concludes that the offered settlement will effectuate the policies of chapter 71, as applied by the CAA, the agreement shall be between the respondent and the General Counsel. The

charging party will be so informed and provided a brief written statement by the General Counsel of the reasons therefor. The settlement agreement together with the charging party's objections, if any, and the General Counsel's written statements, shall be submitted to the Executive Director for approval. The Executive Director may approve or disapprove any settlement agreement.

(3) After the filing of a complaint, if the General Counsel concludes that it will effectuate the policies of chapter 71, as applied by the CAA, the General Counsel may withdraw the complaint.

Settlements after the opening of the hearing

(e)(1) After filing of a complaint and after opening of the hearing, if the General Counsel concludes that it will effectuate the policies of chapter 71, as applied by the CAA, the General Counsel may request theHearing Officer for permission to withdraw the complaint and, having been granted such permission to withdraw the complaint, may approve a settlement and recommend that the Executive Director approve the settlement pursuant to paragraph (b) of this section.

(2) If, after filing of a complaint and after opening of the hearing, the parties enter into a settlement agreement that contains the respondent's consent to the Board's application for the entry of a decree by the United States Court of Appeals for the Federal Circuit enforcing the Board's order, the General Counsel may request theHearing Officer and the Executive Director to approve such settlement agreement, and upon such approval, to transmit the agreement to the Board for approval.

(3) If the charging party fails or refuses to become a party to a settlement agreement, offered by the respondent, that contains the respondent's consent to the Board's application for the entry of a decree by the United States Court of Appeals for the Federal Circuit enforcing the Board's order, and the General Counsel concludes that the offered settlement will effectuate the policies of chapter 71, as applied to the CAA, the agreement shall be between the respondent and the General Counsel. After the charging party is given an opportunity to state on the record or in writing the reasons for opposing the settlement, the General Counsel may request theHearing Officer and the Executive Director to approve such settlement agreement, and upon such approval, to transmit the agreement to the Board for approval. The Board may approve or disapprove any such settlement agreement or return the case to theHearing Officer for other appropriate action.

§ 2423.12 Filing and contents of the complaint

(a) After a charge is filed, if it appears to the General Counsel that formal proceedings in respect thereto should be instituted, the General Counsel shall file a formal complaint: *provided, however,* that a determination by the General Counsel to file a complaint shall not be subject to review.

(b) The complaint shall include:

(1) Notice of the charge;

(2) Any information required pursuant to the Procedural Rules of the Office.

(c) Any such complaint may be withdrawn before the hearing by the General Counsel.

§ 2423.13 Answer to the complaint

A respondent shall file an answer to a complaint in accordance with the requirements of the Procedural Rules of the Office.

§ 2423.14 Prehearing disclosure; conduct of hearing

The procedures for prehearing discovery and the conduct of the hearing are set forth in the Procedural Rules of the Office.

§ 2423.15 Intervention

Any person involved and desiring to intervene in any proceeding pursuant to this part shall file a motion in accordance with the procedures set forth in the Procedural Rules of the Office. The motion shall state the grounds upon which such person claims involvement.

§ 2423.16 [Reserved]

§ 2423.17 [Reserved]

§ 2423.18 Burden of proof before the hearing officer

The General Counsel shall have the responsibility of presenting the evidence in support of the complaint and shall have the burden of proving the allegations of the complaint by a preponderance of the evidence.

2423.19 Duties and powers of the hearing officer

It shall be the duty of theHearing Officer to inquire fully into the facts as they relate to the matter before such Hearing Officer, subject to the rules and regulations of the Office and the Board.

§ 2423.20 [Reserved]

§ 2423.21 [Reserved]

§ 2423.22 [Reserved]

§ 2423.23 [Reserved]

§ 2423.24 [Reserved]

§ 2423.25 [Reserved]

§ 2423.26 Hearing officer decisions; entry in records of the office

In accordance with the Procedural Rules of the Office, theHearing Officer shall issue a written decision and that decision will be entered into the records of the Office.

§ 2423.27 Appeal to the Board

An aggrieved party may seek review of a decision and order of theHearing Officer in accordance with the Procedural Rules of the Office.

§ 2423.28 [Reserved]

§ 2423.29 Action by the board

(a) If an appeal is filed, the Board shall review the decision of theHearing Officer in accordance with section 406 of the CAA, and the Procedural Rules of the Office.

(b) Upon finding a violation, the Board shall issue an order:

(1) To cease and desist from any such unfair labor practice in which the employing office or labor organization is engaged;

(2) Requiring the parties to renegotiate a collective bargaining agreement in accordance with the order of the Board and requiring that the agreement, as amended, be given retroactive effect;

(3) Requiring reinstatement of an employee with backpay in accordance with 5 U.S.C. 5596; or

(4) Including any combination of the actions described in paragraphs (1) through (3) of this paragraph (b), or such other action as will carry out the purpose of the chapter 71, as applied by the CAA.

(c) Upon finding no violation, the Board shall dismiss the complaint.

§ 2423.30 Compliance with decisions and orders of the board

When remedial action is ordered, the respondent shall report to the Office within a specified period that the required remedial action has been effected. When the General Counsel or the Executive Director finds that the required remedial action has not been effected, the General Counsel or the Executive Director shall take such action as may be appropriate, including referral to the Board for enforcement.

§ 2423.31 Backpay proceedings

After the entry of a Board order directing payment of backpay, or the entry of a court decree enforcing such order, if it appears to the General Counsel that a controversy exists which cannot be resolved without a formal proceeding, the General Counsel may issue and serve on all parties a backpay specification accompanied by a request for hearing or a request for hearing without a specification. Upon receipt of the request for hearing, the Executive Director will appoint an independent Hearing Officer. The respondent shall, within twenty (20) days after the service of a backpay specification, file an answer thereto in accordance with the Office's Procedural Rules. No answer need be filed by the respondent to a notice of hearing issued without a specification. After the issuance of a notice of hearing, with or without a backpay specification, the hearing procedures provided in the Procedural Rules of the Office shall be followed insofar as applicable.

Part 2424 Expedited Review of Negotiability Issues

Subpart A—Instituting an Appeal

Sec.
2424.1 Conditions governing review.
2424.2 Who may file a petition.
2424.3 Time limits for filing.
2424.4 Content of petition; service.
2424.5 Selection of the unfair labor practice procedure or the negotiability procedure.
2424.6 Position of the employing office; time limits for filing; service.
2424.7 Response of the exclusive representative; time limits for filing; service.
2424.8 Additional submissions to the Board.
2424.9 Hearing.
2424.10 Board decision and order; compliance.

Subpart B—Criteria for Determining Compelling Need for Employing Office Rules and Regulations

2424.11 Illustrative criteria.

SUBPART A—INSTITUTING AN APPEAL

§ 2424.1 Conditions governing review

The Board will consider a negotiability issue under the conditions prescribed by 5 U.S.C. 7117 (b) and (c), as applied by the CAA, namely: If an employing office involved in collective bargaining with an exclusive representative alleges that the duty to bargain in good faith does not extend to any matter proposed to be bargained because, as proposed, the matter is inconsistent with law, rule or regulation, the exclusive representative may appeal the allegation to the Board when—

(a) It disagrees with the employing office's allegation that the matter as proposed to be bargained is inconsistent with any Federal law or any Government-wide rule or regulation; or

(b) It alleges, with regard to any employing office rule or regulation asserted by the employing office as a bar to negotiations on the matter, as proposed, that:

(1) The rule or regulation violates applicable law, or rule or regulation of appropriate authority outside the employing office;

(2) The rule or regulation was not issued by the employing office or by any primary national subdivision of the employing office, or otherwise is not applicable to bar negotiations with the exclusive representative, under 5 U.S.C. 7117(a)(3), as applied by the CAA; or

(3) No compelling need exists for the rule or regulation to bar negotiations on the matter, as proposed, because the rule or regulation does not meet the criteria established in subpart B of this part.

§ 2424.2 Who may file a petition

A petition for review of a negotiability issue may be filed by an exclusive representative which is a party to the negotiations.

§ 2424.3 Time limits for filing

The time limit for filing a petition for review is fifteen (15) days after the date the employing office's allegation that the duty to bargain in good faith does not extend to the matter proposed to be bargained is

served on the exclusive representative. The exclusive representative shall request such allegation in writing and the employing office shall make the allegation in writing and serve a copy on the exclusive representative: *provided, however,* that review of a negotiability issue may be requested by an exclusive representative under this subpart without a prior written allegation by the employing office if the employing office has not served such allegation upon the exclusive representative within ten (10) days after the date of the receipt by any employing office bargaining representative at the negotiations of a written request for such allegation.

