Isakson
Israel
Issa
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Keller
Kelly
Kennedy (MN)
Kennedy (RI)
Kerns
Kildee
Kilpatrick
Kind (WI)
King (NY)
Kingston
Kirk
Kleczka
Knollenberg
Kolbe
Kucinich
LaFalce
LaHood
Lampson
Langevin
Lantos
Largent
Larsen (WA)
Larson (CT)
Latham
LaTourette
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren
Lowey
Lucas (KY)
Lucas (OK)
Luther
Maloney (CT)
Maloney (NY)
Manzullo
Markey
Mascara
Matheson
McCarthy (MO)
McCarthy (NY)
McCollum
McCrery
McDermott
McGovern
McHugh
McInnis
McIntyre
McKeon
McKinney
McNulty
Meehan
Meeks (NY)
Menendez
Mica
Millender-McDonald
Miller (FL)
Miller, Gary
Miller, George
Mink
Mollohan
Moore
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Nadler
Napolitano
Neal
Nethercutt
Ney
Northup
Norwood
Nussle
Oberstar
Obey
Olver
Ortiz
Osborne
Ose
Otter
Oxley
Pallone
Pascrell
Pastor
Payne
Pelosi
Pence
Peterson (MN)
Peterson (PA)
Petri
Phelps
Pickering
Pitts
Pomeroy
Portman
Price (NC)
Pryce (OH)
Quinn
Radanovich
Rahall
Ramstad
Rangel
Regula
Rehberg
Reyes
Reynolds
Riley
Rivers
Rodriguez
Roemer
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Rothman
Roukema
Roybal-Allard
Royce
Rush
Ryan (WI)
Ryun (KS)
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Saxton
Scarborough
Schaffer
Schakowsky
Schiff
Schrock
Scott
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays
Sherman
Shimkus
Shows
Shuster
Simmons
Simpson
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Solis
Souder
Spence
Spratt
Stark
Stearns
Stenholm
Strickland
Stump
Stupak
Sununu
Sweeney
Tancredo
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Thune
Thurman
Tiahrt
Tiberi
Tierney
Toomey
Towns
Traficant
Udall (CO)
Udall (NM)
Upton
Velazquez
Visclosky
Vitter
Walden
Walsh
Wamp
Waters
Watkins (OK)
Watson (CA)
Watt (NC)
Watts (OK)
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Wexler
Whitfield
Wicker
Wilson
Wolf
Woolsey
Wynn
Young (AK)
Young (FL)

NAYS—2

Flake
Paul

NOT VOTING—17

Allen
Andrews
Boswell
Burton
Callahan
Doolittle
Frank
Johnson, Sam
Matsui
Meek (FL)
Owens
Platts
Pombo
Putnam
Sherwood
Turner
Wu

□ 1351

So (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

REPORT ON H.R. 2330, AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 2002

Mr. BONILLA, from the Committee on Appropriations, submitted a privileged report (Rept. No. 107–116) on the bill (H.R. 2330) making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies for fiscal year 2002, and for other purposes, which was referred to the Union Calendar and ordered to be printed.

The SPEAKER pro tempore (Mr. SHIMKUS). Pursuant to clause 1 of rule XXI, all points of order are reserved.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 2180

Mrs. BONO. Mr. Speaker, I ask unanimous consent to remove my name as a cosponsor of H.R. 2180.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from California?

There was no objection.

GENERAL LEAVE

Mr. CALLAHAN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on the bill, H.R. 2311, making appropriations for energy and water development for the fiscal year ending September 30, 2002, and for other purposes, and that I may be permitted to include tabular and extraneous materials.

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

There was no objection.

ENERGY AND WATER DEVELOPMENT APPROPRIATIONS ACT, 2002

The SPEAKER pro tempore. Pursuant to House Resolution 180 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the consideration of the bill, H.R. 2311.

□ 1352

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 2311) making appropriations for energy and water development for the fiscal year ending September 30, 2002, and for other purposes, with Mr. SIMPSON in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. Pursuant to the rule, the bill is considered as having been read the first time.

Under the rule, the gentleman from Alabama (Mr. CALLAHAN) and the gentleman from Indiana (Mr. VISCLOSKY) each will control 30 minutes.

The Chair recognizes the gentleman from Alabama (Mr. CALLAHAN).

Mr. CALLAHAN. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, it is my privilege to bring before the body today the fiscal year 2002 appropriations bill for energy and water needs facing this country. We have tried desperately to work with all the Members on both sides of the aisle to bring before you today a fair bill, a bill that has addressed most of the concerns of the Members who have contacted us. Mr. Chairman, there have been extensive contacts with us. In our deliberations we have come forward with a bill that I think provides the administration with ample funds for energy and water and reclamation needs in this country.

The bill agrees with President Bush that we should constrain government growth. I am happy to report that this bill constrains government growth because it is only increased about a one-half of 1 percent over the FY year 2001 level of funding.

The total funding in H.R. 2311 is $23.7 billion. This is $147 million, as I said, less than one-half of 1 percent, more than fiscal year 2001, for energy and water development programs.

Title I of the bill provides funding for the civil works program of the Corps of Engineers. The Subcommittee on Energy and Water Development is unanimous in its belief that these programs are among the most valuable within the subcommittee's jurisdiction. The national benefits of projects for flood control, for navigation and shoreline protection substantially exceed project costs. The bill acknowledges the importance of water infrastructure by funding the civil works program at $4.47 billion, an increase of only $568 million over last year's appropriation.

Within the amount appropriated to the Corps of Engineers, $163 million is for general investigations, $1.67 billion is for the construction program, and $1.86 billion is for operations and maintenance. In addition, the bill includes $347 million for the flood control, Mississippi River and Tributaries project. The bill also funds the budget request for the regulatory program and the Formerly Utilized Sites Remedial Action Program.

In title II, which is for the Bureau of Reclamation, we spend $842 million, an increase of only $26 million over fiscal year 2001.

Title III provides $18 billion for the Department of Energy, an increase of $444 million over fiscal year 2001.

So in all three areas of jurisdiction the bill is within the suggested constraints that President Bush has submitted to us, whereby we control excessive government growth spending. We are very pleased to have done that.

We sought to maintain level funding for basic research in science programs;

and we provided $3.17 billion, an increase of $6.5 million over the budget request. Funding of $276.3 million has been provided for construction of the Spallation Neutron Source, the same as the budget request. We have sought to respond to all of the needs, and we visited some of the projects throughout the country in trying to determine where our priorities ought to be.

I think if there is anything, Mr. Chairman, that pleases me, it is the way we have been able to work in a bipartisan fashion with the minority. We have been able to respond, as I said earlier, to most every legitimate need, we feel, that has been brought before us for our consideration. I am happy to have the support of so many Members of Congress in helping us draft this legislation.

Mr. Chairman, I owe a debt of gratitude to the hard work of the dedicated members of the Subcommittee on Energy and Water Development. They have labored under difficult constraints to produce a bill that is balanced and fair. I am especially grateful to the gentleman from Indiana (Mr. VISCLOSKY), our ranking minority member. It is in large part due to his efforts that we present a bill that merits the support of all Members of the House.

Mr. Chairman, I urge all Members to support H.R. 2311 as reported by the Committee on Appropriations.

Mr. Chairman, I include the following charts for the RECORD.

ENERGY AND WATER DEVELOPMENT APPROPRIATIONS BILL, 2002 (H.R. 2311)
(Amounts in thousands)

	FY 2001 Enacted	FY 2002 Request	Bill	Bill vs. Enacted	Bill vs. Request
TITLE I - DEPARTMENT OF DEFENSE - CIVIL					
DEPARTMENT OF THE ARMY					
Corps of Engineers - Civil					
General investigations	160,584	130,000	163,260	+2,676	+33,260
Construction, general	1,716,165	1,324,000	1,671,854	-44,311	+347,854
Flood control, Mississippi River and tributaries, Arkansas, Illinois, Kentucky, Louisiana, Mississippi, Missouri, and Tennessee	350,458	280,000	347,655	-2,803	+67,655
Operation and maintenance, general	1,897,775	1,745,000	1,864,464	-33,311	+119,464
Regulatory program	124,725	128,000	128,000	+3,275	.....
FUSRAP	139,692	140,000	140,000	+308	.....
General expenses	151,666	153,000	153,000	+1,334	.....
Total, title I, Department of Defense - Civil	4,541,065	3,900,000	4,468,233	-72,832	+568,233
TITLE II - DEPARTMENT OF THE INTERIOR					
Central Utah Project Completion Account					
Central Utah project construction	19,524	24,169	24,169	+4,645	.....
Fish, wildlife, and recreation mitigation and conservation	14,136	10,749	10,749	-3,387	.....
Utah reclamation mitigation and conservation account	4,989	.....	.....	-4,989	.....
Subtotal	38,649	34,918	34,918	-3,731	.....
Program oversight and administration	1,213	1,310	1,310	+97	.....
Total, Central Utah project completion account	39,862	36,228	36,228	-3,634	.....
Bureau of Reclamation					
Water and related resources	678,953	647,997	691,160	+12,207	+43,163
Loan program	9,348	7,495	7,495	-1,853	.....
(Limitation on direct loans)	(26,941)	(26,000)	(26,000)	(-941)	.....
Central Valley project restoration fund	38,360	55,039	55,039	+16,679	.....
California Bay-Delta restoration	.....	20,000	.....	.....	-20,000
Policy and administration	50,114	52,968	52,968	+2,854	.....
Total, Bureau of Reclamation	776,775	783,499	806,662	+29,887	+23,163
Total, title II, Department of the Interior	816,637	819,727	842,890	+26,253	+23,163
TITLE III - DEPARTMENT OF ENERGY					
Energy supply	659,918	544,245	639,317	-20,601	+95,072
Non-defense environmental management	277,200	228,553	227,872	-49,328	-681
Uranium facilities maintenance and remediation	392,502	363,425	393,425	+923	+30,000
Science	3,180,341	3,159,890	3,166,395	-13,946	+6,505
Nuclear Waste Disposal	190,654	134,979	133,000	-57,654	-1,979
Departmental administration	225,942	221,618	209,611	-16,331	-12,007
Miscellaneous revenues	-151,000	-137,810	-137,810	+13,190	.....
Net appropriation	74,942	83,808	71,801	-3,141	-12,007
Office of the Inspector General	31,430	31,430	32,430	+1,000	+1,000
Environmental restoration and waste management:					
Defense function	(6,108,864)	(5,740,783)	(6,410,625)	(+301,761)	(+669,842)
Non-defense function	(669,702)	(591,978)	(621,297)	(-48,405)	(+29,319)
Total	(6,778,566)	(6,332,761)	(7,031,922)	(+253,356)	(+699,161)
Atomic Energy Defense Activities					
National Nuclear Security Administration:					
Weapons activities	5,006,153	5,300,025	5,123,888	+117,735	-176,137
Defense nuclear nonproliferation	872,273	773,700	845,341	-26,932	+71,641
Naval reactors	688,645	688,045	688,045	-600	.....
Office of the Administrator	9,978	15,000	10,000	+22	-5,000
Subtotal, National Nuclear Security Administration	6,577,049	6,776,770	6,667,274	+90,225	-109,496
Defense environmental restoration and waste management	4,963,533	4,548,708	5,174,539	+211,006	+625,831
Defense facilities closure projects	1,080,331	1,050,538	1,092,878	+12,547	+42,340
Defense environmental management privatization	65,000	141,537	143,208	+78,208	+1,671
Subtotal, Defense environmental management	6,108,864	5,740,783	6,410,625	+301,761	+669,842
Other defense activities	582,466	527,614	487,464	-95,002	-40,150
Defense nuclear waste disposal	199,725	310,000	310,000	+110,275	.....
Total, Atomic Energy Defense Activities	13,468,104	13,355,167	13,875,363	+407,259	+520,196
Power Marketing Administrations					
Operation and maintenance, Southeastern Power Administration	3,891	4,891	4,891	+1,000	.....
Operation and maintenance, Southwestern Power Administration	28,038	28,038	28,038	.....	.....
Construction, rehabilitation, operation and maintenance, Western Area Power Administration	165,465	169,465	172,165	+6,700	+2,700
Falcon and Amistad operating and maintenance fund	2,663	2,663	2,663	.....	.....
Total, Power Marketing Administrations	200,057	205,057	207,757	+7,700	+2,700
Federal Energy Regulatory Commission					
Salaries and expenses	175,200	181,155	181,155	+5,955	.....
Revenues applied	-175,200	-181,155	-181,155	-5,955	.....

ENERGY AND WATER DEVELOPMENT APPROPRIATIONS BILL, 2002 (H.R. 2311)—Continued
(Amounts in thousands)

	FY 2001 Enacted	FY 2002 Request	Bill	Bill vs. Enacted	Bill vs. Request
Defense nuclear waste disposal (rescission)	-75,000			+75,000	
Defense environmental privatization (rescission)	-97,000			+97,000	
Total, title III, Department of Energy	18,303,148	18,106,554	18,747,360	+444,212	+640,806
TITLE IV - INDEPENDENT AGENCIES					
Appalachian Regional Commission	66,254	66,290	71,290	+5,036	+5,000
Defense Nuclear Facilities Safety Board	18,459	18,500	18,500	+41	
Delta Regional Authority	19,956	19,992		-19,956	-19,992
Denali Commission	29,934	29,939		-29,934	-29,939
Nuclear Regulatory Commission:					
Salaries and expenses	481,825	506,900	516,900	+35,075	+10,000
Revenues	-447,958	-463,248	-473,520	-25,562	-10,272
Subtotal	33,867	43,652	43,380	+9,513	-272
Office of Inspector General	5,500	6,180	6,180	+680	
Revenues	-5,390	-5,932	-5,933	-543	-1
Subtotal	110	248	247	+137	-1
Total	33,977	43,900	43,627	+9,650	-273
Nuclear Waste Technical Review Board	2,894	3,100	3,100	+206	
Total, title IV, Independent agencies	171,474	181,721	136,517	-34,957	-45,204
TITLE V - EMERGENCY SUPPLEMENTAL					
DEPARTMENT OF ENERGY					
Atomic Energy Defense Activities					
Cerro Grande fire activities (contingent emergency appropriations)	203,012			-203,012	
Appalachian Regional Commission (contingent emergency appropriations)	10,976			-10,976	
Total, title V, Emergency Supplemental	213,988			-213,988	
Grand total:					
New budget (obligational) authority	24,046,312	23,008,002	24,195,000	+148,688	+1,186,998
Appropriations	(24,004,324)	(23,008,002)	(24,195,000)	(+190,676)	(+1,186,998)
Contingent emergency appropriations	(213,988)			(-213,988)	
Rescissions	(-172,000)			(+172,000)	

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

Mr. VISCLOSKY. Mr. Chairman, I yield myself such time as may consume.

Mr. Chairman, I would encourage at the outset of my remarks all of the Members of the body to support the energy and water appropriation bill. I would also at the outset note that the long-standing Alabama and Indiana connection, as they call it, that was established many years ago by Mr. Bevill from Alabama and Mr. Myers from Indiana, has now been reestablished on that particular subcommittee.

I want to very sincerely thank the gentleman from Alabama (Chairman CALLAHAN) for his leadership on the subcommittee. He has been a leader. He has been trusting of all of us on this subcommittee. He has been open, he has been fair, and he has been decisive. He has put together a very good work product in a bipartisan fashion, and I strongly support it.

I also do want to thank all of the members of the subcommittee, who have worked so hard also to put this legislation together.

Last, I want to especially thank those who have done the work, the staff: Bob Schmidt, Jeanne Wilson, Kevin Cook, Tracy LaTurner, Paul Tumminello; the personal staff of the gentleman from Alabama (Mr. CALLAHAN), Mike Sharp and Nancy Tippins; and our side of the aisle, David Killian, Richard Kaelin, and Jennifer Watkins, a former staffer. I do appreciate the work that the staff has done.

The President asked for $1 billion worth of cuts for the programs represented by this legislation; and under the leadership of this subcommittee, those cuts have essentially been restored.

□ 1400

We are $187 million over the current year level, that is less than a 1 percent increase, but this bill does meet critical demands faced in the infrastructure and energy arena by our Nation. I am particularly happy that as far as water infrastructure, there is a $591 million plus-up in this bill, and some of the other attributes I would mention is the increase in environmental funding over the administration request. This funding increase is essential to achieving long-planned program milestones, assuring compliance with the law, and avoiding unnecessary stretch-outs that could simply lead to higher costs.

