afternoon. In ''The Economic and Budget Outlook'' of the Congressional Budget Office—the authority with respect to budgetary figures such as the balanced budget, deficits and surpluses—we find on page 34, Mr. President, the reality that while, yes, a unified deficit is listed as $34 billion, the actual deficit for the year 1997 that ends at midnight tonight is $177 billion. That is the deficit. The media should report this, the reality, and not the fraudulent unified deficit. We are spending $177 billion more than we are taking in.

The unified deficit is $34 billion because they count the surpluses from the airports, the highway trust funds, Social Security, and the military and civil service pension funds—billions of dollars moved over. But that does not obscure the fact, nor it should not obscure the fact, that as of this fiscal year, when we are all talking about wonderful reductions in deficits, we are running a real deficit of $177 billion.

Now, Mr. President, 5 years out when we all say, ''Oh, we have a balanced budget for the first time since Lyndon Johnson,'' and everyone is running around shouting ''balance!'' there will be no balance, according to the Congressional Budget Office. In the year 2002, the deficit, rather than being in balance, will be $161 billion. And that assumes optimistically that 95 percent of the domestic cuts occur in the last 2 years.

I can assure the distinguished Senator from North Carolina that the deficit will be bigger 5 years out than it is today, at the end of this fiscal year. Looking at the figures across the board for the next 5 years, I see that the CBO forecasts next year's deficit to be $210 billion; the year following that, 1999, the deficit will be $226 billion. Go across the board and you will find out the so-called balanced budget actually increases the national debt by $1 trillion.

Now why is that dangerous? That is dangerous because you cannot avoid the interest costs on the national debt. The national debt is now in excess of $5.3 trillion, and going up to over $7 trillion in the next 10 years.

Mr. President, the Congressional Budget Office estimates that even with low-interest rates we will spend $358 billion in the next year just servicing the national debt. This amounts to almost $1 billion a day. This is $1 billion a day we cannot spend on new roads or schools. The first thing the Government does every day is borrow another $1 billion to pay interest on the national debt. Now, if you managed your family finances or your business this way, you would not last long; but we are doing it.

All this reminds me of Denny McLain. He was convicted earlier this year of using his company's pension fund to pay off his company's debt. You see, we passed the Pension Reform Act of 1994, and when Denny violated that act, he was sentenced to 8 years in prison. If you can find what prison he is in, tell Denny he made a mistake. He should have run for the Senate: instead of getting a prison sentence, he would have gotten the Good Government award. That is what we are doing around here—stealing from the American people's pension funds. And we are patting each other on the back. This is a sweetheart deal. Both parties are agreeing to lie to the American people so that we can proclaim the budget is balanced.

The truth of the matter is, we have a deficit now, and we will still have one in 2002. This year's much-ballyhooed budget deal increases spending $52 billion and cuts revenues $95 billion. Now, how can you balance anything by increasing your spending and cutting your revenues? You can't. But that is what we are claiming. It is Rome all over again, and we are trying to make the people happy with bread and circuses. Only today, the Congress' circuses are spending increases and tax cuts and shouts of ''balance, balance, balance.''

I yield the floor, Mr. President. I thank the distinguished Presiding Officer and my colleague from North Carolina.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. FAIRCLOTH. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded and that the time be equally divided.

The PRESIDING OFFICER (Ms. SNOWE). Without objection, it is so ordered.

ENERGY AND WATER DEVELOPMENT APPROPRIATIONS ACT, 1998—CONFERENCE REPORT

The PRESIDING OFFICER. Under the previous order, the Senate will now turn to the conference a report on (H.R. 2203) making appropriations for energy and water development for the fiscal year ending September 30, 1998.

The report will be stated.

The bill clerk read as follows:

The committee on conference on the disagreeing votes of the two Houses on the amendment of the (Senate or House) to the (H.R. 2203) having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses this report, signed by all of the conferees.

The Senate proceeded to consider the conference report.

(The conference report is printed in the House proceedings of the RECORD of September 26, 1997.)

Mr. DOMENICI. Madam President, on July 16, the Senate passed its version of the Energy and Water Development Act for fiscal year 1998 by a vote of 99 to 0. Since that time, the House has passed its version, which in some cases was quite different than the Senate version, and conferees have resolved the differences between the two bills.

At times, those negotiations were difficult. However, the final result is a well balanced bill I believe should be supported by all my colleagues—it certainly was well received by the House which passed it a few hours ago by a vote of 404 to 17.

In summary, the bill provides $21,209,623,000, a reduction of $1,895,701,000 from the amount of the request and $57,421,000 below the level recommended by the Senate, for programs with the jurisdiction of the subcommittee. Details are provided in the report which was filed last Friday and has been available to Members since Saturday when it was printed in the RECORD.

There are a few matters that need clarification.