§ 2424.4 Content of petition; service

(a) A petition for review shall be dated and shall contain the following:

(1) A statement setting forth the express language of the proposal sought to be negotiated as submitted to the employing office;

(2) An explicit statement of the meaning attributed to the proposal by the exclusive representative including:

(i) Explanation of terms of art, acronyms, technical language, or any other aspect of the language of the proposal which is not in common usage; and

(ii) Where the proposal is concerned with a particular work situation, or other particular circumstances, a description of the situation or circumstances which will enable the Board to understand the context in which the proposal is intended to apply;

(3) A copy of all pertinent material, including the employing office's allegation in writing that the matter, as proposed, is not within the duty to bargain in good faith, and other relevant documentary material; and

(4) Notification by the petitioning labor organization whether the negotiability issue is also involved in an unfair labor practice charge filed by such labor organization under part 2423 of this subchapter and pending before the General Counsel.

(b) A copy of the petition including all attachments thereto shall be served on the employing office head and on the principal employing office bargaining representative at the negotiations.

(c)(1) Filing an incomplete petition for review will result in the exclusive representative being asked to provide the missing or incomplete information. Noncompliance with a request to complete the record may result in dismissal of the petition.

(2) The processing priority accorded to an incomplete petition, relative to other pending negotiability appeals, will be based upon the date when the petition is completed—not the date it was originally filed.

§ 2424.5 Selection of the unfair labor practice procedure or the negotiability procedure

Where a labor organization files an unfair labor practice charge pursuant to part 2423 of this subchapter which involves a negotiability issue, and the labor organization also files pursuant to this part a petition for review of the same negotiability issue, the Board and the General Counsel ordinarily will not process the unfair labor practice charge and the petition for review simultaneously. Under such circumstances, the labor organization must select under which procedure to proceed. Upon selection of one procedure, further action under the other procedure will ordinarily be suspended. Such selection must be made regardless of whether the unfair labor practice charge or the petition for review of a negotiability issue is filed first. Notification of this selection must be made in writing at the time that both procedures have been invoked, and must be served on the Board, the General Counsel and all parties to both the unfair labor practice case and the negotiability case. Cases which solely involve an employing office's allegation that the duty to bargain in good faith does not extend to the matter proposed to be bargained and which do not involve actual or contemplated changes in conditions of employment may only be filed under this part.

§ 2424.6 Position of the employing office; time limits for filing; service

(a) Within thirty (30) days after the date of the receipt by the head of an employing office of a copy of a petition for review of a negotiability issue the employing office shall file a statement—

(1) Withdrawing the allegation that the duty to bargain in good faith does not extend to the matter proposed to be negotiated; or

(2) Setting forth in full its position on any matters relevant to the petition which it wishes the Board to consider in reaching its decision, including a full and detailed statement of its reasons supporting the allegation. The statement shall cite the section of any law, rule or regulation relied upon as a basis for the allegation and shall contain a copy of any internal employing office rule or regulation so relied upon. The statement shall include:

(i) Explanation of the meaning the employing office attributes to the proposal as a whole, including any terms of art, acronyms, technical language or any other aspect of the language of the proposal which is not in common usage; and

(ii) Description of a particular work situation, or other particular circumstance the employing office views the proposal to concern, which will enable the Board to understand the context in which the proposal is considered to apply by the employing office.

(b) A copy of the employing office's statement of position, including all attachments thereto shall be served on the exclusive representative.

§ 2424.7 Response of the exclusive representative; time limits for filing; service

(a) Within fifteen (15) days after the date of the receipt by an exclusive representative of a copy of an employing office's statement of position the exclusive representative shall file a full and detailed response stating its position and reasons for:

(1) Disagreeing with the employing office's allegation that the matter, as proposed to be negotiated, is inconsistent with any Federal law or Government-wide rule or regulation; or

(2) Alleging that the employing office's rules or regulations violate applicable law, or rule or regulation or appropriate authority outside the employing office; that the rules or regulations were not issued by the employing office or by any primary national subdivision of the employing office, or otherwise are not applicable to bar negotiations under 5 U.S.C. 7117(a)(3), as applied by the CAA; or that no compelling need exists for the rules or regulations to bar negotiations.

(b) The response shall cite the particular section of any law, rule or regulation alleged to be violated by the employing office's rules or regulations; or shall explain the grounds for contending the employing office rules or regulations are not applicable to bar negotiations under 5 U.S.C. 7117(a)(3), as applied by the CAA, or fail to meet the criteria established in subpart B of this part, or were not issued at the employing office headquarters level or at the level of a primary national subdivision.

(c) A copy of the response of the exclusive representative including all attachments thereto shall be served on the employing office head and on the employing office's representative of record in the proceeding before the Board.

§ 2424.8 Additional submissions to the board

The Board will not consider any submission filed by any party, whether supplemental or responsive in nature, other than those authorized under § 2424.2 through 2424.7 unless such submission is requested by the Board; or unless, upon written request by any party, a copy of which is served on all other parties, the Board in its discretion grants permission to file such submission.

§ 2424.9 Hearing

A hearing may be held, in the discretion of the Board, before a determination is made under 5 U.S.C. 7117(b) or (c), as applied by the CAA. If a hearing is held, it shall be expedited to the extent practicable and shall not include the General Counsel as a party.

§ 2424.10 Board decision and order; compliance

(a) Subject to the requirements of this subpart the Board shall expedite proceedings under this part to the extent practicable and shall issue to the exclusive representative and to the employing office a written decision on the allegation and specific reasons therefore at the earliest practicable date.

(b) If the Board finds that the duty to bargain extends to the matter proposed to be bargained, the decision of the Board shall include an order that the employing office shall upon request (or as otherwise agreed to by the parties) bargain concerning such matter. If the Board finds that the duty to bargain does not extend to the matter proposed to be negotiated, the Board shall so state and issue an order dismissing the petition for review of the negotiability issue. If the Board finds that the duty to bargain extends to the matter proposed to be bargained only at the election of the employing office, the Board shall so state and issue an order dismissing the petition for review of the negotiability issue.

(c) When an order is issued as provided in paragraph (b) of this section, the employing office or exclusive representative shall report to the Executive Director within a specified period failure to comply with an order that the employing office shall upon request (or as otherwise agreed to by the parties) bargain concerning the disputed matter.

SUBPART B—CRITERIA FOR DETERMINING COMPELLING NEED FOR EMPLOYING OFFICE RULES AND REGULATIONS

§ 2424.11 Illustrative criteria

A compelling need exists for an employing office rule or regulation concerning any condition of employment when the employing office demonstrates that the rule or regulation meets one or more of the following illustrative criteria:

(a) The rule or regulation is essential, as distinguished from helpful or desirable, to the accomplishment of the mission or the execution of functions of the employing office or primary national subdivision in a manner which is consistent with the requirements of an effective and efficient government.

(b) The rule or regulation is necessary to insure the maintenance of basic merit principles.

(c) The rule or regulation implements a mandate to the employing office or primary national subdivision under law or other outside authority, which implementation is essentially nondiscretionary in nature.

Part 2425—Review of Arbitration Awards

Sec.
2425.1 Who may file an exception; time limits for filing; opposition; service.
2425.2 Content of exception.
2425.3 Grounds for review.
2425.4 Board decision.

§ 2425.1 Who may file an exception; time limits for filing; opposition; service

(a) Either party to arbitration under the provisions of chapter 71 of title 5 of the United States Code, as applied by the CAA, may

file an exception to an arbitrator's award rendered pursuant to the arbitration.

(b) The time limit for filing an exception to an arbitration award is thirty (30) days beginning on the date the award is served on the filing party.

(c) An opposition to the exception may be filed by a party within thirty (30) days after the date of service of the exception.

(d) A copy of the exception and any opposition shall be served on the other party.

§ 2425.2 Content of exception

An exception must be a dated, self-contained document which sets forth in full:

(a) A statement of the grounds on which review is requested;

(b) Evidence or rulings bearing on the issues before the Board;

(c) Arguments in support of the stated grounds, together with specific reference to the pertinent documents and citations of authorities; and

(d) A legible copy of the award of the arbitrator and legible copies of other pertinent documents; and

(e) The name and address of the arbitrator.

§ 2425.3 Grounds for review

The Board will review an arbitrator's award to which an exception has been filed to determine if the award is deficient—

(a) Because it is contrary to any law, rule or regulation; or

(b) On other grounds similar to those applied by Federal courts in private sector labor-management relations.

§ 2425.4 Board decision

The Board shall issue its decision and order taking such action and making such recommendations concerning the award as it considers necessary, consistent with applicable laws, rules, or regulations.

Part 2426—National Consultation Rights and Consultation Rights on Government-wide Rules or Regulations

Subpart A—National Consultation Rights

Sec.
2426.1 Requesting; granting; criteria.
2426.2 Requests; petition and procedures for determination of eligibility for national consultation rights.
2426.3 Obligation to consult.

Subpart B—Consultation Rights on Government-wide Rules or Regulations

2426.11 Requesting; granting; criteria.
2426.12 Requests; petition and procedures for determination of eligibility for consultation rights on Government-wide rules or regulations.
2426.13 Obligation to consult.