I am also very happy that in the nonproliferation accounts, we have increased the amount over the President's request by $71 million, and the current bill now has $774 million contained therein. I also think it is important for all of my colleagues to understand that the gentleman from Alabama (Mr. CALLAHAN) indicated during markup that he plans to conduct a hearing in July relative to this issue and all of the needs as far as our concern over the proliferation of weapons of mass destruction and the materials thereto. I look forward to joining him to ensure that these critical programs get the scrutiny and the attention that they deserve, and I also wish to commend especially the gentleman from Texas (Mr. EDWARDS) for his leadership on this issue.

The bill also provides $733 million for renewable energy resources, and that, again, is an increase of $100 million over the administration's request.

This is a very good bill, but at the conclusion of my remarks, I would just make a couple of points about our underinvestment in infrastructure in this Nation. I do regret, through no fault of anyone on the subcommittee, that I believe we are still $10 million short as far as the Army Corps of Engineers regulatory budget, as far as making sure that the Corps can efficiently and without delay proceed with their regulatory burden. I regret that we were not fully able to fund that account, but we have included it at the administration's request. Additionally, it should be understood that the Corps asked for $6 billion because they felt that was, in fact, the national need.

As far as water, we have $4.468 billion contained in the bill. At this rate, unfortunately, authorized projects by this Congress will increase, that have not been started, from $38 billion this year to $40 billion in the next fiscal year. We will see the Corps' backlog of critical maintenance increase from $450 million this year to $864 million next year. However, I would point out in the supplemental, the gentleman from Alabama (Mr. CALLAHAN) and the gentleman from Florida (Mr. YOUNG) did agree to plus up critical maintenance as far as dams under the Army Corps critical control by $23.7 million last week. They certainly recognized the need.

The Corps last year in testimony before the subcommittee also indicated that to proceed as efficiently as possible and in as economical fashion as possible, they really needed about another $700 million a year for those existing authorized projects that we are already providing funding for, and, clearly, there is a shortfall.

The last category I would touch on is water infrastructure, primarily sewers. This body, the other body and the administration combined over the last several years have authorized 202 sewer programs, only 44 of which are actually funded, 22 percent. The needs and requests are about $2.5 billion, and, again, I do think we have a shortfall in this country. The American Society of Civil Engineers and the U.S. EPA would indicate that to simply bring up existing infrastructure for clean drinking water, we would have to expend an additional $11 billion for wastewater, $12 billion. Clearly, the resources as far as the allocations do not exist.

Mr. Chairman, the chairman has done an exceptional job with the resources we were given. This is a very good bill. However, I do think the administration and the Congress someday, whether it is water or other economic infrastructure, has to face the fact that we need to invest more money.

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

Mr. CALLAHAN. Mr. Chairman, I yield such time as he may consume to the gentleman from Florida (Mr. YOUNG), the chairman of the full committee, and the gentleman who is responsible for marshalling all 13 of these appropriation bills through this body and through the conference.

Mr. YOUNG of Florida. Mr. Chairman, I wanted to congratulate the chairman of this subcommittee. He and the ranking member have done an outstanding job in bringing disagreements together to agreements. They have a good bill. There will be some differences that we will be discussing here later this afternoon, but they have done a really good job. They have worked together very well in a good bipartisan fashion, and they have produced a bill of which both the chairman as well as the ranking member can be very proud. The staff of the subcommittee, too, have done yeoman's work.

I take this little extra time, Mr. Chairman, to say that one of the conversations that we will probably have this afternoon will have to do with energy. We have enough problems with energy because of our heavy reliance on foreign sources. We have problems with those foreign sources on occasion. We cannot afford to have any energy wars here at home with each other. So we need to be careful how we approach all of these issues so that we do not get into a battle with ourselves over energy.

A major industrial Nation like the United States, which is a large consumer of energy, must also understand the importance of producing energy, because if we totally rely on energy sources from abroad, we will find ourselves in real tight spots on occasion, which we do on occasion.

So when we get to those issues later today, let us understand that we are all on the same team, and that we are not going to start any energy wars between one section of the country and another; that we are going to work together to work out what is right and best for the people of the United States of America, who are energy consumers.

But again, I wanted to say that the gentleman from Alabama (Mr. CALLAHAN), the chairman of the subcommittee, has done a beautiful job with this bill with the help of the gentleman from Indiana (Mr. VISCLOSKY), and it deserves the support of the Members of the House. I hope that we can do that expeditiously and move on to other matters.

Mr. Chairman, we will be filing the Agriculture Bill this afternoon and hopefully will have it on the floor tomorrow. The subcommittees have marked up two more appropriations

bills this morning, so we really are moving quickly. We got off to a late start because we received our specific numbers and budget justifications late, but we are catching up, and we are catching up pretty effectively.

Mr. VISCLOSKY. Mr. Chairman, I yield such time as she may consume to the gentlewoman from California (Ms. ROYBAL-ALLARD), a valued member of the subcommittee.

Ms. ROYBAL-ALLARD. Mr. Chairman, I rise for the purpose of engaging in a colloquy with the gentleman from Alabama (Mr. CALLAHAN) on the subject of security procedures at the Department of Energy headquarters.

Members of this House were appalled when they learned about the incident involving our colleague, the gentleman from Oregon (Mr. WU), at the Department of Energy headquarters a few weeks ago. The gentleman from California had been invited by DOE to be a guest speaker at a celebration honoring the contributions of Asian Pacific Islander Americans to this country. But when he arrived at DOE headquarters, he was refused admittance and asked three different times whether he was an American citizen, even after producing an official card identifying him as a Member of Congress.

An Asian American aide accompanying the gentleman from California (Mr. WU) was also refused admittance, despite producing a congressional identification card.

As the representative of the 33rd Congressional District of California, I am proud to represent an active community of Asian Pacific Islander Americans in Los Angeles. Understandably, we were very upset at this incident and the implication of discrimination by an official government agency.

I, therefore, want to take this opportunity to thank the gentleman from Alabama (Mr. CALLAHAN) for including language in our report expressing the committee's concern about this incident and asking DOE to examine its security procedures in light of it.

Mr. CALLAHAN. Mr. Chairman, will the gentlewoman yield?

Ms. ROYBAL-ALLARD. I yield to the gentleman from Alabama.

Mr. CALLAHAN. Mr. Chairman, I appreciate very much the gentlewoman's interest in this matter, and I know that we are all concerned about this incident. As the gentlewoman has requested, we have directed DOE to reconsider its security procedures and to report back to us.

Ms. ROYBAL-ALLARD. Mr. Chairman, reclaiming my time, I thank the gentleman for providing me with this opportunity to report to our colleagues on how we have responded to this disturbing incident. I very much appreciate the gentleman's willingness to work with me to ensure that DOE's security procedures are not only effective, but that they are also in keeping with our American values against discrimination.

Mr. CALLAHAN. Mr. Chairman, I yield 5 minutes to the gentleman from New Jersey (Mr. FRELINGHUYSEN), a member of our subcommittee, and a very important member of our subcommittee.

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

Mr. FRELINGHUYSEN. Mr. Chairman, I thank the gentleman for yielding me this time.

Mr. Chairman, I rise today in support of the energy and water appropriations bill for this year. Let me thank first the gentleman from Alabama (Mr. CALLAHAN), the chairman of the subcommittee, for his leadership on our subcommittee's work, and to the gentleman from Indiana (Mr. VISCLOSKY), the ranking member, for his bipartisan approach to our bill, and my thanks to the subcommittee staff for their tireless efforts in putting this bill together.

The gentleman from Alabama (Mr. CALLAHAN) has produced a bill that ensures our Nation's continued commitment to work in partnership with our States and local communities to address such vital needs as flood control, shore protection, environmental restoration, and improving our Nation's many waterways. By doing so, we are helping meet our critical economic, environmental and public safety needs in virtually every State in the Nation, and we are doing so in keeping with our 302(b) allocation, which means we are working within the confines of a balanced Federal budget.

As the chairman can attest and has attested, there are many more requests for funding than our budget allocation can provide for. The No New Start policy contained in this bill is difficult, but very necessary. We are focusing our limited dollars on ongoing projects that are on schedule and on budget.

The chairman deserves special recognition for rejecting forthright the proposition that we should change in midstream the Federal Government's funding formula commitments to these ongoing projects. For more than 170 years, the Federal Government has worked in partnership with our States and local communities to provide solutions to critical flooding, dredging and environmental problems, as well as beach and shore protection. In my home State of New Jersey, these projects have kept our port of New York and New Jersey open for business, and prepared us for the future of bigger ships.

I want to thank the chairman in particular for his strong support of dredging for our port, and with this bill we are helping to keep 127 miles of our beaches in my State open for visitors from around the country and around the world. This is a $30 billion industry of tourism for our State. It employs over 800,000 people.

Finally, to help protect people, their homes and businesses from the ravages of flooding, we are helping to purchase wetlands for natural storage areas, and we are working alongside local governments in Somerset and Morris Counties and elsewhere to develop long-term solutions to keep people safe and our communities whole in the event that floods reoccur, and they will.

Let me also address part of our bill which provides funding for the Department of Energy. Here we have focused our critical dollars on the central programs where the Federal Government can truly make a difference. I especially want to thank the chairman for his support of $248 billion for the fusion program and $25 million for laser research. In the President's national energy plan, fusion energy was actually highlighted as having the potential to serve as an inexhaustible and an abundant clean source of energy. The President's energy plan suggests that fusion should be developed as a next-generation technology, and I agree.

Finally, let me say a word about funding for the renewable energy resources, since they are a focus of so much public attention. Let us be clear. Everyone supports renewables, and we fund these programs at $376 million. In fact, in the 7 years I have served on this subcommittee, we have invested over $2.2 billion in renewable energy. This year's added funding maintains our commitment to renewables.

Mr. Chairman, I rise in support of this bill, and I urge my colleagues to do the same.

Mr. VISCLOSKY. Mr. Chairman, I would simply follow up on the colloquy that the gentlewoman from California and the gentleman from Alabama had and would note that the committee directs the Secretary to report back by September 1 of this year in anticipation of the conference. So I do appreciate the chairman's cooperation.

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

Mr. SABO. Mr. Chairman, I thank my colleagues for including in the bill a $4 million increase for transmission reliability and to direct the Department of Energy to initiate field-testing of advanced composite conductors. I just want to clarify that these additional funds will be used explicitly for Aluminum Matrix Composite conductors; is that correct?

Mr. CALLAHAN. Mr. Chairman, will the gentleman yield?

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

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Mr. CALLAHAN. The gentleman from Minnesota (Mr. SABO) is correct.

Mr. SABO. Reclaiming my time, I thank the gentleman from Alabama for his response.

Mr. CALLAHAN. Mr. Chairman, I yield 1 minute to the gentleman from California (Mr. GARY G. MILLER).

Mr. GARY G. MILLER of California. Mr. Chairman, I would like to inquire about a provision in the Committee Report. In title III, describing the Committee's funding priorities for the Department of Energy's Energy, Biomass,

Biofuels and Energy Systems program, the report states ''$1 million to support a cost-shared agricultural waste methane power generation facility in California.''

With regard to this California project, I ask the gentleman from Alabama (Mr. CALLAHAN) is it the same effort proposed by the Inland Empire Utilities Agency in cooperation with the dairies located in the Chino Dairy Preserve?

Mr. CALLAHAN. Mr. Chairman, will the gentleman yield?

Mr. GARY G. MILLER of California. I yield to the gentleman from Alabama.

Mr. CALLAHAN. The gentleman from California is correct.

Mr. VISCLOSKY. Mr. Chairman, I yield such time as he may consume to the gentleman from Texas (Mr. EDWARDS), a member of the Subcommittee on Energy and Water Development.

Mr. EDWARDS. Mr. Chairman, I rise in support of this important legislation, and I would like to speak about both its process and its product.

Regarding the process in developing this bill, I want to commend the gentleman from Alabama (Mr. CALLAHAN), who is not new to a position of being chair in this House, he is not new to the subcommittee; but this is his first term as a chairman of this subcommittee. Through his leadership, working with the gentleman from Indiana (Mr. VISCLOSKY), the ranking member, this was truly put together on a fair and bipartisan basis with the intention of what is good for the country in different regions of the country, not what is good for one party or another.

Mr. Chairman, I regret sometimes that the amount of press attention to legislation in Washington is inversely proportional to the importance of that legislation and how well it is handled. There may not be a lot of coverage of this today in many parts of the country, because it was done on a bipartisan basis without squabbling and infighting.

In terms of the product of this bill, I rise to speak about it because many people in this House and throughout the country do not pay a great deal of attention to the work of this subcommittee, especially because much of its work is designed for prevention, flood prevention and nuclear proliferation prevention.

If this committee does its work well, people never know how important the work of the Subcommittee on Energy and Water has actually been to their lives.

Mr. Chairman, let me pay special tribute to the gentleman from Alabama (Chairman CALLAHAN) for his strong leadership efforts supported by the gentleman from Indiana (Mr. VISCLOSKY) in seeing that at a time of great flooding, in the wake of Tropical Storm Allison, we did not cut the funding for the Army Corps of Engineers flood control projects as had been originally proposed.

In an area of which I have great personal interest, the area of nuclear nonproliferation, I think most Americans would be surprised to know that in Russia today, there is enough nuclear grade plutonium and enriched uranium to build 80,000 nuclear bombs.

This subcommittee's work is to try to help Russia to get control of that nuclear material so that, God forbid, we do not wake up some day, weeks or months or years from now and read about a major American city having lost millions of its citizens because of the terrorists getting their hands on some nuclear material from the former Soviet Union, not putting it on the tip of a nuclear missile, but putting it in a backpack and parking it in a pickup truck in a major American city.

The gentleman from Alabama (Chairman CALLAHAN) especially deserves the appreciation of American families for saying that we must make an increased investment to ensure that that nuclear material should not get into the hands of terrorists throughout the world.

We may never know how much of a debt of gratitude we owe the gentleman from Alabama (Chairman CALLAHAN) and the gentleman from Indiana (Mr. VISCLOSKY), as his partner in fighting to increase that funding. But I thank the gentleman from Alabama personally as a Member of Congress and as a father for the effort in that particular area, as well as the important work of this subcommittee and flood control and energy renewable research.

Mr. Chairman, I rise in strong support of this legislation. It was handled well. The product is a good one.

Mr. CALLAHAN. Mr. Chairman, I yield 2 minutes to the gentleman from Kentucky (Mr. WHITFIELD).

Mr. WHITFIELD. Mr. Chairman, I also want to thank the gentleman from Alabama (Chairman CALLAHAN) and the gentleman from Indiana (Mr. VISCLOSKY), the ranking minority member, for the leadership they have provided in putting this legislation together to fund the important programs of the Department of Energy and the Army Corps of Engineers. I support the fiscal year 2002 energy and water development appropriation measure.

Mr. Chairman, I genuinely appreciate the subcommittee's continued support of the Kentucky Lock Addition and Olmsted Locks, which help transport waterborne commerce to more than 23 States and for reinstating funding for the annual dredge work at Kentucky's only port on the Mississippi River, the Elvis Star Harbor in Hickman, Kentucky.

In particular, I want to thank the subcommittee for agreeing to our request to increase funding for environmental cleanup at the Paducah Gaseous Diffusion Plant. The $10 million increase the subcommittee provided is desperately needed to help combat the myriad of environmental programs and problems stemming from over 50 years of enriched uranium production at that site.

These funds, along with the monies the subcommittee has provided for cylinder maintenance and the construction of an on-site low-level waste disposal cell, will keep us on a steady path towards a safer workplace and a safer community.

Mr. Chairman, the employees at the plant and the citizens living and working in the area adjacent to the plant deserve no less.

On one separate issue, I understand that with the constraint of money, obviously, that the bill recommends a slight reduction in the DOE's Office of Environmental Safety and Health. To the extent that this reduction might impact the very important medical monitoring program at Paducah for current and former workers, I hope that the gentleman from Alabama (Chairman CALLAHAN) might consider restoring those funds, if it is possible, as the bill moves forward.

The monitoring program is a key component of the newly established DOE workers compensation program, which has just now been implemented Nationwide.

Again, I want to thank the gentleman from Alabama (Chairman CALLAHAN), the gentleman from Indiana (Mr. VISCLOSKY), the ranking minority member, for their leadership; and I look forward to the passage of this legislation.

Mr. VISCLOSKY. Mr. Chairman, I yield such time as he may consume to the gentleman from Arizona (Mr. PASTOR).

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

Mr. PASTOR. Mr. Chairman, first of all, I would like to congratulate the gentleman from Alabama (Mr. CALLAHAN), the Chairman of the Subcommittee on Energy and Water Development, and the gentleman from Indiana (Mr. VISCLOSKY), the ranking member on the subcommittee, for the fine work they have done in bringing this bipartisan bill forward.

I also would like to thank both of the gentleman for the projects which are funded in this bill. The Rio Salado project has been funded for the construction of the Rio Salado, and those of us who live in Mericopa County are very appreciative of it.

