Neumann
Ney
Northup
Norwood
Nussle
Oberstar
Obey
Ortiz
Oxley
Packard
Pappas
Parker
Pascrell
Paul
Paxon
Pease
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Pombo
Portman
Poshard
Pryce (OH)
Quinn
Radanovich
Rahall
Ramstad
Redmond
Regula
Riggs
Riley
Roemer
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Roukema
Royce
Ryun
Salmon
Sanford
Saxton
Scarborough
Schaefer, Dan
Schaffer, Bob
Sensenbrenner
Sessions
Shadegg
Shaw
Shimkus
Shuster
Skeen
Skelton
Smith (MI)
Smith (NJ)
Smith (OR)
Smith (TX)
Smith, Linda
Snowbarger
Snyder
Solomon
Souder
Spence
Stearns
Stenholm
Strickland
Stump
Stupak
Sununu
Talent
Tanner
Tauzin
Taylor (MS)
Taylor (NC)
Thomas
Thornberry
Thune
Tiahrt
Traficant
Turner
Upton
Walsh
Wamp
Watkins
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
Weygand
White
Whitfield
Wicker
Wilson
Wolf
Young (AK)
Young (FL)

NOT VOTING—7

Dingell
Gonzalez
Goode
Hill
McNulty
Payne
Roybal-Allard

☐ 1626

Messrs. BERRY, METCALF, MOAKLEY, Mrs. McCARTHY of New York, and Messrs. COOKSEY, RILEY, WEYGAND, McCRERY, CONDIT and SAM JOHNSON of Texas changed their vote from ''yea'' to ''nay.''

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

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore (Mrs. EMERSON). The question is on the passage of the bill.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Mr. CANADY of Florida. Madam Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 276, noes 150, not voting 8, as follows:

[Roll No. 280]

AYES—276

Aderholt
Archer
Armey
Bachus
Baesler
Baker
Ballenger
Barcia
Barr
Barrett (NE)
Bartlett
Barton
Bateman
Bereuter
Berry
Bilbray
Bilirakis
Bishop
Bliley
Blunt
Boehner
Bonilla
Bonior
Bono
Borski
Boswell
Boyd
Brady (TX)
Bryant
Bunning
Burr
Burton
Buyer
Callahan
Calvert
Camp
Canady
Cannon
Chabot
Chambliss
Chenoweth
Christensen
Clement
Coble
Coburn
Collins
Combest
Condit
Cook
Cooksey
Costello
Cox
Cramer
Crane
Crapo
Cubin
Cunningham
Danner
Davis (FL)
Davis (VA)
Deal
DeLay
Diaz-Balart
Dickey
Doolittle
Doyle
Dreier
Duncan
Dunn
Ehlers
Ehrlich
Emerson
English
Ensign
Etheridge
Everett
Ewing
Fawell
Foley
Forbes
Fossella
Fowler
Fox
Franks (NJ)
Frelinghuysen
Gallegly
Ganske
Gekas
Gibbons
Gillmor
Goode
Goodlatte
Goodling
Gordon
Goss
Graham
Granger
Gutknecht
Hall (OH)
Hall (TX)
Hamilton
Hansen
Hastert
Hastings (WA)
Hayworth
Hefley
Herger
Hilleary
Hilliard
Hobson
Hoekstra
Holden
Hostettler
Hulshof
Hunter
Hutchinson
Hyde
Inglis
Istook
Jefferson
Jenkins
John
Johnson (WI)
Johnson, Sam
Jones
Kanjorski
Kaptur
Kasich
Kelly
Kildee
Kim
King (NY)
Kingston
Kleczka
Klink
Knollenberg
Kolbe
Kucinich
LaFalce
LaHood
Largent
Latham
LaTourette
Lazio
Leach
Lewis (CA)
Lewis (KY)
Linder
Lipinski
Livingston
LoBiondo
Lucas
Manton
Manzullo
Mascara
McCarthy (NY)
McCollum
McCrery
McDade
McHale
McHugh
McInnis
McIntosh
McIntyre
McKeon
Metcalf
Mica
Miller (FL)
Minge
Moakley
Mollohan
Moran (KS)
Murtha
Myrick
Neal
Nethercutt
Neumann
Ney
Northup
Norwood
Nussle
Oberstar
Obey
Ortiz
Oxley
Packard
Pappas
Parker
Pascrell
Paxon
Pease
Peterson (MN)
Peterson (PA)
Pickering
Pitts
Pombo
Pomeroy
Portman
Poshard
Pryce (OH)
Quinn
Radanovich
Rahall
Ramstad
Redmond
Regula
Reyes
Riggs
Riley
Roemer
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Roukema
Royce
Ryun
Salmon
Sandlin
Sanford
Saxton
Scarborough
Schaefer, Dan
Schaffer, Bob
Sensenbrenner
Sessions
Shadegg
Shaw
Shimkus
Shuster
Skeen
Skelton
Smith (MI)
Smith (NJ)
Smith (OR)
Smith (TX)
Smith, Linda
Snowbarger
Snyder
Solomon
Souder
Spence
Spratt
Stearns
Stenholm
Strickland
Stump
Stupak
Sununu
Talent
Tanner
Taylor (MS)
Taylor (NC)
Thomas
Thornberry
Thune
Tiahrt
Traficant
Turner
Upton
Vento
Walsh
Wamp
Watkins
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
Weygand
White
Whitfield
Wicker
Wilson
Wolf
Young (AK)
Young (FL)

NOES—150

Abercrombie
Ackerman
Allen
Andrews
Baldacci
Barrett (WI)
Bass
Becerra
Bentsen
Berman
Blagojevich
Blumenauer
Boehlert
Boucher
Brady (PA)
Brown (CA)
Brown (FL)
Brown (OH)
Campbell
Capps
Cardin
Carson
Castle
Clay
Clayton
Clyburn
Conyers
Coyne
Cummings
Davis (IL)
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Dicks
Dixon
Doggett
Dooley
Edwards
Engel
Eshoo
Evans
Farr
Fattah
Fazio
Filner
Ford
Frank (MA)
Frost
Furse
Gejdenson
Gephardt
Gilchrest
Gilman
Green
Greenwood
Gutierrez
Harman
Hastings (FL)
Hefner
Hinchey
Hinojosa
Hooley
Horn
Houghton
Hoyer
Jackson (IL)
Jackson-Lee (TX)
Johnson (CT)
Johnson, E. B.
Kennedy (MA)
Kennedy (RI)
Kennelly
Kilpatrick
Kind (WI)
Klug
Lampson
Lantos
Lee
Levin
Lewis (GA)
Lofgren
Lowey
Luther
Maloney (CT)
Maloney (NY)
Markey
Martinez
Matsui
McCarthy (MO)
McDermott
McGovern
McKinney
Meehan
Meek (FL)
Meeks (NY)
Menendez
Millender-McDonald
Miller (CA)
Mink
Moran (VA)
Morella
Nadler
Olver
Owens
Pallone
Pastor
Paul
Payne
Pelosi
Pickett
Price (NC)
Rangel
Rivers
Rodriguez
Rothman
Rush
Sabo
Sanchez
Sanders
Sawyer
Schumer
Scott
Serrano
Shays
Sherman
Sisisky
Skaggs
Slaughter
Smith, Adam
Stabenow
Stark
Stokes
Tauscher
Thompson
Thurman
Tierney
Torres
Towns
Velazquez
Visclosky
Waters
Watt (NC)
Waxman
Wexler
Wise
Woolsey
Wynn
Yates

NOT VOTING—8

Dingell
Gonzalez
Hill
McNulty
Petri
Porter
Roybal-Allard
Tauzin

☐ 1636

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. PETRI. Mr. Speaker, on H.R. 3862, the Child Custody Protection Act, Rollcall No 280, had I been present, I would have voted ''aye.''

PERSONAL EXPLANATION

Mr. TAUZIN. Mr. Speaker, on July 15, 1998, I was inadvertently detained, and missed rollcall 280, on H.R. 3682, the Child Custody Protection Act. Had I been present, I would have voted ''aye.''

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 219

Ms. KILPATRICK. Madam Speaker, I ask unanimous consent to have my name removed as a cosponsor of H.R. 219.

The SPEAKER pro tempore (Mrs. EMERSON). Is there objection to the request of the gentlewoman from Michigan?

There was no objection.

PERSONAL EXPLANATION

Mr. HILLEARY. Madam Speaker, due to a set of tragic events in my district last night and yesterday, I was unable to be present for a series of votes last night, including the Doolittle amendment and the Fossella amendment to the Shays-Meehan substitute to H.R. 2183. If I had been present, I would have voted aye on roll call 275 and aye on roll call 276.

SONNY BONO MEMORIAL SALTON SEA RECLAMATION ACT

Mr. DREIER. Madam Speaker, by direction of the Committee on Rules, I

call up House Resolution 500 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 500

Resolved, That upon the adoption of this resolution it shall be in order without intervention of any point of order to consider in the House the bill (H.R. 3267) to direct the Secretary of the Interior, acting through the Bureau of Reclamation, to conduct a feasibility study and construct a project to reclaim the Salton Sea. The bill shall be considered as read for amendment. In lieu of the amendment recommended by the Committee on Resources now printed in the bill, the amendment in the nature of a substitute printed in the report of the Committee on Rules accompanying this resolution shall be considered as adopted. The previous question shall be considered as ordered on the bill, as amended, and on any further amendment thereto to final passage without intervening motion except: (1) one hour of debate on the bill, as amended, equally divided and controlled by the chairman and ranking minority member of the Committee on Resources; (2) a further amendment printed in the Congressional Record pursuant to clause 6 of rule XXIII, if offered by Representative Miller of California or his designee, which may be considered notwithstanding the adoption of the amendment in the nature of a substitute printed in the report of the Committee on Rules, shall be considered as read, and shall be separately debatable for one hour equally divided and controlled by the proponent and an opponent; and (3) one motion to recommit with or without instructions.

The SPEAKER pro tempore. The gentleman from California (Mr. DREIER) is recognized for one hour.

Mr. DREIER. Madam Speaker, for purposes of debate only, I yield the customary 30 minutes to my very good friend, the gentleman from Dayton, Ohio (Mr. HALL), the distinguished ranking minority member of the very prestigious Subcommittee on Rules and Organization of the House, pending which I yield myself such time as I may consume.

□ 1645

I will say that all time that I will be yielding will be for debate purposes only.

(Mr. DREIER asked and was given permission to revise and extend his remarks and include extraneous material in the RECORD.)

Mr. DREIER. Madam Speaker, this rule makes in order a bill that will bring to fruition the hard work of our late friend and colleague, Sonny Bono. Specifically, it makes in order H.R. 3267, the Sonny Bono Memorial Salton Sea Reclamation Act, under a modified closed rule.

The rule does provide for a substitute to be offered by the ranking minority member of the Committee on Resources, the gentleman from California (Mr. MILLER), or his designee. The structured rule is necessary, Madam Speaker, to protect a fragile compromise that is supported by all of the stakeholders in the restoration of the Salton Sea.

The compromise ensures the expeditious development and congressional consideration of a plan to stop the ongoing environmental damage to the Salton Sea and to restore its health.

Because the environmental problems facing the wildlife refuge and reservoir are worsening so quickly, it is important that Congress pass legislation that allows it to be addressed as quickly as possible. This rule, Madam Speaker, also ensures, as I said, that a minority alternative will be fully debated.

I would like to commend the members of the bipartisan Salton Sea Task Force. The leaders of that have been our California colleagues, Mrs. BONO, Mr. HUNTER, Mr. CALVERT, Mr. BROWN, Mr. LEWIS, and Mr. DOOLITTLE of the Subcommittee on Water and Power. They have done a tremendous job, and they have worked long and hard in reaching a consensus that will allow this legislation to move forward.

Madam Speaker, H.R. 3267 is critical to the health of both the environment and the economy in both Imperial and Riverside Counties. The Salton Sea is an integral part of the Pacific Flyway, providing food and a major rest stop for hundreds of thousands of waterfowl and shore birds. According to the Fish and Wildlife Service, the health of the sea is essential to the long-term viability of the migratory bird population on the west coast. Five endangered or threatened bird species and one endangered fish species depend on the Salton Sea.

The economic impact of the project is equally significant. A study by the University of California Riverside's Economic Data Bank and Forecasting Center estimates the economic benefits of restoring the Salton Sea of between $3.4 and $5.7 billion. This includes the benefits of increased tourism, recreation, farming and other economic activity around the restored sea.

The Sonny Bono Memorial Salton Sea Restoration Act will halt a serious and ongoing decline in the local economy and replace it with real jobs and good, positive growth for the area.

Madam Speaker, the deterioration of the Salton Sea is a problem that can be solved. While reducing the salinity presents a significant challenge, there are feasible plans for addressing the problem, including diking off a portion of the sea to serve as a final sink for collecting salt. The bill that the House will consider today allows this and other policy responses to be thoroughly researched so Congress can later consider the most cost-effective approach.

Given the importance of the Salton Sea to the local economy and as a habitat for wildlife, it makes sense for the Federal Government to work in partnership with State and local governments to try to develop a plan for fixing the problem. This is particularly true given that H.R. 3267 only commits the Federal Government to considering a cleanup plan, not to helping fund the cleanup.

This is a fitting tribute to a man who cared deeply about restoring the Salton Sea and for whom H.R. 3267 is named. For these reasons, Madam Speaker, I urge adoption of both the rule and the bill.

Madam Speaker, I reserve the balance of my time.

Mr. HALL of Ohio. Madam Speaker, I thank my colleague from California (Mr. DREIER) for yielding me this time.

This resolution puts forth a modified, closed rule. It provides for consideration of H.R. 3267, which is the Sonny Bono Memorial Salton Sea Reclamation Act.

This is a bill to reduce and stabilize the salt content of the Salton Sea near Palm Springs, California. As my colleague from California has described, this rule provides for 1 hour of debate to be equally divided between the chairman and ranking minority member of the Committee on Resources. Only one amendment may be offered.

Madam Speaker, there is agreement on both sides of the aisle that Congress needs to protect the worsening environmental conditions at Salton Sea, and there is a consensus that our late colleague, Sonny Bono, is deserving of a fitting tribute. Unfortunately, this bill will probably do neither.

There are numerous provisions in the bill which will raise objections. For example, the bill makes funds available from the Land and Water Conservation Fund, which was established to preserve park land and open spaces, not for water projects. Also, it authorizes construction of a $350 million project before enough study has been done. These and other provisions will probably hold up the bill in the Senate and result in a Presidential veto.

The bill should have an open rule so that all House Members will have the opportunity to make improvements through the amending process on the House floor. The rule also waives the 3-day layover requirement for the committee report, which was filed only yesterday, and this makes it even more difficult for the House to work its will.

I have no further comments to make at this particular time, Madam Speaker.

Madam Speaker, I reserve the balance of my time.

Mr. DREIER. Madam Speaker, I yield such time as she may consume to my very distinguished colleague, the gentlewoman from Palm Springs, California (Mrs. BONO).

Mrs. BONO. Madam Speaker, today I rise in support of the rule governing H.R. 3267, the Sonny Bono Salton Sea Memorial Reclamation Act.

I would like to thank the gentleman from New York (Mr. SOLOMON) and the gentleman from California (Mr. DREIER), as well as the rest of the Committee on Rules members, for crafting a rule that is both fair and reasonable.

The bill that we will be debating today is a good environmental bill. It sets out a sound process for both study and action to save the Salton Sea. The gentleman from California (Mr. DREIER) knows all too well the problems facing the Salton Sea. When

Sonny passed, and the Speaker spoke of the need to save this national treasure, the gentleman was right there all the way. I believe that when he sat down to craft this rule, he had in mind the need to save the Salton Sea and the urgency of which it needs to be saved. Unlike the opponents of this bill, the gentleman from California (Mr. DREIER) and the rest of the Committee on Rules want to save the Salton Sea.

For those who do not find this rule fair, I say, what was so fair about allowing the sea to get worse over the last 25 years when this very body had an opportunity to take measures to save it then? What is so fair about environmental groups who finally stand up and take notice of the sea when they have rarely been there in the past? It is real simple. One is either for the sea and the environment and vote ''yes'' on the rule, or one is for the demise of the Salton Sea, against Sonny's dream, and for the opposition of this rule. Vote ''yes'' on the rule.

Mr. HALL of Ohio. Madam Speaker, I yield 2 minutes and 10 seconds to the gentleman from Oregon (Mr. BLUMENAUER).

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

The issue here today is not whether or not we are going to be honoring our former colleague, Congressman Bono. I think all of us who had an opportunity to serve with him are committed to having an appropriate memorial of that nature. Nor is there a lack of interest on the part of Members of this Congress dealing with the environmental problems associated with the Salton Sea.

The issue that I am concerned about, and I hope the House will take a step back and look very carefully at this, is that we are moving ahead with a significant sum of money to try and deal with what in and of itself was a failed project in the past. This water resources project years ago was well-intended, but has moved in the wrong direction.

It is an issue that I am personally concerned with. As we speak today, this Congress has not exercised appropriate oversight for other water resources projects where we have not laid an appropriate foundation environmentally in engineering terms to make sure that we are not spending good money after bad.

My colleagues will hear in the course of the debate, both on the rule and on the measure itself, that there is not at this point a clear understanding of the exact nature of the problem, and despite years of study and engineering research, there is not a good plan in hand right now.

To go ahead with a preauthorization of a third of a billion dollars for something that this House does not really understand fully and will not have control over is a step clearly in the wrong direction. Not only would we be wasting it, there is a probability that it could even be made worse.

I am pleased that our friends on the Republican majority have rediscovered the Land and Water Conservation Fund. Annually only about $260 million of this fund is spent on this purpose intended for the purchasing of conservation funds. It is a dramatic stretch, I think, for this House to dedicate resources of this order of magnitude in one little portion of the United States when we have hundreds of projects that go begging around the country. I hope that we will have a more thoughtful discussion about the utilization of this resource.

I really do hope that we will approve the Miller amendment, have an opportunity to look at this in a more thoughtful fashion, and provide really a truly appropriate memorial in the long run.

Mr. DREIER. Madam Speaker, I yield 5 minutes to the gentleman from San Diego, California (Mr. HUNTER), our colleague who shares representation of Imperial County with the gentlewoman from California (Mrs. BONO); the man who gave his most sterling speech this morning before the Republican Conference.

Mr. HUNTER. Madam Speaker, I will try to be almost as brief as I was this morning.

My colleagues, we have a real opportunity here to do three things that are very important. One is we have an opportunity to right what is perhaps the worst environmental disaster in our Nation, and that is the continuing pollution and continuing salinization of this huge 360-square-mile body of water next to the Mexican border in southern California. It is fed by the New River and the Alamo River, and the New River is considered to be the most polluted river in North America coming north from Mexicali, traveling 50 miles through the California desert, and emptying into the Salton Sea. In going through Mexicali, it goes through the industrial area of Mexicali, takes a lot of waste. If one goes down there, it is somewhat like America was in parts of this country in the 1930s, literally with yellow toxins spewing out of pipes directly into the river; also, with the sewage system in Mexicali that is attached to that river.

So we have an opportunity to right what is right now one of the most difficult environmental disasters we have ever had in this country.

Secondly, in cleaning up the sea, which we are going to do with this bill, we have the opportunity to expand one of the greatest natural resources and recreational resources in this country.

One of the great things about the sea that the gentlewoman from California (Mrs. BONO) loves so well and Sonny loved so well is the fact that it is so close to a lot of working Americans. It is within driving distance of about 8 percent of America's population. That means that the average guy and his wife and his kids on the average weekend can get in their camper in Covina or Los Angeles or the Inland Empire or San Diego or Orange County and drive to the Salton Sea.

□ 1700

He can enjoy what up until a couple of years ago was the most productive fishery in the United States. He can enjoy, or could, up until a couple of years ago, great waterskiing. That family could enjoy great camping opportunities, and they could do that without having to have the financial resources to jet off to New Zealand, to go fly fishing, to do other things that some people can do but others cannot do. The Salton Sea is a great opportunity for working America to have a wonderful recreational site.

Thirdly, we have the opportunity to do something that I think Sonny Bono taught us so well, and that is what the gentlewoman from California (Mrs. BONO) is continuing to teach us, and that is to use common sense. We are using common sense in this bill.

We changed judicial review at the request of a number of the environmental folks to an expedited judicial review, nonetheless, not cutting it off completely. But as the gentlewoman from California (Mrs. MARY BONO) said, the sea is on a death watch. It is going to die in 10 years or so when it gets up to 60 parts per million of salinization. We cannot let lawsuit after lawsuit tie up the project until the sea is dead.

We are undertaking the project in Mexicali to wean the Mexicali industrial waste and their industrial waste from the New River. That project is going to break ground here in the next couple of months, so it is important and it is necessary and it is appropriate that we get to going on the sea and we start the project.

As one North Salton Sea resident said in one of the articles, he said that this Congress studies the sea and then they disappear, and come back a couple of years later and study it again. We are committing, with this bill, with this authorization, to fix the Salton Sea; that is, to take care of the salinization problem.

We have literally volumes of studies that have been done that have narrowed down the options to basically two options, and that is diking, or else having an infall or outfall; that is, exporting saline water or importing nonsaline water. We have those two options. Secretary Babbitt is going to decide which one works best. He is going to come back and tell the Congress which is best. Then we will act. He said he could do it in 18 months.

The only exception, you have 18 miles of river feeding the Salton Sea, and we have come up with an environmentally friendly way of cleansing that river. We are going to have 50 miles of marshes, and we are going to filter the New River through those 50 miles of marshes, but we cannot do it, some lawyers tell us, under the Clean Water Act because the Clean Water Act says if you take a glass of water out of the New River, you have to pour it

back in in drinking water quality. You cannot incrementally clean up a river under that law. You cannot filter part of it in the first mile and part in the second mile and part of it in the third mile. You are totally stopped, so you do not do anything. The sea continues to get polluted.