SUBPART A—NATIONAL CONSULTATION RIGHTS

§ 2426.1 Requesting; granting; criteria

(a) An employing office shall accord national consultation rights to a labor organization that:

(1) Requests national consultation rights at the employing office level; and

(2) Holds exclusive recognition for ten percent (10%) or more of the total number of personnel employed by the employing office.

(b) An employing office's primary national subdivision which has authority to formulate conditions of employment shall accord national consultation rights to a labor organization that:

(1) Requests national consultation rights at the primary national subdivision level; and

(2) Holds exclusive recognition for ten percent (10%) or more of the total number of personnel employed by the primary national subdivision.

(c) In determining whether a labor organization meets the requirements as prescribed in paragraphs (a)(2) and (b)(2) of this section, the following will not be counted:

(1) At the employing office level, employees represented by the labor organization under national exclusive recognition granted at the employing office level.

(2) At the primary national subdivision level, employees represented by the labor organization under national exclusive recognition granted at the agency level or at that primary national subdivision level.

(d) An employing office or a primary national subdivision of an employing office shall not grant national consultation rights to any labor organization that does not meet the criteria prescribed in paragraphs (a), (b) and (c) of this section.

§ 2426.2 Requests; petition and procedures for determination of eligibility for national consultation rights

(a) Requests by labor organizations for national consultation rights shall be submitted in writing to the headquarters of the employing office or the employing office's primary national subdivision, as appropriate, which headquarters shall have fifteen (15) days from the date of service of such request to respond thereto in writing.

(b) Issues relating to a labor organization's eligibility for, or continuation of, national consultation rights shall be referred to the Board for determination as follows:

(1) A petition for determination of the eligibility of a labor organization for national consultation rights under criteria set forth in § 2426.1 may be filed by a labor organization.

(2) A petition for determination of eligibility for national consultation rights shall be submitted on a form prescribed by the Board and shall set forth the following information:

(i) Name and affiliation, if any, of the petitioner and its address and telephone number;

(ii) A statement that the petitioner has submitted to the employing office or the primary national subdivision and to the Assistant Secretary a roster of its officers and representatives, a copy of its constitution and bylaws, and a statement of its objectives;

(iii) A declaration by the person signing the petition, under the penalties of the Criminal Code (18 U.S.C. 1001), that its contents are true and correct to the best of such person's knowledge and belief;

(iv) The signature of the petitioner's representative, including such person's title and telephone number;

(v) The name, address, and telephone number of the employing office or primary national subdivision in which the petitioner seeks to obtain or retain national consultation rights, and the persons to contact and their titles, if known;

(vi) A showing that petitioner holds adequate exclusive recognition as required by § 2426.1; and

(vii) A statement as appropriate:

(A) That such showing has been made to and rejected by the employing office or primary national subdivision, together with a statement of the reasons for rejection, if any, offered by that employing office or primary national subdivision;

(B) That the employing office or primary national subdivision has served notice of its intent to terminate existing national consultation rights, together with a statement of the reasons for termination; or

(C) That the employing office or primary national subdivision has failed to respond in writing to a request for national consultation rights made under § 2426.2(a) within fifteen (15) days after the date the request is served on the employing office or primary national subdivision.

(3) The following regulations govern petitions filed under this section:

(i) A petition for determination of eligibility for national consultation rights shall be filed with the Executive Director.

(ii) An original and four (4) copies of a petition shall be filed, together with a statement of any other relevant facts and of all correspondence.

(iii) Copies of the petition together with the attachments referred to in paragraph (b)(3)(ii) of this section shall be served by the petitioner on all known interested parties, and a written statement of such service shall be filed with the Executive Director.

(iv) A petition shall be filed within thirty (30) days after the service of written notice by the employing office or primary national subdivision of its refusal to accord national consultation rights pursuant to a request under § 2426.2(a) or its intention to terminate existing national consultation rights. If an employing office or primary national subdivision fails to respond in writing to a request for national consultation rights made under § 2426.2(a) within fifteen (15) days after the date the request is served on the employing office or primary national subdivision, a petition shall be filed within thirty (30) days after the expiration of such fifteen (15) day period.

(v) If an employing office or primary national subdivision wishes to terminate national consultation rights, notice of its intention to do so shall include a statement of its reasons and shall be served not less than thirty (30) days prior to the intended termination date. A labor organization, after receiving such notice, may file a petition within the time period prescribed herein, and thereby cause to be stayed further action by the employing office or primary national subdivision pending disposition of the petition. If no petition has been filed within the provided time period, an employing office or primary national subdivision may terminate national consultation rights.

(vi) Within fifteen (15) days after the receipt of a copy of the petition, the employing office or primary national subdivision shall file a response thereto with the Executive Director raising any matter which is relevant to the petition.

(vii) The Executive Director, on behalf of the Board, shall make such investigations as the Executive Director deems necessary and thereafter shall issue and serve on the parties a determination with respect to the eligibility for national consultation rights which shall be final: *provided, however,* that an application for review of the Executive Director's determination may be filed with the Board in accordance with the procedure set forth in § 2422.31 of this subchapter. A determination by the Executive Director to issue a notice of hearing shall not be subject to the filing of an application for review. On behalf of the Board, the Executive Director, if appropriate, may cause a notice of hearing to be issued to all interested parties where substantial factual issues exist warranting an investigatory hearing. Investigatory hearings shall be conducted by the Executive Director or her designee in accordance with §§ 2422.17 through 2422.22 of this subchapter and after the close of the investigatory hearing a Decision and Order shall be issued by the Board in accordance with § 2422.30 of this subchapter.

§ 2426.3 Obligation to consult

(a) When a labor organization has been accorded national consultation rights, the employing office or the primary national subdivision which has granted those rights shall, through appropriate officials, furnish designated representatives of the labor organization:

(1) Reasonable notice of any proposed substantive change in conditions of employment; and

(2) Reasonable time to present its views and recommendations regarding the change.

(b) If a labor organization presents any views or recommendations regarding any proposed substantive change in conditions of employment to an employing office or a primary national subdivision, that employing office or primary national subdivision shall:

(1) Consider the views or recommendations before taking final action on any matter with respect to which the views or recommendations are presented; and

(2) Provide the labor organization a written statement of the reasons for taking the final action.

(c) Nothing in this subpart shall be construed to limit the right of any employing office or exclusive representative to engage in collective bargaining.

SUBPART B—CONSULTATION RIGHTS ON GOVERNMENT-WIDE RULES OR REGULATIONS

§ 2426.11 Requesting; granting; criteria

(a) An employing office shall accord consultation rights on Government-wide rules or regulations to a labor organization that:

(1) Requests consultation rights on Government-wide rules or regulations from an employing office; and

(2) Holds exclusive recognition for 350 or more covered employees within the legislative branch.

(b) An employing office shall not grant consultation rights on Government-wide rules or regulations to any labor organization that does not meet the criteria prescribed in paragraph (a) of this section.

§ 2426.12 Requests; petition and procedures for determination of eligibility for consultation rights on Government-wide rules or regulations

(a) Requests by labor organizations for consultation rights on Government-wide rules or regulations shall be submitted in writing to the headquarters of the employing office, which headquarters shall have fifteen (15) days from the date of service of such request to respond thereto in writing.

(b) Issues relating to a labor organization's eligibility for, or continuation of, consultation rights on Government-wide rules or regulations shall be referred to the Board for determination as follows:

(1) A petition for determination of the eligibility of a labor organization for consultation rights under criteria set forth in § 2426.11 may be filed by a labor organization.

(2) A petition for determination of eligibility for consultation rights shall be submitted on a form prescribed by the Board and shall set forth the following information:

(i) Name and affiliation, if any, of the petitioner and its address and telephone number;

(ii) A statement that the petitioner has submitted to the employing office and to the Assistant Secretary a roster of its officers and representatives, a copy of its constitution and bylaws, and a statement of its objectives;

(iii) A declaration by the person signing the petition, under the penalties of the Criminal Code (18 U.S.C. 1001), that its contents are true and correct to the best of such person's knowledge and belief;

(iv) The signature of the petitioner's representative, including such person's title and telephone number;

(v) The name, address, and telephone number of the employing office in which the petitioner seeks to obtain or retain consultation rights on Government-wide rules or regulations, and the persons to contact and their titles, if known;

(vi) A showing that petitioner meets the criteria as required by § 2426.11; and

(vii) A statement, as appropriate:

(A) That such showing has been made to and rejected by the employing office, together with a statement of the reasons for rejection, if any, offered by that employing office;

(B) That the employing office has served notice of its intent to terminate existing consultation rights on Government-wide rules or regulations, together with a statement of the reasons for termination; or

(C) That the employing office has failed to respond in writing to a request for consultation rights on Government-wide rules or regulations made under § 2426.12(a) within fifteen (15) days after the date the request is served on the employing office.