The conferees included language in the conference report commending the Department on the tremendous advances made in pulsed-power technology in the past year. Because of uncertainties, which I will discuss in a moment, in the level of funding needed for the pulsed power program in the coming fiscal year, a level was not specified. However, the conferees have indicated that the Department should support continued Z-physics and diagnostics in the coming year.

A robust pulsed power program in the coming year might include $13,000,000 for continued Z-machine physics, $5,000,000 for backlighting, and an additional $7,000,000 for the conceptual design of the next generation pulsed power machine; X–1. However, there may be less expensive ways to achieve backlighting, and the schedule for a next generation machine would be better determined following additional experiments on the existing machine. For those reasons, it is impossible to specify a level of funding for the coming year. However, the Department should continue Z-physics experiments with those objectives in mind.

The conferees agreed to a provision that would prohibit the Department of Energy from awarding, amending, or modifying any contract in a manner that deviates from the Federal acquisition regulation, unless the Secretary grants, on a case-by-case basis, a waiver to allow for such deviation. In the statement of managers, the conferees direct the Department to be cognizant of and utilized provisions of the Federal acquisition regulation that permit exceptions to the Federal acquisition regulation and provisions intended to address the special circumstances entailed by management and operating contracts. I want to clarify that, if the Department utilizes those provisions of the Federal acquisition regulation that permit exceptions to the Federal acquisition regulation or that address the special circumstances of management and operating contracts, it will not be necessary for the Secretary to obtain a waiver for those cases; the use of such provisions will not be considered a deviation from the Federal acquisition regulation.

Due to a production error, report language agreed to by conferees from the House and Senate was inadvertently excluded from the joint statement of the managers. The text of that language is as follows:

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

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

The conference report contains a provision requiring the Bureau of Reclamation [BOR] ''to undertake a study of the feasibility of using the Mount Taylor mine as a possible source of water supply for the City of Gallup.'' While the background material for this study clearly indicates that this study will include the impacts of such water use on other users, such as the Laguna and Acoma Indian Pueblos, I would like to clarify today that it has been my intention, as verified in the detailed project description, to include these Indian Pueblos as possible beneficiaries of available water supplies from the Mount Taylor mine or its environs.

Like other water users in the Mount Taylor area where water is scarce, any new and potable water resource would be most welcome. The Laguana and Acoma Pueblos are east of Mount Taylor, Gallup is to the west, and the private mine that is the focus of the study is on the western slope of Mount Taylor. The Canoncito Band of Navajo Indians are also to the east of Mount Taylor, new Laguna Pueblo. The feasibility of providing Mount Taylor water to these Indian Tribes is included in the details of the planned BOR study.

As stated in the project study description, ''Some potential exists for the Mt. Taylor pipeline project to be integrated into a regional water supply network along the Interstate 40 corridor.'' Depending on the findings of this study ''to verify the quantity, quality, and expected life of the water source,'' there are many potential beneficiaries. It is my intention, as stated in the project narratives, to do our best to include as many potential water users along this corridor as possible. I thank the Chair for this opportunity to clarify an important section of this bill for these potential water users from the Mt. Taylor source.

Madam President, I would like to thank my friend and colleague from Nevada for his help on this legislation. This is Senator REID's first year as ranking member of the subcommittee and it has been a most productive year. I greatly appreciate his cooperation and look forward to many years of working together.

Madam President, I am merely going to remind the Senate that when we are in conference with the House, sometimes we get our way, sometimes they get their way. As a matter of fact, most of the items that the distinguished Senator from Arizona is concerned about were House matters, as I listened to them and as my staff tells me about them.

Frankly, everybody in this body that has been here for any period of time knows that when you go to conference with the House, they have to get some things that are theirs and we have to get some things that are ours, and we have to compromise on others. I want the Senate to know that, in terms of overall expenditures, this bill is $1.8 billion in budget authority under the request of the President. That means we have done things differently than the President. In some areas, we have gone up and in some areas we have gone way down from where he wanted us to be. When you add them altogether, water projects, which are more than the President wanted and, obviously, the House wanted far more water projects than we did—and there again it is a question of working with both bodies—add up the water, nondefense, energy, research and the defense part, and it is about $1.8 billion below what the President of the United States requested.

Madam President, again, let me give a little recap on the bill and then yield to my friend Senator REID. Madam President, on July 17, the Senate passed its version of the Energy and Water Development Act by 99 to 0. Since that time, the House passed its own version of the bill, and last week, as implicit in my remarks, conferees for the two bodies met to work out differences, and there were many that dealt with many millions of dollars.

The bill started off quite differently. The Senate bill had $810 million over the House bill on defense matters. On the nondefense side, though, the allocations were very similar. The House had proposed spending approximately $300 million less on the Department of Energy nondefense programs and about $300 million more on water projects. It is obvious that those are extremely large differences. The full committee of appropriations decided that the allocation that the House received on the entire bill was too low. Some adjustments were made, both on the defense and nondefense side, which permitted us to get together and bridge some remaining gaps that were indeed very serious.