This is a great bill. I thank the Committee on Rules for bringing it up. Let us have an overwhelming vote in favor of the rule and the bill.

Mr. DREIER. Madam Speaker, I am happy to yield 2 minutes to the gentleman from California (Mr. KEN CALVERT), another Member who has worked on the task force.

Mr. CALVERT. Madam Speaker, I thank the gentleman from California, my good friend from Covina, for not only putting together a good rule but for his support for saving the Salton Sea.

Here we go again. We have been studying the Salton Sea now for well over 30 years. There have been many reports, many studies, many millions of dollars on how to save the Salton Sea. Today finally we are going to establish the groundwork to do exactly that; that is, to save the sea, the birds, the fish, and most importantly, we are going to save an opportunity for people to visit the Salton Sea. Not too many years ago more people visited the Salton Sea than they did Yosemite, on an annual basis, it is so close to so many millions of Americans in the southwest United States.

I as a young man, boy, would go waterskiing at the Salton Sea. It was probably the best waterskiing in all of California, and certainly, I think, throughout the southwestern United States. It is unfortunate that people do not have that same opportunity anymore, or at least not with the quality of water as it exists today.

The other gentleman from California, our esteemed friend from Imperial County, mentioned the New River and how polluted it is, and what is going on there. It is certainly horrible. We have a chance today. We have this rule. Sonny Bono certainly dreamed of this day. I think he is looking down on us right now wondering what we are going to do finally.

Sonny, we are going to pass this rule. Furthermore, we are going to pass this bill, and we are going to vote against the Miller-Brown substitute and move ahead.

Mr. HALL of Ohio. Madam Speaker, I yield 2 minutes to the gentleman from California (Mr. FARR).

Mr. FARR of California. Madam Speaker, I rise in support of this rule, because the rule does a very important thing. It allows for an alternative.

I think that in approaching this, that everyone in this room is in agreement that we need to solve the Salton Sea issue, and that we ought to do that under the name of our former colleague, Mr. Bono. But I do not think we all agree on how to get there. What we need before we get there is a road map. That road map is very important, because it is not being provided in this legislation, but it is being provided in the rule in the substitute. I rise in support of the rule because of the substitute.

I am concerned that in the bill, the main bill, there is an appropriation in there, there is an authorization for an appropriation of $350 million that can be taken from the Land and Water Conservation Fund. That is the entire 2 years of appropriations for this House for all of the projects in the United States. So every Member who is voting for this bill ought to be concerned that those projects that are going to restore lands with authorized use from the Land and Water Conservation Fund, those projects may be put in jeopardy as this project takes priority to all of that.

Madam Speaker, I urge my colleagues to look at the substitute, the Miller-Brown substitute. I think it provides a much better solution. It is a complicated issue. This is essentially a sea or a lake that is taking the drainage.

Water in Southern California is getting scarcer and scarcer and more valuable as we use reclamation, cleaning up dirty water and using it for agriculture, which will be in demand. The cost and uses of water that would go to the lake to sustain it are going to be in great demand. I do not think we can solve the problem by jamming it through with this solution. We need the substitute.

The rule is a good rule because it provides that substitute. When we get to that, I urge my colleagues to support it.

Mr. DREIER. Madam Speaker, I am happy to yield 3 minutes to the gentleman from Mount Holly, New Jersey (Mr. SAXTON), the very distinguished chairman of the Joint Economic Committee.

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

Madam Speaker, let me just begin by saying that I rise in support of this rule and of the underlying bill, H.R. 3267, the Sonny Bono Memorial Salton Sea Act.

Let me just say, or let me just express my admiration for the great job that the gentlemen from California, Mr. DUNCAN HUNTER, Mr. KENNY CALVERT, Mr. DAVID DREIER, my friend here, Mr. DUKE CUNNINGHAM, have done, and let me say just especially to the gentlewoman from California (Mrs. MARY BONO) how pleased I am to be here today to support this major effort she picked up on just several months ago, and has really led the way in this effort. I have not seen this many Californians agree on an issue in the 14 years that I have been here, and I say to the gentlewoman from California (Mrs. BONO), it took her to bring them all together.

As an Easterner and as chairman of the Fisheries Conservation, Wildlife and Oceans subcommittee. Let me just stress how important I think this bill is. It represents a major stride towards improving the water quality of the Salton Sea by reducing the salinity and stabilizing the elevation along the shoreline.

The Salton Sea is certainly of extreme importance as a major stopover for avian species along the Pacific flyway. As chairman of the subcommittee, I must stress the importance of saving habitat for migrating birds. Already many of the traditional nesting and feeding areas have been destroyed, and if the degradation of the Salton Sea continues unabated, this important habitat will surely be lost.

Let me just say also that I have received a number of communications from ornithological council members, which include the eight major scientific societies of ornithologists in North America. Collectively, these professional organizations include over 6,000 scientists and students of bird life.

The letter of the council states that ''The Salton Sea ecosystem has long been recognized as providing significant wetland habitat for immense numbers of migrating birds.''

Let me just say, in conclusion, to my friends from the other side of the aisle, with whom I oftentimes, in fact most often, agree, I think we all want to get to the same place. I will be supporting the underlying bill. Others here will obviously support the substitute. I am hopeful that the underlying bill will prevail and that we will be able, therefore, to proceed to come to a conclusion that is beneficial to all concerned.

Let me once again congratulate the members of the California delegation, and particularly the gentlewoman from California (Mrs. MARY BONO), for their great leadership in bringing this bill to the floor today.

Mr. DREIER. Madam Speaker, I yield 1½ minutes to my very good friend, the gentleman from San Diego, California (Mr. CUNNINGHAM).

Mr. CUNNINGHAM. Madam Speaker, my daughters, April and Carrie, got the first duck mud between their toes in a goose blind over in the Salton Sea with their Grandpa Jones. He also taught them how to blow a duck call in that same place.

Why is it important? It is a major flyway from Connecticut to Sacramento to the Salton Sea and then down to Mexico for the winter feeding grounds. There are also many of the endangered species and also porvina, which is a fish that lives there, which is dying in very fast order.

I do not believe we are trying to get there in the same place, because if Members want to delay a bill in this body, if they want to kill a bill, just have a study with no commitment, with no commitment to carry it through. That is exactly what the Miller substitute does, study, study, study, knowing good and well that we will come back and not be able, when the funds are low, to fund it.

Support the Bono amendment and let us pass this bill.

Mr. DREIER. Madam Speaker, I am happy to yield 2 minutes to my very good friend, the gentleman from Monticello, Indiana (Mr. BUYER), who was a very, very close friend of the late Sonny Bono.

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

I rise today in support of H.R. 3267, the Sonny Bono Memorial Salton Sea Reclamation Act. The Salton Sea has only 12 years of life left until it will cease providing a haven for over 375 species of birds and fish, including numerous endangered and threatened species. The 30,000 acre lake salt level continues to rise to levels which are already causing great amounts of disease in the species which rely upon the sea's resources. In just a short period of time the species will no longer be able to survive.

To remedy the situation this bill provides for five things: reducing and stabilizing the salinity level, stabilizing the sea's surface elevation, restoring fish and wildlife resources, enhancing recreational use and environmental development, and ensuring the continued use of the sea as a reservoir for irrigation and drainage. The policy is to manage all the resources in order to balance the needs of wildlife, natural resources, and humans. They are all intertwined and all part of the same equation.

Those who oppose this commonsense measure instead advocate a slower and more cautious approach. I have listened to some of the words. They say, let us be more thoughtful, or let us have a better road map. What this really means they are choosing the course that will eventually cause the demise of this valuable natural resource.

It is indeed necessary for Congress to be responsible for the funds that it authorizes and appropriates. However, it is necessary for Congress to act responsibly in a timely manner in order to avoid a disaster. Losing the Salton Sea would be a disaster for all the species which utilize the area, the local economies of the communities near the sea, and anyone who is concerned about our Nation's resources.

Those in opposition to this bill complain that the measure authorizes both a feasibility study and construction. In fact, this bill requires the Secretary of the Interior to report back to the authorizing committees after the feasibility study in order to approve the construction plans.

In basic point, what we have here is a conflict. Radical environmentalists, who are also preservationists, find themselves in conflict with also their advocacy of protection of the endangered species. So what they really have here is they are endorsing the radical preservationists' view on the environment, and they want the Salton Sea to die, just let it go, let it go, let it go.

We say no to that position. In memory of Sonny Bono, we will step forward and manage our Nation's resources, protect the environment, ensure that the species on the endangered species list are protected. It is management of our natural resources, which this bill is about. I ask for the passage of the rule.

Mr. DREIER. Madam Speaker, I yield 1 minute to the gentleman from California (Mr. BRIAN BILBRAY), another great San Diegan, a great friend, and hard-working two-termer.

□ 1715

Mr. BILBRAY. Madam Speaker, I rise in support of the rule. Those of us who live along the southwestern border have grown tired of the Federal Government constantly finding excuses not to address the issues that only the Federal Government can address. We are talking about a crisis here that has been created by the lack of Federal action in the last 30 years. Pollution coming across the border, the lack of cooperation between Mexico and the United States, this is a Federal responsibility and a Federal obligation and a Federal preserve.

They can talk about, let us spend more money having more sanctuaries, more preserves, but if the Federal government, those of us in Congress are not willing to move forward and take action, not talking about protecting the environment but actually doing something to protect the environment, if we will not do it where the Federal Government is the only agency that can execute it, the only agency that has the jurisdiction to execute many of these types of strategies, then let us not keep talking about that we care about the environment.

If we do not move forward with this proposal at this time, then let us stop talking about how much we care about the environment. Now is the time to prove who really supports the environment.

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

Mr. HALL of Ohio. Madam Speaker, I yield 8 minutes to the gentleman from California (Mr. MILLER), ranking member of the committee.

(Mr. MILLER of California asked and was given permission to revise and extend his remarks.)

Mr. MILLER of California. Madam Speaker, the troubles of the Salton Sea are not new to any of us in California. In fact, the Salton Sea has had serious biological problems for many years. They have been well publicized fish kills and die-offs of migratory waterfowl that raise both environmental concerns and issues involving international treaty obligations. Various scientific studies have attempted to pinpoint the biological cause of the enormous fish kills and the bird die-offs that afflict this body of water.

In 1992, the Congress passed legislation that I wrote expanding these studies and the Department of Interior is engaged in that additional research, although there have not been the appropriations in the last couple of years to finish that research or to move it very far down the line.

There really is no mystery about some of the aspects of the problems of the Salton Sea. It is an artificially created body of water formed through an engineering catastrophe earlier in this century. It is growing increasingly salty and contaminated because most of its inflows come from agricultural wastewater and municipal wastewater, loaded salts and heavy metals and pesticides and contaminants.

The fact of the matter is the only real source of any water of any volume for the Salton Sea is contaminated, polluted wastewater. That is some of the best water that is in this sea at the current time. Yet the inflows of the better quality of water in the sea itself, these waters are questionable over the next few years, and we continue the problem of the increased salinization of this area.

The question really is, what do we do about the Salton Sea? How do we arrive at a program that will work? The suggestion that we have made tracks much of what is in this legislation, and that is that we go out, the minority has decided that we would spend a million dollars a month or more than a million dollars a month over the next 18 months and direct the Secretary to conduct these studies and come back and tell us what will work or what will not work. And then at that time, based upon those alternatives, authorize this project or not authorize this project based upon what the Congress deems to be feasible or not feasible.

The point is this, with the passage of this legislation, the Salton Sea will immediately become the second largest construction program within the Bureau of Reclamation. Only the Central Arizona Project will be larger, if one works it out over a 10-year period of time which is, of course, the time line that has been set by the concerns of the supporters of this legislation.

I think before we commit the Congress of the United States and the taxpayers of the United States to a $300 million decision, we ought to know what those facts are. We ought to make those determinations, but, as somebody said, if we do the studies first and then we come back to the Congress, the Congress will not give us the money. So what they want to do is, they want to take the money up front today, before the studies come back and tell us what it is, and the project will be authorized without regard to those studies. The authorization will be squirreled away.

The point is this, this is a very complex problem. It is not just the issue of salinity. It is the issue of nutrient loading. Many of the scientists say we can deal with some of the salinity problems with the diking program and others, but the problem is that we still have not dealt with what may be killing many of the birds and the wildlife in this area.

So the point is that I think that we have an obligation to treat this project as we treat all other projects: That is, we authorize studies to come up with the feasibility to determine what is feasible, to determine what the costs are going to be, and then we come back and we authorize that project for the purposes of appropriation, if those studies work out. That is how everyone else in this Congress gets their projects authorized.

The fact of the matter is, in some cases after we do the studies, we make determinations that that is really not worth the expenditure of the public's money or a project has to be redesigned or we scale a project down. Those are all determinations that are made within the process of these projects.

I also want to point out that this legislation has a number of problems on it that have been raised, concerns, by statement of administration policy from the Clinton administration. They have problems with letter funding mechanisms of this legislation, the fact that the bill currently takes the funding from the Land and Water Conservation Fund. This is a trust fund that is to be used for the purchase of public lands and the maintenance of our parks and wilderness areas on the public lands. And this would invade that to the extent of over two times of what we authorize in a single year would be taken out for this single project.

The cost sharing would exempt irrigators from the cost-sharing responsibility for project implementation. So we are putting that load on the taxpayers. The limitations on liabilities, we find what we are doing is we are taking the liability for anything that goes wrong in this project, we are taking that off of the back of everybody else that is around the Salton Sea and saying we are going to load that liability, if things go wrong, on the back of the Federal taxpayer.

Clean water exemptions have already been addressed. The administration has problems with those. And the congressional review, the Department of Justice has advised that the provisions granting congressional committee authority to approve or disapprove executive actions without the enactment of legislation would be unconstitutional.

So this is a piece of legislation that may very well pass this House, but it certainly is not going to get consideration in the Senate. Senator CHAFEE has already indicated that their committee would not have time to take this legislation up in this condition. They would hope that we would send them a clean bill so they could pass the legislation, and we can get on with the studies that are necessary to be done. There is nothing in the substitute that delays those studies. There is nothing in the substitute which does not require the Secretary then to report back the results of those studies. But I think it is a way to get this bill enacted so that we can get on with those studies.

We can cut down the time frame in which to deal with the problems of the Salton Sea and make some determinations. As Members know, the majority leader of the Senate said if it takes more than an hour, it is not coming up in the Senate between now and adjournment.

Mr. VENTO. Madam Speaker, will the gentleman yield?

Mr. MILLER of California. I yield to the gentleman from Minnesota.

Mr. VENTO. Madam Speaker, I rise in opposition to the rule.

It is an irony that we have really what I consider would be a very popular and a very positive initiative in terms of trying to clean up and try to address the problems of the Salton Sea. I do not know if it is possible to really clean it up in terms of both the nutrients and the salt, because of the nature of the delta that it rests on, this ancient seabed. But in any case, it is ironic that we get wrapped around the axle here today on the basis of an unknown type of action and project.

Everybody apparently agrees there has to be study because the measure before us and the substitute that my colleague, the gentleman from California (Mr. MILLER) is going to present, which I support, says that we have to do a study. You have to do more study in terms of putting in place the nature of the type of project. There has been a great deal of research work that has been done on this, but unfortunately it is not in specifics yet.

I think that the opposition to this is not one in terms of delaying it, because clearly it is going to take the 18 months, which the sponsors and advocates for this are proposing to be in place. If you really want to push this program up, what you really ought to do is appropriate the money right now for the project. That is, in essence, what is being done in terms of authorization. We would not see the appropriators standing up in the House doing that without any specific project. The authorizers themselves on our Resources Committees should not be proposing without some definitive policy path, especially considering what the elements are. I mean, the limits on judicial review, the limits on the Clean Water Act, the limits on liability, the limits on who is going to be paying in terms of who is responsible for some of the damage in the future, the limits on not using the Colorado water, this is the delta of the Colorado River, yet you cannot use water from the Colorado River for this particular purpose.

So these are just some of the obvious shortcomings that exist with regard to this measure. We will have a chance to discuss them further, but this rule is a closed rule and one that I cannot support. I think the process is one that I do not think is sound in terms of dealing with and developing a good policy path on an issue that there would be and could be consensus upon but for the getting the cart before the horse on this measure.

This authorization of over $350 million deserves a deliberate process and the use of a full open authorization appropriation actions.

I thank the gentleman for yielding to me and thank him for his statement.

Mr. MILLER of California. Madam Speaker, I thank the gentleman.

Mr. DREIER. Madam Speaker, I yield such time as he may consume to the gentleman from Redlands, California (Mr. LEWIS).

Californians could not ask for a more able dean of our delegation.

Mr. LEWIS of California. Madam Speaker, I express my appreciation to my colleague from the Committee on Rules not only for his work today but the hard work he has put into shaping this rule and being of such assistance to those of us on the task force who are involved in attempting to save the Salton Sea.

I listened to the discussion of my colleague from California from the committee as he was discussing the rule and could not help but be reminded of the fact that, as he reminded us, that the Salton Sea has been under consideration for a considerable length of time.

The problem is that the Salton Sea and the economic, the environmental challenge it provides for us has been around for a long, long time. It is to the point of being the most significant environmental crisis in the west at this moment. If indeed our committees had chosen to go forward with serious action regarding this problem years and years ago, the problem would have already been solved. It would have cost considerably less money.

I must say that this very important environmental project has not received that kind of priority in the past, and I am very disconcerted about that, especially when Members suggest that we are moving forward much too rapidly now in terms of consideration when the challenge has been there for several decades.

I must say that I could not be more pleased, however, with the fact that this act will be entitled the Sonny Bono Memorial Salton Sea Reclamation Act, for it was not until Sonny Bono really grabbed this problem by the horns and drug a lot of us along with him to make sure that the Congress focused upon this crisis, made sure we had a pathway to action regarding finding a solution, he was responsible for leading the Salton Sea task force, which involves my colleagues, the gentlemen from California (Mr. BROWN), who is in the adjacent district of mine in Southern California, (Mr. HUNTER), (Mr. CALVERT) along with myself. And in recent months we have had the able leadership of the gentlewoman from California (Mrs. BONO), our colleague who represents much of the sea.

I must say it has been her dynamic expression of concern that we follow through on this priority of Sonny's that has added the sort of momentum

that we need to see this legislation through to success.

There is little doubt that the challenge is very real, but also the problem is a solvable problem if we will but move forward. This legislation lays the foundation for reviewing a whole series of studies that have gone on for years and years and years, selecting the alternative approach to solution, and at the same time lays the foundation for the kind of authorization we need to actually decide on which avenue is the best one to follow.

We have begun the appropriations process by the way. There is funding in a number of appropriations subcommittee bills now to move forward with the studies that we are talking about. In turn, we want to make sure as quickly as possible to move forward with authorization of construction for there is not time to fool around with this any longer. The committees have ignored it in the past for far too long. It is my judgment the sooner we have a broadly based authorization, the sooner we can get appropriations in line that will actually lead to construction and begin to save this fabulous environmental opportunity that we have in the southland that provides huge recreational opportunities, economic opportunities, changing an entire region in terms of that which will be available to a sizable portion of the population in Southern California and regions that surround.

□ 1730

So I want to express my deep appreciation first to the gentlewoman from California (Mrs. MARY BONO) for her leadership, but beyond that to the gentleman from California (Mr. DAVID DREIER) and the Committee on Rules for helping us with this rule today, and we urge support for the rule.

Mr. HALL of Ohio. Madam Speaker, I yield myself such time as I may consume to simply say that the gentleman from California (Mr. MILLER) and the gentleman from Minnesota (Mr. VENTO), I believe, speak for many of us over here relative to their concerns and what they want this legislation to do. And if this rule passes, I would hope that we would go with the Miller amendment. That seems to be the best way to go.

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

Mr. DREIER. Madam Speaker, I yield myself such time as I may consume. Obviously, with the remarks that we have heard from Members, not only from California but from other parts of the country, this is a very important environmental issue for us and it is a very important tribute not only to the late Sonny Bono but to his successor, the gentlewoman from California (Mrs. MARY BONO), who has done a very, very important job here for the entire Nation, and I urge support of the rule.

Mrs. BONO. Madam Speaker, today, I rise in support of the rule governing H.R. 3267, the Sonny Bono Salton Sea Memorial Reclamation Act.

I would like to thank Chairman SOLOMON and Congressman DRIER, as well as the rest to the Rules Committee members for crafting a rule that is both fair and reasonable.

The bill that we will be debating today is a good environmental bill. It sets our a sound process for both study and action to save the Salton Sea.

Congressman DRIER knows all too well the problems facing the Salton Sea. When Sonny passed, and the Speaker spoke of the need to save this national treasure, Mr. DRIER was right there all the way.

I believe that when he sat down to craft this rule, he had in mind the need to save the Salton Sea, and the urgency of which it needs to be saved.

Unlike the opponents of this bill, Mr. DRIER and the rest of the Rules Committee want to save the Salton Sea.

For those who do not find this Rule fair, I say: what was so fair by allowing the Sea to get worse over the last 25 years, when this very body had an opportunity to take measures to save it then?

What is so fair about environmental groups who finally stand up and take notice of the Sea, when they have rarely been there in the past?

It's real simple: You're either of the Sea and the environment, and vote Yes on the Rule.

Or you are for the demise of the Salton Sea, against Sonny's dream and for the opposition of this Rule.

Vote Yes on the Rule.

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

The previous question was ordered.

The SPEAKER pro tempore (Mrs. EMERSON). The question is on the resolution.

The resolution was agreed to.

A motion to reconsider was laid on the table.

Mr. DOOLITTLE. Mr. Speaker, pursuant to House Resolution 500, I call up the bill (H.R. 3267) to direct the Secretary of the Interior, acting through the Bureau of Reclamation, to conduct a feasibility study and construct a project to reclaim the Salton Sea, and ask for its immediate consideration.

The Clerk read the title of the bill.