We also want to thank the subcommittee for funding the various flood control studies and habitat restoration of the various tributaries of the Salt River. Also, those of us who represent Tucson are very thankful, because, in this bill, we fund many projects that deal with habitat restoration and flood control in southern Arizona.

Mr. Chairman, I look forward to working with the gentleman from Alabama (Mr. CALLAHAN) and the gentleman from Indiana (Mr. VISCLOSKY), the ranking member, to deal with the issue of the Nogales Wash and to see how we can fund that flood control project; but I would urge my colleagues to support this bill, it is bipartisan.

Mr. Chairman, I would also like to thank the staff who have worked very hard on this bill.

Mr. CALLAHAN. Mr. Chairman, I yield 2 minutes to the gentleman from Montana (Mr. REHBERG).

Mr. REHBERG. Mr. Chairman, I would like to engage in a brief colloquy with the gentleman from Alabama (Chairman CALLAHAN).

Mr. Chairman, I want to commend the gentleman from Alabama (Mr. CALLAHAN) and the gentleman from Indiana (Mr. VISCLOSKY) for their action to restore over $30 million in funds which were eliminated from the fiscal year 2002 budget for the U.S. Department of Energy's Office of Science and Technology within the Environmental Management program.

The Office of Science and Technology has a very important mission in developing and implementing means to clean up contaminated Federal property around the country, and it deserves the continued and strong support of the Congress.

Mr. Chairman, I am concerned about the continuation of the important work of DOE's Western Environmental Technology Office, or WETO, located in Butte, Montana. At this facility, the National Energy Technology Laboratory provides critical support to DOE's Office of Science and Technology. Their activities help facilitate DOE's demonstration, evaluation, and implementation of technologies that promise to provide much needed solutions to the environmental cleanup challenges at various DOE sites.

DOE's Research and Development contract for the Western Environmental Technology Office, originally awarded in fiscal year 1997, has been extended through the end of fiscal year 2003. That contract extension provided that DOE would fund WETO at the following levels: $6 million in fiscal year 2001, $6 million in fiscal year 2002, and $4 million in fiscal year 2003. Consistent with this contract and schedule, the Energy and Water Development Appropriations Act for fiscal year 2001 provided $6.5 million for WETO to carry out its important functions.

It is critically important to preserve this commitment to WETO and continued funding as scheduled. I would add, Mr. Chairman, that the operations and activities of WETO are very important to the economy in Montana. Many professionals have chosen western Montana as their home while they serve our Nation's challenge to clean contaminated DOE's sites.

I ask the gentleman from Alabama (Mr. CALLAHAN) if he would agree that it is the committee's intent that DOE's agreement with WETO be honored and funded to the maximum extent possible?

Mr. CALLAHAN. Mr. Chairman, will the gentleman yield?

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

Mr. CALLAHAN. Absolutely, I would agree with the gentleman from Montana. If the Department of Energy has signed a contract with the facility, then it should be honored to the maximum extent possible.

Mr. REHBERG. Reclaiming my time, I thank the chairman for his consideration of this very important program.

Mr. VISCLOSKY. Mr. Chairman, I yield 1 minute to the distinguished gentleman from New York (Mr. CROWLEY).

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

Mr. CROWLEY. Mr. Chairman, I thank the gentleman from Indiana (Mr. VISCLOSKY) for yielding me such time.

Mr. Chairman, I rise in strong support of the energy and water bill before us today. I want to thank and congratulate the gentleman from Alabama (Chairman CALLAHAN) and the gentleman from Indiana (Mr. VISCLOSKY), the ranking member, for their great work in crafting a solid bipartisan bill that will meet some of the important energy and infrastructure needs of our Nation over the next year.

In particular, I want to thank the committee for including $4.4 million in this bill for the cleanup of Flushing Bay and Creek in my congressional district in Queens.

This funding will be used for the badly needed dredging of parts of this water body to clean up old sediment and other debris that has built up in the bay and creek which has hampered economic development and the free flow of commerce, as well as trapped pollution and pollutants and other contaminants in that body of water.

The pollution build-up in Flushing Creek Bay and creek has resulted in foul odors and water discoloration, making this body of water a blight on our community, but this investment by the committee in the cleanup will make Flushing Bay and its creek the envy of Queens County.

Mr. Chairman, once again, I want to thank the gentleman from Alabama (Chairman CALLAHAN) and the gentleman from Indiana (Mr. VISCLOSKY), the ranking member, for their hard work and support of this project for the people of my district in Queens, New York.

Mr. CALLAHAN. Mr. Chairman, I yield 1 minute to the gentleman from Missouri (Mr. GRAVES).

Mr. GRAVES. Mr. Chairman, I, too, want to commend the gentleman from Alabama (Chairman CALLAHAN) for his work on this bill.

Mr. Chairman, I rise today in strong support of this bill, specifically the language included to prohibit the Corps of Engineers from using funds to implement a spring rise in the Missouri River.

The National Fish and Wildlife Service recommends implementing higher water levels in the spring and lower levels in the fall. While this artificial spring rise may help improve the breeding habitat of three species, lest tern, piping plover, and pallid sturgeon, the higher spring water level increases the risk for flooding in towns and on valuable farmland.

The spring rise would devastate communities in my district and all along the Missouri and Mississippi Rivers. When water is released from upstream dams in the Dakotas and Montana, it takes 12 days to reach St. Louis, where the Missouri meets the Mississippi. Once water is released, it cannot be retrieved. Any rains during that 12-day period would make it impossible to control the amount of flooding that would occur.

As we saw earlier this month, the Missouri and Mississippi Rivers often flood naturally; we do not need any additional government-imposed floods. Unless you have been in one of those communities where a flood has hit, you cannot appreciate how devastating a flood can be.

This is not a new proposal, Mr. Chairman. Similar language has been included in the last five energy and water appropriation bills. I urge my colleagues to put the needs of the people living and working along the river above the needs of the piping plover and/or the lest tern.

Mr. VISCLOSKY. Mr. Chairman, I yield 2 minutes to the gentlewoman from California (Ms. MILLENDER-MCDONALD).

Ms. MILLENDER-MCDONALD. Mr. Chairman, I rise today first to commend the gentleman from Alabama (Mr. CALLAHAN), the Chairman of the Subcommittee on Energy and Water Development, and the gentleman from Indiana (Mr. VISCLOSKY), the ranking member, for their consistent leadership in addressing the Nation's water infrastructure needs.

Mr. Chairman, I support this bill, and I appreciate their support of the request that I submitted. I am pleased that $5.5 million of this year's appropriation bill will go towards the West Basin Municipal Water District located in my district, and these funds will assist in the development of The Harbor/South Bay Water Recycling Project in Los Angeles County. The Harbor/South Bay Water Recycling Project will yield clear and measurable long-term returns from this short-term investment.

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This project will result in both economic and environmental benefits to my district and to the region in California. The promise of a reliable water supply even from times of drought helps to build an economic climate that will correctly enhance our ability to attract businesses, create new opportunities, and retain jobs in my district. The project will annually develop up to 48,000 acre-feet of recycled water for municipal, industrial, and environmental purposes in the Los Angeles area.

Beneficiaries of this particular project will include my constituents, businesses and local governments, including the cities of Carson, Culver

City, Torrance and Lomita. Furthermore, the overall West Basin water recycling program will annually develop 70,000 acre-feet of alternative water resources, in addition to reducing the amount of effluent discharge into the Santa Monica Bay, which is a national marine estuary.

I would like to also acknowledge those Members who are California-based on this committee who actively advocated on my behalf, and I thank them very much and thank the ranking member and the chairman.

Mr. CALLAHAN. Mr. Chairman, I reserve the balance of my time.

Mr. VISCLOSKY. Mr. Chairman, I yield 2 minutes to the gentleman from Wisconsin (Mr. KIND).

Mr. KIND. Mr. Chairman, I thank the gentleman for yielding me this time.

Mr. Chairman, I rise in support of this bill and commend the subcommittee leadership on their very timely and efficient work on this important piece of legislation.

I was especially happy to see the committee's recognition of better preserving and protecting the Mississippi River Basin. As co-chair of the bipartisan Mississippi River Task Force, I was happy to see them increase funding by a few million dollars to the important Environmental Management Program above what the Administration requested in their budget.

This is a five-State collaboration program that also involves USGS, the Army Corps of Engineers, Fish and Wildlife Service, which involves Habitat Restoration Projects along the Mississippi River and a long-term resource monitoring scientific program to better determine what exactly is happening in that very valuable ecosystem within the Mississippi River Basin.

We were hoping as a task force to have the funding increased even more, closer to the full $33 million funding that the program is permanently authorized for right now. We are hoping, as the process moves forward, we will be able to continue to work with the leadership to try to increase the funding to bring the program up to scale where it is needed.

I was, however, disappointed that there was zero funding allocated to the Challenge 21 program of the Corps of Engineers. This is a nonstructural approach to flood mitigation in this country. Obviously, we have had some very terrible floods in the upper Mississippi region. I think there are a lot of things that can be done as far as nonstructural flood mitigation that Challenge 21 would specifically target. We are hoping again that, as more information becomes known about this very important program, we are going to be able to finally get some funding to it.

Finally, I want to commend the committee for recognizing, I feel, the bipartisan support that exists in Congress for the important investments that need to be made in alternative and renewable energy sources. I believe everyone here recognizes that any realistic, comprehensive, long-term energy plan has to involve the important role of alternative and renewable energy sources in order to meet our long-term energy needs and sustain growth in this country.

So I commend the committee for their work. Obviously, I believe that there are some things that we need to stay focused on and continue working hard to try to accomplish.

Mr. CALLAHAN. Mr. Chairman, I yield 2 minutes to the gentleman from New York (Mr. FOSSELLA).

Mr. FOSSELLA. Mr. Chairman, I thank the gentleman from Alabama for yielding me this time. I thank him for giving me the opportunity to discuss an issue that is important to people I represent. I also would like to thank him for his commitment to this bill to harbor projects in the New York/New Jersey area.

The dredging of the Port of New York and New Jersey is vital to the continued economic competitiveness of the Port as we begin the 21st century. Dredging is necessary, as we all know, to allow for shipping to continue and allow for new generations of ships to have access to the port. However, I also understand and share the environmental concerns regarding dredging. In short, dredging and the disposal of dredge materials can only be conducted in such a manner that does not adversely impact Staten Island or its surrounding waterways.

Over the past years, I have expressed to the Army Corps of Engineers my serious concerns regarding proposals calling for the establishment of containment islands and borrow pits. I have also met with citizens and groups who have expressed similar concerns.

Containment islands, Mr. Chairman, are not appropriate. In the draft, Dredged Material Management Plan, the Army Corps of Engineers found containment islands to be too costly and claimed they were not going to be considered as a viable option. In fact, according to the Corps, pits located directly off Coney Island, the East Bank Pits, and Staten Island, for example, the CAC Pit, that were identified by citizen groups as being designated for near-term disposal activity have been studied extensively and are no longer being considered for any action. However, I want to ensure that the Corps has held to these statements and these options are officially removed from consideration.

We have a responsibility to protect our waterways and marine life from potentially harmful pollutants. The use of emerging technologies and innovative ideas, such as using dredged material for abandoned coal mine reclamation, as well as upland disposal options must be fully explored. The economic benefits of dredging and protecting the environment, I believe, are not mutually exclusive.

Therefore, Mr. Chairman, I would like to work with you as this moves to conference with the Senate to address this important issue.

Mr. CALLAHAN. Mr. Chairman, will the gentleman yield?

Mr. FOSSELLA. I am happy to yield to the gentleman from Alabama.

Mr. CALLAHAN. Mr. Chairman, I would like to thank the gentleman from New York for bringing this matter to our attention. I want to pledge to him to work with him and the Army Corps of Engineers to address this as this bill moves further along. I will do all that I can to help him. I know of his passion to protect the waterways off the coast of Staten Island, and I want to pledge to do everything I can to help him protect those waterways.

Mr. FOSSELLA. Mr. Chairman, I thank the gentleman very much for his leadership.

Mr. VISCLOSKY. Mr. Chairman, I understand that the majority has no further speakers. I yield back the balance of my time.

Mr. CALLAHAN. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I would like to comment that we worked very hard to get this bill to the position it is in today. This is just the first of several steps in the process as we all know. It has to go to the Senate after today, and then it has to go through a conference committee after that. I want the Members to know that we are going to do everything we can to protect what we have in this bill and that I am sure my colleagues have the same commitment from the gentleman from Indiana (Mr. VISCLOSKY).

But I echo in Mr. VISCLOSKY's earlier statement and would like to thank the staff members that have formulated and drafted this bill. It is a very complicated bill, and it requires a lot of talent. Bob Schmidt and Jeanne Wilson and Kevin Cook, Paul Tumminello and Tracey LaTurner, along with my staff, Nancy Tippins and Mike Sharp, have done a tremendous job in writing and drafting this very complicated piece of legislation.

But we are happy to have received the support we have received from all Members of Congress.

Mr. Chairman, I yield such time as he might consume to the gentleman from Iowa (Mr. LATHAM), a member of our subcommittee.

Mr. LATHAM. Mr. Chairman, I thank the chairman very much for yielding me this time.

Mr. Chairman, I yield to the gentleman from South Dakota (Mr. THUNE).

Mr. THUNE. Mr. Chairman, I thank the gentleman from Iowa for yielding to me.

Mr. Chairman, I intend to rise today to speak to section 106 of the bill before us. Section 106 would prevent the U.S. Army Corps of Engineers from revising the Missouri River Master Water Control manual that includes anything that includes a so-called spring rise. Mr. Chairman, I have to express my

strong objection to that particular provision.

For most of my colleagues here in the House, this debate may not be familiar. It is primarily a regional issue with divisions that break along regional lines, but its significance is much broader than that.

For more than a decade, the Corps has been working toward a revision of the master manual that would change the flow and possibly the priorities of the river. The process has been complicated and contentious, but we are nearing a resolution.

I appreciate the concerns that the proponents of section 106 have regarding downstream flooding and the continued viability of navigation. However, I believe there is a way to address upstream and downstream concerns as we modify the master manual to account for those competing priorities.

I believe we can forge a balanced approach to the operation of the river. We must consider all of the impacts and do this in a way that balances the needs of all the States concerned.

In addition to recreation flood control navigation, we must consider the impacts changes would have on hydropower generation, water supply, and environmental and cultural resources.

The Corps has been working diligently to account for all of these concerns, but there are strong and vocal views on all sides of any solution that they produce. As a result, Mr. Chairman, I would like Congress to look for a new way to deal with this problem that involves consensus building among the various stakeholders.

In the past, the Missouri River Basin Association, a group made up of representatives of the governors of each of the eight basin States and representatives of the Indian tribes has had success in finding common interest among the disparate views of the upstream and downstream States.

As a result, I would like to know if the chairman of the subcommittee, the gentleman from Alabama, would be willing to work with me to consider a solution that would help bring consensus to this issue?

Mr. CALLAHAN. Mr. Chairman, will the gentleman yield?

Mr. LATHAM. I am happy to yield to the gentleman from Alabama.

Mr. CALLAHAN. Mr. Chairman, I thank the gentleman from South Dakota (Mr. THUNE) for his interest in this issue. I am well familiar with this issue through previous conversations that we have had throughout the years, and I know of the great importance it is to him and his State.

I appreciate his concerns and would welcome any solution and input that he may have. I would also encourage him to work with his colleague and neighbor, the gentleman from Iowa (Mr. LATHAM), in order to reach a result.

Mr. THUNE. Mr. Chairman, if the gentleman from Iowa will further yield, I thank the chairman for his commitment and for remaining open to working with me on this and as well as for his support of a number of South Dakota priorities that are included in this energy and water appropriation bill.

I also appreciate his suggestion that I work with the gentleman from Iowa (Mr. LATHAM) on this solution.

Mr. LATHAM. Mr. Chairman, I appreciate the interest of the gentleman from South Dakota (Mr. THUNE) in this issue and his willingness to consider some middle ground on this divisive matter.

Our States have so much in common, yet there clearly are differences on this issue. Nonetheless, I do think it is worth considering those areas of the master manual debate where we do agree and work together toward an answer that would satisfy the concerns of upper and lower basin States.

I do not expect this to be an easy task as we all know but would welcome the gentleman's input in the process, and I am willing to work with him to consider various options.

Mr. Chairman, I yield to the gentleman from South Dakota (Mr. THUNE).

Mr. THUNE. Mr. Chairman, I thank the gentlemen for their cooperation. As I stated earlier, while I am disappointed this provision likely will be approved by the House today, I am encouraged by the willingness of my colleagues to work with me on a balanced consensus-based approach to revise the Missouri River Master manual.