This bill provides what we need for stockpile stewardship to maintain the trustworthiness of our nuclear weapons, to participate adequately in the builddown, which is extremely technical and highly scientific, without building any new weapons, and without any underground testing—to make sure that our weapons are safe and reliable—which is a new concept called science-phased stockpile stewardship.

That represents a little over $4 billion in this bill. And I imagine for a long period of time we will be spending something like that, or more, because apparently we are not going to do any underground testing. That means that scientists have to use new methods built around large computers, and testing in other ways; and scientific instruments that will measure the validity of our nuclear weapons without having them tested.

In addition, there is some very excellent research that everybody thinks ought to take place. Much of it is not necessarily in direct energy research but has to do with basic physics wherein some of the best physics research in the world takes place under the auspices of this bill.

We are busy trying to do our very best to maintain the stewardship of the weapons; to see what the reality of the future lies therein; to take care of the basic research for this, which is one of the three or four major areas for research in science-based physics, and the like, found in this bill; and, at the same time to satisfy many requests for Members about water projects.

It has been a very exceptional year of many floods with many of the levies being torn down, and much work having to be done, especially in the southern part of America regarding flood damage. Much of that is in this bill—and an orderly manner of authorizing the Corps of Engineers to get on with some of it. They will be rather busy. They have received authority to start a number of new projects.

But I am hopeful that in the final analysis the President will sign this bill, and that the U.S. Senate will overwhelmingly support it.

I yield the floor.

Mr. MCCAIN addressed the Chair.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. MCCAIN. It is my understanding that, under the unanimous-consent agreement, I have 10 minutes.

The PRESIDING OFFICER. The Senator is correct.

Mr. MCCAIN. Madam President, the Senate will shortly vote to adopt the conference agreement on the fiscal year 1998 energy/water appropriations bill. And unfortunately, this bill is laden with pork-barrel spending, much of which was considered by neither the House nor the Senate as part of the normal appropriations process.

I count seven projects for which funds are earmarked in the bill language that were not included in the bill that passed either the Senate or the House. Let me list these seven projects for the benefit of my colleagues who are not members of the Appropriations Committee.

First, there are three projects earmarked in the legislative language agreed to by the conferees for reimbursements to non-Federal sponsors of work in Texas:

There is $150,000 for the White Oak Bayou watershed in Texas. The House added a line item for this unrequested project in its report; the Senate never considered it. Yet it is now included in the conferees' legislative language.

There is $500,000 for the Hunting Bayou element and another $2 million for the Brays Bayou portion of the flood control project in Buffalo Bayou, TX. In its report, the House cut the $1.8 million requested for this project, while the Senate included the line item in its report at the requested amount of $1.8 million. Neither body included an earmark in legislative language, but the conferees approved an earmark of $2.5 million which is almost $700,000 more than the amount requested.

Another legislative earmark approved by the conferees is $4 million for the Army Corps of Engineers to dredge Sardis Lake, MS, so that the city of Sardis may proceed with development of the lake. The conferees directed the corps to conduct or pay for environmental assessments and impact studies required under the Sardis lake recreation and tourism master plan, phase II. This provision was in neither bill.

The conferees included bill language to earmark $6 million for the Corps of Engineers to extend navigation channels on the Allegheny River to provide passenger boat access to the Kittanning, PA, Riverfront Park. This project was mentioned in the House report, but was not included in either bill.

Another earmark that migrated from the House report to the conference bill language is $2.5 million of corps' operations funds to intercept and dispose of solid waste upstream of Lake Cumberland, KY.

Another earmark that moved from Senate report language to the conference bill language is $6.9 million from Tennessee Valley Authority funds for operation, maintenance, surveillance, and improvement of Land Between the Lakes.

These seven provisions, earmarking over $32 million for these specific projects, were added to the bill language in conference. I don't know why the conferees chose to add emphasis to these provisions by including them as earmarks in the bill language, instead of including them, as is the normal process, in the report language if they were approved by the conferees. Only the conferees could explain that decision.

However, Madam President, in at least one instance, it is clear that the conferees chose to add a wholly new provision to this bill. And they did this behind closed doors, without benefit of public or full congressional review.

Madam President, the Congress has a process for considering legislation. That process relies on full and open consideration of the President's budget and policy requests, as well as fair and open consideration of Members' requests for added funding or new policies. That process, when followed, makes it possible for all Members of the Congress, not just those who serve on the Appropriations Committees, to have an opportunity to review the legislation on which we must vote.

This bill, at least in part, bypassed that normal process. Unfortunately, the decision of the conferees to bypass the normal authorization and appropriations process is one of the reasons the American people do not trust the Congress to do what the people desire.