The SPEAKER pro tempore (Mr. PEASE). The bill is considered as having been read for amendment.

The text of H.R. 3267 is as follows:

H.R. 3267

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Sonny Bono Memorial Salton Sea Reclamation Act''.

(b) TABLE OF CONTENTS.—The table of contents of this Act is as follows:

Sec. 1. Short title; table of contents.
Sec. 2. Findings.
TITLE I—SALTON SEA RECLAMATION PROJECT
Sec. 101. Salton Sea reclamation project authorization.
Sec. 102. Concurrent wildlife resources studies.
Sec. 103. Salton Sea National Wildlife Refuge renamed as Sonny Bono Salton Sea National Wildlife Refuge.
Sec. 104. Alamo River and New River irrigation drain water.
TITLE II—EMERGENCY ACTION TO STABILIZE SALTON SEA SALINITY
Sec. 201. Findings and purposes.
Sec. 202. Emergency action required.

SEC. 2. FINDINGS.

The Congress finds the following:

(1) The Salton Sea, located in Imperial and Riverside Counties, California, is an economic and environmental resource of national importance.

(2) The Salton Sea is critical as—

(A) a reservoir for irrigation, municipal, and stormwater drainage; and

(B) a component of the Pacific flyway.

(3) Reclaiming the Salton Sea will provide national and international benefits.

(4) The Federal, State, and local governments have a shared responsibility to assist in the reclamation of the Salton Sea.

SEC. 3. DEFINITIONS.

In this Act:

(1) The term ''Project'' means the Salton Sea reclamation project authorized by section 101.

(2) The term ''Salton Sea Authority'' means the Joint Powers Authority by that name established under the laws of the State of California by a Joint Power Agreement signed on June 2, 1993.

(3) The term ''Secretary'' means the Secretary of the Interior, acting through the Bureau of Reclamation.

TITLE I—SALTON SEA RECLAMATION PROJECT

SEC. 101. SALTON SEA RECLAMATION PROJECT AUTHORIZATION.

(a) IN GENERAL.—The Secretary, in accordance with this section, shall undertake a project to reclaim the Salton Sea, California.

(b) PROJECT REQUIREMENTS.—The Project shall—

(1) reduce and stabilize the overall salinity of the Salton Sea to a level between 35 and 40 parts per thousand;

(2) stabilize the surface elevation of the Salton Sea to a level between 240 feet below sea level and 230 feet below sea level;

(3) reclaim, in the long term, healthy fish and wildlife resources and their habitats;

(4) enhance the potential for recreational uses and economic development of the Salton Sea; and

(5) ensure the continued use of the Salton Sea as a reservoir for irrigation drainage.

(c) FEASIBILITY STUDY.—

(1) IN GENERAL.—The Secretary shall promptly initiate a study of the feasibility of various options for meeting the requirements set forth in subsection (b). The purpose of the study shall be to select 1 or more practicable and cost-effective options and to develop a reclamation plan for the Salton Sea that implements the selected options. The study shall be conducted in accordance with the memorandum of understanding under paragraph (5).

(2) OPTIONS TO BE CONSIDERED.—Options considered in the feasibility study—

(A) shall consist of—

(i) use of impoundments to segregate a portion of the waters of the Salton Sea in 1 or more evaporation ponds located in the Salton Sea basin;

(ii) pumping water out of the Salton Sea;

(iii) augmented flows of water into the Salton Sea; and

(iv) a combination of the options referred to in clauses (i), (ii), and (iii); and

(B) shall be limited to proven technologies.

(3) CONSIDERATION OF COSTS.—In evaluating the feasibility of options, the Secretary shall consider the ability of Federal, tribal, State and local government sources and private sources to fund capital construction costs and annual operation, maintenance, energy, and replacement costs. In that consideration, the Secretary may apply a different cost-sharing formula to capital construction costs than is applied to annual operation, maintenance, energy, and replacement costs.

(4) SELECTION OF OPTIONS AND REPORT.—Not later than 12 months after commencement of the feasibility study under this subsection, the Secretary shall—

(A) submit to the Congress a report on the findings and recommendations of the feasibility study, including—

(i) a reclamation plan for the Salton Sea that implements the option or options selected under paragraph (1); and

(ii) specification of the construction activities to be carried out under subsection (d); and

(B) complete all environmental compliance and permitting activities required for those construction activities.

(5) MEMORANDUM OF UNDERSTANDING.—(A) The Secretary shall carry out the feasibility study in accordance with a memorandum of understanding entered into by the Secretary, the Salton Sea Authority, and the Governor of California.

(B) The memorandum of understanding shall, at a minimum, establish criteria for evaluation and selection of options under paragraph (1), including criteria for determining the magnitude and practicability of costs of construction, operation, and maintenance of each option evaluated.

(d) CONSTRUCTION.—

(1) INITIATION.—Upon expiration of the 60-day period beginning on the date of submission of the feasibility study report under subsection (c)(4), and subject to paragraph (2) of this subsection, the Secretary shall initiate construction of the Project.

(2) COST-SHARING AGREEMENT.—The Secretary may not initiate construction of the Project unless, within the 60-day period referred to in paragraph (1), the Secretary, the Governor of California, and the Salton Sea Authority enter into an agreement establishing a cost-sharing formula that applies to that construction.

(e) DETERMINATION OF METHOD FOR DISPOSING OF PUMPED-OUT WATER.—The Secretary shall, concurrently with conducting the feasibility study under subsection (c), initiate a process to determine how and where to dispose permanently of water pumped out of the Salton Sea in the course of the Project.

(f) RELATIONSHIP TO OTHER LAW.—

(1) RECLAMATION LAWS.—Activities authorized by this section or any other law to implement the Project shall not be subject to the Act of June 17, 1902 (32 Stat. 388; 43 U.S.C. 391 et seq.), and Acts amendatory thereof and supplemental thereto. Amounts expended for those activities shall be considered nonreimbursable and nonreturnable for purposes of those laws. Activities carried out to implement the Project and the results of those activities shall not be considered to be a supplemental or additional benefit for purposes of the Reclamation Reform Act of 1982 (96 Stat. 1263; 43 U.S.C. 390aa et seq.).

(2) PRESERVATION OF RIGHTS AND OBLIGATIONS WITH RESPECT TO THE COLORADO RIVER.—This section shall not be considered to supersede or otherwise affect any treaty, law, or agreement governing use of water from the Colorado River. All activities to implement the Project under this section must be carried out in a manner consistent with rights and obligations of persons under those treaties, laws, and agreements.

(3) LIMITATION ON ADMINISTRATIVE AND JUDICIAL REVIEW.—(A) The actions taken pursuant to this title which relate to the construction and completion of the Project, and that are covered by the final environmental impact statement for the Project issued under subsection (c)(4)(B), shall be taken without further action under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

(B) Subject to paragraph (2), actions of Federal agencies concerning the issuance of necessary rights-of-way, permits, leases, and other authorizations for construction and initial operation of the Project shall not be subject to judicial review under any law, except in a manner and to an extent substantially similar to the manner and extent to which actions taken pursuant to the Trans-Alaska Pipeline Authorization Act are subject to review under section 203(d) of that Act (43 U.S.C. 1651(d)).

(g) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Secretary to carry out the Project the following:

(1) For the feasibility study under subsection (c) and completion of environmental compliance and permitting required for construction of the Project, $22,500,000.

(2) For construction of the Project, $300,000,000.

SEC. 102. CONCURRENT WILDLIFE RESOURCES STUDIES.

(a) IN GENERAL.—The Secretary shall provide for the conduct, concurrently with the feasibility study under section 101(c), of studies of hydrology, wildlife pathology, and toxicology relating to wildlife resources of the Salton Sea by Federal and non-Federal entities.

(b) SELECTION OF TOPICS AND MANAGEMENT OF STUDIES.—

(1) IN GENERAL.—The Secretary shall establish a committee to be known as the ''Salton Sea Research Management Committee''. The Committee shall select the topics of studies under this section and manage those studies.

(2) MEMBERSHIP.—The committee shall consist of 5 members appointed as follows:

(A) 1 by the Secretary.

(B) 1 by the Governor of California.

(C) 1 by the Salton Sea Authority.

(D) 1 by the Torres Martinez Desert Cahuilla Tribal Government.

(E) 1 appointed jointly by the California Water Resources Center, the Los Alamos National Laboratory, and the Salton Sea University Research Consortium.

(c) COORDINATION.—The Secretary shall require that studies under this section are conducted in coordination with appropriate Federal agencies and California State agencies, including the California Department of Water Resources, California Department of Fish and Game, California Resources Agency, California Environmental Protection Agency, California Regional Water Quality Board, and California State Parks.

(d) PEER REVIEW.—The Secretary shall require that studies under this section are subjected to peer review.

(e) AUTHORIZATION OF APPROPRIATIONS.—For wildlife resources studies under this section there are authorized to be appropriated to the Secretary $5,000,000.

SEC. 103. SALTON SEA NATIONAL WILDLIFE REFUGE RENAMED AS SONNY BONO SALTON SEA NATIONAL WILDLIFE REFUGE.

(a) REFUGE RENAMED.—The Salton Sea National Wildlife Refuge, located in Imperial County, California, is hereby renamed and shall be known as the ''Sonny Bono Salton Sea National Wildlife Refuge''.

(b) REFERENCES.—Any reference in any statute, rule, regulation, executive order, publication, map, or paper or other document of the United States to the Salton Sea National Wildlife Refuge is deemed to refer to the Sonny Bono Salton Sea National Wildlife Refuge.

SEC. 104. ALAMO RIVER AND NEW RIVER IRRIGATION DRAIN WATER.

(a) RIVER ENHANCEMENT.—The Secretary shall conduct research and implement actions, which may include river reclamation, to treat irrigation drainage water that flows into the Alamo River and New River, Imperial County, California.

(b) COOPERATION.—The Secretary shall implement subsection (a) in cooperation with the Desert Wildlife Unlimited, the Imperial Irrigation District, California, and other interested persons.

(c) PERMIT EXEMPTION.—No permit shall be required under section 402 of the Federal Water Pollution Control Act (33 U.S.C. 1342) for actions taken under subsection (a).

(d) AUTHORIZATION OF APPROPRIATIONS.—For river reclamation and other irrigation drainage water treatment actions under this section, there are authorized to be appropriated to the Secretary $2,000,000.

TITLE II—EMERGENCY ACTION TO STABILIZE SALTON SEA SALINITY

SEC. 201. FINDINGS AND PURPOSES.

(a) FINDINGS.—The Congress finds the following:

(1) High and increasing salinity levels in Salton Sea are causing a collapse of the Salton Sea ecosystem.

(2) Ecological disasters have occurred in the Salton Sea in recent years, including the die-off of 150,000 eared grebes and ruddy ducks in 1992, over 20,000 water birds in 1994, 14,000 birds in 1996, including more than 1,400 endangered brown pelicans, and other major wildlife die-offs in 1998.

(b) PURPOSES.—The purpose of this title is to provide an expedited means by which the Federal Government, in conjunction with State and local governments, will begin arresting the ecological disaster that is overcoming the Salton Sea.

SEC. 202. EMERGENCY ACTION REQUIRED.

The Secretary shall promptly initiate actions to reduce the salinity levels of the Salton Sea, including—

(1) salt expulsion by pumping sufficient water out of the Salton Sea prior to December 1, 1998, to accommodate diversions under paragraph (2); and

(2) diversion into the Salton Sea of water available as a result of high-flow periods in late 1998 and early 1999.

The SPEAKER pro tempore. Pursuant to House Resolution 500, the amendment printed in House Report 105–624 is adopted.

The text of H.R. 3267, as amended, is as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Sonny Bono Memorial Salton Sea Reclamation Act''.

(b) TABLE OF CONTENTS.—The table of contents of this Act is as follows:

Sec. 1. Short title; table of contents.
Sec. 2. Findings.
Sec. 3. Definitions.

TITLE I—SALTON SEA RECLAMATION PROJECT

Sec. 101. Salton Sea Reclamation Project authorization.
Sec. 102. Concurrent wildlife resources studies.
Sec. 103. Salton Sea National Wildlife Refuge renamed as Sonny Bono Salton Sea National Wildlife Refuge.

Sec. 104. Relationship to other laws and agreements governing the Colorado River.
TITLE II—EMERGENCY ACTION TO IMPROVE WATER QUALITY IN THE ALAMO RIVER AND NEW RIVER
Sec. 201. Alamo River and New River irrigation drainage water.

SEC. 2. FINDINGS.

The Congress finds the following:

(1) The Salton Sea, located in Imperial and Riverside Counties, California, is an economic and environmental resource of national importance.

(2) The Salton Sea is critical as—

(A) a reservoir for irrigation, municipal, and stormwater drainage; and

(B) a component of the Pacific flyway.

(3) Reclaiming the Salton Sea will provide national and international benefits.

(4) The Federal, State, and local governments have a shared responsibility to assist in the reclamation of the Salton Sea.

SEC. 3. DEFINITIONS.

In this Act:

(1) The term ''Committees'' means the Committee on Resources and the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Energy and Natural Resources and the Committee on Environment and Public Works of the Senate.

(2) The term ''Project'' means the Salton Sea reclamation project authorized by section 101.

(3) The term ''Salton Sea Authority'' means the Joint Powers Authority by that name established under the laws of the State of California by a Joint Power Agreement signed on June 2, 1993.

(4) The term ''Secretary'' means the Secretary of the Interior, acting through the Bureau of Reclamation.

TITLE I—SALTON SEA RECLAMATION PROJECT

SEC. 101. SALTON SEA RECLAMATION PROJECT AUTHORIZATION.

(a) IN GENERAL.—The Secretary, in accordance with this section, shall undertake a project to reclaim the Salton Sea, California.

(b) PROJECT REQUIREMENTS.—The Project shall—

(1) reduce and stabilize the overall salinity of the Salton Sea;

(2) stabilize the surface elevation of the Salton Sea;

(3) reclaim, in the long term, healthy fish and wildlife resources and their habitats;

(4) enhance the potential for recreational uses and economic development of the Salton Sea; and

(5) ensure the continued use of the Salton Sea as a reservoir for irrigation drainage.

(c) FEASIBILITY STUDY.—

(1) IN GENERAL.—(A) The Secretary shall promptly initiate a study of the feasibility of various options for meeting the requirements set forth in subsection (b). The purpose of the study shall be to select 1 or more practicable and cost-effective options and to develop a reclamation plan for the Salton Sea that implements the selected options.

(B)(i) The Secretary shall carry out the feasibility study in accordance with a memorandum of understanding entered into by the Secretary, the Salton Sea Authority, and the Governor of California.

(ii) The memorandum of understanding shall, at a minimum, establish criteria for evaluation and selection of options under subparagraph (A), including criteria for determining the magnitude and practicability of costs of construction, operation, and maintenance of each option evaluated.

(2) OPTIONS TO BE CONSIDERED.—Options considered in the feasibility study—

(A) shall consist of—

(i) use of impoundments to segregate a portion of the waters of the Salton Sea in 1 or more evaporation ponds located in the Salton Sea basin;

(ii) pumping water out of the Salton Sea;

(iii) augmented flows of water into the Salton Sea;

(iv) a combination of the options referred to in clauses (i), (ii), and (iii); and

(v) any other economically feasible remediation option the Secretary considers appropriate;

(B) shall be limited to proven technologies; and

(C) shall not include any option that—

(i) develops or promotes an ongoing reliance on Colorado River water; or

(ii) is inconsistent with section 104 (b) or (c).

(3) PROJECT DESIGN CALCULATIONS.—In making Project design calculations, the Secretary shall apply assumptions regarding water inflows into the Salton Sea Basin that—

(A) encourage water conservation;

(B) account for transfers of water out of the Salton Sea Basin;

(C) are based on the maximum likely reduction in inflows into the Salton Sea Basin; and

(D) include the assumption that inflows into the Salton Sea Basin could be reduced to 800,000 acre-feet or less per year.

(4) CONSIDERATION OF COSTS.—In evaluating the feasibility of options, the Secretary shall consider the ability of Federal, tribal, State and local government sources and private sources to fund capital construction costs and annual operation, maintenance, energy, and replacement costs. In that consideration, the Secretary may apply a cost sharing formula to annual operation, maintenance, energy, and replacement costs that is different than the formula that applies to construction costs under subsection (e).

(5) INTERIM REPORT.—Not later than 270 days after the date of enactment of this Act, the Secretary shall submit to the Congress an interim report on the study. The interim report shall include—

(A) a summary of the options considered in the study for the reclamation of the Salton Sea; and

(B) any preliminary findings regarding preferred options for reclamation of the Salton Sea.

(6) REPORT AND PLAN.—Not later than 18 months after funds have been made available to carry out the feasibility study under this subsection, the Secretary shall—

(A) submit to the Committees a report on the findings and recommendations of the feasibility study, including—

(i) the reclamation plan for the Salton Sea pursuant to paragraph (1), including a cost sharing formula for operation and maintenance; and

(ii) complete specifications of the construction activities to be carried out under subsection (e), that are sufficient to use for soliciting bids for those activities, including professional engineering and design specifications and drawings and professional engineer cost estimates; and

(B) complete all environmental compliance and permitting activities required for those construction activities.

(d) CONGRESSIONAL REVIEW OF REPORT AND RECLAMATION PLAN.—

(1) REVIEW BY COMMITTEES.—After receipt of the report of the Secretary under subsection (c)(6), each of the Committees shall—

(A) adopt a resolution approving the reclamation plan included in the report; or

(B) adopt a resolution disapproving the reclamation plan and stating the reasons for that disapproval.

(2) RECLAMATION PLAN DEEMED APPROVED.—If any of the Committees fails to adopt a resolution under paragraph (1)(A) or (B) within 60 legislative days (excluding days on which Congress is adjourned sine die or either House is not in session because of an adjournment of more than 3 days to a day certain) after the date of submission of the report by the Secretary under subsection (c)(6), that Committee is deemed to have approved the reclamation plan included in the report.

(e) CONSTRUCTION.—

(1) INITIATION.—Subject to paragraph (2) of this subsection and the availability of appropriations, the Secretary shall initiate construction of the Project.

(2) COST SHARING.—The Federal share of the costs of construction of the Project shall not exceed 50 percent of the total cost of that construction.

(3) COST SHARING AGREEMENT.—The Secretary may not initiate construction of the Project unless the Secretary, the Governor of California, and the Salton Sea Authority enter into an agreement that—

(A) adopts the cost sharing formula for annual operation, maintenance, energy, and replacement costs that is included in the reclamation plan approved by the Committees under subsection (d); and

(B) implements the cost sharing requirement under paragraph (2) of this subsection for construction costs.

(4) LIMITATION ON EXPENDITURE OF FEDERAL FUNDS.—No Federal funds may be expended for any construction activity under the Project unless there are available to the Secretary from non-Federal sources amounts sufficient to pay the non-Federal share of the cost of the activity.

(f) RELATIONSHIP TO OTHER LAW.—

(1) RECLAMATION LAWS.—Activities authorized by this Act or any other law to implement the Project shall not be subject to the Act of June 17, 1902 (32 Stat. 388; 43 U.S.C. 391 et seq.), and Acts amendatory thereof and supplemental thereto. Amounts expended for those activities shall be considered nonreimbursable for purposes of those laws. Activities carried out to implement the Project and the results of those activities shall not be considered to be a supplemental or additional benefit for purposes of the Reclamation Reform Act of 1982 (96 Stat. 1263; 43 U.S.C. 390aa et seq.).

(2) PRESERVATION OF RIGHTS AND OBLIGATIONS WITH RESPECT TO THE COLORADO RIVER.—This Act shall not be considered to supersede or otherwise affect any treaty, law, or agreement governing use of water from the Colorado River. All activities to implement the Project under this Act must be carried out in a manner consistent with rights and obligations of persons under those treaties, laws, and agreements.

(3) JUDICIAL REVIEW.—Any complaint or challenge of any decision, action, or authorization taken pursuant to this Act shall be filed in a United States district court within 60 days after the date of the decision, action, or the authorization. Such court shall have jurisdiction to resolve any complaint or challenge in accordance with chapter 7 of title 5, United States Code, except that the court shall expedite its review as necessary to ensure that remedial actions at the Salton Sea are not unduly or inappropriately delayed. If a temporary restraining order or preliminary injunction is entered into by a court, the court shall proceed to a final judgment in the matter within 90 days thereafter.

(4) LIMITATION ON LIABILITY.—(A) In regard to any actions, programs, or projects implemented by the Secretary under the authority of this Act, the Imperial Irrigation District and Coachella Valley Water District shall not be liable for any damages arising from—

(i) enlargement of the Salton Sea and the encroachment of water onto adjacent lands;

(ii) reduction of the elevation of the Salton Sea, including exposure of lakebed sediments to the environment; or

(iii) any other occurrence which might result in a claim of damage by any owner of property adjacent to the Salton Sea or any other person.

(B) No person, including the Imperial Irrigation District, California, the Coachella Valley Water District, California, the Salton Sea Authority, the Metropolitan Water District of Southern California, and the San Diego County Water Authority, but not including the Government of the United States, shall be liable for damages arising from any effects to the Salton Sea or its bordering area resulting from—

(i) cooperation with the Secretary in regard to any actions, programs, or projects implemented pursuant to this Act;

(ii) any action to comply with an order of the Secretary under this Act, a State or Federal court, or a State or Federal administrative or regulatory agency interpreting this Act; or

(iii) any other action that reduces the volume of water that flows directly or indirectly into the Salton Sea.

(C) This title shall not be construed to exempt any person, including the Imperial Irrigation District, California, the Coachella Valley Water District, California, the Salton Sea Authority, the Metropolitan Water District of Southern California, and the San Diego County Water Authority, from—

(i) any requirements established under the California Environmental Quality Act or the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.); or

(ii) any obligations otherwise imposed by law.