(3) The following regulations govern petitions filed under this section:

(i) A petition for determination of eligibility for consultation rights on Government-wide rules or regulations shall be filed with the Executive Director.

(ii) An original and four (4) copies of a petition shall be filed, together with a statement of any other relevant facts and of all correspondence.

(iii) Copies of the petition together with the attachments referred to in paragraph (b)(3)(ii) of this section shall be served by the petitioner on the employing office, and a written statement of such service shall be filed with the Executive Director.

(iv) A petition shall be filed within thirty (30) days after the service of written notice by the employing office of its refusal to accord consultation rights on Government-wide rules or regulations pursuant to a request under § 2426.12(a) or its intention to terminate such existing consultation rights. If an employing office fails to respond in writing to a request for consultation rights on Government-wide rules or regulations made under § 2426.12(a) within fifteen (15) days after the date the request is served on the employing office, a petition shall be filed within thirty (30) days after the expiration of such fifteen (15) day period.

(v) If an employing office wishes to terminate consultation rights on Government-wide rules or regulations, notice of its intention to do so shall be served not less than thirty (30) days prior to the intended termination date. A labor organization, after receiving such notice, may file a petition within the time period prescribed herein, and thereby cause to be stayed further action by the employing office pending disposition of the petition. If no petition has been filed within the provided time period, an employing office may terminate such consultation rights.

(vi) Within fifteen (15) days after the receipt of a copy of the petition, the employing office shall file a response thereto with the Executive Director raising any matter which is relevant to the petition.

(vii) The Executive Director, on behalf of the Board, shall make such investigation as the Executive Director deems necessary and thereafter shall issue and serve on the parties a determination with respect to the eligibility for consultation rights which shall be final: *Provided, however,* that an application for review of the Executive Director's determination may be filed with the Board in accordance with the procedure set forth in § 2422.31 of this subchapter. A determination by the Executive Director to issue a notice of investigatory hearing shall not be subject to the filing of an application for review. On behalf of the Board, the Executive Director, if appropriate, may cause a notice of investigatory hearing to be issued where substantial factual issues exist warranting a hearing. Investigatory hearings shall be conducted by the Executive Director or her designee in accordance with § 2422.17 through 2422.22 of this chapter and after the close of the investigatory hearing a Decision and Order shall be issued by the Board in accordance with § 2422.30 of this subchapter.

§ 2426.13 Obligation to consult

(a) When a labor organization has been accorded consultation rights on Government-wide rules or regulations, the employing office which has granted those rights shall, through appropriate officials, furnish designated representatives of the labor organization:

(1) Reasonable notice of any proposed Government-wide rule or regulation issued by the employing office affecting any substantive change in any condition of employment; and

(2) Reasonable time to present its views and recommendations regarding the change.

(b) If a labor organization presents any views or recommendations regarding any proposed substantive change in any condition of employment to an employing office, that employing office shall:

(1) Consider the views or recommendations before taking final action on any matter with respect to which the views or recommendations are presented; and

(2) Provide the labor organization a written statement of the reasons for taking the final action.

Part 2427—General Statements of Policy or Guidance

Sec.
2427.1 Scope.
2427.2 Requests for general statements of policy or guidance.
2427.3 Content of request
2427.4 Submissions from interested parties.
2427.5 Standards governing issuance of general statements of policy or guidance.

§ 2427.1 Scope

This part sets forth procedures under which requests may be submitted to the Board seeking the issuance of general statements of policy or guidance under 5 U.S.C. 7105(a)(1), as applied by the CAA.

§ 2427.2 Requests for general statements of policy or guidance

(a) The head of an employing office (or designee), the national president of a labor organization (or designee), or the president of a labor organization not affiliated with a national organization (or designee) may separately or jointly ask the Board for a general statement of policy or guidance. The head of any lawful association not qualified as a labor organization may also ask the Board for such a statement provided the request is not in conflict with the provisions of chapter 71 of title 5 of the United States Code, as applied by the CAA, or other law.

(b) The Board ordinarily will not consider a request related to any matter pending before the Board or General Counsel.

§ 2427.3 Content of request.

(a) A request for a general statement of policy or guidance shall be in writing and must contain:

(1) A concise statement of the question with respect to which a general statement of policy or guidance is requested together with background information necessary to an understanding of the question;

(2) A statement of the standards under § 2427.5 upon which the request is based;

(3) A full and detailed statement of the position or positions of the requesting party or parties;

(4) Identification of any cases or other proceedings known to bear on the question which are pending under the CAA; and

(5) Identification of other known interested parties.

(b) A copy of each document also shall be served on all known interested parties, including the General Counsel, where appropriate.

§ 2427.4 Submissions from interested parties

Prior to issuance of a general statement of policy or guidance the Board, as it deems appropriate, will afford an opportunity to interested parties to express their views orally or in writing.

§ 2427.5 Standards governing issuance of general statements of policy or guidance

In deciding whether to issue a general statement of policy or guidance, the Board shall consider:

(a) Whether the question presented can more appropriately be resolved by other means;

(b) Where other means are available, whether a Board statement would prevent the proliferation of cases involving the same or similar question;

(c) Whether the resolution of the question presented would have general applicability under chapter 71, as applied by the CAA;

(d) Whether the question currently confronts parties in the context of a labor-management relationship;

(e) Whether the question is presented jointly by the parties involved; and

(f) Whether the issuance by the Board of a general statement of policy or guidance on the question would promote constructive and cooperative labor-management relationships in the legislative branch and would otherwise promote the purposes of chapter 71, as applied by the CAA.

Part 2428—Enforcement of Assistant Secretary Standards of Conduct Decisions and Orders

Sec.
2428.1 Scope.
2428.2 Petitions for enforcement.
2428.3 Board decision.

§ 2428.1 Scope

This part sets forth procedures under which the Board, pursuant to 5 U.S.C. 7105(a)(2)(I), as applied by the CAA, will enforce decisions and orders of the Assistant Secretary in standards of conduct matters arising under 5 U.S.C. 7120, as applied by the CAA.

§ 2428.2 Petitions for enforcement

(a) The Assistant Secretary may petition the Board to enforce any Assistant Secretary decision and order in a standards of conduct case arising under 5 U.S.C. 7120, as applied by the CAA. The Assistant Secretary shall transfer to the Board the record in the case, including a copy of the transcript if any, exhibits, briefs, and other documents filed with the Assistant Secretary. A copy of the petition for enforcement shall be served on the labor organization against which such order applies.

(b) An opposition to Board enforcement of any such Assistant Secretary decision and order may be filed by the labor organization against which such order applies twenty (20) days from the date of service of the petition, unless the Board, upon good cause shown by the Assistant Secretary, sets a shorter time for filing such opposition. A copy of the opposition to enforcement shall be served on the Assistant Secretary.

§ 2428.3 Board decision

The Board shall issue its decision on the case enforcing, enforcing as modified, or refusing to enforce, the decision and order of the Assistant Secretary.

Part 2429—Miscellaneous and General Requirements

Subpart A—Miscellaneous

Sec.
2429.1 Transfer of cases to the Board.
2429.2 [Reserved]
2429.3 Transfer of record.
2429.4 Referral of policy questions to the Board.
2429.5 Matters not previously presented; official notice.
2429.6 Oral argument.
2429.7 [Reserved]
2429.8 [Reserved]
2429.9 [Reserved]
2429.10 Advisory opinions.
2429.11 [Reserved]
2429.12 [Reserved]
2429.13 Official time.
2429.14 Witness fees.
2429.15 Board requests for advisory opinions.
2429.16 General remedial authority.
2429.17 [Reserved]
2429.18 [Reserved]

Subpart B—General Requirements

2429.21 [Reserved]
2429.22 [Reserved]
2429.23 Extension; waiver.
2429.24 [Reserved]
2429.25 [Reserved]
2429.26 [Reserved]
2429.27 [Reserved]
2429.28 Petitions for amendment of regulations.

SUBPART A—MISCELLANEOUS

§ 2429.1 Transfer of cases to the board

In any unfair labor practice case under part 2423 of this subchapter in which, after the filing of a complaint, the parties stipulate that no material issue of fact exists, the Executive Director may, upon agreement of all parties, transfer the case to the Board; and the Board may decide the case on the basis of the formal documents alone. Briefs in the case must be filed with the Board within thirty (30) days from the date of the Executive Director's order transferring the case to the Board. The Board may also remand any such case to the Executive Director for further processing. Orders of transfer and remand shall be served on all parties.

§ 2429.2 [Reserved]

§ 2429.3 Transfer of record

In any case under part 2425 of this subchapter, upon request by the Board, the parties jointly shall transfer the record in the case, including a copy of the transcript, if any, exhibits, briefs and other documents filed with the arbitrator, to the Board.