Madam President, I do not mean to give the impression that this bill does not provide necessary and appropriate funding for important projects that will benefit our Nation. Funding is included for flood control and water projects, nuclear energy and weapons activities, environmental restoration of contaminated properties, and other important projects that are necessary and valid. The majority of the funding recommendations in this bill are ones that I fully support.

But I am saddened by the blatant examples of pork-barrel spending in this bill. And because this bill is not amendable in its present form, there is, unfortunately, nothing that I or any other Member of this body can do to eliminate these spending items.

Madam President, I ask unanimous consent that a list of objectional provision in this conference agreement be printed in the RECORD.

There being no objection, the list was ordered to be printed in the RECORD, as follows:

OBJECTIONABLE PROVISIONS IN H.R. 2203, CONFERENCE AGREEMENT

BILL LANGUAGE

Earmarks funds for 15 specific projects, including feasibility studies, from general investigations account of Army Corps of Engineers, including 2 projects not in either bill [$500,000 to reimburse the non-Federal sponsor of the Hunting Bayou element of the flood control project in Buffalo Bayou, Texas; and $150,000 to reimburse the non-Federal sponsor of the flood control project in the White Oak Bayou watershed in Texas]

Earmarks funds for 40 specific projects from Army Corps of Engineers construction account, including 1 project not in either bill [$2 million to reimburse the non-Federal sponsor of the flood control project in the Brays Bayou portion of the Buffalo Bayou, Texas]

Earmarks funds from Army Corps of Engineers flood control funding for 3 specific projects, including 1 project not in either bill [up to $4 million to dredge Sardis Lake, Mississippi, so that the City of Sardis may proceed with development of the lake, including direction to pay for environmental assessments and impact studies required under the Sardis Lake Recreation and Tourism Master Plan, Phase II]

Earmarks funds for 9 projects from Army Corps of Engineers operation and maintenance account, including 2 projects not in either bill [$6 million for navigation channels on the Allegheny River to provide passenger boat access to the Kittanning, Pennsylvania, Riverfront Park; and $2.5 million to intercept and dispose of solid waste upstream of Lake Cumberland, Kentucky]

Section 101—Earmarks $5 million for the Army Corps of Engineers to provide planning, design, and construction assistance to non-Federal interests in carrying out water related environmental infrastructure and environmental resources development projects in Alaska [Senate had provided $10 million in nationwide authority; conferees cut funding half but limited application of section to Alaska]

Appropriates additional $10 million above the budget request for Appalachian Regional Commission (for a total of $170 million)

Earmarks $6.9 million, not in either bill, from Tennessee Valley Authority funds for operation, maintenance, surveillance, and improvement of Land Between the Lakes

Section 507—Increases the appropriations ceiling for construction of the Chandler Pumping Plant in Arizona from $4 million to $13 million.

Section 508—Revises a 1977 recreation cost-sharing agreement between the State of West Virginia and the U.S. to: allow West Virginia to receive credit toward its required contribution for the cost of recreation facilities at Stonewall Jackson Lake in West Virginia, which are constructed by a joint venture of the State of West Virginia and a private entity; remove the requirement that these facilities be owned by the Government when completed; and prohibit any reduction in Government funding for the project.

REPORT LANGUAGE

[NOTE: States that language in either House or Senate report that is not specifically addressed in the conference report remains the intent of the conferees. Following list identifies only those earmarks specifically included in the conferees' statement of managers.]

Army Corps of Engineers

Extensive report language clarifies detailed instructions of conferees for expenditure of Army Corps of Engineers projects added in the tables on pages 40–68 of the report. For example:

$200,000 earmarked ''to accelerate work on the feasibility study for the development of a comprehensive basin management plan for navigation, including recreational navigation, environmental restoration, and water quality for the Dog River, Alabama, watershed''

$200,000 earmarked ''to modify the Lower West Branch Susquehanna River Basin Environmental Restoration, Pennsylvania, reconnaissance study to address the wide range of complex water resources problems in the large study area which includes Clinton, Northumberland, Lycoming, Sullivan, Tioga, and Union Counties, Pennsylvania''

''$2,000,000 for the development of strategies for the control of zebra mussels''

Includes directive and support language which falls short of earmarking funds, such as:

''[T]he conferees expect the Corps of Engineers to give priority to projects that protect the environmental, historic, and cultural resources of SMITH Island, Maryland and Virginia.''

''The attention of the Corps of Engineers is directed to the following projects in need of maintenance of review: Alabama-Coosa River navigation system; Brunswick Harbor, Georgia; and Little and Murrells Inlet in South Carolina.''