(D) The limitation on liability of the United States contained in section 3 of the Act entitled ''An Act for the control of floods on the Mississippi River and its tributaries, and for other purposes'', approved May 15, 1928 (chapter 569; 33 U.S.C. 702c), shall not apply to surplus flood flows that are diverted to the Salton Sea pursuant to this Act.

(g) AUTHORIZATION OF APPROPRIATIONS.—

(1) IN GENERAL.—There are authorized to be appropriated to carry out the Project the following:

(A) For the feasibility study under subsection (c), including preparation and any revision of the reclamation plan under subsections (c) and (d), and completion of environmental compliance and permitting required for construction of the Project, $22,500,000.

(B) For construction of the Project in accordance with a reclamation plan approved by the Committees, $350,000,000.

(2) ALLOCATION OF APPROPRIATIONS.—Amounts authorized under paragraph (1)(B) may be appropriated to the Administrator of the Environmental Protection Agency and the Secretary of the Interior in amounts that ensure that neither the Administrator nor the Secretary is appropriated substantially all of the Project construction costs.

(3) APPROPRIATIONS TO THE ADMINISTRATOR OF THE ENVIRONMENTAL PROTECTION AGENCY.—Amounts appropriated under paragraph (1)(B) to the Administrator of the Environmental Protection Agency shall be directly available to the Secretary.

(4) APPROPRIATIONS TO THE SECRETARY OF THE INTERIOR.—Amounts appropriated under paragraph (1)(B) to the Secretary may be—

(A) derived from the land and water conservation fund;

(B) appropriated to the Bureau of Reclamation; or

(C) any combination of subparagraphs (A) and (B);

as specified in appropriations Acts.

SEC. 102. CONCURRENT WILDLIFE RESOURCES STUDIES.

(a) IN GENERAL.—The Secretary shall provide for the conduct, concurrently with the feasibility study under section 101(c), of studies of hydrology, wildlife pathology, and toxicology relating to wildlife resources of the Salton Sea by Federal and non-Federal entities.

(b) SELECTION OF TOPICS AND MANAGEMENT OF STUDIES.—

(1) IN GENERAL.—The Secretary shall establish a committee to be known as the ''Salton Sea Research Management Committee''. The committee shall select the topics of studies under this section and manage those studies.

(2) MEMBERSHIP.—The committee shall consist of the following 5 members:

(A) The Secretary.

(B) The Governor of California.

(C) The Executive Director of the Salton Sea Authority.

(D) The Chairman of the Torres Martinez Desert Cahuilla Tribal Government.

(E) The Director of the California Water Resources Center.

(c) COORDINATION.—The Secretary shall require that studies under this section are coordinated through the Science Subcommittee which reports to the Salton Sea Research Management Committee. In addition to the membership provided for by the Science Subcommittee's charter, representatives shall be invited from the University of California, Riverside; the University of Redlands; San Diego State University; the Imperial Valley College; and Los Alamos National Laboratory.

(d) PEER REVIEW.—The Secretary shall require that studies under this section are subjected to peer review.

(e) AUTHORIZATION OF APPROPRIATIONS.—For wildlife resources studies under this section there are authorized to be appropriated to the Secretary from the land and water conservation fund $5,000,000.

SEC. 103. SALTON SEA NATIONAL WILDLIFE REFUGE RENAMED AS SONNY BONO SALTON SEA NATIONAL WILDLIFE REFUGE.

(a) REFUGE RENAMED.—The Salton Sea National Wildlife Refuge, located in Imperial County, California, is hereby renamed and shall be known as the ''Sonny Bono Salton Sea National Wildlife Refuge''.

(b) REFERENCES.—Any reference in any statute, rule, regulation, executive order, publication, map, or paper or other document of the United States to the Salton Sea National Wildlife Refuge is deemed to refer to the Sonny Bono Salton Sea National Wildlife Refuge.

SEC. 104. RELATIONSHIP TO OTHER LAWS AND AGREEMENTS GOVERNING THE COLORADO RIVER.

(a) PRESERVATION OF RIGHTS AND OBLIGATIONS WITH RESPECT TO THE COLORADO RIVER.—Nothing in this Act shall be construed to alter, amend, repeal, modify, interpret, or to be in conflict with the provisions of the Colorado River Compact (45 Stat. 1057), the Upper Colorado River Basin Compact (63 Stat. 31), the Water Treaty of 1944 with Mexico (Treaty Series 944, 59 Stat. 1219 and Minute 242 thereunder), the Colorado River Basin Salinity Control Act of 1974 (94 Stat. 1063), the Flood Control Act of 1944 (58 Stat. 887), the decree entered by the United States Supreme Court in Arizona v. California, et al. (376 U.S. 340) (1964) and decrees supplemental thereto, the Boulder Canyon Project Act (45 Stat. 1057), the Boulder Canyon Project Adjustment Act (45 Stat. 774), the Colorado River Storage Project Act (70 Stat. 105), the Colorado River Basin Project Act (82 Stat. 885), including the Criteria for Coordinated Long Range Operation of Colorado River Reservoirs and the Annual Operating Plans developed thereunder, the San Luis Rey Indian Water Rights Settlement Act (102 Stat. 4000), any contract entered into pursuant to section 5 of the Boulder Canyon Project Act, or any other entitlement to the use of the Colorado River existing pursuant to or recognized by Federal law. Furthermore, nothing contained in this Act shall be construed as indicating an intent on the part of the Congress to change the existing relationship of Federal law to the laws of the States or political subdivisions of a State with regard to the diversion and use of Colorado River water, or to relieve any person of any obligation imposed by any law of any State, tribe, or political subdivision of a State. No provision of this Act shall be construed to invalidate any provision of State, tribal, or local law unless there is a direct conflict between such provision and the law of the State, or political subdivision of the State or tribe, so that the two cannot be reconciled or consistently stand together.

(b) LIMITATION ON COLORADO RIVER WATER.—Nothing in this Act shall be construed to enlarge an existing entitlement or to create a new entitlement to Colorado River water for California or any user therein.

(c) FLOOD FLOWS.—In no event shall Colorado River water be diverted for Salton Sea restoration except as provided in this subsection. Diversion into the All-American Canal for delivery directly to the Salton Sea of flood flows in the Colorado River that are required by the Water Control Manual for Flood Control, Hoover Dam and Lake Mead, Colorado River, Nevada-Arizona, adopted February 8, 1984, and which would pass to Mexico in excess of the amount required to be delivered pursuant to the Mexican Water Treaty and Minute 242 thereunder may be made available to carry out the purposes of this Act. The volume of water diverted pursuant to this subsection shall be limited to the excess capacity of the All-American Canal to carry such flood flows after, and as, it has been used to meet existing obligations. The diversion of water from time to time under this subsection shall not give rise to any ongoing right to the recurrent use of such waters or the All American Canal or facilities.

TITLE II—EMERGENCY ACTION TO IMPROVE WATER QUALITY IN THE ALAMO RIVER AND NEW RIVER

SEC. 201. ALAMO RIVER AND NEW RIVER IRRIGATION DRAINAGE WATER.

(a) RIVER ENHANCEMENT.—

(1) IN GENERAL.—The Secretary is authorized and directed to promptly conduct research and construct river reclamation and wetlands projects to improve water quality in the Alamo River and New River, Imperial County, California, by treating water in those rivers and irrigation drainage water that flows into those rivers.

(2) ACQUISITIONS.—The Secretary may acquire equipment, real property, and interests in real property (including site access) as needed to implement actions under this section if the State of California, a political subdivision of the State, or Desert Wildlife Unlimited has entered into an agreement with the Secretary under which the State, subdivision, or Desert Wildlife Unlimited, respectively, will, effective 1 year after the date that systems for which the acquisitions are made are operational and functional—

(A) accept all right, title, and interest in and to the equipment, property, or interests; and

(B) assume responsibility for operation and maintenance of the equipment, property, or interests.

(3) TRANSFER OF TITLE.—Not later than 1 year after the date a system developed under this section is operational and functional, the Secretary shall transfer all right, title, and interest of the United States in and to all equipment, property, and interests acquired for the system in accordance with the applicable agreement under paragraph (2).

(4) MONITORING AND OTHER ACTIONS.—The Secretary shall establish a long-term monitoring program to maximize the effectiveness of any wetlands developed under this title and may implement other actions to improve the efficacy of actions implemented pursuant to this section.

(b) COOPERATION.—The Secretary shall implement subsection (a) in cooperation with the Desert Wildlife Unlimited, the Imperial Irrigation District, California, and other interested persons.

(c) CLEAN WATER ACT.—No permit shall be required under section 402 of the Federal Water Pollution Control Act (33 U.S.C. 1342) for a wetlands filtration or constructed wetlands project authorized by subsection (a)(1) of this section.

(d) AUTHORIZATION OF APPROPRIATIONS.—For river reclamation and other irrigation drainage water treatment actions under this section, there are authorized to be appropriated to the Secretary from the land and water conservation fund $3,000,000.

The SPEAKER pro tempore. After 1 hour of debate on the bill, as amended, it shall be in order to consider the further amendment printed in the CONGRESSIONAL RECORD, if offered by the gentleman from California (Mr. MILLER), or his designee, which shall be considered read and debatable for 1 hour, equally divided and controlled by the proponent and an opponent.

The gentleman from California (Mr. DOOLITTLE) and the gentleman from California (Mr. MILLER) each will control 30 minutes of debate on the bill.

The Chair recognizes the gentleman from California (Mr. DOOLITTLE).

Mr. DOOLITTLE. Mr. Speaker, I am going to yield my time to the gentleman from California (Mr. CALVERT) for purposes of control.

The SPEAKER pro tempore. Without objection, the gentleman from California (Mr. CALVERT) will control the time.

There was no objection.

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

Mr. Speaker, I thank my friend from California. As my colleagues can probably tell, he is not feeling well and so I will fill in for our able friend from California. I have a statement to read on his behalf.

Mr. Speaker, I appear on behalf of the gentleman from Alaska (Mr. DON YOUNG) for consideration of H.R. 3267, authored by our colleague the gentleman from California (Mr. DUNCAN HUNTER).

As many of my colleagues are aware, restoration of the Salton Sea was a primary concern of our late colleague, Sonny Bono. This bill, H.R. 3267, the Sonny Bono Memorial Salton Sea Reclamation Act, is designed to promote Sonny's dream of quickly and effectively restoring the Salton Sea.

This legislation will provide the authority to deal with issues affecting salinity and water levels at the Salton Sea. A great deal of work has been done to evaluate the causes of increased salinity as well as the periodic inundation and exposure of lands around the Sea. If we are ever to find and implement the solutions, the time for action is upon us. Water quality is at an all time low. The Sea can no longer serve as the recreation resource it once was, and wildlife populations continue to be adversely affected.

Land, recreational, and ecological values associated with the Sea have declined over the last two decades, due in large part to the rising salinity and surface elevation. Without efforts to reduce and stabilize the salinity levels, they will continue to rise and will have severe impacts on surrounding landowners, individuals who wish to use the Sea for recreation, and the existing fish and wildlife species.

H.R. 3267 establishes the process for determining and implementing an engineering solution to save the Sea, while also continuing the analysis to evaluate and ensure the long-term health of the Sea's wildlife populations. Additionally, this measure will authorize a water reclamation project along the New and Alamo Rivers, the major sources of water flowing into the Sea.

With that, Mr. Speaker, we obviously are in favor of moving this bill and opposing the Miller substitute.

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

Mr. MILLER of California. Mr. Speaker, I yield such time as she may consume to the gentlewoman from Colorado (Ms. DEGETTE).

Ms. DEGETTE. Mr. Speaker, I thank gentleman for yielding me this time, and I rise today in opposition to this bill, reluctantly, because I believe that there is a great need in the Salton Sea if we can begin to remediate all of the problems that it has. However, the legislation, as drafted, contains a number of anti-environmental provisions which could jeopardize the Sea's revitalization.

This bill provides unneeded exemptions from the Clean Water Act, it places time limits to judicial review associated with the project, and it improperly uses the Land and Water Conservation Fund to fund its cleanup. The LWCF provides funding for acquisition of high priority lands, and by diverting up to $350 million from the LWCF to the Salton Sea project, it jeopardizes the acquisition and protection of other high priority lands across the country. In fact, this funding exceeds the total of $270 million that Congress appropriated in fiscal year 1998 for LWCF acquisitions.

Consequently, I am supporting the Miller-Brown amendment, which authorizes an exhaustive 18-month study of the problems of the Salton Sea, combining both science and engineering considerations, to determine the best solution.

It is true we have ignored this important environmental problem for several decades, but that is even more reason why we should not rush in to a remediation without completing the necessary studies that we need to conduct. Therefore, I urge support of the Miller-Brown amendment and I urge a ''no'' vote on this legislation if that amendment does not pass.

Mr. CALVERT. Mr. Speaker, I yield 4 minutes to the gentleman from California (Mr. HUNTER), a gentleman who has a substantial portion of the Sea in his Congressional District and who has the privilege to represent Imperial County.

Mr. HUNTER. Mr. Speaker, I thank my friend for yielding to me, and I want to thank the gentleman from California (Mr. KEN CALVERT) for his great work, along with the gentleman from California (Mr. GEORGE BROWN) and the gentleman from California (Mr. JERRY LEWIS), and, of course, the gentlewoman from California (Mrs. MARY BONO) in putting this bill together.

This thing is really beyond being a remediation of a terrible problem. This total project, including the Salton Sea and the New River, is going to create one of the biggest wetlands in the United States. This is great news for people that love wildfowl and waterfowl and all the bird species. There are some 380 bird species that utilize the Salton Sea.

As the gentleman from California (Mr. DUKE CUNNINGHAM) said, it is a major piece of the Pacific flyway. It is a stop-over. In Imperial Valley, in fact, we actually have a bird festival, a waterfowl and bird festival, that attracts now thousands of people because the south end of the Salton Sea is one place where they stop on that sojourn from Canada, in some cases down to Mexico, in other cases all the way down to Central and South America.

We are going to build, along the 50 miles of desert river, from where New River enters the United States at Calexico and Mexicali, we are going to build 50 miles of marshes. And through those marshes we are going to sift New River.

So we really have three legs to this project. One is a desalinization problem. And that is the idea of diluting this salt before it gets up to 60,000 parts per million and kills the Sea.

The other part of this project, of course, is the Mexicali project. And that is the part I have talked to the gentleman from California (Mr. GEORGE MILLER) about, in many cases, and that is the part in which we join with Mexico, which we are doing right now, to wean the Mexican sewage system in Mexicali, Mexico, off the New River. Right now that system still breaks down at times and pours stuff into New River, and that waste ultimately makes it way up to the Salton Sea. So we are doing a totally new project with Mexico.

And, lastly, we are doing the third leg, of course, which is this 50 miles of desert river that we are going to build

into 50 miles of marshes that will host hundreds of bird species and be an enormous boon to everyone who loves wildlife and loves conservation. This is a great, great program.

And I just want to say one last thing, and that is simply that we had to have an exemption to the Clean Water Act because we cannot clean a river with marshes, according to the lawyers, under the Clean Water Act. It says if we take out the first bucketful of water, we have to return it in drinking water form. And using marshes to clean up rivers, which is environmentally accepted, is an incremental process. Some of the river is cleaned up in the first mile, some of the river in the second mile, some of the river in the third mile.

There are bull rushes, there are duck weed, there are pond weed, and all this various aquatic plants that take the bad stuff out of the water. Our environmentalists like that process. Unfortunately, when we wrote the law up here as congressmen, we made a little mistake and we made it so tight that we cannot use marshes to clean up rivers. So we have what ''60 Minutes'' has called the most polluted river in North America.

So let us use that good old common sense. We really worked with the environmental community in putting this thing together. We extended the time, the study period, from 12 to 18 months, because Secretary Babbitt thought he needed 18 months. Instead of blocking judicial review, we cannot have people sue in Federal Court every day until the Sea dies, so we just told the court to expedite that review. If somebody sues, give them their day in court, but do not wait years to bring them to court while the Sea dies. We think that is reasonable. That is something a lot of environmentalists should like, the fact that we are going to clean this thing up so it does not languish in courts. So we have touched on all those bases.

And once again I want to thank the gentleman from California (Mr. CALVERT), the gentlewoman from California (Mrs. BONO), and the gentleman from California (Mr. LEWIS), who has really been a driver in this process; but also the gentleman from California (Mr. JOHN DOOLITTLE), who came over here pretty much under the weather and really worked with us as we were putting this thing together. This is a great bill. Let us pass it and let us celebrate for the environment.

Mr. MILLER of California. Mr. Speaker, I yield myself such time as I may consume.

Let me just say that I hope that this debate does not get redundant, because I think there is a point at which, obviously, both parties to this debate believe that these studies should, in fact, be conducted so that we can make some determinations about how to clean up the Salton Sea, if in fact that is possible to do. But we have already heard some suggestions about how we are going to do that, and the suggestions are being made here in advance of those studies, and that is a problem we have.

In 1992, we tried to step up those studies and we passed legislation to step up those studies but, unfortunately, the appropriations for those studies have not been forthcoming. So here we are again now asking the Secretary of the Interior to engage in these studies and to report back to us in 18 months.

The substitute that the gentleman from California (Mr. GEORGE BROWN) and I will offer to this legislation later in the debate does exactly that. It coordinates a project, scientific studies, for 18 months, some of which the Secretary of the Interior has already started to undertake, and it requires an interim report after 9 months delineating what they think some of the alternatives will be and what the status of those alternatives and the studies are, and to have oversight hearings and to identify additional authorities if they need it. This puts the studies on the same timetable.

Then we would do what I think this bill does unconstitutionally, we would then come to the Congress, to the Committee on Resources, and ask them what is this project that we want authorized; do we want to authorize this project or do we not; do we want it this scale, smaller; or if there is going to be alternatives which the studies lay out, which alternative do we want to do.

I think that is simply a prudent use of the taxpayers' money. It does not slow this project down at all unless we believe that somehow by doing it this way today they are stealing the money and Members of Congress will not understand that we are talking about $380 million in a single project. Then I guess we want to do it today. Otherwise, we would do it in the regular order, as all Members of Congress do when they are representing projects that they are interested in.

For those reasons and for those distinctions between the bill, that is why the administration opposes this legislation. That is why almost every major environmental group opposes this legislation. It is why Taxpayers for Common Sense oppose this legislation. Because we have a terrible history in this Congress of authorizing water projects sometimes that are not thoroughly studied, and we go back and spend billions of dollars trying to correct the mistakes that were made because we did not put the proper foresight into them, or because we had the political rush on to do something that overwhelmed our good judgment, overwhelmed the science, and then we ended up funding something that, in fact, did not work, and either spent a lot of time with the Federal Government inheriting a huge amount of liability or trying to correct horrible environmental consequences of these projects.

□ 1745

And that has been true, and that is the life of these projects, whether this is the central Arizona projects, the Central Valley project in California, the central Utah project, the Garrison project. All of these were projects in the hundreds of millions of dollars where we ended up having to come back later and make major, major changes because of the unforeseen consequences and because of inadequate studies and because of an overwhelming political pressure to get this done.

Whatever it is that we do that we want to get done should be done based upon the sciences, and the Congress should have the opportunity to review that and then to authorize, and the key word there is to ''authorize,'' as the Justice Department points out in the President's statement of administration policy. That is the order. That is what the Constitution requires.

I think, in fact, that the Miller-Brown substitute will speed this process up because I think that is the alternative that has the best chance of being taken up in the Senate and passed by the Senate. This legislation will probably not pass the Senate. The chairman of the committee over there has said that he opposes this legislation. Our two Senators have opposed this legislation. Senator LOTT says if it is controversial and takes more than an hour, it probably will not go to the floor in the Senate.

So the purpose here of the gentleman from California (Mr. BROWN) and myself is to offer an amendment that we think preserves the intent, the purposes and the outcomes that everybody wants with respect to the Salton Sea in California, but does it, I think, in a simpler manner, in a more timely fashion, and one that is geared toward greater chance of success as the closing days of this session come into sight. And that is an important part of this consideration.

Finally, I would just say that no matter what funds we look at with respect to this project, whether the money comes out of the Atlanta Water Conservation Fund or whether the money comes out of EPA or the money comes out of the Bureau of Reclamation, we are talking about a major, major commitment of funds in this day and age.

As every Member can tell us, as they line up before the Committee on Appropriations and ask for small amounts of money to keep projects going, this one is a major commitment of any of the funds within any of those budgets with respect to construction projects in this day and age and in the budget constraints that we have. And I think that is another reason why we owe the regular order to the Members of Congress and to the taxpayers to do the studies and then come back and, if we determine it is justified, to reauthorize the project and to do it without all of these offenses to the Clean Water Act, to the questions of liability of the Federal

taxpayers if things go wrong in this project and to holding other people harmless who should have a stake in this legislation.

For those reasons, Mr. Speaker, when the time is appropriate, the gentleman from California (Mr. BROWN) and myself will be offering an amendment when it is allowed under the rule.

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

Mr. CALVERT. Mr. Speaker, I yield 4 minutes to my good friend the gentleman from upstate New York (Mr. BOEHLERT).

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

Mr. BOEHLERT. Mr. Speaker, I rise this afternoon in support of this Sonny Bono Memorial Salton Sea Reclamation Act.

The legislation before us today authorizes significant new resources to improve water quality and habitat for wildlife in and around the largest body of water in America's most populous State. Though concerns have been expressed by some about the way in which this project will be funded, and we are going to address that in a moment, there is no question that this bill will result in substantial improvement to a unique natural resource.

This legislation will result in the creation of extensive new wetlands critical to migrating waterfowl in the Pacific flyway. Thousands of ducks and geese and shore birds visit the Salton Sea each year. They do so now at their own peril.

This legislation will result in the removal of tons of pollutants daily that are now flowing into the Salton Sea. This legislation will protect and improve habitat for the birds and fish that depend on the Salton Sea for their survival. Indeed, I can make a good case that this legislation is proenvironment.