§ 2429.4 Referral of policy questions to the board

Notwithstanding the procedures set forth in this subchapter, the General Counsel, or the Assistant Secretary, may refer for review and decision or general ruling by the Board any case involving a major policy issue that arises in a proceeding before any of them. Any such referral shall be in writing and a copy of such referral shall be served on all parties to the proceeding. Before decision or general ruling, the Board shall obtain the views of the parties and other interested persons, orally or in writing, as it deems necessary and appropriate. The Board may decline a referral.

§ 2429.5 Matters not previously presented; official notice

The Board will not consider evidence offered by a party, or any issue, which was not presented in the proceedings before the Executive Director, Hearing Officer, or arbitrator. The Board may, however, take official notice of such matters as would be proper.

§ 2429.6 Oral argument

The Board or the General Counsel, in their discretion, may request or permit oral argument in any matter arising under this subchapter under such circumstances and conditions as they deem appropriate.

§ 2429.7 [Reserved]

§ 2429.8 [Reserved]

§ 2429.9 [Reserved]

§ 2429.10 Advisory opinions

The Board and the General Counsel will not issue advisory opinions.

§ 2429.11 [Reserved]

§ 2429.12 [Reserved]

§ 2429.13 Official time

If the participation of any employee in any phase of any proceeding before the Board under section 220 of the CAA, including the investigation of unfair labor practice charges and representation petitions and the participation in hearings and representation elections, is deemed necessary by the Board, the Executive Director, the General Counsel, any Hearing Officer, or other agent of the Board designated by the Board, such employee shall be granted official time for such participation, including necessary travel time, as occurs during the employee's regular work hours and when the employee would otherwise be in a work or paid leave status.

§ 2429.14 Witness fees

(a) Witnesses (whether appearing voluntarily, or under a subpena) shall be paid the fee and mileage allowances which are paid subpenaed witnesses in the courts of the United States: *Provided*, that any witness who is employed by the Federal Government shall not be entitled to receive witness fees in addition to compensation received pursuant to § 2429.13.

(b) Witness fees and mileage allowances shall be paid by the party at whose instance the witnesses appear, except when the witness receives compensation pursuant to § 2429.13.

§ 2429.15 Board requests for advisory opinions

(a) Whenever the Board, pursuant to 5 U.S.C. 7105(i), as applied by the CAA, requests an advisory opinion from the Director of the Office of Personnel Management concerning the proper interpretation of rules, regulations, or policy directives issued by that Office in connection with any matter before the Board, a copy of such request, and any response thereto, shall be served upon the parties in the matter.

(b) The parties shall have fifteen (15) days from the date of service of a copy of the response of the Office of Personnel Management to file with the Board comments on that response which the parties wish the Board to consider before reaching a decision in the matter. Such comments shall be in writing and copies shall be served upon the other parties in the matter and upon the Office of Personnel Management.

§ 2429.16 General remedial authority

The Board shall take any actions which are necessary and appropriate to administer effectively the provisions of chapter 71 of title 5 of the United States Code, as applied by the CAA.

§ 2429.17 [Reserved]

§ 2429.18 [Reserved]

Subpart B—General Requirements

§ 2429.21 [Reserved]

§ 2429.22 [Reserved]

§ 2429.23 Extension; waiver

(a) Except as provided in paragraph (d) of this section, the Board or General Counsel, or their designated representatives, as appropriate, may extend any time limit provided in this subchapter for good cause shown, and shall notify the parties of any such extension. Requests for extensions of time shall be in writing and received by the appropriate official not later than five (5) days before the established time limit for filing, shall state the position of the other parties on the request for extension, and shall be served on the other parties.

(b) Except as provided in paragraph (d) of this section, the Board or General Counsel, or their designated representatives, as appropriate, may waive any expired time limit in this subchapter in extraordinary circumstances. Request for a waiver of time limits shall state the position of the other parties and shall be served on the other parties.

(c) The time limits established in this subchapter may not be extended or waived in any manner other than that described in this subchapter.

(d) Time limits established in 5 U.S.C. 7105(f), 7117(c)(2) and 7122(b), as applied by the CAA, may not be extended or waived under this section.

§ 2429.24 [Reserved]

§ 2429.25 [Reserved]

§ 2429.26 [Reserved]

§ 2429.27 [Reserved]

§ 2429.28 Petitions for amendment of regulations

Any interested person may petition the Board in writing for amendments to any portion of these regulations. Such petition shall identify the portion of the regulations involved and provide the specific language of the proposed amendment together with a statement of grounds in support of such petition.

Subchapter D—Impasses

PART 2470—GENERAL

Subpart A—Purpose

Sec.
2470.1 Purpose.

Subpart B—Definitions

2470.2 Definitions.

SUBPART A—PURPOSE

§ 2470.1 Purpose

The regulations contained in this subchapter are intended to implement the provisions of section 7119 of title 5 of the United States Code, as applied by the CAA. They prescribe procedures and methods which the Board may utilize in the resolution of negotiation impasses when voluntary arrangements, including the services of the Federal Mediation and Conciliation Service or any other third-party mediation, fail to resolve the disputes.

SUBPART B—DEFINITIONS

§ 2470.2 Definitions

(a) The terms *Executive Director, employing office, labor organization,* and *conditions of employment* as used herein shall have the meaning set forth in Part 2421 of these rules.

(b) The terms *designated representative* or *designee* of the Board means a Board member, a staff member, or other individual designated by the Board to act on its behalf.

(c) The term *hearing* means a factfinding hearing, arbitration hearing, or any other hearing procedure deemed necessary to accomplish the purposes of 5 U.S.C. 7119, as applied by the CAA.

(d) The term *impasse* means that point in the negotiation of conditions of employment at which the parties are unable to reach agreement, notwithstanding their efforts to do so by direct negotiations and by the use of mediation or other voluntary arrangements for settlement.

(e) The term *Board* means the Board of Directors of the Office of Compliance.

(f) The term *party* means the agency or the labor organization participating in the negotiation of conditions of employment.

(g) The term *voluntary arrangements* means any method adopted by the parties for the purpose of assisting them in their resolution of a negotiation dispute which is not inconsistent with the provisions of 5 U.S.C. 7119, as applied by the CAA.

Part 2471—Procedures of the Board in Impasse Proceedings

Sec.
2471.1 Request for Board consideration; request for Board approval of binding arbitration.
2471.2 Request form.
2471.3 Content of request.
2471.4 Where to file.
2471.5 Copies and service.
2471.6 Investigation of request; Board recommendation and assistance; approval of binding arbitration.
2471.7 Preliminary hearing procedures.
2471.8 Conduct of hearing and prehearing conference.
2471.9 Report and recommendations.
2471.10 Duties of each party following receipt of recommendations.
2471.11 Final action by the Board.
2471.12 Inconsistent labor agreement provisions.

§ 2471.1 Request for board consideration; request for board approval of binding arbitration

If voluntary arrangements, including the services of the Federal Mediation and Conciliation Services or any other third-party mediation, fail to resolve a negotiation impasse:

(a) Either party, or the parties jointly, may request the Board to consider the matter by filing a request as hereinafter provided; or the Board may, pursuant to 5 U.S.C. 7119(c)(1), as applied by the CAA, undertake consideration of the matter upon request of (i) the Federal Mediation and Conciliation Service, or (ii) the Executive Director; or

(b) The parties may jointly request the Board to approve any procedure, which they have agreed to adopt, for binding arbitration of the negotiation impasse by filing a request as hereinafter provided.

§ 2471.2 Request form

A form has been prepared for use by the parties in filing a request with the Board for consideration of an impasse or approval of a binding arbitration procedure. Copies are available from the Executive Director, Office of Compliance.

§ 2471.3 Content of request

(a) A request from a party or parties to the Board for consideration of an impasse must be in writing and include the following information:

(1) Identification of the parties and individuals authorized to act on their behalf;

(2) Statement of issues at impasse and the summary positions of the initiating party or parties with respect to those issues; and

(3) Number, length, and dates of negotiation and mediation sessions held, including the nature and extent of all other voluntary arrangements utilized.

(b) A request for approval of a binding arbitration procedure must be in writing, jointly filed by the parties, and include the following information about the pending impasse:

(1) Identification of the parties and individuals authorized to act on their behalf;

(2) Brief description of the impasse including the issues to be submitted to the arbitrator;

(3) Number, length, and dates of negotiation and mediation sessions held, including the nature and extent of all other voluntary arrangements utilized;

(4) Statement that the proposals to be submitted to the arbitrator contain no questions concerning the duty to bargain; and

(5) Statement of the arbitration procedures to be used, including the type of arbitration, the method of selecting the arbitrator, and the arrangement for paying for the proceedings or, in the alternative, those provisions of the parties' labor agreement which contain this information.

§ 2471.4 Where to file

Requests to the Board provided for in this part, and inquiries or correspondence on the status of impasses or other related matters, should be addressed to the Executive Director, Office of Compliance.