''Not later than 30 days after the date of enactment of this Act, the Secretary of the Army . . . is urged to make a final decision with respect to permits . . . for the replacement of the existing 350-foot wood dock with a 400-foot concrete extension of the existing Terminal 5 dock (including associated

dredging and filling) in the West Waterway of the Duwamish River in Seattle, Washington. The Secretary shall not reject that application on the basis of any claim of Indian treaty rights, but shall leave any question with respect to such rights to be determined in the course of judicial review of his action. . . .''

Bureau of Reclamation

Extensive report language clarifies detailed instructions of conferees for expenditure of Bureau of Reclamation funds added in the tables on pages 74–79 of the report. For example:

$1 million to complete the in-situ copper mining project, and $300,000 for Bureau oversight and technology transfer associated with the project

$1.5 million for completion of design and initiation of construction of the fish screen at the Contra Costa Canal intake at Rock Slough in California; $5 million for a fish screen project in Reclamation District 108; $2.625 million for a fish screen project at Reclamation District 1004; and $2.5 million for fish screen projects in Princeton-Glenn–Codora and Provident Irrigation Districts

$300,000 for Bureau of Reclamation to work with local interests to identify the most effective voluntary water conservation practices applicable to the Walker River Basin in Nevada, and to quantify the contribution that voluntary conservation can make to solving the water resources problems in Walker Lake and the basin as a whole

$1.45 million under fish and wildlife management and development for the Bureau of Reclamation to undertake Central Arizona Project fish and wildlife activities

Department of Energy

Extensive report language clarifies detailed instructions of conferees for expenditure of Department of Energy funds. For example:

$1.5 million of the funding for photovoltaic energy systems is ''directed to university research to increase university participation in this program and to fun the acquisition of photovoltaic test equipment at the participating institutions''

Directed allocation of biomass/biofuels funding, including: $150,000 for gridley rice straw project, ''27 million for ethanol production, including $4 million for the biomass ethanol plant in Jennings, Louisiana; and $2.5 million for the Consortium for Plant Biotechnology Research

$1 million for a research and development partnership to manufacture electric transmission lines using aluminum matrix composite materials

Direction to ''include appropriate laboratories, industry groups, and universities'' in the $7 million university reactor fuel assistance and support program; the conferees state, ''None of the funds are to be provided to industry and no less than $5 million is to be made available to universities participating in this program.''

Direction to ''assess the cost of decommissioning the Southwest Experimental Fast Oxide Reactor site in Arkansas'' and provide a report to Congress

Earmark of $3 million for a ''rigorous, peer-reviewed research program that will apply the molecular level knowledge gained from the Department's human genome and structural biology research to ascertain the effects on levels ranging from cells to whole organisms that arise from low-dose-rate exposures to energy and defense-related insults (such as radiation and chemicals)'', and directs the Department to ''develop a multi-year program plan, including budgets, for the subsequent ten years''

$4 million to upgrade a nuclear radiation center to accommodate boron neutron capture therapy at University of California-Davis

$7.5 million for design, planning, and construction of an expansion of the Medical University of South Carolina's cancer research center, to provide areas for utilization of positron emission tomography, using metabolic bio-markers, a ribozyme-based gene therapy

$2 million for Englewood Hospital in New Jersey for breast cancer treatment using condensed diagnostic process

$10 million for the Northeast Regional Cancer Institute for innovative research supporting the Department's exploration of microbial genetics

$2.5 million for design, planning and construction of a science and engineering center at Highlands University in Las Vegas, New Mexico

$30 million add-on for infrastructure and equipment needs at the national laboratories and Nevada test site

$10 million for the American Textile Partnership (AMTEX)

$10 million for the Swan Lake-Lake TyeeIntertie project of the Alaska Power Administration

Includes directive and support language which falls short of earmarking funds, such as:

Conferees ''support the peer-reviewed nuclear medicine research program in biological imaging at the University of California Los Angeles and strongly encourage the Department to fully fund that research in fiscal year 1998''

Conferees ''recognize the capability and availability of resources at the University of Nevada-Las Vegas to store data and scientific studies related to Yucca Mountain and encourage the Department to maximize utilization of this resource''

Tennessee Valley Authority:

Directs TVA to relocate power lines in the area of the lake development proposed by Union County, Mississippi, and assist in preparation of environmental impact statements, where necessary

Mr. McCAIN. Of course, this conference agreement contains other objectionable provisions in the bill, as well as the usual earmarks in the report language.

Madam President, I plan to write to the President recommending that he veto the line items in this bill that are unnecessary and wasteful, particularly those that were added without benefit of public or congressional review.

Madam President, I want to tell the distinguished managers of the bill again of my deep disappointment that they would add seven projects in conference that totals $32 million and which were in neither bill, along with the usual unnecessary and wasteful projects. I think it is an abrogation of my ability as a U.S. Senator to vote for these projects, and I deeply resent it.

I yield the floor.

Mr. REID addressed the Chair.

The PRESIDING OFFICER. The Senator from Nevada.