As this legislation was being developed, concerns were raised about its Clean Water Act provisions. As the chairman of the House Subcommittee on Water Resources and Environment, I worked with both the majority and minority members of the Committee on Resources to address the concerns presented.

The bill before us explicitly limits changes to the Clean Water Act's permitting process to constructed wetland projects, salt removal projects, and wetlands filtration projects on the Alamo and New Rivers, the two primary tributaries into the Salton Sea.

The bill also contains measures protecting Good Samaritans who undertake water quality improvement projects on the Alamo and New Rivers from lawsuits. Again, the inclusion of these measures was to expedite the pace of environmental restoration at the Salton Sea.

In a few minutes, there will be offered for unanimous consent language deleting the single largest outstanding concern, the use of Land and Water Conservation Funds for this project. I would hope that that would address the principal concern of so many of my colleagues and will enable them to support the bill.

I would like to remind my colleagues that the League of Conservation Voters and the Audubon Society have stated repeatedly that the Salton Sea is an environmental disaster. We are here today to take a critical step towards addressing this environmental disaster.

Some, instead of action now, will advocate a lengthy study of the problem that the environmental community concluded years ago to be an environmental disaster. This reminds me of the acid rain debate of the 1980s when Governor Tom Kean, Governor of New Jersey, said if all we do is continue to study the problem, we are going to end up with the worst documented environmental disaster in history.

We know the problem and we know the solution. I think the time to begin cleaning up the Salton Sea is long overdue. Let us get on with the job, and let us pay tribute in a responsible way to a former colleague who served in many respects as an inspiration to a lot of us in a lot of ways. And let us say to the sitting Member who represents that district who is advocating this legislation, she is doing a good job and we appreciate it and we are with her.

Mr. MILLER of California. Mr. Speaker, I yield myself 2 minutes just in response.

First of all, let us understand that the timetables for the studies is identically the same. The difference is that we asked for a coordination of the scientific studies and the salinity studies to see whether or not we can, in fact, come up with a solution.

The bill offered by the majority only deals with salinity. The birds and the fish are dying off today. It is not the salinity itself that is killing them. The salinity will get worse and in all likelihood will have a greater adverse impact on the fish kills and the bird die-offs.

But that is the point of how we constructed the study. So we have the information. There is no requirement in the bill to require the Secretary to consider all the available findings and reports that the science subcommittee established pursuant to this legislation. And we think that this is a very important part, because when we talk to the scientists, the scientists will tell us that it is not the salinity alone that is the problem. The salinity is an egregious problem, but it does not solve the problem of the Salton Sea.

So people obviously can say whatever they want, but they should not suggest that somehow this legislation is a diversion to lengthy studies. The time frame is the same. The studies are the same. The coordination is better. And the report back and the interim actions by the Secretary during those 18 months study so Congress will have the fullest amount of evidence and the best evidence available as they make a decision to commit $350 million, that is called for in this legislation.

Mr. Speaker, I yield such time as he may consume to the gentleman from Oregon (Mr. DEFAZIO).

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

For some reason, long ago, sometime when I was very young, I became aware of the Salton Sea and became kind of fascinated with this inland body of water created by a manmade engineering mistake and had been saddened in later life to see its incredible degradation, and in particular the highly publicized die-off of large numbers of migratory birds.

This is a very prime stopping point for migratory birds, so not only would it be a tremendous resource for the people of southern California in terms of its recreational values and environmental values, but also for migratory birds and things that would benefit all of us in the United States by having it appropriately restored to health.

That being said, we have a common objective. The problem here is the process. And I have got to say that I am a bit puzzled by recent actions in the committee on which I have served now for more than 11 years, formerly called the Interior Committee and formerly called Natural Resources, now called Resources. And I guess therein lies the rub. The current chairman removed the word ''natural'' from the title because he took some offense to that, and things have been a little bit weird ever since.

That is what is going on here today. We are considering a number of bills tomorrow in the Subcommittee on Water and Power that have some merit in terms of turning over reclamation projects to local districts, but the chairman of the subcommittee is going to insist on environmental waivers, which the President has promised will bring about vetoes on all of those, no matter what merit they might have.

I have the same problem with this legislation before us. Why not work out the differences with the administration?

I know that the majority does not like the reality of Bill Clinton in the White House. There are some days I do not like the reality of Bill Clinton in the White House. Other days it is okay.

The point is, it is a reality, and we have a lengthy statement of administration policy here which is pretty definitive. There are some problems we have to work out. Why not work out these problems and achieve our common objective, which is to clean up the Salton Sea?

I think that this was a great dream of our deceased member, and I fully am supportive of that dream. I would love to see it come to fruition in my lifetime, and I would like to see it happen without a lot of unnecessary delay, but there are substantive concerns here.

I am pleased to hear from the previous speaker that they are going to drop the proposal that the money come

out of the Land and Water Conservation Funds. That would have been an unprecedented expenditure, and that is fine. I am happy to find the money elsewhere in the budget. I can come up with some budgetary offsets to fund this, if it costs $350 million or half a billion or less. I do not know what it is going to cost, because the other concern here is I do not know that we know the solution at this point in time.

From what I heard in the committee and in the deliberations in the committee, we are not quite certain of how we are going to go forward, what technology or which one of these methods will work, what exactly are all the interrelationships between the salinity and the other pollution problems, the bird die-offs. None of this is totally explicable.

I do not think that the Miller bill is being offered in the spirit of trying to delay the cleanup. It is not being offered because of some sort of pride of authorship. It is a genuine attempt to get this thing done this year by this Congress and move it forward so that we can all live to see the cleanup of the Salton Sea. That is what is going on here.

These are not insignificant concerns. There is probably a constitutional problem with the way this bill is being written by the manager's amendment to require that the committees of jurisdiction basically sign off on the final project, and the Secretary would be subject to a resolution of the committees, not of the entire Congress.

I have been down that road with other legislation. That does not stand up to scrutiny. If some obstructive person wants to sue, they can delay this thing for years just because of that provision. Why have that provision? We could have an expedited congressional review. There are other ways to get around that problem. It just seems that that was done in haste and perhaps out of a desire to get this done, but I think it is a problem.

The Clean Water Act exemption, that is a problem. It is a problem with the administration. It is a problem with some Members on this side.

Limitations on liability, that should lie with both sides of the aisle. We do not want to expose the Federal taxpayers to have them assume new liabilities that they do not currently have when there are other responsible authorities who should share in any future liability that might arise.

Cost sharing, irrigators benefit. Irrigators are a big part of the problem in terms of the increased salinity in the chemical soup we are dealing with here. Why should not they have some cost sharing if they are going to continue to benefit and will doubly benefit by an improved and cleaner Salton Sea? There are a number of other minor provisions that are of concern.

□ 1800

But I rise out of a genuine concern that we do something significant here today, not just something symbolic, something that actually will be enacted into law.

Too many times that I have been here, both with my own party in charge and now with the Republicans in charge, we do things for the day or for the moment or to say we passed them out of the House of Representatives. Does not do us a lot of good if they do not get through the United States Senate and they do not get signed by the President of the United States. And a number of the problems that I am pointing out here that are addressed by the Miller substitute are problems that are going to cause problems in the other body and are going to cause big problems downtown.

So I would just urge us to move ahead deliberately with what I believe is probably the intent of all Members of this body, and that is to get this job done as expeditiously as possible and honor the memory of our diseased colleague.

Mr. CALVERT. Mr. Speaker, I yield such time as he may consume to the gentleman from Illinois (Mr. EWING).

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

I would like to thank Representatives' MARY BONO, DUNCAN HUNTER, and KEN CALVERT, as well as the rest of my colleagues who worked diligently to bring H.R. 3267 "The Sonny Bono Memorial Salton Sea Restoration Act" to the floor today.

This is an important piece of legislation which I am proud to be a cosponsor of.

The Salton Sea, located in both Riverside and Imperial counties in California, is the State's largest inland body of water.

It has been determined that the Salton Sea has about only 12 years of life left before it becomes a dead sea, whereby no life can be sustained. Passing H.R. 3267 goes a long way in preventing that from occurring.

What H.R. 3267 attempts to do is to simply improve the water quality of the Salton Sea by reducing the salinity, and to stabilize the elevation along the shoreline.

It does this by authorizing $22.5 million dollars for a feasibility study, environmental review, and an engineering design of a construction project.

The bill also authorizes 350 million dollars for a construction project for the Salton Sea. There is also a 50/50 cost share between the federal government and non-federal entities to finance such a project.

It is important to note that the Salton Sea is also a major stop over for avian species along the Pacific Flyway. This is the primary reason why the Salton Sea is of national importance, and why if it dies, it stands to take many birds with its decline.

In the past five years, hundreds of thousands of birds have died at the Sea. In fact, at least 17,000 birds have died at the Salton Sea this year along. It is vitally important that we act now, and not wait to address this desperate situation.

I believe we must take action to save the Salton Sea now, or risk losing a major environmental resource for not only the state of California, but the nation as a whole.

Again, I would like to thank Representatives' BONO, HUNTER, and CALVERT for all their hard work in bringing H.R. 3267 to the House floor today. This bill is a fitting tribute to my good friend, the late Sonny Bono. H.R. 3267 is a good bill and I urge my colleagues to vote "yes" on this important piece of legislation.

Mr. CALVERT. Mr. Speaker, I yield 2 minutes to the gentleman from San Diego, California (Mr. CUNNINGHAM).

Mr. CUNNINGHAM. Mr. Speaker, too often we hear about the wetlands, not too often because wetlands have been denigrated. But a plant in the middle of the desert, because it flourishes for a few weeks, is not a wetland, or something that is frozen at the top of a 12,000 foot peak for the last thousand years in my opinion is not a wetland. But the opponents say that they oppose this bill, and yet it creates 50 miles of wetlands complete with marshes that purify and clean the environment, 50 new miles with marshes that create wetland. The wetland that is saved and enhanced is the size of the Beltway here in Washington, D.C.

Mr. Speaker, we are not talking about a farm pond. We are talking about a sea so big that if we were in a boat, it is like being in an ocean. I have been there, and I think the gentleman from California (Mr. MILLER) has, too. But we are actually creating good with the wetlands.

The Miller substitute would study, and I agree there are other problems besides salinity with the Salton Sea. Agriculture is mostly to the south, though. Around the Salton Sea, if my colleagues have gone, it is all desert. The pollution comes in through the New River, and down, and filters, and that is what we are going to fix, but the farmlands are way to the south. They flow toward Mexico. They do not go in the Salton Sea. But yet I still think that pesticides and things like that are a problem for the birds that land in those farmlands, but not the Salton Sea.

And I would say to my friend that said that, well, the Senate, the two senators from California, are against this. The one gentlewoman from California, her views are so extreme she even opposed the tuna/dolphin bill which the President and the Vice President and five environmental groups supported.

So I would say support the bill, reject the Miller substitute.

Mr. CALVERT. Mr. Speaker, I yield 2 minutes to the gentleman from Santa Clara, California (Mr. MCKEON), my good friend.

Mr. MCKEON. Mr. Speaker, I thank the gentleman from California for yielding this time to me.

I am pleased to rise today in support of one of the most important pieces of environmental legislation that we will consider this year. Our late friend, Sonny Bono, worked hard and in a bipartisan manner to bring about awareness for the Salton Sea and would be proud that his efforts are now rewarded.

Mr. Speaker, the Salton Sea is a unique body of water, and it is a great

resource that should be preserved. Although it was created by accident 93 years ago, it is a potential jewel that we should do all that we can to save. However, the sea is unfortunately dying. According to studies, in only 12 years this body of water will become dead. It will not support life. Further complicating this problem is the presence of botulism in the water that has affected the native fish. As the fish become infected in the water, birds along the Pacific flyway eat the fish and retain and spread the disease. Since last year alone some 10,000 fish and 2,000 birds have perished.

Why is this important? Should the Salton Sea continue its decline to death, it will take with it many more birds and fish, thus robbing California and our Nation of a valuable environmental resource.

H.R. 3267 addresses these concerns and takes quick action to save this important body of water. This legislation provides funding for research, environmental review and engineering designs to stabilize the shoreline of the Salton Sea and reduce its salinity. It also provides for an expedited judicial review to ensure that this area will not become hostage to a lengthy court fight, given its relative short life expectancy.

Mr. Speaker, I urge my colleagues to join me in supporting this important legislation and the hard work that our colleague and my friend, the gentlewoman from California (Mrs. BONO), has made to improve our environment and finish the work begun by her late husband, Sonny.

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

Mr. Speaker, we have talked about many of the reasons why the Salton Sea is worth saving. I think that there is agreement on both sides of the aisle that we want to save the Salton Sea. The difference between the approach of the majority and the minority in this case is that we actually want to do something about it.

For over 30 years I have been reading newspaper articles about this study and that study, about amounts of money that have been going in to look at the catastrophe of the Salton Sea, and nothing has happened, and yet again today we talk about yet another study that leads potentially nowhere. The great difference between the proposal today by the Salton Sea Task Force is that we actually are going to do something about a problem that has existed for a long time, not talk about it, but actually do something about it.

People have talked about the birds, the fish, the recreational resources that are going to waste. We can talk about that until the sea dies. And, Mr. Speaker, Sonny was a person that spoke plainly, so I will speak plainly: It is time that we do something about this, and that is why we are here.

Fifteen million people live near the Salton Sea. Actually much more than that around the southwest United States utilizes it and have for many years. It would be a shame if today we let this opportunity pass us by.

So I am hopeful that today we will pass the bill, we will defeat the Miller substitute, and we can be proud of the fact that we are going to save the Salton Sea for future generations.

Mr. Speaker, I yield such time as she may consume to the gentlewoman from California (Mrs. BONO) who represents the beautiful area of Palm Springs and a good part of the Salton Sea who has really taken over the fight to save the Salton Sea.

Mrs. BONO. Mr. Speaker, today I rise in support of the bill, H.R. 3267, the Sonny Bono Memorial Salton Sea Reclamation Act. The Salton Sea is California's largest inland body of water, and it sits in both my and the gentleman from California (Mr. HUNTER'S) district. This great body of water was formed by accident in 1905 and since then has become an integral part of the region's ecosystem system. In fact, it also now home to over 300 native bird species. It provides a major stopover on the Pacific flyway and up until a few years ago provided enjoyment for thousands of tourists who came to view this magnificent wonder. Unfortunately, its health is in jeopardy.

The Salton Sea, quite simply, is on a death watch. It has been estimated that if nothing is done to reverse the salinity content of the sea, it will die within 10 to 15 years. Currently, the Salton Sea is 25 percent saltier than that of the Pacific ocean, and the selenium is rising. Over the past few years more than 100,000 birds have died due to avian botulism. These numbers will continue to rise. It will only get worse. We must act fast to save this great body of water.

H.R. 3267 provides the framework for this action. Named after my late husband, Sonny, and authored by my good friend and fellow task force member, the gentleman from California (Mr. DUNCAN HUNTER), H.R. 3267 sets forth the process to reclaim the Salton Sea. A vote for H.R. 3267 is a vote for the environment. There is no other way to describe it.

I invite any of my colleagues to come visit the Salton Sea so they can witness firsthand the devastation that has occurred in this part of the country, the pictures of dead birds lying around the shoreline along with the stench of the body of water would make anybody's stomach turn. However, in contrast, as one comes up upon the Salton Sea from a distance, it is one of the most beautiful sights anyone's eyes may ever witness. It is like an oasis in the middle of the desert, as Sonny used to say, yet there are those who advocate the Salton Sea should just dry up and die.

Quite frankly, this is not an option. This is one of the most dynamic ecosystems in North America, teaming with avian and aquatic life. Also what would be accomplished by killing the sea? Absolutely nothing. With over 90 percent of all wetlands in southern California lost, we would destroy one of the last remaining stopovers in the Pacific flyway. We would only compound the fish and bird deaths. All that would be accomplished is that the bad environmental problem would be made worse.

Is that what people want, and is that pro-environment?

To those who argue for more study I say is not 20 years enough? Is that not enough time to study this problem?

Contrary to public opinion, Sonny was not the first person to notice the Salton Sea and that it was in dire shape. In fact, this problem was first brought forth by Jerry Pettis back in the early 1970s. If action was taken then to address this problem, we would not be here today talking about this urgent need to save the sea. But the sea was put on the back burner then, not getting the attention it needed or deserved. Other projects in California took center stage, and the sea became worse.

Well, my fellow colleagues, the sea cannot be put on the back burner any longer. Action needs to be taken, and H.R. 3267 must be passed.

At this time, Mr. Speaker, I would like to take a moment to thank all of the people who have been involved with this bill. First and foremost, I would like to thank the Salton Sea Task Force members, the gentleman from California (Mr. HUNTER), the gentleman from California (Mr. LEWIS), the gentleman from California (Mr. CALVERT), and the gentleman from California (Mr. BROWN) for keeping Sonny's dream of restoring the Salton Sea alive with this bill. These are the people that guided me through much of this debate surrounding H.R. 3267, and I owe them my deepest gratitude.

Secondly, I want to thank the gentleman from California (Mr. DOOLITTLE) for his leadership and hard work guiding this bill through his Subcommittee on Resources. He always made time for me when I had questions, and I thank him for his efforts.

I would also like to thank the gentleman from Alaska (Mr. YOUNG) for allowing this bill to be brought before his committee. Without him we would not be here today.

I especially want to thank the gentleman from Georgia (Mr. GINGRICH) for making the Salton Sea a major environmental cause for the 105th Congress. Again, I want to thank Speaker GINGRICH. I know he was deeply moved by the carnage of the Salton Sea when he came out to visit it shortly after Sonny's death, and I knew at this point by the look in his eyes he believed then that it was good public policy.

I also want to thank Tony Orlando on my staff and all the members of staff who have worked hard on this bill.

And, lastly, I want to thank all of those whose footsteps I walked behind, the Members who spoke of the need and urgency to save the Salton Sea, but whose pleas fell on deaf ears, people like Julie and Jerry and Shirley Pettis,

Al McCandless, and, most of all, Sonny whom this bill is in memory of. Their voices are on this bill, Sonny's voice is on this bill, and I proudly stand in support.

Mr. Speaker, I urge a yes vote on H.R. 3267.

Mr. SHUSTER. Mr. Speaker, I rise in support of H.R. 3267, the Sonny Bono Memorial Salton Sea Reclamation Act.

This legislation offers an opportunity to restore the Salton Sea for recreational and ecological purposes and to improve water quality in the Alamo River and the New River.

The Committee on Transportation and Infrastructure has an interest in several sections of this bill, particularly section 101, which authorizes the project to, among other things, improve water quality in the Salton Sea by reducing salinity, including authorization of appropriations to carry out this project to the Environmental Protection Agency; and section 201, which authorizes actions to improve water quality in the Alamo River and New River, including a waiver of section 402 of the Federal Water Pollution Control Act for those persons who utilize a wetland filtration or constructed wetlands project to improve such water quality.

I would like to thank the leadership of the Resources Committee for working with me on these provisions. The Young-Doolittle substitute addresses some of the concerns over the source of funding for this important project by ensuring that the cost of construction is divided between EPA and the Department of Interior such that neither agency funds substantially all of the project. The intent of this provision is to allow this project to be funded without adversely affecting other important projects funded by either EPA or the Department of Interior.

The Young-Doolittle substitute also addresses concerns over the waiver of Clean Water Act permitting by clarifying that this waiver applies only to wetlands filtration and constructed wetlands projects to improve water quality in the Alamo River and the New River.

Even though it is not clear that these wetlands projects even require a Clean Water Act permit, it is an unfortunate reality that, under the Clean Water Act, someone can be sued for stepping in and taking action to improve water quality. For example, in Calaveras County, California, the local community took action to protect its water supply by building some dams and holding ponds to reduce runoff from an abandoned mine. They were sued by an environmental group who got the court to agree that, by taking action to protect their water supply, they became responsible for bringing the abandoned mine into compliance with the Clean Water Act, which will cost over $10 million.

We need to protect Good Samaritans from similar lawsuits under the Clean Water Act so they will be willing to step forward and take action to improve water quality in the Alamo and New Rivers.

I urge members to support this important legislation.

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

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

□ 1815

AMENDMENT OFFERED BY MR. BOEHLERT

Mr. BOEHLERT. Mr. Speaker, I offer an amendment and I ask unanimous consent that it be adopted.

The SPEAKER pro tempore. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. BOEHLERT:

Amend the proposed section 101(g)(4) to read as follows: ''(4) APPROPRIATIONS TO THE SECRETARY OF THE INTERIOR.—Amounts appropriated under paragraph (1)(B) to the Secretary may be appropriated to the Bureau of Reclamation as specified in appropriations Acts.''.

Mr. BOEHLERT (during the reading). Mr. Speaker, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

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

There was no objection.

The SPEAKER pro tempore. Is there objection to the original request of the gentleman from New York?

Mr. MILLER of California. Mr. Speaker, I reserve the right to object for the purpose of having the gentleman explain his amendment.

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

Mr. MILLER of California. I yield to the gentleman from New York.

Mr. BOEHLERT. Mr. Speaker, essentially the amendment deletes on page 14 of the bill paragraph 4, subsections (A) and (C), to make it abundantly clear that we are not going to have a raid on the land and water conservation fund to finance the program.

The environmental community raised this objection as its principal objection to the bill. I have here a letter signed by a whole host of representatives from key environmental organizations with whom the gentleman from California (Mr. MILLER) and I work very closely and have over the years. They point out that they are strongly supportive of efforts to clean up the Salton Sea, but they are specific in their strong objection to the authorization of funding from the land and water conservation fund. We agree with that, and I am pleased to report that this amendment would eliminate that principal objection.

I am not trying to suggest to anyone that this eliminates all of the objections; it does not, as the gentleman from California (Mr. MILLER) and I both know. But I think this makes a major improvement to the bill, and I am pleased to offer the amendment.