§ 2471.5 Copies and service

(a) Any party submitting a request for Board consideration of an impasse or a request for approval of a binding arbitration procedure shall file an original and one copy with the Board and shall serve a copy of such request upon all counsel of record or other designated representative(s) of parties, upon parties not so represented, and upon any mediation service which may have been utilized. When the Board acts on a request from the Federal Mediation and Conciliation Service or acts on a request from the Executive Director, it will notify the parties to the dispute, their counsel of record or designated representatives, if any, and any mediation service which may have been utilized. A clean copy capable of being used as an original for purposes such as further reproduction may be submitted for the original. Service upon such counsel or representative shall constitute service upon the party, but a copy also shall be transmitted to the party.

(b) Any party submitting a response to or other document in connection with a request for Board consideration of an impasse or a request for approval of a binding arbitration procedure shall file an original and one copy with the Board and shall serve a copy of the document upon all counsel of record or other designated representative(s) of parties, or upon parties not so represented. A clean copy capable of being used as an original for purposes such as further reproduction may be submitted for the original. Service upon such counsel or representative shall constitute service upon the party, but a copy also shall be transmitted to the party.

(c) A signed and dated statement of service shall accompany each document submitted to the Board. The statement of service shall include the names of the parties and persons served, their addresses, the date of service, the nature of the document served, and the manner in which service was made.

(d) The date of service or date served shall be the day when the matter served is deposited in the U.S. mail or is delivered in person.

(e) Unless otherwise provided by the Board or its designated representatives, any document or paper filed with the Board under these rules, together with any enclosure filed therewith, shall be submitted on 8 1/2 x 11 inch size paper.

§ 2471.6 Investigation of request; board recommendation and assistance; approval of binding arbitration

(a) Upon receipt of a request for consideration of an impasse, the Board or its designee will promptly conduct an investigation, consulting when necessary with the parties and with any mediation service utilized. After due consideration, the Board shall either:

(1) Decline to assert jurisdiction in the event that it finds that no impasse exists or that there is other good cause for not asserting jurisdiction, in whole or in part, and so advise the parties in writing, stating its reasons; or

(2) Recommend to the parties procedures, including but not limited to arbitration, for the resolution of the impasse and/or assist them in resolving the impasse through whatever methods and procedures the Board considers appropriate.

(b) Upon receipt of a request for approval of a binding arbitration procedure, the Board or its designee will promptly conduct an investigation, consulting when necessary with the parties and with any mediation service utilized. After due consideration, the Board shall either approve or disapprove the request; *provided, however,* that when the request is made pursuant to an agreed-upon

procedure for arbitration contained in an applicable, previously negotiated agreement, the Board may use an expedited procedure and promptly approve or disapprove the request, normally within five (5) workdays.

§ 2471.7 Preliminary hearing procedures

When the Board determines that a hearing is necessary under § 2471.6, it will:

(a) Appoint one or more of its designees to conduct such hearing; and

(b) issue and serve upon each of the parties a notice of hearing and a notice of prehearing conference, if any. The notice will state: (1) The names of the parties to the dispute; (2) the date, time, place, type, and purpose of the hearing; (3) the date, time, place, and purpose of the prehearing conference, if any; (4) the name of the designated representatives appointed by the Board; (5) the issues to be resolved; and (6) the method, if any, by which the hearing shall be recorded.

§ 2471.8 Conduct of hearing and prehearing conference

(a) A designated representative of the Board, when so appointed to conduct a hearing, shall have the authority on behalf of the Board to:

(1) Administer oaths, take the testimony or deposition of any person under oath, receive other evidence, and issue subpenas;

(2) Conduct the hearing in open, or in closed session at the discretion of the designated representative for good cause shown;

(3) Rule on motions and requests for appearance of witnesses and the production of records;

(4) Designate the date on which posthearing briefs, if any, shall be submitted;

(5) Determine all procedural matters concerning the hearing, including the length of sessions, conduct of persons in attendance, recesses, continuances, and adjournments; and take any other appropriate procedural action which, in the judgment of the designated representative, will promote the purpose and objectives of the hearing.

(b) A prehearing conference may be conducted by the designated representative of the Board in order to:

(1) Inform the parties of the purpose of the hearing and the procedures under which it will take place;

(2) Explore the possibilities of obtaining stipulations of fact;

(3) Clarify the positions of the parties with respect to the issues to be heard; and

(4) Discuss any other relevant matters which will assist the parties in the resolution of the dispute.

§ 2471.9 Report and recommendations

(a) When a report is issued after a hearing conducted pursuant to § 2471.7 and 2471.8, it normally shall be in writing and, when authorized by the Board, shall contain recommendations.

(b) A report of the designated representative containing recommendations shall be submitted to the parties, with two (2) copies to the Executive Director, within a period normally not to exceed thirty (30) calendar days after receipt of the transcript or briefs, if any.

(c) A report of the designated representative not containing recommendations shall be submitted to the Board with a copy to each party within a period normally not to exceed thirty (30) calendar days after receipt of the transcript or briefs, if any. The Board shall then take whatever action it may consider appropriate or necessary to resolve the impasse.

§ 2471.10 Duties of each party following receipt of recommendations

(a) Within thirty (30) calendar days after receipt of a report containing recommendations of the Board or its designated representative, each party shall, after conferring with the other, either:

(1) Accept the recommendations and so notify the Executive Director; or

(2) Reach a settlement of all unresolved issues and submit a written settlement statement to the Executive Director; or

(3) Submit a written statement to the Executive Director setting forth the reasons for not accepting the recommendations and for not reaching a settlement of all unresolved issues.

(b) A reasonable extension of time may be authorized by the Executive Director for good cause shown when requested in writing by either party prior to the expiration of the time limits.

§ 2471.11 Final action by the board

(a) If the parties do not arrive at a settlement as a result of or during actions taken under § 2471.6(a)(2), 2471.7, 2471.8, 2471.9, and 2471.10, the Board may take whatever action is necessary and not inconsistent with 5 U.S.C. chapter 71, as applied by the CAA, to resolve the impasse, including but not limited to, methods and procedures which the Board considers appropriate, such as directing the parties to accept a factfinder's recommendations, ordering binding arbitration conducted according to whatever procedure the Board deems suitable, and rendering a binding decision.

(b) In preparation for taking such final action, the Board may hold hearings, administer oaths, and take the testimony or deposition of any person under oath, or it may appoint or designate one or more individuals pursuant to 5 U.S.C. 7119(c)(4), as applied by the CAA, to exercise such authority on its behalf.

(c) When the exercise of authority under this section requires the holding of a hearing, the procedure contained in § 2471.8 shall apply.

(d) Notice of any final action of the Board shall be promptly served upon the parties, and the action shall be binding on such parties during the term of the agreement, unless they agree otherwise.

§ 2471.12 Inconsistent labor agreement provisions

Any provisions of the parties' labor agreements relating to impasse resolution which are inconsistent with the provisions of either 5 U.S.C. 7119, as applied by the CAA, or the procedures of the Board shall be deemed to be superseded.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

5086. A letter from the Deputy Assistant Administrator for Fisheries, National Oceanic and Atmospheric Administration, transmitting the Service's final rule—Fisheries of the Northeastern United States; Northeast Multispecies Fishery; Framekwork Adjustment 15 [Docket No. 960830238–6238–01; I.D. 082096B], pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Natural Resources.

5087. A letter from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, transmitting the Service's final rule—Corn Cyst Nematode [APHIS Docket No. 96–001–2] received September 11, 1996, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

5088. A letter from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, transmitting the Service's final rule—Importation of Fruits and Vegetables [APHIS Docket No. 95–068–2] received September 11, 1996, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

5089. A letter from the Director, Test, Systems Engineering & Evaluation, Department of Defense, transmitting a letter notifying Congress of the intent to obligate funds for fiscal year 1997 Foreign Comparative Testing [FCT] Program, pursuant to 10 U.S.C. 2350a(g); to the Committee on National Security.

5090. A letter from the Secretary of the Air Force, transmitting notification that certain major defense acquisition programs have breached the unit cost by more than 15 percent, pursuant to 10 U.S.C. 2433; to the Committee on National Security.

5091. A letter from the President and Chairman, Export-Import Bank of the United States, transmitting the semiannual report on tied aid credits, pursuant to Public Law 99–472, section 19 (100 Stat. 1207); to the Committee on Banking and Financial Services.

5092. A letter from the Director, Office of the Secretary of Defense, transmitting the Office's final rule—Provision of Early Intervention and Special Education Services to Eligible DoD Dependents in Overseas Areas [DoD Instruction 1342.12] received September 9, 1996, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Economic and Educational Opportunities.