Mr. REID. Madam President, my good friend from Arizona, the neighbor to the State of Nevada, pointed out seven projects which he objected to. These are all in the House budget.

But I would say to the Senate, and anyone who is in the sound of my voice, that these are seven projects out of hundreds and hundreds of projects. He complains that this bill is a $21 billion bill. And we should waste no Government money—not a single penny. But I have to say that in picking seven relatively small projects out of a $21 billion bill I think the Senator from New Mexico and I in managing this bill did a pretty good job. This bill provides many different things.

I would also say before leaving that subject that the Senator from Arizona, my good friend, also talks about things being done without authorization. The House is very, very tough on making sure that things are authorized. Congressman MCDADE, chairman of the subcommittee on the House side, has been very strict on that. However, I want to make sure that everyone understands that this bill provides a number of dollars for many different projects.

Let's take, for example—I will not take any of the things in Nevada for obvious reasons. But let's take the sister State of California: $6 million to dredge and deepen Long Beach Harbor. This deepening will significantly improve sea trade up and down the west coast, and in the Asia-Pacific basin. It will even reduce the transportation costs of oil that is being brought down from Alaska. That is one example for $6 million.

The bill also provides $10 million to restore the sensitive Everglades ecosystem which has been damaged for decades by agricultural production.

Those are only two examples. There are numerous flood control projects throughout the country that will prevent significant personal and economic loss.

This is of particular importance in light of El Nino which may bring unusually heavy rains, as it already has to the western part of the United States.

These floods projects are important. It is a relatively small part of the bill. But they are important projects.

Madam President, the Corps of Engineers is one of the last great bastions of infrastructure development in this country. You can just take the bill itself and look at some of the flood control projects. You can look at them in Arkansas at a place called American River Watershed; in Colorado, at a place called Alamosa; you can look at Florida and many different places, including the Everglades that we have already talked about; Hawaii, at a place called Wailupe Stream; in Illinois, Reno Lake; Indiana, the Fort Wayne metropolitan area; you can talk about Kansas, Kentucky, Louisiana. All through this country there are flood control projects that are going to save lives and property. That is one of the main parts of this bill.

I am somewhat concerned that someone would indicate that this bill is fluffed. It is far from that, Madam President.

I would like at this time to make sure that the RECORD is spread with the fact that this is a bill that has reached the Senate floor as a result of bipartisanship. The chairman of the subcommittee, the senior Senator from New Mexico, and I worked hand in glove this past 10 months to arrive at the point where we are now asking the Senate to approve this conference report.

So I want to extend my appreciation to the Senator from New Mexico, and also extend my appreciation to my clerk, Greg Daines, and Liz Blevins on the minority side for the work that they have done day after day, week after week, month after month, arriving at this point.

I also say publicly that Alex Flint, David Gwaltney, and Lashawnda Leftwich on the majority side, have set an example of how congressional staffs should work together to arrive at a goal that is good for this country.

Madam President, this bill has, as the Senator from New Mexico pointed out, many different items dealing with the sciences. For example, one of the things that I am extremely happy about is that we have provided money for desalinization. Personally I don't think it is nearly enough because I think in the years to come desalinization is going to be the watchword for not only water in this country but all over the world. We need to do much more than what we have done.

Senator Paul Simon, the Senator, just retired, from Illinois, is writing a book on water. I had the good fortune to read the book before it went to the publisher. It is a wonderful book. He points out how important desalinization is. And I acknowledge that and agree with him. There is desalinization in this bill that I think is very important.

We have done things with hydrogen fuel development. We have done things with the other renewable programs—solar; and programs that are going to take the place someday of fossil fuel. It is not enough certainly in this bill, but I am proud of the fact that it is in this legislation.

I would like to also point out another California project called the California Bay-Delta ecosystem restoration project.

I say this because this is one of the first times in the history of this country that parties with dissimilar and often opposing interests have sat down and are working together for an equitable resolution to a significant problem in the State of California dealing with water.

I think this very big project—for which there is a lot of money in this bill to get this started—is going to set the pattern all over the country. Now parties with dissimilar interests have to sit down and work toward a common goal as they have done.

I am very proud of this bill. I think we have done a good job. We have done a good job in making sure that we have not only done the projects that the Senator from New Mexico and I have talked about but also, Madam President, we have done a good job in making sure that our nuclear deterrent is safe and reliable.

When I was in the House of Representatives, I supported a nuclear freeze. I support the Comprehensive Test Ban Treaty. And I do it with so much more anticipation now because of what we have in this bill because we have enough money to provide for stockpile stewardship so that the people who we are going to call upon to certify that our stockpile is safe and reliable can do it.

So, in short, this is a good bill. And I hope that it passes the Senate as it did on the initial go-around unanimously.