Mr. CALLAHAN. Mr. Chairman, I yield 3 minutes to the gentleman from Mississippi (Mr. WICKER), a member of our subcommittee, and I might tell my colleagues a very knowledgeable member on all of the issues that come before our committee.

Mr. WICKER. Mr. Chairman, let me say that it is an honor and a privilege and a joy to work on this subcommittee with the gentleman from Alabama (Chairman CALLAHAN) and also the gentleman from Indiana (Mr. VISCLOSKY), our ranking minority member. I appreciate their hard work and cooperation in producing this bipartisan piece of legislation.

I particularly want to thank the gentleman from Alabama (Chairman CALLAHAN) for crafting a bill which recognizes the benefits of making needed investments today in order to save money tomorrow.

Let me just give the committee two examples of this. One excellent example is the substantial increase in funding for the environmental management cleanup activities at our Nation's nuclear laboratories and facilities. H.R. 2311 provides over $7 billion for the purpose of this cleanup. This is an increase of over a quarter of $1 billion over last year's amount. This increase will allow cleanup timetables to stay on schedule and save unnecessary future costs.

I am also pleased that this bill reflects the importance of our Nation's water infrastructure. Mr. Chairman, our Nation's waters do not recognize State lines as we all know. Over 40 percent of the Nation's water flows by the borders of my home State of Mississippi. Flood control and maintaining navigable waterways are national issues. By making the necessary investments in these activities, we will avoid the greater cost in the future that we would have if we were not having the proposed spending today.

So, Mr. Chairman, I urge the support from all of my colleagues for this bipartisan bill which fund our Nation's priorities and, of course, within the context of a balanced budget.

Mr. CALLAHAN. Mr. Chairman, I yield 2 minutes to the gentleman from Alabama (Mr. EVERETT).

Mr. EVERETT. Mr. Chairman, the cities of Dothan, Enterprise, Ozark, Daleville and the U.S. Army Aviation Center at Fort Rucker, Alabama have formed a partnership in support of a regional reservoir to meet their water supply needs.

The Geological Survey of Alabama has a 3-year study to locate a reservoir to serve these areas experiencing water, severe water supply shortages and is currently working with the Corps of Engineers on a needs assessment which should be completed in a few months.

Does the Chairman understand the importance of this project to the cities mentioned and to the Army Aviation Training Center and that this is not a new project?

Mr. CALLAHAN. Mr. Chairman, will the gentleman yield.

Mr. EVERETT. I am glad to yield to the gentleman from Alabama.

Mr. CALLAHAN. Mr. Chairman, I do understand these communities are suffering water shortages primarily because the gentleman from Alabama (Mr. EVERETT) tells me about it every night. Every time we get in a 5-minute lull he expresses to me his serious concerns about these problems, which I think will worsen in the near future, and that the corporation of the Corps is needed as soon as possible.

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I pledge to work with the gentleman and find an appropriate resolution to this situation as this process moves forward, probably in conference.

Mr. EVERETT. I appreciate the chairman's comments.

Mr. CALLAHAN. Mr. Chairman, I yield myself such time as I may consume to advise my colleagues that I do not have any further speakers. But, once again, let me remind the Members that this is the first stage of this process and that we have been fairly generous, I think, in recognizing all of the demands of all the Members on both sides of the aisle. I pledge, along with the gentleman from Indiana (Mr. VISCLOSKY), to try to protect all the projects we have in here as it goes through the process.

As my colleagues well know, the process could involve removal of some

of these projects in the Senate, it could include removal of some of these projects in conference, but I am going to do everything I can to make absolutely certain that the Members who support this bill especially, that their projects are preserved.

Mr. MATSUI. Mr. Chairman, I would like to thank Chairman CALLAHAN and Ranking Member VISCLOSKY, and the Members of the Subcommittee for their support of Sacramento flood control projects included in the Fiscal Year 2002 Energy and Water Appropriations bill. As this body knows, with a mere 85-year level of protection, Sacramento has been identified by the U.S. Army Corps of Engineers as having the least amount of flood protection of any major metropolitan area in the nation. At risk are roughly half-a-million people and $40 billion in economic value. This includes 1,200 public facilities, 130 schools, 26 nursing home facilities, 7 major hospitals, major interstates and highways, and the Capitol to the world's sixth largest economy.

Thankfully, this subcommittee has again generously funded numerous project requests in my Sacramento district essential to the ongoing flood work necessary to address this dire situation. Specifically, I thank the subcommittee for the $8 million allocation for continued construction modifications to Folsom Dam These flood outlet modifications represent the linchpin to Sacramento's flood control system, providing a doubling of Sacramento's flood protection and giving to the flood plain its first major improvements to flood control in more than 40 years. I also am grateful for the $15 million included for the American River Watershed Common Elements which will provide much needed improvements to more than 36 miles of Sacramento's levees, the last line of defense against catastrophic flooding. I also would like to thank the Members for their efforts in securing additional funding for a series of smaller, yet no less critical, regional flood control projects. This includes projects for Sacramento River bank protection, work on the Lower Strong and Chicken Ranch Slough, Magpie Creek, and funds to allow for ongoing studies for American River Watershed flood control.

It is my hope that as this legislation continues to move through the legislative process, serious consideration is given to funding ''new starts'' construction projects. The South Sacramento Streams project will provide protection to more than 100,000 people and 41,000 structures from a network of creeks and small rivers in the region. This project was authorized in the 1999 Water Resources Development Act and is now ready for construction. Although I recognize the extremely tight budgetary constraints confronting this subcommittee, the perilous situation that these streams pose to the South Sacramento region makes initial construction funding essential. I ask for your support in providing funding for this critical new start project in the conference committee.

Again, on behalf of my Sacramento constituents, I remain grateful for your past and continuing support of these vital, life-saving projects. Thank you for your efforts in supporting essential federal assistance to the most pressing public safety issue confronting the region.

Mr. BEREUTER. Mr. Chairman, this Member would like to commend the distinguished gentleman from Alabama (Mr. CALAHAN), the Chairman of the Energy and Water Development Appropriations Subcommittee, and the distinguished gentleman from Indiana (Mr. VISCLOSKY), the Ranking Member of the Subcommittee, for their exceptional work in bringing this bill to the Floor.

This Member recognizes that extremely tight budgetary constraints made the job of the Subcommittee much more difficult this year. Therefore, the Subcommittee is to be commended for its diligence in creating such a fiscally responsible measure. In light of these budgetary pressures, this Member would like to express his appreciation to the Subcommittee and formally recognize that the Energy and Water Development appropriations bill for fiscal year 2002 includes funding for several water projects that are of great importance to Nebraska.

This Member greatly appreciates the $11 million funding level provided for the four-state Missouri River Mitigation Project. The funding is needed to restore fish and wildlife habitat lost due to the Federally sponsored channelization and stabilization projects of the Pick-Sloan era. This islands, wetlands, and flat floodplains needed to support the wildlife and waterfowl that once lived along the river are gone. An estimated 475,000 acres of habitat in Iowa, Nebraska, Missouri and Kansas have been lost. Today's fishery resources are estimated to be only one-fifth of those which existed in pre-development days.

In 1986, the Congress authorized over $50 million to fund the Missouri River Mitigation project to restore fish and wildlife habitat lost due to the construction of structures to implement the Pick-Sloan plan.

In addition, this measure provides additional funding for flood-related projects of tremendous importance to residents of Nebraska's 1st Congressional District. Mr. Chairman, flooding in 1993 temporarily closed Interstate 80 and seriously threatened the Lincoln municipal water system which is located along the Platte River near Ashland, Nebraska. Therefore, this member is extremely pleased that H.R. 2311 continues funding in the amount of $350,000 for the Lower Platte River and Tributaries Flood Control Study. This study should help formulate and develop feasible solutions which will alleviate future flood problems along the Lower Platte River and tributaries.

This Member is also pleases that this bill includes $100,000 in funding requested by this member for the feasibility phase of a Section 206 wetlands restoration project in Butler County, Nebraska. The key element of the plan is the incorporation of a wetlands restoration project northwest of David City, Nebraska. This restoration was supported by a Natural Resources Conservation Service preliminary determination of wetlands potential for a 160-acre tract northwest of David City, Nebraska. Under the proposed project, storm water that currently travels northwest of David City will be diverted west before reaching the city, and then channeled south along a county road before being detained in the proposed wetlands area. The storm water will then slowly be released from the wetlands area so that there are no negative impacts to downstream landowners.

It is also important to note that this legislation includes $200,000 requested by this Member which would be implemented through the Lower Platte South Natural Resources District on behalf of the Lower Platte River Corridor Alliance. This amount represents the 50% Federal share under Section 503 of the Water Resources Development of 1996, to assess and plan for water quality infrastructure and improvements in the Lower Platte River Watershed concentrating on dire drinking water and wastewater needs within the Lower Platte River Corridor, between and including the communities of Ashland and Louisville, in Saunders and Cass counties, Nebraska.

This Member is also pleased that H.R. 2311 includes $1,800,000 for the Missouri National Recreational River, which could be used for projects such as the Missouri River Research and Education Center at Ponca State Park in Nebraska. This center is located at the terminus of the last stretch of natural (unchannelized) river below the mainstem reservoirs and a 59-mile stretch of the Missouri River, which was designated as a Recreational River in 1978 under the Wild and Scenic River Act. It is one of the few stretches of the Missouri River that is like the beautiful untamed river seen by Lewis and Clark.

The Missouri River is one of the most historic, scenic and biologically diverse rivers in North America. The proposed research and education center will serve as a ''working'' interpretive center for the river and include interactive displays and exhibits. It will provide a timeline for the vast riverine ecosystem as well as an upstream view of the beginning of the Missouri National Recreation River. When completed the center will also include a classroom/conference room facility.

This Member recognizes that this bill includes $656,000 for the Sand Creek Watershed project in Saunders County, Nebraska, and $400,000 for the Antelope Creek project in Lincoln, Nebraska. However, this funding is to be used for preconstruction engineering and design work. This Member believes that it is critically important that the final version of the FY2002 Energy and Water Development appropriations legislation include some funding for construction of these projects.

Funding for these projects is particularly urgent. There is a cooperative effort in Nebraska between the state highway agency and water development agencies which makes this project more cost-effective and feasible. Specifically, the dam for this small reservoir is to be a structure that the Nebraska Department of Roads would construct instead of a bridge as part of the new state expressway in the immediate vicinity of Wahoo, Nebraska. Immediate funding would help ensure that this coordinated effort could continue.

Construction funding is also needed for the Antelope Creek project. It would be a significant setback to the project timetable if the Corps does not receive construction funding the project in FY2002. Delays in other components of the project would also likely result.

Finally, this Member is also pleased that H.R. 2311 provides $275,000 in funding for the Missouri National Recreational River Project. This project addresses a serious problem by protecting the river banks from the extraordinary and excessive erosion rates caused by the sporadic and varying releases from the Gavins Point Dam. These erosion rates are a result of previous work on the river by the Federal Government.

Again, Mr. Chairman, this Member commends the distinguished gentleman from Alabama (Mr. CALLAHAN), the Chairman of the

Energy and Water Development Appropriations Subcommittee, and the distinguished gentleman from Indiana (Mr. VISCLOSKY), the ranking member of the Subcommittee, for their support of projects which are important to Nebraska and the 1st Congressional District, as well as to the people living in the Missouri River Basin.

Ms. PELOSI. Mr. Chairman, as we consider the Energy and Water bill today here in Washington, California and the West are in the throes of an energy crisis. Now is the time to strengthen and increase the federal commitment to new, clean energy sources. Instead, the Bush Administration proposed deep cuts in federal renewable energy programs, slashing core renewable energy research and development programs by 50%.

The Appropriations Committee chose to fund renewable energy programs at $377 million, $100 more than the President's proposal. However, $377 million gives us only $1 million more than we have in the current year for these important programs. We should increase our commitment to renewable energy resources and technologies, including wind, solar, and biomass. For this reason, I will vote for the Hinchey amendment to increase funding for renewable energy by $50 million, which would provide funding for programs to deploy promising new technologies more rapidly.

Mr. CALLAHAN. Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. All time for general debate has expired.

Pursuant to the rule, the bill shall be considered for amendment under the 5-minute rule. The amendment printed in House Report 107–114 is adopted.

During consideration of the bill for amendment, the Chair may accord priority in recognition to a Member offering an amendment that he has printed in the designated place in the CONGRESSIONAL RECORD. Those amendments will be considered read.

The Clerk will read.

The Clerk read as follows:

H.R. 2311

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending September 30, 2002, and for other purposes, namely:

TITLE I

DEPARTMENT OF DEFENSE—CIVIL

DEPARTMENT OF THE ARMY

CORPS OF ENGINEERS—CIVIL

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

GENERAL INVESTIGATIONS

For expenses necessary for the collection and study of basic information pertaining to river and harbor, flood control, shore protection, and related projects, restudy of authorized projects, miscellaneous investigations, and, when authorized by laws, surveys and detailed studies and plans and specifications of projects prior to construction, $163,260,000, to remain available until expended: *Provided,* That the Secretary of the Army, acting through the Chief of Engineers, is directed to use $1,000,000 of the funds appropriated herein to continue preconstruction engineering and design of the Murrieta Creek, California, flood protection and environmental enhancement project and is further directed to proceed with the project in accordance with cost sharing established for the Murrieta Creek project in Public Law 106–377: *Provided further,* That the Secretary of the Army, acting through the Chief of Engineers, is directed to use the feasibility report prepared under the authority of section 205 of the Flood Control Act of 1948, as amended, as the basis for the Rock Creek-Keefer Slough Flood Control Project, Butte County, California, and is further directed to use $200,000 of the funds appropriated herein for preconstruction engineering and design of the project: *Provided further,* That in conducting the Southwest Valley Flood Damage Reduction Study, Albuquerque, New Mexico, the Secretary of the Army, acting through the Chief Engineers, shall include an evaluation of flood damage reduction measures that would otherwise be excluded from the feasibility analysis based on policies regarding the frequency of flooding, the drainage areas, and the amount of runoff.

AMENDMENT OFFERED BY MR. TANCREDO

Mr. TANCREDO. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. TANCREDO:

Page 2, line 18, after the dollar amount, insert the following: ''(reduced by $9,900,000)''.

Page 18, line 2, after the dollar amount, insert the following: ''(increased by $8,900,000)''.

Mr. CALLAHAN. Mr. Chairman, I reserve a point of order against the amendment.

Mr. TANCREDO. Mr. Chairman, today I am offering this amendment to the Energy and Water Appropriations Bill that will increase funding to the Department of Energy's Renewable Energy Research Program by $9.9 million with a corresponding offset for the Army of Corps of Engineers' General Investigations Account. That account, by the way, is currently receiving about a $33 million increase above the President's budget request.

Recent electricity and gas shortages in California and other western States, along with an expanding recognition of environmental issues, have highlighted the need for clean renewable power. Concentrating solar power technologies offers a near-term opportunity for large-scale and cost-effective production of renewable energy.

An addition to these accounts would also allow the concentrated solar power program to continue its core long-term research and development activities that will help advance the next-generation trough and dish technologies. The focus would include identifying and implementing advanced converter options for modular dish systems. In fiscal year 2000, the CSP program began working with the National Renewable Energy Lab's high-efficiency photovoltaic team on the development of a high-efficiency concentrating photovoltaic converter as an alternative to the Stirling engine converter historically supported by the CSP program.

A $5 million increase in the Biomass/Biofuels Energy Systems line item would launch a collaborative effort that integrates advances in computational science and bioinformatics developed by the national labs and universities to develop a biorefinery simulation model that enables virtual testing and prototyping of biorefinery systems and components. The simulation model will provide a useful tool to test new concepts as well as provide a basis for industry to develop future design tools for biorefineries.

Mr. Chairman, this is an important amendment because I think it is, again, a matter of priorities. Certainly there is undeniable need for an investment in alternative energy research. No one denies that.

I want to actually thank the committee for their attention to this detail and for restoring the budget, the original budget, for NREL. The fact is that there are these two additional needs, and it is simply a matter of priorities.

It seems to me that with taking a part of the budget that has received a $33 million increase above the President's request, taking a part of that, reducing it by only approximately $9 million and putting it into this kind of research, is the correct priority.

We will be talking certainly on the floor here about various issues dealing with the Corps of Engineers, the integrity of the programs operated by the Corps of Engineers, and the integrity of the reports that they commission and are commissioned by others to do to determine whether or not a project is necessary. There are significant problems, to say the least, in this particular area.