5093. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Air Quality Implementation Plans; Washington; Revision to the State Implementation Plan Vehicle Inspection and Maintenance Program [FRL–5608–7] received September 11, 1996, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

5094. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—South Dakota; Final Determination of Adequacy of State's Municipal Solid Waste Permit Program over Non-Indian Lands for the Former Lands of the Yankton Sioux, Lake Traverse (Sisseton-Wahpeton) and Parts of the Rosebud Indian Reservation [FRL–5550–7] received September 11, 1996, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

5095. A letter from the Acting Director, Defense Security Assistance Agency, transmitting notification concerning the Department of the Army's proposed Letter(s) of Offer and Acceptance [LOA] to Colombia for defense articles and services (Transmittal No. 96–71), pursuant to 22 U.S.C. 2776(b); to the Committee on International Relations.

5096. A letter from the Acting Director, Defense Security Assistance Agency, transmitting notification concerning the Department of the Air Force's proposed Letter(s) of Offer and Acceptance [LOA] to Korea for defense articles and services (Transmittal No. 96–76), pursuant to 22 U.S.C. 2776(b); to the Committee on International Relations.

5097. A letter from the Commander, Air Force Services Agency, transmitting the annual report for the Air Force nonappropriated fund retirement plan for the plan year ending September 30, 1995, pursuant to 31 U.S.C. 9503(a)(1)(B); to the Committee on Government Reform and Oversight.

5098. A letter from the Inspector General, Railroad Retirement Board, transmitting the budget request for the Office of Inspector General, Railroad Retirement Board, for fiscal year 1998, pursuant to 45 U.S.C. 231f; to the Committee on Government Reform and Oversight.

5099. A letter from the Director, Office of Sustainable Fisheries, National Oceanic and

Atmospheric Administration, transmitting the Service's final rule—Fisheries Off West Coast States and in the Western Pacific; West Coast Salmon Fisheries; Closures from the Oregon-California Border to Humboldt South Jetty, CA, and from the U.S.-Canadian Border to Leadbetter Point, WA [Docket No. 960126016–6121–04; I.D. 090396B] received September 12, 1996, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

5100. A letter from the Director, Office of Sustainable Fisheries, National Oceanic and Atmospheric Administration, transmitting the Service's final rule—Fisheries of the Exclusive Economic Zone Off Alaska; Pollock by Vessels Using Nonpelagic Trawl Gear in the Bering Sea and Aleutian Island Area [Docket No. 960129019–6019–01; I.D. 090696F] received September 12, 1996, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

5101. A letter from the Director, Office of Sustainable Fisheries, National Oceanic and Atmospheric Administration, transmitting the Service's final rule—Fisheries of the Exclusive Economic Zone Off Alaska; Scallop Fishery; Closure in Registration Area H [Docket No. 960502124–6190–02; I.D. 082796E] received September 12, 1996, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

5102. A letter from the Director, Office of Surface Mining, transmitting the Office's final rule—Alaska Regulatory Program [AK–004–FOR; Alaska Amendment IV] received September 12, 1996, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

5103. A letter from the Assistant Secretary of the Army (Civil works), Department of the Army, transmitting a report recommending authorization of a deep-draft navigation project at Port Fourchon, Lafourche Parish, LA; to the Committee on Transportation and Infrastructure.

5104. A letter from the Assistant Attorney General, Department of Justice, transmitting the Department's final rule—Removal of 28 CFR Part 25—Recommendations to the President on Civil Aeronautics Board Decisions [AG Order No. 2002–95] (RIN: 1105–AA41) received September 11, 1996, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5105. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Last-in, First-out Inventories (Revenue Ruling 96–22) received September 12, 1996, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

5106. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Combination of Combined Taxable Income Under the Profit Split Method When the Possession Product is a Component Product or an End-Product Form for Purposes of the Possessions Credit Under Section 936 (RIN: 1545–AR18) received September 12, 1996, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

5107. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Excise Taxes on Excess Benefit Transactions Engaged in by Certain Tax-Exempt Organizations (Notice 96–46) received September 12, 1996, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

5108. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Private Inurement Expressly Prohibited for Section 501(c)(4) Organizations (Notice 96–47) received September 12, 1996, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

5109. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Tax-Exempt Organization Information Returns—Requirement to Provide Copies to the Public and Increases in Certain Penalties (Notice 96–48) received September 12, 1996, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

5110. A letter from the Chairman, Railroad Retirement Board, transmitting a draft of proposed legislation to amend the Railroad Retirement Act to conform the statute of limitations with respect to the creditability of compensation under that act to the statute of limitations with respect to the payment of taxes under the Railroad Retirement Tax Act and for other purposes; to the Committee on Ways and Means.

5111. A letter from the Chair of the Board, Office of Compliance, transmitting notice of issuance of final regulations for publication in the CONGRESSIONAL RECORD, pursuant to Public Law 104–1, section 304(d)(1) (109 Stat. 30); jointly, to the Committees on House Oversight and Economic and Educational Opportunities.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. MYERS: Committee of conference. Conference report on H.R. 3816. A bill making appropriations for energy and water development for the fiscal year ending September 30, 1997, and for other purposes (Rept. 104–782). Ordered to be printed.

Mr. GOODLING: Committee on Economic and Educational Opportunities. H.R. 3876. A bill to amend the Juvenile Justice and Delinquency Prevention Act of 1974 to authorize appropriations for fiscal years 1997, 1998, 1999, 2000; and for other purposes; with an amendment (Rept. 104–783). Referred to the Committee of the WholeHouse on the State of the Union.

Mr. MOORHEAD: Committee on the Judiciary. H.R. 3460. A bill to establish the Patent and Trademark Office as a Government corporation, and for other purposes; with an amendment (Rept. 104–784). Referred to the Committee of the WholeHouse on the State of the Union.

TIME LIMITATION OF REFERRED BILL

Pursuant to clause 5 of rule X, the following action was taken by the Speaker:

H.R. 2740. Referral to the Committee on Commerce extended for a period ending not later than September 20, 1996.

PUBLIC BILLS AND RESOLUTIONS

Under clause 5 of rule X and clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BILBRAY (for himself, Mr. DOOLITTLE, Mr. HERGER, Mr. MOORHEAD, Mr. RIGGS, Mr. BONO, Mr. PACKARD, Mr. MCKEON, Mrs. SEASTRAND, Mr. HUNTER, Mr. BAKER of California, Mr. CALVERT, and Mr. DREIER):

H.R. 4062. A bill to authorize appropriations to reimburse States for costs of educating certain illegal alien students; to the Committee on Economic and Educational Opportunities.

By Mr. LAZIO of New York (for himself and Mr. BAKER of California):

H.R. 4063. A bill to provide for adjustments to the conforming loan limits for the Federal National Mortgage Association and the Federal Home Loan Mortgage Corporation and to the maximum mortgage limit for the single family mortgage insurance program of the Department of Housing and Urban Development that more accurately reflect the changes in housing costs, and for other purposes; to the Committee on Banking and Financial Services.

By Mr. KLINK (for himself and Mr. DOYLE):

H.R. 4064. A bill to amend the Department of Housing and Urban Development Act to provide for the Secretary of Housing and Urban Development to notify and consult with the unit of general local government within which an assisted multifamily housing project is to be located before providing any low-income housing assistance for the project; to the Committee on Banking and Financial Services.

By Mr. GEPHARDT (for himself, Ms. PELOSI, Mr. BONIOR, Mr. BROWN of Ohio, Mr. PALLONE, Mr. LIPINSKI, Mr. STARK, Mr. MILLER of California, Mr. DEFAZIO, Ms. KAPTUR, Mr. LANTOS, Mr. SPRATT, Mr. PAYNE of New Jersey, Mr. MARKEY, and Mr. LEWIS of Georgia):

H.R. 4065. A bill to require prior congressional approval before the President supports the admission of the People's Republic of China into the World Trade Organization, and to provide for the withdrawal of the United States from the World Trade Organization if China is accepted into the WTO without the support of the United States; to the Committee on Ways and Means, and in addition to the Committee on Rules, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BAKER of California:

H.R. 4066. A bill to direct the Secretary of the Navy to transfer the U.S.S. *Missouri* (BB–63) to the U.S.S. *Missouri* Allied Forces Memorial, San Francisco, CA; to the Committee on National Security.

By Mr. GALLEGLY (for himself, Mr. YOUNG of Alaska, Mr. UNDERWOOD, Mr. FALEOMAVAEGA, and Mr. KILDEE):

H.R. 4067. A bill to provide for representation of the Northern Mariana Islands by a nonvoting Delegate in theHouse of Representatives; to the Committee on Resources.