Mr. MILLER of California. Mr. Speaker, reclaiming my time, I thank the gentleman for his last point, because the environmental groups continue to oppose this legislation even with this amendment, should it be accepted.

I would also like to raise the question, because I think the amendment needs to be fixed here for a second, because land and water conservation funds are also used for the wildlife studies and for the river reclamation and drainage and water treatment to the tune of about $8 million. I would ask that the gentleman's amendment include those, since those are unauthorized purposes for which the land and water conservation fund is created.

Mr. BOEHLERT. Mr. Speaker, if the gentleman would be so kind as to jot that down.

Mr. MILLER of California. I think the gentleman amends proposed section 101(g)(4), which does what the gentleman said it does. But in another section of the bill, in section 102(e) and section 201(d), there is additional monies coming from the land and water conservation fund. I would just ask that those also be made a part of this amendment so that we do not use any of this for unauthorized purposes.

Mr. BOEHLERT. Mr. Speaker, if the gentleman will yield further, I do not think I have an objection. The gentleman and I have worked so well over the years, and we are in basic agreement on this. I would like to see it in writing, if the gentleman could just jot it down.

Mr. MILLER of California. Mr. Speaker, if the gentleman wants to go ahead without prejudice and work out this language, I am be glad to do that.

Mr. BOEHLERT. Mr. Speaker, I withdraw the amendment for now.

AMENDMENT IN THE NATURE OF A SUBSTITUTE OFFERED BY MR. MILLER OF CALIFORNIA

Mr. MILLER of California. Mr. Speaker, I offer an amendment in the nature of a substitute, Amendment No. 1, printed in the RECORD.

The SPEAKER pro tempore. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment in the Nature of a Substitute Offered by Mr. MILLER of California:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Sonny Bono Memorial Salton Sea Restoration Act''.

SEC. 2. FINDINGS.

The Congress finds the following:

(1) The Salton Sea, located in Imperial and Riverside Counties, California, is an economic and environmental resource of national importance.

(2) The Salton Sea is a critical component of the Pacific flyway. However, the concentration of pollutants in the Salton Sea has contributed to recent die-offs of migratory waterfowl.

(3) The Salton Sea is critical as a reservoir for irrigation, municipal, and stormwater drainage.

(4) The Salton Sea provides benefits to surrounding communities and nearby irrigation and municipal water users.

(5) Restoring the Salton Sea will provide national and international benefits.

SEC. 3. DEFINITIONS.

In this Act:

(1) The term ''Study'' means the Salton Sea study authorized by section 4.

(2) The term ''Salton Sea Authority'' means the Joint Powers Authority by that name established under the laws of the State of California by a Joint Power Agreement signed on June 2, 1993.

(3) The term ''Secretary'' means the Secretary of the Interior, acting through the Bureau of Reclamation.

SEC. 4. SALTON SEA RESTORATION STUDY AUTHORIZATION.

(a) IN GENERAL.—The Secretary, in accordance with this section, shall undertake a study of the feasibility of various alternatives for restoring the Salton Sea, California. The purpose of the Study shall be to select 1 or more practicable and cost-effective options for decreasing salinity and otherwise improving water quality and to develop a restoration plan that would implement the selected options. The Study shall be coordinated with preparation of an environmental impact statement pursuant to the National Environmental Policy Act of 1969 evaluating alternatives for restoration of the Salton Sea. The Study shall be conducted in accordance with the memorandum of understanding under subsection (g).

(b) STUDY GOALS.—The Study shall explore alternatives to achieve the following objectives:

(1) Reducing and stabilizing the overall salinity, and otherwise improving the water quality of the Salton Sea.

(2) Stabilizing the surface elevation of the Salton Sea.

(3) Reclaiming, in the long term, healthy fish and wildlife resources and their habitats.

(4) Enhancing the potential for recreational uses and economic development of the Salton Sea.

(5) Ensuring the continued use of the Salton Sea as a reservoir for irrigation drainage.

(c) OPTIONS TO BE CONSIDERED.—

(1) IN GENERAL.—Options considered in the Study shall include each of the following and any appropriate combination thereof:

(A) Use of impoundments to segregate a portion of the waters of the Salton Sea in 1 or more evaporation ponds located in the Salton Sea basin.

(B) Pumping water out of the Salton Sea.

(C) Augmented flows of water into the Salton Sea.

(D) Improving the quality of wastewater discharges from Mexico and from other water users in the Salton Sea basin.

(E) Water transfers or exchanges in the Colorado River basin.

(F) Any other feasible restoration options.

(2) LIMITATION TO PROVEN TECHNOLOGIES.—Options considered in the Study shall be limited to proven technologies.

(d) FACTORS TO BE CONSIDERED.—

(1) SCIENCE SUBCOMMITTEE FINDINGS AND REPORTS.—In evaluating the feasibility of options considered in the Study, the Secretary shall carefully consider all available findings and reports of the Science Subcommittee established pursuant to section 5(c)(2) and incorporate such findings into the project design alternatives, to the extent feasible.

(2) OTHER FACTORS TO BE CONSIDERED.—The Secretary shall also consider—

(A) the ability of Federal, tribal, State, and local government sources and private sources to fund capital construction costs and annual operation, maintenance, energy, and replacement costs;

(B) how and where to dispose permanently of water pumped out of the Salton Sea;

(C) the availability of necessary minimum inflows to the Salton Sea from current sources, including irrigation drainage water; and

(D) the potential impact of Salton Sea restoration efforts on the rights of other water users in the Colorado River Basin and on California's Colorado River water entitlement pursuant to the Colorado River Compact and other laws governing water use in the Colorado River Basin.

(e) INTERIM REPORT.—

(1) SUBMISSION.—Not later than 9 months after the Secretary first receives appropriations for programs and actions authorized by this title, the Secretary shall submit to the Congress an interim progress report on restoration of the Salton Sea. The report shall—

(A) identify alternatives being considered for restoration of the Salton Sea;

(B) describe the status of environmental compliance activities;

(C) describe the status of cost-sharing negotiations with State of California and local agencies;

(D) describe the status of negotiations with the Government of Mexico, if required; and

(E) report on the progress of New River and Alamo River research and demonstration authorized by this Act.

(2) CONGRESSIONAL ACTION.—Upon receipt of the interim report from the Secretary, the appropriate committees of the House of Representatives and the Senate shall promptly schedule and conduct oversight hearings to review implementation of the Salton Sea restoration plan included in the report under subsection (f), and to identify additional authorizations that may be required to effectuate plans and studies relating to the restoration of the Salton Sea.

(f) REPORT TO CONGRESS.—Not later than 18 months after commencement of the Study, the Secretary shall submit to the Congress a report on the findings and recommendations of the Study. The report shall include the following:

(1) A summary of options considered for restoring the Salton Sea.

(2) A recommendation of a preferred option for restoring the Salton Sea.

(3) A plan to implement the preferred option selected under paragraph (2).

(4) A recommendation for cost-sharing to implement the plan developed under paragraph (3). The cost-sharing recommendation may apply a different cost-sharing formula to capital construction costs than is applied to annual operation, maintenance, energy, and replacement costs.

(5) A draft of recommended legislation to authorize construction of the preferred option selected under paragraph (2).

(g) MEMORANDUM OF UNDERSTANDING.—

(1) IN GENERAL.—The Secretary shall carry out the Study in accordance with a memorandum of understanding entered into by the Secretary, the Salton Sea Authority, and the Governor of California.

(2) OPTION EVALUATION CRITERIA.—The memorandum of understanding shall, at a minimum, establish criteria for evaluation and selection of options under subsection (a), including criteria for determining the magnitude and practicability of costs of construction, operation, and maintenance of each option evaluated.

(h) RELATIONSHIP TO OTHER LAWS.—

(1) RECLAMATION LAWS.—Activities authorized by this section shall not be subject to the Act of June 17, 1902 (32 Stat. 388; 43 U.S.C. 391 et seq.) and other laws amendatory thereof or supplemental thereto. Amounts expended for those activities shall be considered nonreimbursable and nonreturnable for purposes of those laws.

(2) LAW OF THE COLORADO RIVER.—This section shall not be considered to supersede or otherwise affect any treaty, law, or agreement governing use of water from the Colorado River. All activities to carry out the Study under this section must be carried out in a manner consistent with rights and obligation of persons under those treaties, laws, and agreements.

(i) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Secretary $30,000,000 to carry out the activities authorized in this section.

SEC. 5. CONCURRENT WILDLIFE RESOURCES STUDIES.

(a) IN GENERAL.—Concurrently with the Study under section 4, the Secretary shall provide for the conduct of studies of hydrology, wildlife pathology, and toxicology relating to wildlife resources of the Salton Sea by Federal and non-Federal entities.

(b) SELECTION OF TOPICS AND MANAGEMENT OF STUDIES.—

(1) IN GENERAL.—The Secretary shall establish a committee to be known as the Salton Sea Research Management Committee. The Committee shall select the topics of studies under this section and manage those studies.

(2) MEMBERSHIP.—The Committee shall consist of 5 members appointed as follows:

(A) 1 by the Secretary.

(B) 1 by the Governor of California.

(C) 1 by the Torres Martinez Desert Cahuilla Tribal Government.

(D) 1 by the Salton Sea Authority.

(E) 1 by the Director of the California Water Resources Center.

(c) COORDINATION.—

(1) IN GENERAL.—The Secretary shall require that studies conducted under this section are conducted in coordination with appropriate international bodies, Federal agencies, and California State agencies, including, but not limited to, the International Boundary and Water Commission, the United States Fish and Wildlife Service, the United States Environmental Protection Agency, the California Department of Water Resources, the California Department of Fish and Game, the California Resources Agency, the California Environmental Protection Agency, the California Regional Water Quality Board, and California State Parks.

(2) SCIENCE SUBCOMMITTEE.—The Secretary shall require that studies conducted under this section are coordinated through a Science Subcommittee that reports to the Salton Sea Research Management Committee. In addition to the membership provided for by the Science Subcommittee's charter, representatives shall be invited from the University of California, Riverside, the University of Redlands, San Diego State University, the Imperial Valley College, and Los Alamos National Laboratory.

(d) PEER REVIEW.—The Secretary shall require that studies under this section are subjected to peer review.

(e) AUTHORIZATION OF APPROPRIATIONS.—For wildlife resources studies under this section there are authorized to be appropriated to the Secretary $5,000,000.

SEC. 6. SALTON SEA NATIONAL WILDLIFE REFUGE RENAMED AS SONNY BONO SALTON SEA NATIONAL WILDLIFE REFUGE.

(a) REFUGE RENAMED.—The Salton Sea National Wildlife Refuge, located in Imperial County, California, is hereby renamed and shall be known as the Sonny Bono Salton Sea National Wildlife Refuge.

(b) REFERENCES.—Any reference in any statute, rule, regulation, Executive order, publication, map, or paper or other document of the United States to the Salton Sea National Wildlife Refuge is deemed to refer to the Sonny Bono Salton Sea National Wildlife Refuge.

SEC. 7. ALAMO RIVER AND NEW RIVER.

(a) RESEARCH AND DEMONSTRATION PROJECTS.—The Secretary shall promptly conduct research and construct wetlands filtration or construct wetlands demonstration projects to improve water quality in the Alamo River and New River, Imperial County, California. The Secretary may acquire equipment, real property, and interests in real property (including site access) as needed to implement actions authorized by this section.

(b) MONITORING AND OTHER ACTIONS.—The Secretary shall establish a long-term monitoring program to maximize the effectiveness of any demonstration project authorized by this section.

(c) COOPERATION.—The Secretary shall implement subsections (a) and (b) in cooperation with the Desert Wildlife Unlimited, the Imperial Irrigation District, the State of California, and other interested persons.

(d) AUTHORIZATION OF APPROPRIATIONS.—For research and demonstration projects authorized in this section, there are authorized to be appropriated to the Secretary $3,000,000.

SEC. 8. EMERGENCY ACTION.

If, during the conduct of the studies authorized by this Act, the Secretary determines that environmental conditions at the Salton Sea warrant immediate and emergency action, the Secretary shall immediately submit a report to Congress documenting such conditions and making recommendations for their correction.

The SPEAKER pro tempore. Pursuant to House Resolution 500, the gentleman from California (Mr. MILLER) and a Member opposed each will control 30 minutes.

The Chair recognizes the gentleman from California (Mr. MILLER).

Mr. MILLER of California. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, this amendment has been described earlier in the debate. It is offered on behalf of myself and the gentleman from California (Mr. BROWN). The purpose of this amendment, somebody said they want to be plain speaking, is let us just do something about the Salton Sea.

The point is this: When we make a decision to commit the $350 million, we ought to do that which we know works. The many shortcomings in the current bill that is before us have been outlined in both the objections by taxpayer groups, by environmental groups and by the Clinton Administration with respect to serious problems that exist in bill.

But with respect to the studies, let me say that the legislation offered by the committee goes ahead and does some studies relating to feasibility. With respect to dealing with the salinity, there is a whole other body of studies that are in that legislation and in our legislation. There are scientific studies that deal with this issue of nutrient loading, that deal with the issue of botulism, that deal with other concerns that are killing the fish and wildlife at the current time that have got to be developed, and any project that we develop for the Salton Sea should make sure that it deals with the full array of problems that are presented by the current conditions in the Salton Sea.

That is terribly important, because we know that the salinization of the Salton Sea is going to continue to get worse. We also know that some of the best water that flows into the Salton Sea currently, about 1 million acre feet, or over 1 million acre feet of agricultural drain water, that maybe half a million acre feet of that water may leave the Salton Sea because water is going to be sold into other markets.

Discussions are under way to sell water to San Diego and elsewhere, so that drainage water will not necessarily flow to the Salton Sea. That will make this problem even worse. There is nothing any of us can do about that. That is the right of the water rights holders and the contractors there in the Imperial Irrigation District and elsewhere, should they so decide to enter into that contract and if that is approved.

What our amendment says is the same timetable as the majority amendment, the same set of studies, but what we do is we require you to coordinate these studies so you, in fact, make these decisions based upon the evidence, not simply one part of this problem that everybody admits is going to get worse over the next decade. But the birds and fish and wildlife are dying today. That is because of what we do not know yet as to what is causing that.

People want to portray this as somehow that nobody paid attention to this. In 1992, we passed a bill. The majority party has not provided the appropriations for that legislation to do these studies. Everybody in the State wants to do something about the Salton Sea. The reason things have not been done is because we do not know what to do.

We can spend a lot of money, we can run around and build a lot of projects, but unless we know they are going to work, we are not keeping faith with the taxpayers and with the Members of Congress in terms of the authorization of the money.

That is the purpose of the substitute that is offered by us. My conversations with the Senators from our State, my conversations with the environmental groups and with the leadership in the other House lead me to believe that this also has the best chance of being passed by the Senate and in fact becoming law.

If we send this legislation over here with all of these bells and whistles, with the united opposition of the environmental groups, with some of the taxpayer organizations against this legislation, with the statement of administrative policy that has serious problems with this legislation, we are dramatically reducing the likelihood that we can get on with curing the problems of the Salton Sea.

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

Mr. CALVERT. Mr. Speaker, I rise in opposition to the amendment.

The SPEAKER pro tempore. The gentleman from California (Mr. CALVERT) is recognized for 30 minutes.

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

Mr. Speaker, I have heard the point from the minority that this is a salinity-only bill. That is nonsense. This bill takes a holistic approach to restoring the Salton Sea. At the request of this Secretary and the Salton Sea authority, $5 million is earmarked for wildlife resources studies to provide real-time science to support the decisionmaking processes during the feasibility study.

Additionally, $3 million is included to improve water quality in the Alamo and New Rivers, the major sources of water for the Salton Sea. The New River, which has been explained earlier, is the most polluted river, in some estimation, in the North American continent.

But if we do not address the sea salinity, we might as well just write the sea's ecosystem off. No leading scientist, none that I am aware of, dispute this fact.

In a speech by Dr. Milt Freed, Chairman of the Science Subcommittee, delivered on July 29 at the U.S. EPA Ecosystems Restoration, a national symposium to bring together practitioners and researchers, he notes the salinity of the sea has reached 43,000 parts per million, a level that is 26 percent greater than ocean water. Salinity is increasing at a rate of approximately 1 percent per year and will soon reach a level that will cause a collapse in fish populations, thereby eliminating the food base for fish-eating birds that come to the sea. This will also end the sports fishery.

The salinity issue is analogous to passing the particles from one end of an hourglass to another. The time frame is finite, and no amount of discussion or study will alter the end result. The collapse of the biological components of the ecosystem due to the physical parameter will have far-reaching impacts on many of the other values humans expect from the sea.

So let us quit talking about, let us get something done, let us defeat the Miller-Brown substitute and get on with saving the Salton Sea.

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

AMENDMENT OFFERED BY MR. BOEHLERT

Mr. BOEHLERT. Mr. Speaker, I offer an amendment and I ask unanimous consent that it be adopted.

I would point out that the gentleman from California (Mr. MILLER) and I have worked out agreement on the language that the gentleman addressed.

The SPEAKER pro tempore. The Clerk will report the amendment.

The Clerk read as follows:

Amendment Offered by Mr. BOEHLERT:

Amend the proposed section 101(g)(4) to read as follows:

''(4) APPROPRIATIONS TO THE SECRETARY OF THE INTERIOR.—Amounts appropriated under paragraph (1)(B) to the Secretary may be appropriated to the Bureau of Reclamation as specified in appropriations Acts.''.

Page 16, beginning on line 5, strike ''from the land and water conservation fund''

Page 21, beginning on line 9, strike ''from the land and water conservation fund''

Mr. BOEHLERT (during the reading). Mr. Speaker, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

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

There was no objection.

The SPEAKER pro tempore. Is there objection to the amendment offered by the gentleman from New York?

Mr. MILLER of California. Mr. Speaker, reserving the right to object, I thank the gentleman for the changes that he has made, which would completely remove the use of the land and water conservation funds for this legislation. I think that is important.

I would, again, reiterate in our discussions with many of the environmental coalitions opposing this legislation this does not remove their opposition to that legislation. They have numerous items that they are in opposition to.

But I would, if I might, ask the manager of the bill, as we remove this source of funding, the land and water conservation fund, what then becomes the source of funding here? What is left? EPA and Bureau of Reclamation?

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

Mr. MILLER of California. I yield to the gentleman from California.

Mr. CALVERT. Mr. Speaker, I do not control the appropriations process.

Mr. MILLER of California. What is authorized to be used?

Mr. CALVERT. Certainly the Secretary of Interior can designate those funds from various accounts.

Mr. MILLER of California. Mr. Speaker, I guess I am trying to determine what is left with respect to the authorization?

Mr. CALVERT. If the gentleman would yield further, the standard appropriations process, it does not preclude the appropriators to appropriate funds from various accounts that they appropriate from.

Mr. MILLER of California. But what is the gentleman's expectation? And I do not have the language that has been removed.

Mr. CALVERT. Obviously, the Bureau of Reclamation is a source that has been talked about, Fish and Wildlife resources, resources within the appropriations process.

Mr. MILLER of California. So the Bureau of Reclamation remains the source of funding then for this legislation?

Mr. CALVERT. I would not expect any single source of funding for this legislation on any major project. As the gentleman knows, we have probably never had very many that have had a single source of appropriation.

Mr. MILLER of California. Mr. Speaker, reclaiming my time, let me back up here then. My problem is we are preauthorizing in this legislation. What are we authorizing it from? We were going to authorize it from the land and water conservation fund. Now what are we authorizing it from?

Mr. CALVERT. Mr. Speaker, if the gentleman will yield further, the Secretary of Interior and EPA can designate those appropriations.

Mr. MILLER of California. So it is the gentleman's expectation this would come out of the Bureau of Reclamation budget and/or the EPA budget?

Mr. CALVERT. That is correct.

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

Mr. MILLER of California. I yield to the gentleman from Minnesota.

Mr. VENTO. Mr. Speaker, I thank the gentleman for yielding, and I appreciate the gentleman from New York (Mr. BOEHLERT) offering this amendment to avert the use of LCWF funds. The reason, I think, is pretty transparent as to why the land and water conservation fund was being used, because you would have no new authorization here and it would not score in terms of CBO uder the umbrella of LCWF authority.

That is interesting, but it is also interesting and important to find out in 34 years that these funds have been authorized for the land-water conservation, authorized until appropriated, in that sense a trust fund, that there has not been anything of this magnitude of misuse proposed, much less enacted. There have been, I think, some minor uses, especially in the last few years, as individuals are attempting to look for authorization without CBO scoring and use some of the land-water conservation fund, but this measure and action is unprecedented. One-third of a billion or nearly $400 million with studies coming out this fund would be three or four times the amount that this Congress is willing to, in fact, appropriate from that fund on an annual basis in recent years.

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So this is an important change. I think there are some other questions that need to be answered about this legislation, but I think it is a step in the right direction to present this as what it is; this is a new authorization that is going to have to score, and clearly, the money should be derived from the various program titles and protocols of the Bureau of Reclamation and/or other agencies that would have a legitimate role. I guess Fish and Wildlife Service would have some role, but it is not clear. I think this is another example of why we need to adopt, or should adopt, a more definitive plan as to what is going to happen regards such Salton Sea project. This measure is simply standing the process on its head.

But that is not the gentleman from New York's problem, but the problem of those that are advocating this particular policy.

So I thank the gentleman from California (Mr. MILLER) for yielding under his reservation.

Mr. MILLER of California. Mr. Speaker, continuing on my reservation, just one point here is as I read the manager's amendment, it says, ''May be appropriated to the administrator of the Environmental Protection Agency and the Secretary of the Interior in amounts to ensure that neither the administrator nor the Secretary is appropriating substantially all of the construction costs.''

So I do not know if that means they split them, but I just think again, since this is a preauthorization of this $350 million project, Members ought to understand that the rational reading would be about half of it is going to come out of EPA, which is receiving reductions in funding, and half of it is going to come out of the Bureau of Reclamation, which is receiving reductions in funding and not able to meet the demands that the Members already place on those two funds.

Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER pro tempore (Mr. PEASE). Is there objection to the request of the gentleman from New York?

There was no objection.

The SPEAKER pro tempore. The amendment is adopted.

Mr. MILLER of California. Mr. Speaker, I yield such time as he may consume to the gentleman from Minnesota (Mr. VENTO).

Mr. VENTO. Mr. Speaker, I rise in support of the Miller substitute.

I would just call to my colleagues' attention that the Salton Sea and the resolution that is of concern to the Members is heartening; that is, that we are buoyed by the fact that there is a great deal of interest in terms of trying to restore this area—or at least stabilize it. But I would hasten to point out that the Salton Sea is a man-made ecological disaster. It is a man-made ecological disaster.

The fact is that this particular landscape, this particular area is the product of millions of years, and certainly in the last couple of 100,000 years, the accumulation of various types of salts and other nutrients, as my California colleague (Mr. MILLER) has pointed out, in this large delta area, the site of an ancient sea. The fact is that in the early part of this century, something like around 1905, this sea came into existence because of modifications to the manmade hydrology and the landscapes modifications in this region of California.

It has, of course, had continued contributions, accelerated contributions of nutrients and contaminated waters that have reactivated many of the salts, many of the nutrients to make the kind of soup that exists in the Salton Sea today that is obviously not conducive to the existence of, even in terms of fauna and flora that would normally occur in the ocean, because the salinity as an example and the nutrients as an example are even greater than what exists in any living ecosystem, in other words, it is toxic to a normal natural ecosystem.

So I think the fact that we have this ecological man-made disaster that continues to of course be compounded by the existing treatment of the watersheds and rivers and the modifications that have occurred, and this is not the only place in the country, incidentally, that we have this problem.

In fact, if we look at the Bureau of Reclamation, and, in fact, the Corps of Engineers have spent billions and billions of dollars, south Florida as an example is another place, and we find that they have so changed the landscape and hydrology, have provided for the incursion of salt water and the damage to these natural areas to a great extent by upsetting the balance. But what we do not need on top of the ecological man-made disaster here is a legislative disaster. That is, frankly, where we are going.

Everyone agrees that there ought to be a project which addresses the problem but we ought to make the commitment to do that, and that it ought to be done on a broad-based basis, and there is someone out there that has apparently come up with a number: $350 million to something in excess of that with studies, $350 million, over a third of a billion dollars, to, in fact, resolve this problem, and they are apparently not ready to say exactly what that project ought to be. But they suggest to those of us that raise questions about this that, in fact, we have had enough study; we have had study for 20 years, and we do not need any more study.

Well, I think we need to know how we are going to use that information, how we are going to use that knowledge. The fact is that water projects that are actually understood and defined much less presented in a glowing generality such as this Salton Sea project are often among the most controversial measures that the Congress deals with.

Our job in Congress really is not all that complicated. I always think of it as trying to translate new information or knowledge into public policy. But what is missing here is not the accumulation of a lot of information, but a conclusion a solution and we are passing the buck, quite frankly, in this bill. In the next 18 months we are saying to the administrator, whether it is Secretary Babbitt or whether it is others in the EPA in this Clinton administration in whom I have some confidence, we are suggesting that they will come up with a final solution, and they will bring it to Congress for a review, but it is not within the context of our legal law making responsibilities, not within the context of our oversight responsibility in terms of this.

In fact, there has been some question as to statements made by the advocates of this measure that the actions that they pretend are powerful limits in terms of what Congress would do are not even constitutional in terms of their nature. In fact, they represent something like akin to and connected to a legislative veto. That is not possible. It is not possible to do that. We have been there, we have tried that, and the courts have said that particular congressional action is invalid.

So the suggestion that we can bring this back and somehow keep review of it is a curious statement and in error. But just giving 18 months and suggesting we have a study and solution, and today preauthorizing or authorizing over a third of $1 billion to go to this particular project without knowing exactly what it is, I suggest, is a predicate to legislative disaster, just as we have had the ecological disaster. A 350 billion dollar water project without definition!

I understand that without quick action, without better action, we will have a continuing compounding of the problem that is going on within the Salton Sea ecosystem, but if we are so hell-bent on action in this case, one way we could do that is to appropriate the money this year, right now, appropriate some money and fence it so that it is there pending authority as to enactment of a policy law. That is what the major hang-up is going to be in terms of what we are doing here coming up with the money. In other words, we authorize many programs, and they do not receive the funding or the full funding—that is what has repeatedly occurred with this issue in fact!

I noted that our colleague from California, the chairman of the Subcommittee on Appropriations, implied that some funds have already being set aside, but I doubt anything of the magnitude of what is being done. That is ⅓ of billion has been set aside! In other words, the spending and standing the legislative process on its head as is being proposed in the underlying vehicle here is, I think, the wrong way to go and likely raising hopes but in the end frustrating a final solution.

I think it is destined to be and to make something that should not and would not apparently be controversial, extremely controversial.

So I would hope that in this instance we would stop and take a closer look at this, recognize that having it follow the normal process in terms of going through and pushing and directing the administration, as this bill initially does and as the substitute does, directs the administration to come up with a sound proposal that we can then authorize and fund, and go through the proper form of debate, rather than suspending our responsibilities and then afterwards suggesting that we can deal with this by remote control. Look, Ma, no hands.

We cannot function that way in this institution. We should not. I do not think it is a responsible way. I applaud my colleagues for their enthusiasm, and I applaud them for their efforts to do something good for the Salton Sea, but this is the wrong way to do it.

The right way to do it is by adopting the Miller amendment in this case and providing a specific project, providing specific actions that we know, and then try to come back at that point with that knowledge in hand, with that specific project in hand and deal with whatever mitigation has to be done, allocating the dollars based upon a sound authority and policy.

There are many problems with this bill that I could go into, including the cost-sharing, the lack of cost-sharing by the irrigators in this area, which are, after all, one of the, I think in my judgment, in the studies that I have read, one of the principal contributors to the saline and nutrient problem. Looking at the modifications that need to be made to facilitate the dealing with the Clean Water Act, dealing with NEPA, dealing with the judicial review process so that we can move ahead quickly, but having a common understanding of what the specific project is going to be, we do not have that.

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

Mr. VENTO. I yield to the gentleman from California.

Mr. BILBRAY. Mr. Speaker, I appreciate the gentleman's remarks. The gentleman is on a border State.

Mr. VENTO. Mr. Speaker, reclaiming my time, I am on a what State?

Mr. BILBRAY. Mr. Speaker, the gentleman is on a border State; he is up North, I am down South. There are two borders, though we forget about that sometimes.

I want to clarify. The gentleman said this happens in many places. Where else in the United States do we have a problem like this that has been perpetuated through either Federal inaction or inappropriate action and been perpetuated through Federal agreements with foreign governments?

I think the gentleman has to admit this is unique in one aspect.

Mr. VENTO. Mr. Speaker, reclaiming my time, there are some unique aspects of this. I am just pointing out that there are man-made ecological disasters of some magnitude in Florida, in California. Fortunately, I do not know that we can compare the great State of Minnesota's environmental problems to this. We have had some problems incidentally with Canada and nonnative species like the sea lamphrey in Lake Superior. But I thank the gentleman, and I appreciate his point. And hope he understands mine. That's why I support the Miller substitute.

Mr. CALVERT. Mr. Speaker, I yield 7 minutes to the gentleman from California (Mr. HUNTER).

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

I want to address some of the concerns that have been voiced here by the last speaker, my good friend from Michigan (Mr. VENTO).

First, this is a bipartisan bill, and this is a bill that is the subject of enormous compromise. I want to tell my colleagues first about part of that compromise.

A number of the groups that have written in saying they have some problems with the bill, and the first biggest problem has been taken care of, and that was using the Land and Water Conservation Fund. That is now no longer a problem.

They said there was another problem. They said, you are changing the Clean

Water Act. Well, once again, we have a legal opinion voiced by a number of attorneys who should know who say that one cannot clean up a river using wetlands under the present tight construction of the Clean Water Act because, it says, if one takes a bucketful of water out of a river, one has to return that bucketful of water in drinking-water form.

Now, one cannot do that if one builds a series of marshes along the New River, as we intend to do. We intend to build one of the biggest wetlands projects in America that will host hundreds of thousands of birds, hundreds of species, and yet, because of the way we wrote the Clean Water Act, we cannot do it, so we live with the most polluted river in North America in New River.

Now, we worked with all sides on this thing, and I have here the author of this much-hated provision, and the author, according to my memorandum, is the gentleman from California (Mr. MILLER). Because the gentleman from California (Mr. MILLER) sent a memo over to the chairman of the Committee on Transportation and Infrastructure, the gentleman from Pennsylvania (Mr. SHUSTER), or his staff did, saying, in general, the gentleman's preferred course of action is to amend Title I of the bill, as reported, et cetera, and they go on to give us the language that they would like to have. The language says, ''Subsection D, authorization of appropriations for river reclamation and other irrigation of drainage water actions under this section, there are authorized to be appropriated to the Secretary for Land and Water Conservation Fund 3 million.'' That is the $3 million that goes into cleaning up New River. And above that, ''No permit shall be required under section 402 of the Federal Water Pollution Control Act, 33 USC 1342, for a wetland filtration or constructed wetlands project authorized by subsection A–1 of this section.''

We took the gentleman's exact language that he gave us to put in the bill to take care of the problem, and now we are told that it is still a problem. I guess I would say to my friend from California (Mr. MILLER), I want the gentleman to take yes for an answer.

Mr. MILLER of California. Mr. Speaker, will the gentleman yield?

Mr. HUNTER. I yield to the gentleman from California.

Mr. MILLER of California. Mr. Speaker, the gentleman knows my first preference was to remove the exemption from the legislation. We were then asked technically on how you would do it if you were going to do it the way you wanted to do it, and we said that is how you would do it the way you wanted to do it. Our first preference was to take it out of the bill, as recommended by the administration and others.

Mr. HUNTER. Mr. Speaker, in the spirit of compromise, however, the gentleman did provide language and we did put in, I would say to the gentleman, his precise language.

Now, let me go to the second point, and that point is the 18 months.

□ 1845

We had a 12-month period for study before construction, although this thing has been studied 30 years, as the gentlewoman and the gentleman from California (Mr. CALVERT) had mentioned. We had given a 12-month period for study. We sat down in a good talking session with Secretary Babbitt at the Salton Sea, with Secretary Babbitt, his staff and himself. He said essentially to me, I do not think I can do it in 12 months, but he did say in that conversation they thought they could do it in 18 months.

We worked with his staff. His staff sat in on a number of these meetings, and they said 18 months. When we met with Senator BOXER, she wanted us to move from 12 to 18 months, so we did it. We said, we will compromise, we will give 18 months.

Another thing we were concerned about, of course, was judicial review. We did not want lawsuits to stop action on the sea while the sea died. I think the gentleman can understand that, because as the gentlewoman from California (MARY BONO) has shown us, the sea is on a death watch. It is very predictable. At 60,000 parts per million, as it gets saltier and saltier, all the fish die, so we have to move now. And if somebody sues us and the court date is not set for 2 years, and then another suit is filed and that court date is not set for 2 years, the sea expires. The sea dies while we are tied up in court.

So what we said was, okay, to Senator BOXER and others who wanted to have judicial review, we said we will. Let us just say that we have to have expedited judicial review. We said we wanted to direct the court in this language to expedite review.

That means when you have a temporary restraining order, if somebody sues and says, I do not like this because I live down here and I do not want to have the sea saved because I think the gentleman from Minnesota (Mr. VENTO) is right, it is an ecological disaster, so let us have it die, and they happen to get a TRO from somebody, a temporary restraining order, we will say you have to go to trial in 60 days. That means do not put the thing off for 2 years while the sea dies, that means you go to trial in 60 days. So we have put in expedited judicial review instead of eliminating judicial review, so in all areas we have made compromises.

I say to my friend, the gentleman from California (Mr. MILLER), I called one of my constituents last night who had signed one of the letters from one of the environmental organizations that said, we are against it for umpteen reasons. I explained the reason for the clean water change.

He said, that makes perfect sense. He said, that is not what they told me when they called me and said they wanted me to sign it. I think if Members explain that to the people who really care about the 380 bird species, they are going to agree to.

So let us get on with this bill. Let us get it passed. I thank the gentleman for taking the unanimous consent to make the land-water conservation fix that was offered by this side, but this is the right action to take. Once again, let us go back to Sonny Bono, who said, why can not we just get this thing done? Let us get started, at least.

Mr. CALVERT. Mr. Speaker, I yield 5 minutes to the gentleman from Redlands, California (Mr. LEWIS).

Mr. LEWIS of California. Mr. Speaker, I thank my colleague for yielding time to me. It is a pleasure to rise today and join my colleagues on both sides of the aisle who are strongly committed to finding solutions to the tremendous challenge that is this great environmental project in Southern California that is known as the Salton Sea.

I must say that in the initial stages of my hearing this discussion, I was intrigued to see both my colleague, the gentleman from California (Mr. GEORGE MILLER) speaking, and he was being aided by his friend, the gentleman from Minnesota (Mr. BRUCE VENTO), and it was almost deja vu all over again. I remember fighting months on this, fighting to get access to our desert lands by both the gentleman from Minnesota (Mr. VENTO) and the gentleman from California (Mr. MILLER), and the thrill of that process was that we won a few.

I have a sense we might win a few today, as well, for there is little question that this coalition has gone together that is a nonpartisan, bipartisan effort to make sure that this tremendous asset, the Salton Sea, is saved, finally. It is going forward.

I must say to my friend, it is going forward almost entirely because of the rather fantastic leadership of the gentlewoman from California (Mrs. BONO), the new congresswoman from Riverside County, who has done a phenomenal job to make sure we keep our eye on this very important target.

If we should remove our serious attention from this for a moment the Salton Sea will be gone in terms of its effective use for the people of Southern California, and peoples all over the country who appreciate just what an important environmental asset this is.

I must say that the cost that is being suggested here is almost beside the point. We are moving forward quickly with rounding out what have been years and years of study. The authorized amount that involves the project is the minimum amount we need for whatever approach is finally selected. There is little doubt that we are going to get to that decision very, very quickly.

I would suggest to my colleague, the gentleman from California (Mr. MILLER), that we need to have this authorization in place early on because that is the way we go about getting money in the pipeline in the appropriations

process, very quickly. We cannot afford to wait. Therefore, we are going forward with that minimum amount that is needed.

In turn, I must say that if my colleague remembers some years ago, back in 1974, when Shirley Pettis was a Member of Congress, she being here because her husband, too, had been killed in a tragic accident, raised this flag, the most important environmental project in the country, I must say, if we had moved forward then instead of having these same kinds of questions interfering with that progress, the project would have been completed. It would have cost, before, one-fifth of what it is going to cost, and indeed, this discussion would not have been necessary today.

I want Members to know that I am proud, very proud of those colleagues who have joined with me in this effort, but especially pleased to join with the gentlewoman from California (Mrs. MARY BONO) in what will be a successful and perhaps the most important environmental project of this decade.

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

Mr. LEWIS of California. I yield to the gentleman from California.

Mr. HUNTER. Mr. Speaker, I want to say to the gentleman that he has been this year appropriating some money to get the process started, he has already moved out on the project. We deeply appreciate that action. It was really timely, and we are going to be able to move this year. I understand the administration is moving this year.

Mr. LEWIS of California. Mr. Speaker, I appreciate that, but I would not have been able to do that if the gentlewoman from California (Mrs. BONO) had not been beating me over the head almost every day.

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

Mr. LEWIS of California. I yield to the gentleman from California.

Mr. CALVERT. Mr. Speaker, I also thank the gentleman for his hard work in moving this Salton Sea project. With the gentleman's help, we are going to get this done today.

Mr. LEWIS of California. It will be a great time to celebrate, but it is only the beginning. I really do appreciate this nonpartisan effort.

Mr. MILLER of California. Mr. Speaker, I yield such time as he may consume to the gentleman from California (Mr. BROWN).

(Mr. BROWN of California asked and was given permission to revise and extend his remarks.)

Mr. BROWN of California. Mr. Speaker, I thank the gentleman for yielding me this time. I think I owe the body an apology for not being able to be here earlier, because I wanted very much to participate in this debate, but I was engaged in a ceremony which only occurs once in a lifetime. That is being hung, your portrait being hung, in the committee room.

Mr. LEWIS of California. Mr. Speaker, will the gentleman yield?

Mr. BROWN of California. I yield to the gentleman from California.

Mr. LEWIS of California. Mr. Speaker, I do not mean to take much of the gentleman's time, but I was away at that hanging as well, and I must say, at the Library of Congress they had this wonderful ceremony where both the gentleman from Wisconsin (Mr. JIM SENSENBRENNER) and the chairman, the gentleman from California (Mr. GEORGE BROWN) were being honored with their portraits being presented to a cross-section of family and friends as a reflection of years and years of dedicated work on both their parts, but especially my colleague, the gentleman from California (Mr. GEORGE BROWN). And I know he wanted to be here.

I say to the gentleman from California (Mr. BROWN), he should be the first to know that we have taken out of the bill those few little items he was concerned about, so he can be as enthusiastic as he likes.

Mr. BROWN of California. Mr. Speaker, I appreciate the gentleman's comments. Of course, I am extremely enthusiastic about the need to solve the problems of the Salton Sea and the efforts we are making. I am encouraged by the large amount of interest in the Congress, and in general in the public, in doing something about this problem.

I have been rather cynical over the past, because I have followed every study for the last 30 years aimed at solving this problem, and seeing them come to naught, including the 1992 legislation, which actually authorized the same general type of study that we are authorizing here in this bill, and $10 million in order to fund that study, and nothing of any substance has come out of that, which, as I say, has left me somewhat cynical.

I would like to say that I am a coauthor of the bill. I want to see suitable legislation passed. I have had reservations about the bill as it had emerged from committee, not because I did not appreciate the work done in committee to get the bill out, but because I was fearful that the product would not survive the intense scrutiny of the other body, and that in all likelihood might not survive and be approved by the President. That concerns me, because I do not wish to have spent all of this time and effort in a futile exercise if we can do better.

It is my view that we could do better. I have cosponsored the amendment of my good friend, the gentleman from California (Mr. MILLER), because that amendment or that substitute on his part has eliminated much of the material that I think would have caused this problem in the other body, or would have precluded or would have caused the President to veto the bill.

Now I am encouraged by the fact, as my good friend, the gentleman from California (Mr. LEWIS) has just reported to me, and as the gentlewoman from California (Mrs. BONO) had reported to me earlier in the afternoon, that agreement had been reached to resolve the problem of funding from the Land and Water Conservation Fund, which some Members may not think is important, but anything that brings down the wrath of practically every environmental group in this country is of considerable importance to me. It could mean I would not get reelected, for example, and that sometimes influences my judgment a little bit.

The fact that the authors and managers of the bill have been willing to accept that change is a very encouraging thing in itself. That does not solve all of the problems. Nothing ever does in a piece of complex legislation.

I am learning a great deal about the politics of water in the inland empire and in the Salton Sea area, and how many different interests are at stake here, and the steps that will be taken in order to protect the interests of some of the groups that are involved. I hope I can benefit from what I have learned here.

I am going to support the Miller amendment, because while it reduces the scope of the bill, and originally I had wanted a bill that would make it clear that the Congress wanted to carry this thing through to completion, that it would authorize not only the necessary research and the design and specifications for the preferred solution, but would actually authorize the construction, I am inclined to think that that is one of the things that has added undue complexity to this bill, and that by simplifying it and doing it in two stages, we are likely to succeed in getting better legislation in the long run.

My expectation is that the House will disregard my advice and the advice of my good friend, the gentleman from California (Mr. MILLER), and will pass a less than perfect bill. It would not be the first time that that has happened.

Mr. Speaker, I have co-sponsored this amendment with my colleague from California to offer a constructive alternative that takes into account political, fiscal and environmental realities. My motivation is simple: I do not just want a House-passed bill, I want a bill which will be passed by the Senate and signed by the President. The underlying bill, though it may win House approval, will not be enacted into law.

The substitute which I have co-sponsored with my colleague Rep. MILLER, does not contain both the authorization of feasibility studies and construction, which might hasten the completion of the project. However, it does set specific deadlines for Congressional and Administration action, including direction to the Administration to provide draft authorizing language for the selected mitigation option.

I must admit to having a less than adequate response to those who are asking: ''Why should we authorize $350 million for a project that is not fully defined?'' They can rightly claim we are asking them to buy ''a-pig-in-a-poke.'' It is not possible to fully define environmental restoration projects from the outset. This amendment provides a framework to begin action.

I would rather see the process of saving the Salton Sea move forward more slowly, but

with more certainly, than risk losing this bill because of the questionable shortcuts which are included in it.

I would like to take a few minutes to outline some of the other provisions of this amendment.

Our substitute authorizes funding through traditional sources of water project funding. The funds needed for research, feasibility studies, and construction on the Salton Sea should come from the traditional sources dedicated to these purposes. While it is tempting to suggest otherwise, we westerners cannot avoid setting priorities for expenditures on our water projects by raiding other accounts.

This is tantamount to admitting that the Salton Sea isn't really a priority and that southern California should not expect to be allocated its fair share of water project funds. I firmly reject both of these notions.

This substitute contains no Clean Water Act permit exemptions. I do not believe the authors of the underlying bill intended anything bad in the provisions of the underlying bill. However, the truth is—this provision is unnecessary and it looks suspicious. It is true that the New and Alamo Rivers are in desperate need of clean up, but so are many of our other rivers, and we can not and should not address the problems through permit exemptions.

The constructed wetland projects that are envisioned can move forward in a timely manner. We do not need to bypass the Clean Water Act and leave the process open to criticism.