Recently, for example, one of the reports that was done by the Corps of Engineers has been criticized by the Inspector General, not only criticized, but there is an allegation of manipulation of data, so much so that there is a criminal investigation under way with regard to that particular endeavor. This is an area in which we should not be increasing the amount of appropriations; we should be decreasing it, or at least we should be forcing the Corps of Engineers to reform itself in a way that would reflect our concerns about the poor administrative tactics they have employed so far.

The fact is that the committee itself added over 12 new studies that the administration did not request. Some of these studies stretch the boundaries of the Corps' jurisdiction. Again, we will be talking as time goes by, I know, Mr. Chairman, about the problems that are endemic to the Corps. Certainly I have a couple of amendments, I know other people do, where there is a great concern out there right now about the Corps of Engineers, about whether or not they have slipped their mooring, whether or not they are able to actually do what we expect of them or whether or not they have become almost a rogue agency.

The Congress of the United States takes some responsibility for that; but for that purpose, I would ask for the support of this amendment.

The CHAIRMAN. Does the gentleman from Alabama insist on his point of order?

Mr. CALLAHAN. No, sir. I withdraw my point of order, but I would like to rise in opposition to the amendment.

The CHAIRMAN. The gentleman is recognized for 5 minutes.

Mr. CALLAHAN. Mr. Chairman, I appreciate where the gentleman is coming from, but this appropriations process is long and involved. We invited every Member of Congress to submit their suggestions to us as to how we could best formulate this bill. The sponsor of this amendment did not choose to bring this to our attention, nor did he even request that we consider this during our regular process. But what he is doing in his amendment is taking $9.9 million for this project specifically, and he is taking it out of the Corps' operating budget.

We went through a long deliberative process trying to establish how much money the Corps needed to operate, and in our deliberations we finally decided this was the amount of money that we need. This is not the time to accept this without any hearings or any indication as to what is best for the Corps or what is best for its program.

Maybe he does have a good program. But we cannot go through this process, and then everyone who has a specific project they would like funded comes to us and says let us take it out of the hide of the Corps of Engineers. I think the committee has done the responsible job in determining what the needs of the Corps of Engineers are going to be in the next fiscal year, and I would urge my colleagues to reject the gentleman's amendment.

Mr. VISCLOSKY. Mr. Chairman, I move to strike the last word.

I would join the chairman in opposition to the amendment. I appreciate what the gentleman wants to do; but as I pointed out in my opening remarks, the Chair, myself, as well as members of the subcommittee and the full Committee on Appropriations, have added $100 million to the renewable accounts.

Secondly, while the gentleman pointed out that our figure is $33 million over the President's budget request for general investigations for the Army Corps, I would also point out the President's request of $600 million was under this year's funding level, and we are still $32 million under this current funding year level. The Army Corps cannot take that hit. I am adamantly opposed to the gentleman's amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Colorado (Mr. TANCREDO).

The question was taken; and the Chairman announced that the noes appeared to have it.

Mr. TANCREDO. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Colorado (Mr. TANCREDO) will be postponed.

The Clerk will read.

The Clerk read as follows:

CONSTRUCTION, GENERAL

For the prosecution of river and harbor, flood control, shore protection, and related projects authorized by laws; and detailed studies, and plans and specifications, of projects (including those for development with participation or under consideration for participation by States, local governments, or private groups) authorized or made eligible for selection by law (but such studies shall not constitute a commitment of the Government to construction), $1,671,854,000, to remain available until expended, of which such sums as are necessary for the Federal share of construction costs for facilities under the Dredged Material Disposal Facilities program shall be derived from the Harbor Maintenance Trust Fund, as authorized by Public Law 104–303; and of which such sums as are necessary pursuant to Public Law 99–662 shall be derived from the Inland Waterways Trust Fund, for one-half of the costs of construction and rehabilitation of inland waterways projects, including rehabilitation costs for the Lock and Dam 12, Mississippi River, Iowa; Lock and Dam 24, Mississippi River, Illinois and Missouri; Lock and Dam 3, Mississippi River, Minnesota; and London Locks and Dam, Kanawha River, West Virginia, projects; and of which funds are provided for the following projects in the amounts specified:

San Timoteo Creek (Santa Ana River Mainstem), California, $10,000,000;

Indianapolis Central Waterfront, Indiana, $9,000,000;

Southern and Eastern Kentucky, Kentucky, $4,000,000;

Clover Fork, City of Cumberland, Town of Martin, Pike County (including Levisa Fork and Tug Fork Tributaries), Bell County, Floyd County, Martin County, and Harlan County, Kentucky, elements of the Levisa and Tug Forks of the Big Sandy River and Upper Cumberland River, Kentucky, $15,450,000: *Provided*, That $15,000,000 of the funds appropriated herein shall be deposited in the San Gabriel Basin Restoration Fund established by section 110 of division B, title I of Public Law 106–554, of which $1,000,000 shall be for remediation in the Central Basin Municipal Water District: *Provided further*, That using $1,000,000 of the funds appropriated herein, the Secretary of the Army, acting through the Chief of Engineers, is directed to modify the Carr Creek Lake, Kentucky, project at full Federal expense to provide additional water supply storage for the Upper Kentucky River Basin: *Provided further*, That with $1,200,000 of the funds appropriated herein, the Secretary of the Army, acting through the Chief of Engineers, is directed to undertake design deficiency repairs to the Bois Brule Drainage and Levee District, Missouri, project authorized and constructed under the authority of the Flood Control Act of 1936 with cost sharing consistent with the original project authorization: *Provided further*, That in accordance with section 332 of the Water Resources Development Act of 1999, the Secretary of the Army is directed to increase the authorized level of protection of the Bois Brule Drainage and Levee District, Missouri, project from 50 years to 100 years using $700,000 of the funds appropriated herein, and the project costs allocated to the incremental increase in the level of protection shall be cost shared consistent with section 103(a) of the Water Resources Development Act of 1986, notwithstanding section 202(a) of the Water Resources Development Act of 1996.

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

For expenses necessary for prosecuting work of flood control, rescue work, repair, restoration, or maintenance of flood control projects threatened or destroyed by flood, as authorized by law (33 U.S.C. 702a and 702g–1), $347,665,000, to remain available until expended.

OPERATION AND MAINTENANCE, GENERAL

For expenses necessary for the preservation, operation, maintenance, and care of existing river and harbor, flood control, and related works, including such sums as may be necessary for the maintenance of harbor channels provided by a State, municipality or other public agency, outside of harbor lines, and serving essential needs of general commerce and navigation; surveys and charting of northern and northwestern lakes and connecting waters; clearing and straightening channels; and removal of obstructions to navigation, $1,864,464,000, to remain available until expended, of which such sums as become available in the Harbor Maintenance Trust Fund, pursuant to Public Law 99–662, may be derived from that Fund, and of which such sums as become available from the special account established by the Land and Water Conservation Act of 1965, as amended (16 U.S.C. 460l), may be derived from that account for construction, operation, and maintenance of outdoor recreation facilities: *Provided*, That with $1,500,000 of the funds appropriated herein, the Secretary of the Army, acting through the Chief of Engineers, is directed to perform cultural resource mitigation and recreation improvements at Waco Lake, Texas, at full Federal expense notwithstanding the provisions of the Water Supply Act of 1958: *Provided further*, That the Secretary of the Army, acting through the Chief of Engineers, is directed to use $2,000,000 of the funds appropriated herein to grade the basin within the Hansen Dam feature of the Los Angeles County Drainage Area, California, project to enhance and maintain flood capacity and to provide for future use of the basin for compatible purposes consistent with the Master Plan including recreation and environmental restoration: *Provided further*, That the Secretary of the Army, acting through the Chief of Engineers, is directed to use $1,000,000 of the funds appropriated herein to fully investigate the development of an upland disposal site recycling program on the Black Warrior and Tombigbee Rivers project and the Apalachicola, Chattahoochee and Flint Rivers project: *Provided further*, That, for the Raritan River Basin, Green Brook Sub-Basin, New Jersey, project, the Secretary of the Army, acting through the Chief of Engineers, is directed to implement the locally preferred plan for the element in the western portion of Middlesex Borough, New Jersey, which includes the buyout of up to 22 homes, and flood proofing of four commercial buildings along Prospect Place and Union Avenue, and also the buyout of up to three commercial buildings along Raritan and Lincoln Avenues, at a total estimated cost of $15,000,000, with an estimated Federal cost of $11,500,000 and an estimated non-Federal cost of $3,500,000.

REGULATORY PROGRAM

For expenses necessary for administration of laws pertaining to regulation of navigable waters and wetlands, $128,000,000, to remain available until expended.

FORMERLY UTILIZED SITES REMEDIAL ACTION PROGRAM

For expenses necessary to clean up contamination from sites throughout the United

States resulting from work performed as part of the Nation's early atomic energy program, $140,000,000, to remain available until expended.

GENERAL EXPENSES

For expenses necessary for general administration and related functions in the Office of the Chief of Engineers and offices of the Division Engineers; activities of the Humphreys Engineer Center Support Activity, the Institute for Water Resources, and headquarters support functions at the USACE Finance Center, $153,000,000, to remain available until expended: *Provided*, That no part of any other appropriation provided in title I of this Act shall be available to fund the activities of the Office of the Chief of Engineers or the executive direction and management activities of the division offices: *Provided further*, That none of these funds shall be available to support an office of congressional affairs within the executive office of the Chief of Engineers.

ADMINISTRATIVE PROVISIONS

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

GENERAL PROVISIONS

CORPS OF ENGINEERS—CIVIL

SEC. 101. Section 110(3)(B)(ii) of division B, title I of Public Law 106–554 is amended by inserting the following before the period: '': *Provided*, That the Secretary shall credit the San Gabriel Water Quality Authority with the value of all prior expenditures by the non-Federal interests that are compatible with the purposes of this Act''.

Mr. POMBO. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I rise to engage in a colloquy with the distinguished gentleman from Alabama about two very important water projects in my district that I believe deserve to receive Federal funding during the fiscal year 2002 appropriations process.

Let me begin by talking about the Banta-Carbona Irrigation District fish screen project. This project is located at the entrance to the Banta-Carbona Irrigation District intake channel on the San Joaquin River.

The Banta-Carbona Irrigation District is required by the U.S. Fish and Wildlife Service to put a fish screen facility on the San Joaquin River to protect the delta smelt, steelhead, fall run chinook salmon, and the splittail. Unfortunately, the Federal Government has required the Banta-Carbona Irrigation District to facilitate the funding, design, and construction of this fish barrier screen facility with little or no assistance. Without the fish screen project, the Banta-Carbona Irrigation District's agricultural water diversions could be shut down by these Federal agencies.

During the 107th Congress, the gentleman and I talked about the importance of providing the BCI District with the much-needed financial assistance to help defray the construction, operation, and maintenance costs of this fish screen facility. Unfortunately, no Federal funding was included in the fiscal year 2002 Energy and Water Development Appropriations bill.

After speaking with the gentleman about this request, the gentleman very kindly informed me about the difficulties his subcommittee was up against when it comes to appropriating funds for new start-up projects. While I appreciate the gentleman for bringing this to my attention, I would simply ask the chairman of the Subcommittee on Energy and Water Development if he would be willing to work with me to ensure that the Banta-Carbona Irrigation District receive some form of assistance in fiscal year 2002 to help them with the project.

Mr. CALLAHAN. Mr. Chairman, will the gentleman yield?

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

Mr. CALLAHAN. Mr. Chairman, I thank the gentleman from California for yielding to me, and I promise to work with him as we continue through the appropriations process. I understand the details of the project and agree that this project certainly merits congressional support. It is my firm intention to do all that I can to assist the gentleman from California on this very important issue as we move forward through this appropriation process.

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Mr. POMBO. Mr. Chairman, I thank the gentleman; and with regard to the second project known as the Farmington Groundwater Recharge Demonstration Project, let me point out that the Stockton East Water District and its neighbors pump from a critically overdrafted groundwater basin in my district.

The district also faces saline intrusion of up to 100 feet per year from the Sacramento-San Joaquin River Delta. This pending environmental disaster threatens the drinking supply of 300,000 residents and the $1.3 billion agricultural economy of my district.

The Farmington Groundwater Recharge Demonstration Project addresses this problem. It is important for my colleagues to know that the WRDA of 1996 authorized a study to look at converting Farmington Dam into a storage facility for Stockton East Water District.

Further, WRDA of 1999 authorized $25 million for conjunctive use and groundwater recharge projects within the Stockton East Water District. This study concluded that a demonstration project should be the next step.

I support the efforts of the Stockton East Water District, and I am requesting the gentleman's support of up to $2.5 million in fiscal year 2002 for the project.

Mr. CALLAHAN. Mr. Chairman, will the gentleman yield?

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

Mr. CALLAHAN. Mr. Chairman, I thank the gentleman from California for yielding, and as I mentioned before, I promise to continue working with the gentleman from California during the conference on this matter. I remain hopeful that we can accommodate the gentleman's concern and allay the point on this process.

Mr. POMBO. Mr. Chairman, I thank the gentleman, and conclude by saying that the gentleman from Alabama (Mr. CALLAHAN) and the ranking member from Indiana (Mr. VISCLOSKY) deserve to be commended for crafting a sound bill, and I want to thank them for their tireless efforts and work on this bill.

Mr. BENTSEN. Mr. Chairman, I move to strike the last word.

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

Mr. BENTSEN. Mr. Chairman, I rise in strong support of this bill, and I want to commend the chairman and the ranking member for working with a very difficult budget to put this bill together. I want to commend them for funding projects when they were facing at one point a 14 percent cut in the Corps' construction budget; yet they were able to figure out a way to do this.

Mr. Chairman, as a member of the Committee on the Budget, I offered the amendment when we were marking up the budget resolution to restore the Corps funds. Unfortunately, that amendment failed, but I was hopeful that the chairman would figure out a way to do this.

I also want to thank them for figuring out a way to increase funding for the Brays Bayou project in my district, which just saw tremendous flooding along the Brays and the Sims and other bayous. I appreciate what they did for the Port of Houston project, although we did not get as much money as we would have liked. We hope that will be resolved.

Mr. Chairman, I would like to enter into a colloquy with the chairman regarding the Sims Bayou Texas project. The Sims Bayou Flood Control Project which is currently under construction is funded at $9 million in the committee's bill. This amount equals the President's fiscal year 2002 budget request, although it is $3 million below the amount which the Corps of Engineers Galveston District tells us is necessary to keep the project on schedule to be completed by 2009. As I mentioned, the greater Houston area just suffered tremendous flooding as a result of Tropical Storm Allison, including many of the neighborhoods along the Sims in my congressional district, and the district of the gentlewoman from Texas (Ms. JACKSON-LEE); and I think it is important for the chairman and the members of the subcommittee to know, however, where the Federal project had been constructed and was complete, there was not flooding where there had otherwise been flooding in previous storms.

So the project does work and these projects do work. The chairman and the ranking member know that, and I think the rest of the Congress needs to know that as well.

I realize that the gentleman from Alabama (Mr. CALLAHAN) was faced with a very tight budget, and I appreciate the job that was done by the chairman and the ranking member, and the other members of the subcommittee. I would ask as this bill progresses, that the committee consider increasing the allocation for Sims to get it up to the amount that the Corps would like to have to have it stay on track if additional funds become available through the appropriations process or through a requested reprogramming from the Corps of Engineers.

Mr. CALLAHAN. Mr. Chairman, will the gentleman yield?

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

Mr. CALLAHAN. Mr. Chairman, we will be glad to work with the gentleman and the victims of Tropical Storm Allison. We are happy to work with the gentleman in that capacity to provide funding if funds become available.

I have talked to the gentleman from Texas (Mr. DELAY) about this, who is also from the Houston area. He is concerned about it. We intend to work with the gentleman from Texas (Mr. BENTSEN), and the entire Texas delegation to provide whatever assistance we can.

Mr. BENTSEN. Mr. Chairman, the majority whip, whose area includes the Brays, has been a very strong supporter of these projects. We have authored legislation on this, and I appreciate the work of the chairman and the ranking member, and the gentleman from Texas (Mr. EDWARDS).

Mr. Chairman, I rise in qualified support of H.R. 2311, the FY 2002 Energy and Water Appropriations bill.

When the Budget Committee, on which I serve, considered the President's proposal and produced a budget, I knew it was going to be very hard for Congress to fund many important water transportation and flood control projects. I recognize the incredibly difficult circumstances Chairman SONNY CALLAHAN, Ranking Member PETER VISCLOSKY have endured in crafting this bill. I would also like to thank my good friend from Texas, Mr. EDWARDS, a distinguished Member of the Subcommittee, for all the help and information he and his office have provided me.