Mr. BOND. Madam President, St. Louis, MO, is the location of this country's first nuclear weapons site. Unfortunately, the wastes are in the midst of the St. Louis metropolitan area and are for the most part uncontrolled. The radioactive waste at these sites was generated from the production of nuclear weapons as part of the Federal Government's Manhattan Project and Atomic Energy Commission between 1942 and 1957. Much to my dismay, St. Louis has the distinction of having the largest volume of radioactive waste in the country with over 900,000 cubic yards.

For 15 years we have worked with the Department of Energy to clean up this site. Finally, in just the past 2 weeks, after much frustration and delay, we have come to the point were DOE has begun preliminary cleanup efforts. Given this recent progress, the news of the FUSRAP program's transfer out of DOE has, quite understandably, caused a great deal of distress in the community. While I am by no means questioning the Corps' ability to handle the FUSRAP project, I am concerned that potential delays caused by the transfer will undo much of the recent progress.

With site recommendations already made, feasibility studies concluded, and contracts let, it is important that the Corps honor the preliminary groundwork laid by DOE in order to avoid any further delays. Will the Corps be willing to respect these studies, site plans, and contracts?

Mr. DOMENICI. The committee fully intends that the feasibility studies and the site recommendations prepared by DOE will be accepted and carried out by the Corps of Engineers as appropriate. Furthermore, the Energy and Water Development Conference for fiscal year 1998 contains language requiring the Corps to honor all existing contracts.

Mr. BOND. The local community has been very involved in designing a plan to clean up the site. They are concerned that the administration of the cleanup will be moved away from the St. Louis area to Omaha or Kansas City, reducing their input and influence on the cleanup process. When the Army Corps of Engineers takes over the FUSRAP program, will the St. Louis cleanup be managed out of the St. Louis Corps office?

Mr. DOMENICI. It is the understanding and intent of the committee that the cleanup and restoration of contaminated sites falling within the purview of FUSRAP shall be managed and executed by the nearest Civil Works District of the Corps of Engineers with appropriate assistance from an approved design center for hazardous, toxic, and radioactive waste. Local communities throughout the country have been very involved in designing cleanup plans at FUSRAP sites and this strategy effectively maintains community input on the process.

Mr. BOND. I thank the chairman for his assistance and assurances.

Mr. THOMPSON. Madam President, I intend to support final passage of H.R. 2203, the fiscal year 1998 energy and water development appropriations conference report, because it includes funding for a number of projects important to Tennessee, including the National Spallation Neutron Source in Oak Ridge.

However, I want to express my deep concern about the section of the conference report dealing with the Tennessee Valley Authority [TVA]. The conference report includes $70 million for TVA's nonpower programs in fiscal year 1998, which is $36 million less than TVA received to perform these functions last year. However, the House version of the bill had zeroed out funding for TVA, so I am grateful that the conferees provided most of the Senate-passed level of $86 million for next year.

Unfortunately, the conferees also stipulated that this will be the last year that they will provide funding for TVA to carry out its nonpower activities. They warned that, beginning next year, these nonpower responsibilities will either have to be transferred to some other Federal agency or paid for with revenues from TVA's self-financing power program.

Mr. President, I want to be sure everyone understands what we are talking about when we discuss TVA's nonpower programs. We are talking about flood control and navigation on the Tennessee River, our Nation's fifth-largest river system. We are talking about the operation and maintenance of 14 navigational locks and 54 dams—to which the TVA power system contributes its proportionate share of funding. And we are talking about the management of 480,000 acres of recreational lakes, nearly 11,000 miles of shoreline, and 435,000 acres of public land—including such unique national resources as the Land Between the Lakes National Recreation Area in Tennessee and Kentucky.

During the debate on this legislation, some have claimed that the residents of the seven-State TVA region are receiving an unfair Federal subsidy that no one else in the country receives. Madam President, that is simply not true. In every other region of the country, these types of natural resource and infrastructure management activities are performed by some Federal agency, whether it is the Army Corps of Engineers, the National Park Service, the National Forest Service, or the Bureau of Reclamation. In the southeast region, they have traditionally been carried out by the TVA. But if the TVA does not perform them next year, someone else will have to. There is no question that these are Federal responsibilities.

Perhaps the most disturbing suggestion that has been made in recent weeks is that the TVA power program should pick up the cost of these Federal land and water stewardship responsibilities. That is nothing less than an unfair tax on TVA ratepayers. As I said before, these are Federal responsibilities that are paid for by the Federal Government in every other region of the country. Nowhere else are utility ratepayers expected to assume the costs of these types of Federal responsibilities by paying more for their electricity.

So while I appreciate the fact that the conferees agreed to provide funding for TVA to meet its Federal obligations this year, I am very concerned about what they have proposed for the future. And I want to be clear about one thing: it is not acceptable for Congress to walk away from its Federal responsibilities in one region of the country while continuing to provide for them everywhere else. Over the course of the coming year, I plan to work very hard with my colleagues to come up with a solution that is fair and equitable for the people of the Tennessee Valley.