Our substitute also does not contain the broad liability exemption for the local water districts that have made their way into the underlying bill since introduction. While some type of limited liability protection may be reasonable, that is not what the underlying text contains. We should not be creating an open-ended exposure for federal liability in our efforts to address the Salton Sea's problems. I, and all concerned, want to ensure that federal, state, and local dollars are spent on clean up activite, not on lawsuits.

Finally, I want to once again reiterate my continued commitment to work with all interested parties to restore and preserve the Salton Sea. I want a bill that Members of both parties in both legislative bodies will be proud to support and that the President will be anxious to sign. I want a bill that is as enthusiastically endorsed by the environmental community as it is by the water district representatives. I believe the substitute Mr. MILLER and I are offering is closer to achieving that goal than the underlying bill and I urge my colleagues to support our substitute.

Mr. MILLER of California. Mr. Speaker, I yield myself the balance of my time.

The SPEAKER pro tempore. The gentleman from California (Mr. MILLER) is recognized for 11 minutes.

Mr. MILLER of California. Mr. Speaker, let me just say in closing on this amendment, I think what this amendment does is it ensures the probability that this legislation will become law, and that we can get on with curing the problems of the Salton Sea. It also ensures that when we go to cure those problems, that we know exactly what we are doing, and that the decisions we make and the money we spend will be spent in a scientifically sound fashion; that we will not deal with just one part of the problem of the Salton Sea, which is the salinization, the continued increased salinization of the Salton Sea, but we will also deal with the other concerns with respect to the fish kills and the bird die-off that is taking place today, before the salinization reaches the levels people have talked about in the coming decade. That is the problem of the Salton Sea currently today.

Also, let me say this, that this amendment removes all of the objections of the Clinton administration. It removes all of the objections of the Taxpayers for Common Sense. It removes all of the objections of the environmental legislation.

That means that this legislation, if amended with my substitute, would have the ability to go to the Senate, be taken from the desk, and bypass all of the committee considerations and all of the things that we know happen to you when you go to the Senate late in the legislative year.

I believe that with the commitment of the coalition, the commitment of the gentleman from California (Mr. BROWN) and the gentlewoman from California (Mrs. BONO) and everybody else to this process, that we will in fact see the results of these studies enacted into law.

□ 1900

I think we have a better opportunity of seeing that done with this amendment. We have accepted the change, I was hoping to offer the amendment but the rule did not allow for that, but we accepted the unanimous consent request by the gentleman from New York (Mr. BOEHLERT) to remove the funding from the Land and Water Conservation Fund. That is an improvement.

But let me reiterate and emphasize to all of my colleagues that that does not remove the objections of the environmental organizations. That does not remove the objections of the Clinton administration, objections which are substantial, objections that are serious to this legislation.

I would hope that the Members of the House would vote for this substitute because it does deal with the problems of the Salton Sea. It does deal with them on the timetable suggested by the majority, but what it does not do is it does not preauthorize an unknown $350 million project. It does not waive the Clean Water Act or limit judicial review. It does not make the U.S. taxpayers 100 percent liable for all of the activities that will take place around the Salton Sea. And it does not contain an unconstitutional review scheme.

It does preserve the purpose, the intent and the outcomes that are sought in the legislation but without all of the harmful provisions that are currently embodied in the bill as it came from the committee. I would hope that Members would support the substitute by myself and the gentleman from California (Mr. BROWN).

Mr. Speaker, I yield such time as he may consume to the gentleman from Minnesota (Mr. OBERSTAR).

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

Mr. OBERSTAR. Mr. Speaker, I rise in support of the Miller amendment.

Mr. Speaker, I rise in support of the Miller-Brown amendment, and in strong opposition to the underlying bill. While I fully support efforts to restore the Salton Sea, I cannot support a bill which includes exemptions from the Clean Water Act, and could actually reduce the ability of the Environmental Protection Agency to protect this resource.

The proponents of the bill claim that it will benefit the environment. If that is so, why is every major environmental organization opposed to it? The reasons are simple—

It creates an exemption to the Clean Water Act.

It excuses local water companies from their rightful liabilities.

It could divert scarce resources from EPA's environmental programs.

These concerns make the bill unacceptable.

I am particularly concerned about the exemption in this bill to the Clean Water Act. How can you say that you are doing good for the environment if you need an exemption from environmental protection laws?

The Clean Water Act has been under assault by the majority since they won control of the House. In the last Congress, we had to fight the waivers, loopholes and rollbacks of H.R. 961—the Dirty Water Bill. Later, we had to fight anti-environmental riders to the Appropriations bill. Now today, we are faced with yet another attempt to create more exemptions to environmental protection. These assaults on the Clean Water Act must stop.

The Clean Water Act is our Nation's most successful environmental law. Yet, one of its most glaring weaknesses is that irrigation return flows are not subject to regulation. How ironic that, at the Salton Sea, are these very irrigation return flows are the major source of pollution, and that this bill specifically allows untreated irrigation return flows to continue to be dumped into the Salton Sea.

Instead of treating the sources of pollution to the Salton Sea, this bill would preserve the existing exemption for irrigators, and create a new exemption from the Clean Water Act.

If the proponents of this bill are serious about addressing the water quality issues at the Salton Sea, their bill should address the sources of the pollution. That objective would best be served by preserving the Clean Water Act, and addressing the pollution from irrigation return flows.

This bill does neither.

If we want to improve the quality of the environment and protect the Salton Sea, we should reject the pending bill and support the Miller-Brown substitute.

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

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

I want to point out that there is an existing 30 years of studies on the shelf. Quite literally, thousands of pages and millions of dollars have been spent and the time for action has finally come to move from the study

phase to a consensus-based Federal, State, local, NEPA approved engineering solution. Every day compounds the environmental problems of the sea, adding time and expense to the solution. Act now or the sea dies, period.

Mr. Speaker, I yield such time as she may consume to the gentlewoman in California (Mrs. BONO).

Mrs. BONO. Mr. Speaker, I thank my distinguished colleague and dear friend for, first of all, his leadership on this and steering it through today. I am a little bit disturbed about something I heard earlier in the remarks by one of my colleagues from California when he said that he bowed under pressure that he was facing from certain environmental groups to go ahead and support the Miller-Brown substitute.

What about pressure from ordinary people? What about pressure from people who live near the Salton Sea within the 44th district of California? What about pressure from those people, not the pressure from people who live inside the Beltway, who live inside Washington here?

Who cares about how we are going to be rated on a score card if this is what is, in fact, right. And it is. One of my greatest political mentors is Bruce Herschson. He said something brilliant. He said, one day as a Member of Congress you might have that vote that comes before you that you know is right. You know you are going to have to make that vote and know that it might cost you something. Perhaps this is that vote for my colleague here.

I am deeply concerned about the Miller substitute for a number of reasons. First of all, I think it is a mistake to offer something, a study, again, authorize a significant amount of money to say we will study this again, knowing that perhaps we might not go through with the solution here. I think that is the ultimate deal here.

I think we are saying we are going to go ahead and tell the American people again, we are afraid to lead here in Congress so we will write a check and study it again. Three years from now we are going to maybe study it again. That is where we are right here.

It is time for Congress to say no more. It is time for Congress to say, we are serious here, and we are going to do this. I think that we need to get away from the Miller amendment just for that very reason.

The Salton Sea will never be 100 percent perfect for anybody, their side, our side, whomever. But it can be a lot better than it is. It is a mistake for us to stop what we are doing, to stop the progress simply because it cannot be 100 percent. I think we see that in all of the issues that they have raised. It will never be 100 percent, but it will be close to that.

I think to study it again, once more, will just be an insult to the people who live around the area. And when I travel, when I campaign, when I just get out in the district, all I hear is, let us save the Salton Sea. People see the studies, and they know that it is a joke. They will see the front pages and the headlines, and they will say, no more studies.

Let us get serious here. The one thing that Sonny said is, no more studies. I think we need to prove that now. I think, again, it is time for Congress to lead. I just think it is time for a bipartisan Congress to prove that we will finally get serious here and clean up the Salton Sea.

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

The SPEAKER pro tempore (Mr. PEASE). The question is on the amendment in the nature of a substitute offered by the gentleman from California (Mr. MILLER).

The question was taken; and the Speaker pro tempore announced that the noes appeared to have it.

Mr. MILLER of California. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 202, nays 218, not voting 14, as follows:

[Roll No. 281]

YEAS—202

Abercrombie
Ackerman
Allen
Andrews
Baesler
Baldacci
Barcia
Barrett (WI)
Becerra
Bentsen
Berman
Berry
Bishop
Blagojevich
Blumenauer
Bonior
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brown (CA)
Brown (FL)
Brown (OH)
Capps
Cardin
Carson
Clay
Clayton
Clement
Clyburn
Condit
Costello
Coyne
Cramer
Cummings
Danner
Davis (FL)
Davis (IL)
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Dicks
Dixon
Doggett
Dooley
Doyle
Duncan
Edwards
Ehlers
Engel
Eshoo
Etheridge
Evans
Farr
Fattah
Fazio
Filner
Forbes
Ford
Frank (MA)
Frost
Furse
Gejdenson
Gephardt
Goode
Gordon
Green
Gutierrez
Hall (OH)
Hamilton
Harman
Hastings (FL)
Hefner
Hilliard
Hinchey
Hinojosa
Holden
Hooley
Hoyer
Jackson (IL)
Jackson-Lee (TX)
Jefferson
John
Johnson (WI)
Johnson, E. B.
Kanjorski
Kaptur
Kennedy (RI)
Kennelly
Kildee
Kilpatrick
Kind (WI)
Kleczka
Klink
Kucinich
LaFalce
Lampson
Lantos
Lee
Levin
Lewis (GA)
Lipinski
Lofgren
Lowey
Luther
Maloney (CT)
Maloney (NY)
Manton
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McDermott
McGovern
McHale
McIntyre
McKinney
Meehan
Meek (FL)
Meeks (NY)
Menendez
Millender-McDonald
Miller (CA)
Minge
Mink
Moakley
Mollohan
Moran (VA)
Murtha
Nadler
Neal
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor
Paul
Payne
Pelosi
Peterson (MN)
Petri
Pickett
Pomeroy
Porter
Poshard
Price (NC)
Rahall
Ramstad
Rivers
Rodriguez
Roemer
Rothman
Rush
Sabo
Sanchez
Sanders
Sandlin
Sanford
Sawyer
Scott
Serrano
Shays
Sherman
Sisisky
Skaggs
Slaughter
Smith, Adam
Snyder
Spratt
Stabenow
Stark
Stenholm
Stokes
Strickland
Stupak
Tanner
Tauscher
Thompson
Thurman
Tierney
Torres
Towns
Turner
Velazquez
Vento
Visclosky
Wamp
Waters
Watt (NC)
Waxman
Wexler
Wise
Woolsey
Wynn

NAYS—218

Aderholt
Archer
Armey
Bachus
Baker
Ballenger
Barr
Barrett (NE)
Bartlett
Barton
Bass
Bateman
Bereuter
Bilbray
Bilirakis
Bliley
Blunt
Boehlert
Boehner
Bonilla
Bono
Brady (TX)
Bryant
Bunning
Burr
Burton
Buyer
Callahan
Calvert
Camp
Campbell
Canady
Cannon
Castle
Chabot
Chambliss
Chenoweth
Christensen
Coble
Coburn
Collins
Combest
Conyers
Cook
Cooksey
Cox
Crane
Crapo
Cubin
Cunningham
Davis (VA)
Deal
DeLay
Diaz-Balart
Dickey
Doolittle
Dreier
Dunn
Ehrlich
Emerson
English
Ensign
Everett
Ewing
Fawell
Foley
Fossella
Fowler
Fox
Franks (NJ)
Frelinghuysen
Gallegly
Ganske
Gekas
Gibbons
Gilchrest
Gillmor
Gilman
Goodlatte
Goodling
Goss
Graham
Granger
Greenwood
Gutknecht
Hall (TX)
Hansen
Hastert
Hastings (WA)
Hayworth
Hefley
Herger
Hilleary
Hobson
Hoekstra
Horn
Hostettler
Houghton
Hulshof
Hunter
Hutchinson
Hyde
Inglis
Istook
Jenkins
Johnson (CT)
Johnson, Sam
Jones
Kasich
Kelly
Kennedy (MA)
Kim
King (NY)
Kingston
Klug
Knollenberg
Kolbe
LaHood
Largent
Latham
LaTourette
Lazio
Leach
Lewis (CA)
Lewis (KY)
Livingston
LoBiondo
Lucas
Manzullo
McCollum
McCrery
McDade
McHugh
McInnis
McIntosh
McKeon
Metcalf
Mica
Miller (FL)
Moran (KS)
Morella
Myrick
Nethercutt
Neumann
Ney
Northup
Norwood
Nussle
Oxley
Packard
Pappas
Parker
Paxon
Pease
Peterson (PA)
Pickering
Pitts
Pombo
Portman
Pryce (OH)
Quinn
Radanovich
Redmond
Regula
Riggs
Riley
Rogan
Rohrabacher
Ros-Lehtinen
Roukema
Royce
Ryun
Salmon
Saxton
Scarborough
Schaefer, Dan
Schaffer, Bob
Sessions
Shadegg
Shaw
Shimkus
Shuster
Skeen
Skelton
Smith (MI)
Smith (NJ)
Smith (OR)
Smith (TX)
Smith, Linda
Snowbarger
Solomon
Souder
Spence
Stearns
Stump
Talent
Tauzin
Taylor (MS)
Taylor (NC)
Thomas
Thornberry
Thune
Tiahrt
Traficant
Upton
Walsh
Watkins
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
White
Whitfield
Wicker
Wilson
Wolf
Young (AK)
Young (FL)

NOT VOTING—14

Dingell
Gonzalez
Hill
Linder
McNulty
Rangel
Reyes
Rogers
Roybal-Allard
Schumer
Sensenbrenner
Sununu
Weygand
Yates

□ 1923

Mr. WELLER, Mrs. CUBIN, Mr. LAZIO of New York, and Mr. BLUNT changed their vote from ''yea'' to ''nay.''

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

So the amendment in the nature of a substitute was rejected.

The result of the vote was announced as above recorded.

PERSONAL EXPLANATION

Mr. WEYGAND. Mr. Speaker, just a few minutes ago, as I was returning from the White House, I missed rollcall vote 281. Had I been present, I would have voted ''aye'' on the Miller substitute.

The SPEAKER pro tempore (Mr. PEASE). Pursuant to House Resolution 500, the previous question is ordered on the bill, as amended.

The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER pro tempore. The question is on passage of the bill.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mrs. BONO. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The vote was taken by electronic device, and there were—yeas 221, nays 200, not voting 13, as follows:

[Roll No. 282]

YEAS—221

Aderholt
Archer
Armey
Bachus
Baker
Ballenger
Barrett (NE)
Bartlett
Barton
Bass
Bateman
Bereuter
Bilbray
Bilirakis
Bliley
Blunt
Boehlert
Boehner
Bonilla
Bono
Brady (TX)
Brown (CA)
Bryant
Bunning
Burr
Burton
Buyer
Callahan
Calvert
Canady
Cannon
Capps
Castle
Chambliss
Chenoweth
Christensen
Clayton
Coburn
Collins
Combest
Condit
Cook
Cooksey
Cox
Crane
Crapo
Cubin
Cunningham
Davis (VA)
Deal
DeLay
Diaz-Balart
Dickey
Dooley
Doolittle
Dreier
Dunn
Ehrlich
Emerson
English
Ensign
Everett
Ewing
Fawell
Fazio
Foley
Fossella
Fowler
Fox
Frank (MA)
Franks (NJ)
Frelinghuysen
Frost
Gallegly
Ganske
Gekas
Gibbons
Gilchrest
Gillmor
Gilman
Goodling
Goss
Graham
Granger
Green
Greenwood
Gutknecht
Hall (TX)
Hansen
Harman
Hastert
Hastings (WA)
Hayworth
Herger
Hilleary
Hobson
Horn
Hostettler
Houghton
Hulshof
Hunter
Hutchinson
Hyde
Istook
Jenkins
Johnson (CT)
Johnson, Sam
Jones
Kaptur
Kasich
Kelly
Kennedy (MA)
Kim
King (NY)
Knollenberg
Kolbe
LaHood
Largent
Latham
LaTourette
Lazio
Leach
Lewis (CA)
Lewis (KY)
Lipinski
Livingston
Lucas
Manzullo
Martinez
McCarthy (NY)
McCollum
McCrery
McDade
McHugh
McInnis
McIntosh
McKeon
Metcalf
Mica
Millender-McDonald
Moran (KS)
Morella
Myrick
Nethercutt
Neumann
Ney
Northup
Norwood
Nussle
Ortiz
Packard
Pappas
Parker
Paxon
Pease
Peterson (PA)
Pickering
Pickett
Pitts
Pombo
Pomeroy
Portman
Pryce (OH)
Quinn
Radanovich
Redmond
Regula
Riggs
Riley
Roemer
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Roukema
Royce
Ryun
Saxton
Schaefer, Dan
Schaffer, Bob
Sessions
Shadegg
Shaw
Shimkus
Shuster
Sisisky
Skeen
Skelton
Smith (MI)
Smith (NJ)
Smith (OR)
Smith (TX)
Smith, Linda
Snowbarger
Solomon
Souder
Spence
Stearns
Sununu
Talent
Tauzin
Taylor (MS)
Taylor (NC)
Thomas
Thornberry
Thune
Thurman
Tiahrt
Traficant
Walsh
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
White
Whitfield
Wicker
Wilson
Wolf
Young (AK)
Young (FL)

NAYS—200

Abercrombie
Ackerman
Allen
Andrews
Baesler
Baldacci
Barcia
Barr
Barrett (WI)
Bentsen
Berman
Berry
Bishop
Blagojevich
Blumenauer
Bonior
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brown (FL)
Brown (OH)
Camp
Campbell
Cardin
Carson
Chabot
Clay
Clement
Clyburn
Coble
Conyers
Costello
Coyne
Cramer
Cummings
Danner
Davis (FL)
Davis (IL)
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Dicks
Dixon
Doggett
Doyle
Duncan
Edwards
Ehlers
Engel
Eshoo
Etheridge
Evans
Farr
Fattah
Filner
Forbes
Ford
Furse
Gejdenson
Gephardt
Goode
Goodlatte
Gordon
Gutierrez
Hall (OH)
Hamilton
Hastings (FL)
Hefley
Hefner
Hilliard
Hinchey
Hinojosa
Hoekstra
Holden
Hooley
Hoyer
Inglis
Jackson (IL)
Jackson-Lee (TX)
Jefferson
John
Johnson (WI)
Johnson, E. B.
Kanjorski
Kennedy (RI)
Kennelly
Kildee
Kilpatrick
Kind (WI)
Kingston
Kleczka
Klink
Klug
Kucinich
LaFalce
Lampson
Lantos
Lee
Levin
Lewis (GA)
LoBiondo
Lofgren
Lowey
Luther
Maloney (CT)
Maloney (NY)
Manton
Markey
Mascara
Matsui
McCarthy (MO)
McDermott
McGovern
McHale
McIntyre
McKinney
Meehan
Meek (FL)
Meeks (NY)
Menendez
Miller (CA)
Minge
Mink
Moakley
Mollohan
Moran (VA)
Murtha
Nadler
Neal
Oberstar
Obey
Olver
Owens
Pallone
Pascrell
Pastor
Paul
Payne
Pelosi
Peterson (MN)
Petri
Porter
Poshard
Price (NC)
Rahall
Ramstad
Rivers
Rodriguez
Rothman
Rush
Sabo
Salmon
Sanchez
Sanders
Sandlin
Sanford
Sawyer
Scarborough
Scott
Sensenbrenner
Serrano
Shays
Sherman
Skaggs
Slaughter
Smith, Adam
Snyder
Spratt
Stabenow
Stark
Stenholm
Stokes
Strickland
Stump
Stupak
Tanner
Tauscher
Thompson
Tierney
Torres
Towns
Turner
Upton
Velazquez
Vento
Visclosky
Wamp
Waters
Watkins
Watt (NC)
Waxman
Wexler
Weygand
Wise
Woolsey
Wynn

NOT VOTING—13

Becerra
Dingell
Gonzalez
Hill
Linder
McNulty
Miller (FL)
Oxley
Rangel
Reyes
Roybal-Allard
Schumer
Yates

□ 1941

Messrs. GOODLATTE, KINGSTON, EHLERS and HEFNER changed their vote from ''yea'' to ''nay.''

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

□ 1945

PROVIDING FOR CONSIDERATION OF H.R. 4104, TREASURY, POSTAL SERVICE, AND GENERAL GOVERNMENT APPROPRIATIONS ACT, 1999

Mr. GOSS. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 498 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 498

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 1(b) of rule XXIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 4104) making appropriations for the Treasury Department, the United States Postal Service, the Executive Office of the President, and certain Independent Agencies, for the fiscal year ending September 30, 1999, and for other purposes. The first reading of the bill shall be dispensed with. Points of order against consideration of the bill for failure to comply with section 306 of the Congressional Budget Act of 1974 are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chairman and ranking minority member of the Committee on Appropriations. After general debate the bill shall be considered for amendment under the five-minute rule. Points of order against section 628 for failure to comply with clause 2 of rule XXI are waived. During consideration of the bill for amendment, the Chairman of the Committee of the Whole may accord priority in recognition on the basis of whether the Member offering an amendment has caused it to be printed in the portion of the Congressional Record designated for that purpose in clause 6 of rule XXIII. Amendments so printed shall be considered as read. The chairman of the Committee of the Whole may: (1) postpone until a time during further consideration in the Committee of the Whole a request for a recorded vote on any amendment; and (2) reduce to five minutes the minimum time for electronic voting on any postponed question that follows another electronic vote without intervening business, provided that the minimum time for electronic voting on the first in any series of questions shall be 15 minutes. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

The SPEAKER pro tempore (Mr. LAHOOD). The gentleman from Florida (Mr. GOSS) is recognized for 1 hour.