By Mr. STUMP (for himself, Mr. MONTGOMERY, Mr. SPENCE, Mr. EVANS, Mr. EVERETT, Mr. EDWARDS, Mr. BUYER, Mr. TEJEDA, and Mr. HEFLEY):

H.R. 4068. A bill to establish a demonstration project to provide that the Department of Veterans Affairs may receive Medicare reimbursement for health care services provided to certain Medicare-eligible veterans; to the Committee on Veterans' Affairs, and in addition to the Committees on Commerce, and Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BENTSEN:

H.R. 4069. A bill to amend the Social Security Act to establish the teaching hospital and graduate medical education trust fund, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on Commerce, for a period to be subsequently determined by the speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GORDON (for himself, Mr. BRYANT of Tennessee, Mr. CLEMENT, Mr. DUNCAN, Mr. FORD, Mr. HILLEARY, Mr. QUILLEN, Mr. TANNER, and Mr. WAMP):

H.R. 4070. A bill to designate the Federal building located in Cookeville, TN, as the ''L. Clure Morton United States Post Office and Courthouse''; to the Committee on Transportation and Infrastructure.

By Mrs. JOHNSON of Connecticut:

H.R. 4071. A bill to amend the small Business Act to assist the development of small business concerns owned and controlled by women, and for other purposes; to the Committee on Small Business.

By Mr. NETHERCUTT (for himself, Mr. ROBERTS, and Mr. HASTINGS of Washington):

H.R. 4072. A bill to amend the Internal Revenue Code of 1986 to provide that the alternative minimum tax shall not apply to installment sales of farm property; to the Committee on Ways and Means.

By Mr. PORTMAN (for himself, Mr. CHABOT, Mr. STOKES, Mr. REGULA, Mr. JEFFERSON, Mr. CREMEANS, Mr. BUNNING of Kentucky, Mr. TORRICELLI, Mr. HOBSON, Mr. LATOURETTE, Mr. HOKE, Mr. KASICH, Mr. SAWYER, Mr. HALL of Ohio, Mr. WATTS of Oklahoma, Mr. BOEHNER, Ms. PRYCE, Mr. TRAFICANT, Mr. NEY, Mr. OXLEY, Mr. JACOBS, Mr. ZIMMER, Mr. LIPINSKI, Mr. EVANS, and Mr. TOWNS):

H.R. 4073. A bill to authorize the National Park Service to coordinate programs with, provide technical assistance to, and enter into cooperative agreements with, the National Underground Railroad Freedom Center in Cincinnati, OH, and for other purposes; to the Committee on Resources.

By Mr. REED:

H.R. 4074. A bill to require that jewelry imported from another country be indelibly marked with the country of origin; to the Committee on Ways and Means.

By Mr. STARK:

H.R. 4075. A bill to amend the Internal Revenue Code of 1986 and title XVIII of the Social Security Act to establish a program of assistance for essential community providers of health care services, to establish a program to update and maintain the infrastructure requirements of safety net hospitals, and to require States to develop plans for the allocation and review of expenditures for the capital-related costs of health care services; to the Committee on Ways and Means, and in addition to the Committee on Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. WILLIAMS:

H.R. 4076. A bill to establish a commission to make recommendations on the appropriate size of membership of theHouse of Representatives and the method by which Representatives are elected; to the Committee on the Judiciary.

By Mr. YOUNG of Alaska (for himself and Mr. BREWSTER):

H.R. 4077. A bill to clarify hunting prohibitions and provide for wildlife habitat under the Migratory Bird Treaty Act; to the Committee on Resources.

By Mr. BEREUTER (for himself and Mr. BERMAN):

H. Con. Res. 213. Concurrent resolution concerning the urgent need to improve the living standards of those South Asians living in the Ganges and the Brahmaputra river basin; to the Committee on International Relations, and in addition to the Committee on Banking and Financial Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. SMITH of Washington:

H. Con. Res. 214. Concurrent resolution expressing the sense of the Congress that a patient has certain rights regarding medical care that should be protected by law; to the Committee on Commerce.

By Mr. MILLER of California:

H. Res. 521. Resolution to express the sense of theHouse regarding the outstanding achievements of NetDay96; to the Committee on Economic and Educational Opportunities.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII.

Mr. TAUZIN introduced a bill (H.R. 4078) to authorize the Secretary of Transportation to issue a certificate of documentation with appropriate endorsement for employment in the coastwise trade for the vessel *Regent Rainbow;* which was referred to the Committee on Transportation and Infrastructure.

ADDITIONAL SPONSORS

Under clause 4 of rule XXII, sponsors were added to public bills and resolutions as follows:

H.R. 43: Mr. MANTON.

H.R. 218: Mr. MURTHA, Mr. BORSKI, and Mr. SHADEGG.

H.R. 878: Mr. DAVIS.

H.R. 972: Mr. MOAKLEY.

H.R. 1023: Mr. BILIRAKIS.

H.R. 1961: Mr. CAMPBELL.

H.R. 1711: Mr. BARR and Mr. HASTINGS of Washington.

H.R. 1805: Mr. DAVIS.

H.R. 2009: Ms. NORTON, Mr. EVANS, Ms. BROWN of Florida, Mrs. CALYTON, Mr. CUMMINGS, and Mr. RANGEL.

H.R. 2011: Mr. HUTCHINSON and Mrs. MYRICK.

H.R. 2416: Mr. FATTAH, Mr. CUNNINGHAM, and Mr. CASTLE.

H.R. 2757: Mr. SAXTON, Mr. SOUDER, and Mr. MCHUGH.

H.R. 2930: Mr. WELDON Of Florida.

H.R. 3077: Mr. SMITH of New Jersey and Mr. RANGEL.

H.R. 3142: Ms. HARMAN.

H.R. 3187: Mr. NEAL of Massachusetts, Mr. BALDACCI, Mr. MENENDEZ, Mr. FRANK of Massachusetts, and Mr. BRYANT of Texas.

H.R. 3199: Mr. LEWIS of Kentucky.

H.R. 3217: Mr. BOEHLERT.

H.R. 3226: Mr. JACKSON of Illinois, Mr. NADLER, and Mr. BERMAN.

H.R. 3355: Mr. MASCARA.

H.R. 3374: Mr. MATSUI.

H.R. 3433: Mr. DICKEY and Mr. LIPINSKI.

H.R. 3514: Mr. BARRETT of Nebraska, Mr. BACHUS, and Mr. DICKEY.

H.R. 3565: Mr. ENGLISH of Pennsylvania.

H.R. 3609: Mr. EVANS and Mrs. LOWEY.

H.R. 3621: Mr. TORKILDSEN.

H.R. 3690: Mr. COBLE, Mr. COMBEST, Mr. HEFLEY, Mr. LIVINGSTON, Mr. MCINTOSH, and Mr. BONO.

H.R. 3691: Mr. YATES and Mr. STARK.

H.R. 3714: Mr. HAYWORTH, Mr. PETERSON of Minnesota, and Mr. KANJORSKI.

H.R. 3775: Mr. DICKEY and Mr. SHADEGG.

H.R. 3798: Mr. HEINEMAN.

H.R. 3839: Mr. MASCARA, Mr. SKAGGS, Mr. CLEMENT, and Mr. HALL of Ohio.

H.R. 3840: Mr. CAMP, Mr. WELDON of Florida, Mr. HOKE, Mr. SCARBOROUGH, and Mr. COBURN.

H.R. 3842: Mr. KENNEDY of Massachusetts and Mrs. MORELLA.

H.R. 3849: Mr. LARGENT.

H.R. 3856: Mr. TRAFICANT.

H.R. 3860: Mr. HILLIARD, Mr. DELLUMS, Mr. FRAZER, and Mr. CONYERS.

H.R. 3923: Mr. DINGELL, Mr. HALL of Ohio, Mr. MEEHAN, and Mr. PAYNE of Virginia.

H.R. 3937: Mr. HEINEMAN.

H.R. 3939: Mr. BACHUS.

H.R. 3959: Mr. ROEMER.

H.R. 4000: Mr. BALDACCI, Mr. FALEOMAVAEGA, Mr. MASCARA, Mr. KENNEDY of Rhode Island, Mr. WARD, Mr. MEEHAN, and Mr. TANNER.

H.R. 4027: Mr. BEREUTER and Mr. LIPINSKI.

H.R. 4028: Mr. EHLERS.

H.R. 4039: Mr. BENTSEN.

H.R. 4047: Mr. COBURN, Ms. PELOSI, Mr. BORSKI, and Mr. BENTSEN.

H.R. 4052: Mr. BARRETT of Wisconsin.

H.J. Res. 191: Mr. FOX.

H. Con. Res. 51: Mr. MCINTOSH.

H. Con. Res. 128: Mr. HILLIARD, Mr. LEACH, Mr. BROWDER, Mr. ENGLISH of Pennsylvania, Mr. GREEN of Texas, Mr. FILNER, Mr. FROST, Mr. TORRICELLI, Ms. WOOLSEY, Mr. CONYERS, Mr. BONIOR, and Mr. NEAL of Massachusetts.

H. Con. Res. 190: Mr. COX.

H. Con. Res. 199: Mr. REED.

H. Con. Res. 212: Mr. TORRICELLI.