Mr. DOMENICI. Madam President, we yield back any time we have remaining on the bill.

Mr. REID. I yield back any time the minority has.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

Mr. DOMENICI. Have the yeas and nays been ordered?

The PRESIDING OFFICER. They have not.

Mr. DOMENICI. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. The question is on agreeing to the conference report. On this question, the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. FORD. I announce that the Senator from Vermont [Mr. LEAHY] is absent due to a death in the family.

The result was announced—yeas 99, nays 0, as follows:

[Rollcall Vote No. 262 Leg.]

YEAS—99

Abraham	Faircloth	Lott
Akaka	Feingold	Lugar
Allard	Feinstein	Mack
Ashcroft	Ford	McCain
Baucus	Frist	McConnell
Bennett	Glenn	Mikulski
Biden	Gorton	Moseley-Braun
Bingaman	Graham	Moynihan
Bond	Gramm	Murkowski
Boxer	Grams	Murray
Breaux	Grassley	Nickles
Brownback	Gregg	Reed
Bryan	Hagel	Reid
Bumpers	Harkin	Robb
Burns	Hatch	Roberts
Byrd	Helms	Rockefeller
Campbell	Hollings	Roth
Chafee	Hutchinson	Santorum
Cleland	Hutchison	Sarbanes
Coats	Inhofe	Sessions
Cochran	Inouye	Shelby
Collins	Jeffords	Smith (NH)
Conrad	Johnson	Smith (OR)
Coverdell	Kempthorne	Snowe
Craig	Kennedy	Specter
D'Amato	Kerrey	Stevens
Daschle	Kerry	Thomas
DeWine	Kohl	Thompson
Dodd	Kyl	Thurmond
Domenici	Landrieu	Torricelli
Dorgan	Lautenberg	Warner
Durbin	Levin	Wellstone
Enzi	Lieberman	Wyden

NOT VOTING—1

Leahy

The conference report was agreed to.

Mr. DOMENICI. Madam President, I move to reconsider the vote.

Mr. GRAMM. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. DOMENICI. Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. FAIRCLOTH. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

DISTRICT OF COLUMBIA APPROPRIATIONS ACT, 1998

The Senate continued with the consideration of the bill.

VOTE ON AMENDMENTS NOS. 1267, 1268, 1269, EN BLOC

The PRESIDING OFFICER. Under the previous order, the Senate will now vote en bloc on amendments Nos. 1267, 1268, 1269, offered by the Senator from West Virginia [Mr. BYRD].

The yeas and nays have been ordered.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. MCCAIN (when his name was called). Present.

Mr. FORD. I announce that the Senator from Delaware [Mr. BIDEN] and the Senator from Louisiana [Ms. LANDRIEU] are necessarily absent.

I also announce that the Senator from Vermont [Mr. LEAHY] is absent due to a death in the family.

The result was announced, yeas 69, nays 27, as follows:

The result was announced—yeas 69, nays 27, as follows:

{Rollcall Vote No. 263 Leg.}

YEAS—69

Abraham	Ford	McConnell
Akaka	Frist	Mikulski
Baucus	Glenn	Moseley-Braun
Bennett	Graham	Moynihan
Bingaman	Grams	Murkowski
Bond	Gregg	Murray
Breaux	Hagel	Nickles
Brownback	Harkin	Reed
Bumpers	Hatch	Roberts
Byrd	Helms	Rockefeller
Cleland	Hollings	Roth
Coats	Hutchinson	Sarbanes
Conrad	Hutchison	Shelby
Coverdell	Inouye	Smith (OR)
D'Amato	Jeffords	Snowe
Daschle	Johnson	Specter
DeWine	Kennedy	Stevens
Dodd	Kerrey	Thompson
Dorgan	Kerry	Thurmond
Durbin	Lautenberg	Torricelli
Enzi	Lieberman	Warner
Faircloth	Lott	Wellstone
Feinstein	Lugar	Wyden

NAYS—27

Allard	Craig	Kyl
Ashcroft	Domenici	Levin
Boxer	Feingold	Mack
Bryan	Gorton	Reid
Burns	Gramm	Robb
Campbell	Grassley	Santorum
Chafee	Inhofe	Sessions
Cochran	Kempthorne	Smith (NH)
Collins	Kohl	Thomas

ANSWERED ''PRESENT''—1

McCain

NOT VOTING—3

Biden	Landrieu	Leahy

The amendments (Nos. 1267, 1268, 1269), en bloc, were agreed to.

Mr. STEVENS. Madam President, I move to reconsider the vote by which the amendments were agreed to, and I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. STEVENS. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. LOTT. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT NO. 1250

Mr. LOTT. Madam President, I believe the Senator from Oregon would