In light of the dramatic budget cuts proposed for the Corps, I applaud the Subcommittee for funding the Brays Bayou flood control project at the Harris County Flood Control District's capability—$5 million. When completed, the Brays Bayou project will be a national model for local control, community participation, flood damage reduction in a heavily populated urban watershed, and the creation of a large, multi-use greenway/detention area on the Willow Waterhole tributary. The Brays project is a demonstration project for a new reimbursement program initiated by legislation I authored along with Mr. DELAY that was included in Section 211 of WRDA 1996. The program gives local sponsors more responsibility and flexibility, resulting in projects more efficient implementation in tune with local concerns.

I am very encouraged that the Brays project is on track to be fully funded at $5 million in Fiscal Year 2002, rather than $4 million, as the Administration suggested. The project will improve flood protection for an extensively developed urban area along Brays Bayou in southwest Harris County including tens of thousands of residents in the flood plain, the Texas Medical Center, and Rice University. The entire project will provide three miles of channel improvements, three flood detention basins, and seven miles of stream diversion resulting in a 25-year level of flood protection. Current funding is used for the detention element of the project. Originally authorized in the Water Resources Development Act of 1990 and reauthorized in 1996 as part of a $400 million federal/local flood control project, over $20 million has already been appropriated for the Brays Bayou Project.

However, besides the admirable consideration the Subcommittee has given Brays Bayou, I believe this bill is spread too thin as a result of the extreme position taken by the Administration on the Army Corps of Engineers Construction account, which was slated to be cut $600 million.

Instead the Committee has wisely lowered that cut to $70 million below the 2001 level. When I introduced an amendment to remedy this in the mark-up of the budget, I warned that Congress would not stand for such a large shortfall affecting public safety and navigational water projects. I am relieved that much of the proposed cut was restored, and I commend the Chairman and ranking member for their effort.

I appreciate that the Committee saw fit, to fully fund the Administration's request for the Sims Bayou project. Unfortunately the Administration did not request the full amount the Corps says is necessary to keep the project on schedule. My constituents are adversely affected by this cut. According to the Galveston District of the Corps, without funding the full $12 million capability of Corps for Sims, construction will fall behind schedule. This funding is needed because of the great risks people have faced and will continue to face until completion of the project in this highly populated watershed. The need was illustrated when Tropical Storm Allison caused great damage to thousands of homes in this watershed several weeks ago.

The project is necessary to improve flood protection in the extensively developed urban area along Sims Bayou in southern Harris County. The Sims Bayou project consists of 19.3 miles of channel enlargement, rectification, and erosion control and will provide a 25-year level of flood protection. Before the funding shortfall, the Sims Bayou project was scheduled to be completed two years ahead of schedule in 2009. We cannot be confident of that prediction unless Sims funding is raised to $12 million in the Senate version and the Conference Report.

Flood control projects are necessary for the protection of life and property in Harris County, but improving navigation in our Port an integral step for the rapid growth of our economy in the global marketplace. Therefore Mr. Chairman, I am disappointed that this legislation provides only 30 out of the needed $46.8 million for continuing construction on the Houston Ship Channel expansion project. When completed, this project will generate tremendous economic and environmental benefits to the nation and will enhance one of our region's most important trade and economic centers.

The Houston Ship Channel, one of the world's most heavily trafficked ports, desperately needs expansion to meet the challenges of expanding global trade and to maintain its competitive edge as a major international port. Currently, the Port of Houston is the second largest port in the United States in total tonnage, and is a catalyst for the southeast Texas economy, contributing more than $5 billion annually and providing 200,000 jobs.

The Houston Ship Channel expansion project calls for deepening the channel from 40 to 45 feet and widening it from 400 to 530 feet. The ship channel modernization, considered the largest dredging project since the construction of the Panama Canal, will preserve the Port of Houston's status as one of the premier deep-channel Gulf ports and one of the top transit points for cargo in the world. Besides the economic and safety benefits, the dredged material from the deepening and widening will be used to create 4,250 acres of wetland and bird habitat on Redfish Island. I want to take this opportunity to urge those who will be conferees on this legislation to fund the Port of Houston project to its capability. This project is supported by local voters, governments, chambers of commerce, and environmental groups.

I thank all the subcommittee members, Chairman, Ranking Member, and especially Representative EDWARDS for their support and their work under tough budgetary circumstances.

Mrs. EMERSON. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I rise today to commend the gentleman from Alabama (Mr. CALLAHAN), chairman of the Subcommittee on Energy and Water, and the gentleman from Indiana (Mr. VISCLOSKY), the ranking member, as well as the staff for doing a tremendous job in writing this bill under very, very challenging circumstances. They have done a tremendous job.

Mr. Chairman, I also want to make mention, as the gentleman from Texas (Mr. BENTSEN) did, about restoring the funding for the Corps of Engineers, which is very critical for my district, which has the largest amount of Mississippi River frontage in the country. The work that the Corps does with regard to flood protection is vital to many people in my district.

I want to make mention of the excellent job that the complete staff and our chairman did with regard to hazardous waste worker training. It is a very vital issue. I have a lot of people who actually have worked in the facility at Paducah, Kentucky, who have faced many challenges; and the work that is ongoing there requires a lot of training for protection of lives.

But my real purpose in standing here today is to talk about the language in the bill that prevents the implementation of the egregious plan by the Fish and Wildlife Service which would increase flood risk and eliminate transportation on the Missouri River. I can understand the concerns over the endangered species that this plan is designed to protect, but I think the cost is too high. I am not willing to displace

thousands of farmers along the Mississippi and the Missouri Rivers. I cannot find a good way to explain to my farmers that they have to move because some fish upstream are not happy with their living conditions. It is not possible for me to do that.

This plan calls for a controlled release, but one cannot control the release and ensure that there will be no flooding. Early this month in 3 days the river rose from normal stage to flood stage from one end of Missouri to the other. The water released from Gavins takes 5 days to get to Kansas City and 10 days to get to St. Louis. Once released, the water is not retrievable. The ''spring rise'' prescribed by Fish and Wildlife would have added to the flooding experienced in Missouri earlier this month.

The Missouri River does not flow through my district, but the Missouri River feeds the Mississippi River and provides as much as two-thirds of its flow during dry years. Mississippi River transportation is not minor and is very, very important to my constituents.

I am also concerned about this plan because from an energy standpoint we are having an obvious crisis right now with the delivery of energy, and the Fish and Wildlife plan calls for low flows during the summer during peak power demand, reducing the availability of clean hydropower in the summer. Given the investment that our bill makes in renewables, I do not believe that we should implement a plan that will hinder hydropower production.

The Missouri Department of Natural Resources, which is an independent agency within Missouri, and with whom I did not agree on many occasions, as well as our Democratic Governor Bob Holden, as well as the entire Missouri delegation, Republicans and Democrats, the Senate and House, all reject the Fish and Wildlife Service plan, as do many others up and down the Mississippi River and the Missouri River all of the way down to New Orleans.

Mr. Chairman, I will listen to the Missouri Department of Natural Resources which says that the science behind this plan is not accurate and certainly will not do anything to help these species. Frankly, I reject the notion that the Fish and Wildlife Service is always right and our experts at DNR are wrong, and I clearly oppose that plan and hope that we can reach a compromise that is in the best interest of everyone involved.

Mr. GREEN of Texas. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I would like to engage the chairman in a colloquy and talk about the critical importance to the people of Harris County, but before I do, I thank the gentleman from Alabama (Mr. CALLAHAN) and the gentleman from Indiana (Mr. VISCLOSKY) for their efforts on flood control and drainage projects. I thank the gentleman from Texas (Mr. EDWARDS) who serves on the subcommittee for his efforts over the years.

Mr. Chairman, I am concerned about the level of funding for flood control projects, particularly the Greens Bayou and Hunting Bayou, all of which flow through my district in Harris County. Greens Bayou flooded nearly half of the 30,000 homes that were damaged by Tropical Storm Allison, while Hunting Bayou affected hundreds of homes as well. These two bayou systems need to be considered for increased support since the recent floods, including funding for continued improvement to both the Greens and the Hunting Bayou systems.

Mr. Chairman, to see the estimated $4 billion-plus damage, and the loss of 23 lives, we on this floor realize the need to continue the Corps of Engineers projects not only in my district, but all of our districts throughout the country. In light of the recent severe flooding from Tropical Storm Allison, I ask the gentleman from Alabama (Mr. CALLAHAN) and the gentleman from Indiana (Mr. VISCLOSKY) for their assistance to ensure that funding is restored as the bill moves through conference.

Mr. CALLAHAN. Mr. Chairman, will the gentleman yield?

Mr. GREEN of Texas. I yield to the gentleman from Alabama.

Mr. CALLAHAN. Mr. Chairman, we are happy to work with the gentleman and the entire Texas delegation with respect to their needs. We have discussed this with the majority whip, and he is concerned about some of the problems that are facing Texas. Yes, we will do everything we can to facilitate their needs for these very important projects.

Mr. GREEN of Texas. Mr. Chairman, I thank the gentleman. We have worked together, the seven Members of Congress who represent Harris County. The Greens Bayou I share with the gentleman from Texas (Mr. BRADY), and we have been out to see the devastation of our constituents, along with the gentleman from Texas (Mr. DELAY). I appreciate the efforts of the gentleman.

Mr. GREEN of Wisconsin. Mr. Chairman, I move to strike the last word for the purpose of entering into a colloquy with the gentleman from Alabama (Mr. CALLAHAN), the chairman of the Subcommittee on Energy and Water.

Mr. Chairman, as the chairman is aware, on September 11, 2000, an agreement was reached between the State of Wisconsin and the Army Corps of Engineers to transfer 17 locks along the Fox River to the State of Wisconsin for ownership. Under the memorandum of agreement signed by then-Governor Tommy Thompson and Assistant Secretary for the Army Joseph Westphal, the Army Corps of Engineers is to provide the ''full closure costs'' of $10 million to the State of Wisconsin upon the transfer.

This bill that we are considering today has allocated $5 million to the Army Corps for the transfer of the locks to the State of Wisconsin. Unfortunately, without the full payment of $10 million, this transfer and decades of negotiations will be placed in jeopardy. It is essential, in my view, that full funding for the transfer be included in the fiscal year 2002 appropriation bill or else the local and State matching grants for this project will be jeopardized.

This memorandum of agreement was a promise by the Federal Government to the State of Wisconsin, and I do not believe that we can shirk this responsibility.

Mr. CALLAHAN. Mr. Chairman, will the gentleman yield?

Mr. GREEN of Wisconsin. I yield to the gentleman from Alabama.

Mr. CALLAHAN. Mr. Chairman, I want to tell the gentleman that we applaud this historic agreement that the Governor and the State of Wisconsin have reached with the Corps of Engineers, and it is our intention to see that this commitment of the contract is fulfilled. We know the importance of it because when the gentleman first came to us and explained the importance of it, we, at the gentleman's insistence, put the first $5 million in there.

We thought it could be a two-step project; but if this is going to interfere with the project, it is my intention to find somewhere in the budget the additional $5 million so this project can move forward as expeditiously as possible.

□ 1515

Mr. GREEN of Wisconsin. I appreciate the chairman's willingness and commitment to make this transfer a reality. I congratulate him for the hard work that he has done and his staff has done on this bill. I look forward to working with him on this important project.

Ms. JACKSON-LEE of Texas. Mr. Chairman, I move to strike the last word.

Mr. Chairman, my first order of business is to thank the chairman and the ranking member of this subcommittee for their very hard and collaborative work and to give them some good news, that is, that the Army Corps of Engineers works, the funding on these projects works, for even though I come from Houston which is flood worn and weary, the areas where the Army Corps of Engineers and the funding from the Subcommittee on Energy and Water Development perform their task, I am very pleased to report unbelievably that there was no flooding. I am very grateful for that. My constituents likewise have said the same. That shows us that the areas that Houston did not have its work completed are in dire need.

And so I was to offer an amendment today giving an increase in funding to the Army Corps of Engineers of some $20.5 million, but knowing the hard work of this committee and the tightness of the efforts that it is making, I

will not offer that amendment but offer to say that we can stand some additional assistance. Although I am gratified for the $5 million for the Brays Bayou and the Sims Bayou which is the bayou, Mr. Chairman, that had progress on it where it was completed to a certain point and that area did not flood. We now have some $9 million in the budget with a capacity for $12 million. But there are areas that did flood, the Hunting area, the Greens Bayou area that flowed even though mostly into my colleague's district, had an impact on some of our neighboring districts.

I am very interested in working with this committee and asking the chairman and the ranking member for their assistance as we provide the potential necessary dollars to either expedite or continue working on projects that have obviously worked.

I might say, Mr. Chairman, in addition, that the Army Corps of Engineers was very visible during the aftermath of the flood, taking aerial views. The general from the Dallas area who is over the whole region came in, which shows me that this is a worthwhile investment. I would like to enter into a colloquy with the chairman to ask him to provide us with assistance, in particular to monitor and work with us on Sims Bayou; to monitor and work with us on Hunting Bayou, and as well my colleagues have already mentioned the bayous in their community, we all work as a team, but to work with us in the Houston and Harris County area along with, of course, as the gentleman mentioned, the majority whip who has an interest obviously in these issues.

Mr. CALLAHAN. Mr. Chairman, will the gentlewoman yield?

Ms. JACKSON-LEE of Texas. I yield to the gentleman from Alabama.

Mr. CALLAHAN. I thank the gentlewoman for yielding. Yes, Mr. Chairman, we will be happy to work with her in any capacity we can and with the entire delegation from Texas. The gentlewoman has water needs in Texas now, and it is our full intent to do everything we can to assist her in those projects to make certain that, number one, we preclude flooding in the future; and, number two, that we repair any damage that was done during the most recent floods.

Ms. JACKSON-LEE of Texas. I thank the gentleman very much. I would offer to say to the ranking member that I thank him for his work. I look forward to working with his staff.

Mr. Chairman, I yield to the gentleman from Indiana to comment on these efforts. We have already worked with him and his staff. I want to thank him. I would appreciate his assistance as well as we move through this process with the funding for bayous that have yet been completed or need additional assistance.

Mr. VISCLOSKY. We would be happy to continue to work closely with the gentlewoman.

Ms. JACKSON-LEE of Texas. I thank the ranking member very much.

With that, Mr. Chairman, I would simply say that these dollars are well needed, they have been well invested, we saw the impact of the funding sources of the Army Corps of Engineers, but we are still suffering. We look forward to working with this Congress to help us as we try to improve those conditions.

Mr. BISHOP. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I rise in support of H.R. 2311, the energy And Water appropriations bill. I commend the full committee, subcommittee ranking member VISCLOSKY, and especially Chairman CALLAHAN for all their hard work, particularly on the Tri-Rivers project. Commercial barging on the Appalachicola, Chattahoochee, and Flint Rivers system is an important issue for our region's economic infrastructure. I am pleased to see the increased level of funding that this committee has appropriated. Recently, I traveled to Georgia and Florida with Members of the House and Senator GRAHAM of Florida to observe the Tri-Rivers process firsthand. This is a very, very intricate, sensitive area and issue, particularly with Representatives from the three States of Alabama, Florida and Georgia.

The ports on these rivers provide jobs and revenue, particularly for my area of southwest Georgia. The ports of Bainbridge and Columbus generate 548 jobs and over $15 million in wages. These jobs have a direct impact on the economies of small river towns like Bainbridge, Georgia. Revenue generated at both of the ports, that is, Bainbridge and Columbus, total over $40 million and in turn contribute over $1 million in State and local taxes. The barge system has many economic and environmental advantages that are often overlooked. Barging is energy efficient. An inland barge can transport more materials using far less fuel than other means of transport. A navigable river system provides a competitive alternative that helps reduce rates for other modes of transportation. These rivers must remain navigable if we are to continue to see these economic rewards.

In the past, the Corps of Engineers has done an environmentally messy job and caused a great deal of anguish in Georgia, Florida and Alabama, particularly in the Appalachicola, Florida, area. We know now that better management of system water levels upstream by the Corps and better care in the disposal of the waste from dredging will help all of us have a mutually enjoyable use of the river system. The money that is appropriated in this bill will help ensure that dredging has a minimal environmental impact.

It is my vision to see continued economic success for the communities that take advantage of the Appalachicola, Chattahoochee, and Flint Rivers as one of their means of transportation. I encourage my colleagues today to support rural industry and efficient transportation by voting yes on this energy and water appropriations bill.

I thank the chairman again; I thank the ranking member and all those who support this bill because I think it is much needed and it is a step forward.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

SEC. 102. Except for the historic scheduled maintenance dredging in the Delaware River, none of the funds appropriated in this Act shall be used to operate the dredge MCFARLAND other than in active ready reserve for urgent dredging, emergencies and in support of national defense.

SEC. 104. (a) CONVEYANCE AUTHORIZED.—The Secretary of the Army shall convey to the Blue Township Fire District, Blue Township, Kansas, by quitclaim deed and without consideration, all right, title, and interest of the United States in and to a parcel of land consisting of approximately 4.35 acres located in Pottawatomie County, Tuttle Creek Lake, Kansas.

(b) DESCRIPTION OF PROPERTY.—The exact acreage and legal description of the real property to be conveyed under subsection (a) shall be determined by a survey satisfactory to the Secretary.

(c) REVERSION.—If the Secretary determines that the property conveyed under subsection (a) ceases to be held in public ownership or to be used as a site for a fire station, all right, title, and interest in and to the property shall revert to the United States, at the option of the United States.

SEC. 105. For those shore protection projects funded in this Act which have Project Cooperation Agreements in place, the Secretary of the Army is directed to proceed with those projects in accordance with the cost sharing specified in the Project Cooperation Agreement.

AMENDMENT NO. 4 OFFERED BY MR. TANCREDO

Mr. TANCREDO. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 4 offered by Mr. TANCREDO:

In title I, strike section 105 (relating to shore protection projects cost sharing).

Mr. TANCREDO. Mr. Chairman, in his budget request to Congress, President Bush proposed reversing the cost-share ratio for beach replenishment projects from 65 percent Federal share/35 percent local share, to 35 percent Federal/65 percent local. The energy and water appropriations bill includes language to block this proposal. The Tancredo-Blumenauer amendment would strip the bill of this fiscally damaging and environmentally questionable legislative rider.

In an interview with the Associated Press yesterday, Office of Management and Budget spokesman Chris Ullman said that the White House continues to believe that the Federal Government should spend less to build beaches. ''Since most of the benefits are to localities and local beachgoers, it seems reasonable that they would pay the majority of the costs of sustaining those beaches.''

The Army Corps of Engineers recently began the world's largest beach replenishment project, to provide 100-

foot wide beaches along all 127 miles of New Jersey's coast. This is at an average cost of $60 million per mile. Right now, the Federal Government is obligated to pay the majority of that cost, or 65 percent to be exact. What is worse, most artificial beaches wash away within 1 year of replenishment, leaving taxpayers' money and environmental damage left in their wake, so to speak.

We encourage you to support the Bush administration's effort to save tax dollars and cut environmentally questionable spending by removing this legislative rider on beach replenishment cost-sharing.

The current Federal policy of subsidizing beach projects, by the way, is a 50-year agreement with towns. That is unsustainable. That means 65 percent of the cost we would be required to fund for 50 years at current levels.

The Duke University program for the study of developed shorelines estimated that the cost to pump sand on just four Atlantic coast States, Florida, South Carolina, North Carolina and New Jersey, will be more than $4 billion.

Many of these beach communities are privately owned and privately renourish their beaches. They pay for the projects through hotel-use taxes and progressive property tax assessments according to how close the property lies to the beach. Many, many of these areas, of course, are some of the most expensive areas, most expensive pieces of property that you can purchase in the United States of America. To suggest that the Federal Government has the responsibility to pay for 65 percent of the cost of pumping sand back on that beach every year is ridiculous.

Let me quote from a statement of the administration's position on this that they have just put out:

''The administration appreciates the committee's efforts to address administration funding priorities for the Army Corps of Engineers civil works program. However, the administration is concerned about the increase of over $568 million over the request for Corps programs. We can have a strong water resources program at the funding level proposed in the budget by establishing priorities among projects. The administration is particularly concerned that the bill contains approximately $360 million for about 350 specifically identified projects and activities that were not included in the President's budget. We urge Congress to limit the number of projects and to focus funding on those projects that address the Corps' principal mission areas.

''We are disappointed that the committee has included a provision that would preclude the Corps from carrying out in fiscal year 2002 the administration's proposal to increase local cost-sharing for the renourishment phase of ongoing shore protection projects. This cost-sharing proposal would help ensure that the Federal Government's long-term renourishment obligations do not crowd out other important funding needs. We urge the Congress to reconsider this proposal.''

Mr. Chairman, I recognize that doing anything on this floor especially in this bill that jeopardizes some little tiny part of the Corps of Engineers budget is a highly dangerous thing for a Congressman to do. I recognize there are many, many people here who benefit as a result of the largesse of the committee and whose projects are sacred to them. But this is going too far. Once again, this is not necessary. This is not requested by the administration. To ask the country, to ask the Federal taxpayer to support replenishment of these beaches every year, year in and year out for the next 50 years at these costs is just not acceptable.

Mr. CALLAHAN. Mr. Chairman, I rise in strong opposition to the amendment. I think it is rather ironic that the gentleman offering the amendment represents a State that has no shoreline, no ocean, and no Gulf of Mexico which he should be concerned about it. But his real message should be going to the authorizing committee. This process was established by the authorizing committee. It has been in process for a great number of years. It is beginning to work. It even is a cost-saving effort for the Corps of Engineers. In most every case, instead of having to go to the expense to haul all of this sand out to some foreign place in the ocean and dump it, they are able to get the white sand and replenish the beaches.

We have spent a great deal of effort and money preserving the beaches in most every State that has a shoreline, including the State of Florida. I do not want to do anything that would do damage to the beaches in the State of Florida. I want to preserve them, and I want to make absolutely certain that the Corps of Engineers understands that this cost-saving project for the Corps should not be borne by the State of Florida in the 65–35 ratio that they are talking about.

Mr. Chairman, the beaches in Florida are probably the most beautiful in the world, especially in the panhandle of Florida next door to my district.

□ 1530

I would not do anything to destroy those beaches. I want to protect them. I want to enhance them, and I think the protection and enhancement comes from beach nourishment. It is also applicable to the State of Alabama, at Dauphin Island in Alabama and Gulf Shores, Alabama, which also has beautiful beaches.

It is applicable to the Great Lakes. It is applicable to the State of New Jersey. We are doing something positive. We are taking the sand that we are moving from the deepening of channels, putting it on the beaches and replenishing beaches that have been washed away by hurricanes, by natural erosion, and making our beaches beautiful and making them places where people can go and enjoy sometime in the water and sometime in the sun.

So we should not be doing anything to diminish the type of advancement that the Corps is making, but most of all we should not be doing it here. We are not the authorizing committee. We are simply the Committee on Appropriations. We have spent a great deal of money in appropriations on this committee providing the necessary monies to the Corps of Engineers to enhance these projects.

And I certainly understand the gentleman from Colorado (Mr. TANCREDO) not being concerned about how beautiful the beaches are in Florida or whether or not they should be preserved or whether the beautiful beaches of New Jersey or whether the beaches on the Great Lakes should be preserved. What if we went out to Colorado and said that we are not going to allow any snow, we are not going to allow any water to roll down those beautiful rivers? What if we were going to have to do something to enhance the rivers of Colorado? He would be here saying, let us do this, let us do that, and I would be saying, yes, sir, we are going to do that; we are going to help him preserve his beautiful river system in Colorado. And we would ask his assistance in helping us to preserve the beautiful beach systems that the bordering States of the oceans and Gulf of Mexico and the Great Lakes have.

Mr. VISCLOSKY. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I rise to join the chairman in strong opposition to this amendment. First of all, coastal shore protection projects are equivalent to flood protection for inland communities. This proposal places storm damage prevention and shore protection projects at a cost-sharing disadvantage with comparable inland flood control projects. It will disproportionately affect poor communities which will be unable to raise adequate funds for these projects. It also violates the cost-sharing agreements already in place for some ongoing shore protection projects. It abrogates existing, ongoing, long-term contracts with non-Federal sponsors, and it is inconsistent with the agreed cost-sharing adopted by the WRDA legislation of 1986.

Mr. Chairman, I am strongly opposed to the gentleman's amendment.

Mr. PALLONE. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I want to speak strongly against this amendment for several reasons. First of all, I want to address my comments to some of the comments that the gentleman from Colorado (Mr. TANCREDO) made. I need to stress, first of all, Mr. Chairman, that if this amendment were to pass, I assure everyone that the shore protection beach replenishment projects in New Jersey and probably throughout the country would simply not take place. It is erroneous to assume that the towns that are being asked to foot the bill, and in this case under this amendment the additional costs to pay

for these beach replenishment projects, would be able to pay for them. They simply would not.

I live in a municipality that has about 30,000 people. I represent some towns that have less than 2,000 people. They barely are able to get the money together now to pay for the percentage that they have to pay with the Federal Government paying most of the cost. If they had to double or triple that under the funding formula that the gentleman from Colorado (Mr. TANCREDO) is proposing, the beach replenishment projects would simply not take place.

Let me say that in my district where one of these projects basically extends about 50 miles along the shoreline, that with a very small exception, probably of that 50 miles maybe no more than one or two, we are talking about public municipally owned beaches. We are not talking about mansions and big homes and wealthy Gold Coast municipalities here. The town that I live in has 5 miles of that 50-mile coastline that is affected by a beach replenishment project. We are what we call an urban-aid project in New Jersey, which means we are one of the poorer towns in the State. We have the second poorest town in the State. I will not mention the name. I do not need to. That is also part of this project. We are not talking about rich areas.

This will not happen. These projects will not take place if this amendment were to pass.

Now let me talk about two other things that I think are misleading here with regard to this amendment. First of all, I think it should be understood that the current beach replenishment program is done in a way to save the Federal Government money. Not cost the Federal Government more money, but save the Federal Government money. I will say why.

The Army Corps of Engineers goes through a very strict cost benefit analysis in deciding which of these beach replenishment projects to fund, and they weigh the costs and the benefit to the Federal Government. In every case, the cost to the Federal Government has to be significantly less than the benefit. What is the cost to the Federal Government if they do not do the projects? Well, we know about FEMA. We know about emergency disaster declarations after a hurricane or a tidal wave or whatever it happens to be.

We have a lot of hurricanes along the New Jersey coast. Every time there is a hurricane, there is an emergency disaster declaration. The Federal Government, under FEMA, has to come in and spend millions and millions of dollars to replace and rectify the situation and the damage that occurs.

The Army Corps of Engineers does these beach replenishment projects not because they want to give somebody a nice beach to sit on but because they know that they do not have to come in with a disaster declaration because the storm does not affect the upland area, the infrastructure, the utilities, the roads, that the Federal Government would have to come in and bail out.

This is done to save the Federal Government money that they would have to spend through a disaster declaration. It makes no sense not to do these projects from the Federal Government's point of view. It is cost effective.

Lastly, I want to make one other point, Mr. Chairman. It has not been said yet but I am sure I am going to hear from some that somehow these projects are not good for the environment. That is simply not true. There is strong indication that when beach replenishment is done it is a good thing for the environment. We have been able to do the beach replenishment so that the surfers and the bathers and the fisherman are not negatively impacted. It can be done and it has been done, and it has to be done under the current law so there is access to the beaches for the public and so that the beaches are done or sculpted in a way that the people that use the ocean, whether they be fisherman or surfers or whatever, can continue to do so.

So do not let anybody tell me that a vote on this amendment is a good environmental vote. That is simply not true. I am one of the staunchest defenders for the environment in the House of Representatives. A vote against this is a good environmental vote. I am going to tell everybody I know who thinks that somehow this is something that relates to the environment, it is not. Beach replenishment is good. It helps the Federal Government cut costs. It is good for the communities and it is good for the environment.

Mr. WELDON of Florida. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in opposition to the Tancredo amendment, which removes the protections in the bill for existing projects and allows for contracts the government has signed with communities across the Nation to be broken. The Tancredo amendment singles out existing beach renourishment, storm damage prevention projects for special adverse treatment. This amendment would cause serious harm to a project already underway in my district, Brevard County.

The Federal Government caused most of the erosion along the beaches in Brevard County when they constructed the Federal inlet in 1953. This inlet was to create Point Canaveral and a facility for the U.S. Navy so that they could take part in testing of their ballistic missile program.

Indeed, one can say the Federal inlet in Brevard County was part of our national effort to win the Cold War. Studies have been completed by the Corps of Engineers, the county, independent experts and, yes, even the U.S. Department of Justice and all have found the Federal Government largely at fault.

In fact, the Justice Department settled a case brought by over 300 coastal property owners because they knew the Federal Government was guilty. That agreement calls for this project to be completed.

There are serious environmental issues here as well. Brevard County beaches are home to the largest concentration of nesting and endangered sea turtles in North America. Ten percent of the entire sea turtle nesting population in North America lays its eggs on these beaches. Throwing a roadblock in front of this project will further threaten this endangered species and contribute to more habitat erosion.

In short, the formula that currently exists is the proper formula, and I believe that this amendment would do serious harm.

Mr. BROWN of South Carolina. Mr. Chairman, will the gentleman yield?

Mr. WELDON of Florida. I yield to the gentleman from South Carolina.

Mr. BROWN of South Carolina. Mr. Chairman, I rise in strong opposition to this amendment to reduce the Federal Government's investment in beach renourishment.

This proposal is not only shortsighted but it clearly violates today's agreements that local communities have arranged with the Army Corps of Engineers. To walk away from these commitments is simply wrong. How can we expect the coastal communities in South Carolina and other States to successfully budget for other major infrastructure investments if we arbitrarily increase their local cost share by over 80 percent?

I support reigning in unnecessary government spending, but our shore protection program, Mr. Chairman, is absolutely necessary for us to maintain the Federal Government's responsibility for coastal hazard and erosion protection.

If we do not honor the current Federal-local cost-sharing formula, we should know the communities in my district, including Myrtle Beach and Folly Beach and 150 miles of the shoreline of South Carolina will be facing an enormous financial hardship, so much so that it jeopardizes the progress we have made in improving our water and waste water infrastructure, roads, and bridges.

Without the current cost-share partnership, we risk the preservation of the beautiful beaches that attract over 12 million visitors throughout our country. Our beaches belong to everybody. They provide a wonderful source of recreation for both young and old Americans. We hope our responsibility will be seen to help preserve these great natural resources.

Contrary to the programs' critics, beach renourishment is a sound investment. I urge my colleagues to reject this ill-advised amendment.

Mr. WELDON of Florida. Mr. Chairman, it took 15 years in Brevard County to develop this formula and this agreement. This amendment would set back years of work. I strongly encourage all of my colleagues to keep the

faith that has been established between the Federal Government and all of these communities throughout the country. The provisions, the language that the chairman and the ranking member have put in this bill, I think, are very wise in grandfathering the existing programs under the current formula; and I would encourage all of my colleagues to reject this amendment.

Mr. CALLAHAN. Mr. Chairman, I ask unanimous consent that all debate on this amendment and all amendments thereto be limited to 20 minutes, the time to be equally divided between the proponent of the amendment and a Member opposed.

The CHAIRMAN. Is there objection to the request of the gentleman from Alabama?

Mr. BLUMENAUER. Mr. Chairman, reserving the right to object, I just want to make sure that I am going to have a chance as a sponsor of the amendment to have my opportunity to make a presentation.

Mr. TANCREDO. Mr. Chairman, will the gentleman yield?

Mr. BLUMENAUER. I yield to the gentleman from Colorado.

Mr. TANCREDO. Mr. Chairman, I assure the gentleman from Oregon (Mr. BLUMENAUER) that I will yield time to him.

Mr. BLUMENAUER. Mr. Chairman, I withdraw my reservation of objection.

The CHAIRMAN. Is there objection to the request of the gentleman from Alabama?

There was no objection.

The CHAIRMAN. The time will be equally divided between the sponsor of the amendment, the gentleman from Colorado (Mr. TANCREDO), and the gentleman from Alabama (Mr. CALLAHAN) will control the time in opposition.

The Chair recognizes the gentleman from Colorado (Mr. TANCREDO).

Mr. TANCREDO. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, in response to some of the issues that have been brought up here, especially by my friend, the gentleman from New Jersey (Mr. PALLONE), who suggests that there is no environmental concerns that should come up as a result of this and that anybody that suggests there is an environmental problem is simply off base, of course, he is therefore saying that the following organizations, American Rivers, Earth Justice Legal Defense Fund and Environmental Defense, Friends of the Earth, League of Conservation Voters, National Wildlife Federation, Sierra Club, all of these people do not know what they are talking about when it comes to environmental issues and whether in this particular case especially they are simply off base.

Well, I do not certainly consider myself to be an expert in this particular area but I would say that there is some cause for concern with regard to the environmental issues developed by this beach replenishing program.

Federally subsidized beach projects mainly benefit wealthy vacation condo owners and tourism. The gentleman from Myrtle Beach, South Carolina (Mr. BROWN) referred to the fact that 12 million visitors a year enjoy these particular areas.

□ 1545

I think that is wonderful. Now, in fact, who is benefiting from those 12 million visitors? It is, of course, the communities that are adjacent to these beaches. Those communities should be responsible for the majority of the cost of replenishing the beaches. That is all we are saying here. We are agreeing with the administration.

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

Mr. BLUMENAUER. Mr. Chairman, I appreciate the courtesy of the gentleman in yielding time to me. I am pleased to join him in cosponsoring this amendment.

Mr. Chairman, I think the gentleman had it right when he mentioned that there is at least an argument when you look at the major environmental organizations around the country who suggest that this Congress ought to have a debate like this on this floor on the environmental and economic impacts of these massive beach replenishment programs.

With all due respect to our other friend from Florida, it is true that the Federal Government at times has created these problems. It is because we are in a vicious cycle here. We engineer our beaches, we fortify them, we put up jetties, we accelerate the process of coastal erosion, and we make the problem worse.

Then we come forward with these interesting projects. We have watched over the years as the Corps of Engineers and this Congress has expanded dramatically the sweep of the Federal involvement in beach nourishment and replenishment.

I think we ought to take a deep breath, take a step back and support this amendment, and give this administration an opportunity to pursue an initiative that is both environmentally sensitive and is fiscally responsible.

When we look at these massive projects, we have authorized one and two-thirds billion dollars in the last decade alone. In the State of New Jersey, where my good friend mentioned a moment ago it was of concern to his district, well, it is. If you look at beach nourishment costs in New Jersey, it is $60 million per mile.

In WRDA, I dare say there were very few Members on this floor who understood the massive project that was slipped in without significant debate for a 14 mile stretch of beach in Dare County, North Carolina, for $1.8 billion, a commitment over the next 50 years. I would dare say that a massive project on this scale merits discussion on the floor of this Chamber, but we do not have it. I was a member of the authorizing committee. It was news to me. I dare say it was news to other Members here.

It is not a benign process akin to snow in the gentleman from Colorado's district, or, with all due respect, that it is just someplace that we have to put the beach spoils, the dredging spoils. This saves the Federal Government money.

Take a look at the record. Mr. Chairman, there have been exposes; in fact, there have been journalistic exposes dealing with the State of Florida with the massive amount of ecological destruction. There is not just spoils with white sand that we would have to pay somebody to take over. Oftentimes we go out and we disturb sensitive ecosystems for dredging materials that we end up putting in these areas.

If you look at the cost factors, noted Duke geologist Orrin Pilkey, a recognized expert in this area, points out that usually beach nourishment projects cost twice what the cost estimate is, and it ends up being about half as effective.

We could look in Ocean City, Maryland, where the Army Corps of Engineers budgeted to use 15 million cubic yards of sand over the next 50 years of beach replenishment, but in the first 3 years of that project the Corps had used one-third of the total sand allocation. I am blanking right now on the project, and I can get it for you, where it has been on average one a year on the east coast.

There are problems here of significant magnitude. It is not ecologically benign. It is extraordinarily expensive, and we are facing a situation where FEMA has commissioned studies that indicate over the next 60 years we are going to have 25 percent of the structures within 500 feet of the ocean coastline subjected to erosion and damage. That is without taking into account the impact of global climate change.

Mr. Chairman, I think this is an opportunity for people who care deeply about the environment to join with people who sympathize with the members of this committee who do not have enough money to solve the problems and allow the Bush administration to see if they can come up with a better cost formula. The Democrats ought to be able to submit to this. It is something also that the Clinton administration wanted to do. I think this is an important issue.

Mr. CALLAHAN. Mr. Chairman, I yield 2 minutes to the gentleman from Florida (Mr. SHAW). No man in this body has been more vocal and outstanding in the preservation of beaches than the former mayor of Fort Lauderdale.

Mr. SHAW. Mr. Chairman, I thank the gentleman for yielding me time. I want to congratulate the chairman of the full committee as well as the ranking members of the full committee and subcommittee for recognizing the importance of beach renourishment.

I have heard some figures thrown out here today that make absolutely zero sense. $60 million a mile? I know of no beach renourishment anywhere in the

country, and I checked with the gentleman from New Jersey, and he said that is absolutely preposterous.

I listened to the gentleman from Colorado where he said he is no expert on the particular subject. He has brought the amendment here, and he has quoted some various environmental organizations, some of which have credibility, some of which I think are somewhat debatable.

But, in any event, let me ask the question to any environmentalist here in the Chamber: I have beaches that are nothing but rock. Is that an environmentally sensitive area that should be protected? These were naturally covered with sand. Now the sand is gone. In Boca Raton, Florida, a whole strip is nothing but rock. You go down into the southern part of Broward County and Dade County, you are seeing the same thing. These beaches need to be renourished.

If one is concerned about the turtle and reproduction of the turtle, they do not lay their eggs in rocks; they lay them in beach sand. There is great sensitivity as to the time we do the beach renourishment. It is very strictly regulated as to the breeding seasons of the turtles, so you do not destroy their natural habitat.

We talk about FEMA and 500 feet within the beach. I can tell you, the ocean is coming right up to many of the structures, and they are going to be destroyed if we do not get back involved and stay involved in beach renourishment.

The right of contract, the word of the Federal Government, the obligations of the government, these would all be wiped out with this senseless amendment.

This amendment must be defeated. I urge all my colleagues to vote against this amendment.

I would say in closing, view the beaches of this country as a long national park. We heard that the local communities should pay because they are the ones benefiting from it. Do you want to make the same argument about our national park system? I doubt it. It is there for all Americans.

Over half the Americans in this country do their vacationing at the beaches of this country. Let us keep our beaches safe. Let us keep them environmentally where they should be.

Mr. CALLAHAN. Mr. Chairman, I yield 1 minute to the gentleman from North Carolina (Mr. JONES).

Mr. JONES of North Carolina. Mr. Chairman, I thank the gentleman very much for yielding me time.

I want to say to my good friend from Colorado (Mr. TANCREDO), I generally agree with him on just about every vote we have; but on this one he is totally wrong. I want to take a different perspective.

Not talking about the environmental issues, I must say to the gentleman from Oregon, I have great respect for you also, though I disagree, but Dr. Pilkey is an extremist. I do not have the time to get into why I feel he is an extremist, but he is.

Let me very briefly say that what we are talking about is the economy of these beach areas, the people that pay taxes, the people that want to do for their families. That is really what it comes down to.

Let me give you an example. In Dare County, which the gentleman made reference to earlier, the Corps of Engineers says for every $1 spent on beach renourishment in Dare County, it will return $1.90 cents to the Federal Government. So any time we can make those kinds of investments, we need to do that. We need to partnership with the people of this country that pay the taxes.

So I want to say to the chairman and the ranking member, thank you very much for this effort. I want to close in saying, Mr. Chairman, that beaches are this country's economic engines. Four times as many people will visit beaches this year as will visit the national parks. That is telling you how important the beaches are to the American people.

Mr. CALLAHAN. Mr. Chairman, I yield 1 minute to the gentleman from Delaware (Mr. CASTLE).

Mr. CASTLE. Mr. Chairman, I thank the gentleman for yielding me time.

Mr. Chairman, I too rise in opposition to this amendment. It has been stated that four times as many people visit our beaches as visit the national parks in our country.

What do people dream about? They dream about going to the beach. If they talk about their retirement, they talk about being on a beach someplace. People want to basically be on beaches. We have many beaches in Delaware that are probably as popular in these buildings around here as any beaches in the entire country. Foreign visitors want to come to beaches in the United States of America.

There is tremendous economic production from the beaches that we have across this country, a huge tax benefit, up to 180 times the Federal share that is involved in paying for the beach replenishment which we have. If we did not have this replenishment, it would be almost impossible to have these dreams, to have the ability to offer our beaches to people around the United States of America.

It also protects our migrant birds, which come into my State and come into some other States. It protects us from major storms. And there is huge population growth across the United States of America from our beaches back inland, because people like to be able to access and go to the beaches of our country.

This, unfortunately, is an amendment which is wrong-headed in terms of what it does, and we should defeat it.

Mr. CALLAHAN. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I want to say to this body and to the world that when I retire, if I ever do, I intend to spend a great deal of time in southern Florida on my boat; and I want to view these beautiful beaches as I patrol the waters of the Atlantic and the Gulf Mexico and the Keys, and I want to go down in history, if I leave any mark on this Congress, as the man who saved the Florida beaches. I think the fact that I am going to go down in history as the man who preserved the beauty of the Florida beaches is a good compliment to the service that I have had in this Congress. So I look forward to that reputation.

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

Mr. TANCREDO. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I have a feeling that regardless of what happens with this amendment, even if it were to pass, that my friend and colleague, the gentleman from Alabama (Mr. CALLAHAN), will be able to enjoy a very pleasant retirement on the beaches.

The fact is that, of course, we are not talking about anything here that is going to eliminate the beaches of the Nation. It is just crazy to suggest that if we would allow the administration to go back to a 35–65 split, that, all of a sudden, all the beach property in this Nation is gone. Nobody would take care of it. The communities that live alongside of it, the homes that are built alongside of it, it is not their responsibility; it is somehow ours, and if we did not kick in 65 percent, it all disappears.

Of course, that is not accurate. It is not what this amendment is intended to do, but it is typical. I know any time we are trying to cut 10 cents out of the budget around here, it is almost the most dire consequence we can possibly think of that we use in response to the request to cut the funds.

This is not even a request to cut. We will still spend the money; it is just who is going to be responsible for it. It is not even mandating that we go to the 65–35 split, 65 local. It is saying let us let the administration have the option of managing this. It is not mandating a thing in here.

Mr. Chairman, I yield the balance of my time to the gentleman from Oregon (Mr. BLUMENAUER).

Mr. BLUMENAUER. Mr. Chairman, I would suggest that if people really are serious about preserving the beaches, that maybe this Chamber could be more serious about global climate change, the rising level of oceans, because what we are talking about with beach nourishment, if what the scientific experts tell us is accurate, we may be fighting an uphill battle.

I would duly suggest that maybe suggesting allowing the Bush administration an opportunity to revisit these issues is not something that is a radical and extreme position. It is one of these areas where there is a convergence, I think, of fiscal conservatism and thoughtful environmentalism.

It is true that sometimes there are rocks that occur on beaches. There is a natural ebb and flow. We have it in beaches in Oregon. What we have done, however, in our infinite wisdom, is we continue to fortify the beaches, to engineer them, to put up jetties, to put in sand, to disrupt the process, so actually it ends up making it worse over time.

□ 1600

So the Federal taxpayer is on the hook. We mess up the natural process of restoring the beaches, and when we are further looking at changes that are a natural part of the environmental process, we just make it worse.

In Oregon, we had a situation with the senior Senator from our State having beachfront property that is being eroded, and there was a great hullabaloo because there was an effort to try and restore and fortify and wall off that portion of the beach. We made it a difficult public policy decision that that would simply put the taxpayer on the hook and deflect the problem further.

Mr. Chairman, I appreciate that these are difficult, but I would think that we need to take our time, stepping up and being serious about this. Otherwise we are going to end up putting the taxpayer on the hook for a lot of money that is going to make the problem worse over time.

Mr. CALLAHAN. Mr. Chairman, I yield the balance of my time to the gentleman from Florida (Mr. YOUNG), the chairman of the committee, who knows firsthand the importance of this issue.

Mr. YOUNG of Florida. Mr. Chairman, I want to thank the gentleman from Alabama (Mr. CALLAHAN), the subcommittee chairman, for doing a really good job on this bill, as I have said earlier. I must say that I really appreciate his commitment to Florida's beaches. I know that he will have many opportunities to help support Florida's beaches and protect them in their pristine condition as we go through the various appropriations processes. Seriously, I really do appreciate that support.

Mr. Chairman, I rise in opposition to this amendment and in favor of the committee position. The committee thought about this. The subcommittee thought that we should review this issue, and we did. The reason that we have a formula of Federal-State partnership is for the same reasons we have a partnership for highways. We have a Federal-State-local formula for building highways and maintaining highways, because people all over America use highways, all over America. People from all over America use beaches, wherever they might be in America.

We have heard the arguments about the economic effect, the economic impact. We have heard the arguments about the pleasure-seeking people who go to the beach to swim and get out into the sun and have a good time, and all of those are good, solid arguments. There is more to it than just that.

The fact of the matter is that having a good beach protects the infrastructure of the community. Now, I live in a community where we have water on the Gulf of Mexico on one side, water from Tampa Bay on the other side, water from Boca Ciega Bay goes right up the middle, but we have a lot of waterfront. I can tell my colleagues when we get a hurricane in Florida, in my part of the State, most of the damage comes from the high water that pounds against the sea wall, that pounds against these structures. The better beach that exists, the less damage we have to the infrastructure. I have seen roads and highways washed out because there was no beach to protect against that hurricane tidal surge. So it is important that we not only have the economic effect, the tourist effect, but the effect of protecting the infrastructure of the communities.

Now, the formula was established by law. We should not be changing the formula in an appropriation bill. If the gentleman wants to change the formula, the gentleman should go to the appropriate authorizing committee and offer a bill.

I can understand the concern of the gentleman from Colorado, because he has a lot of beach, but he has no water, and a beach without water does not really cut it, and it does not really have the same problems of those of us that have beaches with water.

So anyway, it is a good debate, and we did consider it seriously, but I think it is important that we stick with the committee and vote down this amendment. It maybe well-intentioned, but it is not a good amendment.

Mr. LOBIONDO. Mr. Chairman, I rise in strong opposition to this amendment. States and communities in my district and all over the nation have already entered into binding beach renourishment contracts with the Corps of Engineers with the 65 percent federal/35 percent local cost share formula in place for projects authorized before January 1st of this year. In fact, the current funding formula has been specifically authorized by Congress. It would be grossly unfair to suddenly require these states and municipalities to put up almost twice as much money as had already been agreed upon to protect their beaches and their tourist economies.

Supporters of this amendment claim that shore protection funding only benefits ''resort communities.'' Nothing could be further from the truth. The fact of the matter is, our nation's beaches contribute to our national economy, with local communities just the tip of the iceberg. Four times as many people visit our nation's beaches each year than visit all of our National Parks combined. It is estimated that 75 percent of Americans will spend their vacations at the beach this year. Beaches are the most popular destination for foreign visitors to our country as well. The amount of money spent by these beach tourists creates a huge tax benefit, most of which goes to the Federal government. That tax revenue each year is more than 180 times the Federal share of shore protection projects annually.

I understand my friend from Colorado's sincere desire to control federal spending. However, I think he is taking the wrong approach here. Decisions like this should be made in the authorization process, and not on preexisting contracts. If the supporters of this amendment want to further change the formulas, then I suggest that they work with the authorizing committee.

I urge a ''no'' vote on this amendment.

Mr. SAXTON. Mr. Chairman, I rise today in strong opposition to this amendment which would eliminate the federal cost share of 65 percent for US Army Corps of Engineers beach replenishment projects.

Beach replenishment is vital to the coastal economies in our country. Millions of residents and small businesses make their home near the coastline and that population increases dramatically in the summer as tourists flock to the beaches. The continued economic health of our nation's beaches is dependent on these important beach replenishment projects by the US Army Corps of Engineers. The pristine white sand beaches are not only a vital component of the tourist industry, but an important natural resource that supports populations of commercially and recreationally significant fish and rare and endangered species.

This amendment proposes to eliminate the federal cost share of 65 percent for beach replenishment for ongoing and future projects.

Coastal communities have been asked to ''voluntarily'' increase their cost share for beach replenishment projects to 65 percent, despite that current project authorizations are at a 35 percent state cost share. This is obviously unfair to the State and local governments, who have budgeted their costs for beach replenishment based on their contracts with the federal government and do not have the additional funds which is almost double their authorized cost share.

Coastal States have consistently shown their commitment to assist in the preservation and replenishment of beaches along the Nation's coastlines. The proposed Federal change in cost sharing would only result in the delay or elimination of Corps of Engineers projects potentially increasing the property damage from hurricanes and severe storm events.

Many coastal communities, such as mine, have suffered from repeated storm events over the last several years which has resulted in the narrowing and lowering of the beaches and dunes. This steady erosion has reduced storm protection that would otherwise have been available, which will only result in more property damage when the next storm or hurricane hits.

Each state receives federal funds to protect its communities from natural disaster, whether it is tornado, earthquake, drought resulting in crop damage, flood or hurricane. It is not fair to the coastal communities to withhold federal funds that would otherwise be available to prevent damage from natural disaster.

I urge by fellow colleagues to oppose this amendment and remember all states benefit from our nation's beautiful shoreline.

Mr. FRELINGHUYSEN. Mr. Chairman, I rise in opposition to the amendment.

I commend Chairman CALLAHAN for producing a bill that ensures our Nation's commitment to work in continued partnership with our state and local communities to address the vital need of shore protection and for supporting the traditional funding ratio that worked so well.

In my home state of New Jersey, tourism is vital to keeping our economy. With 127 miles of our clean beaches open for visitors from around the country and the world; this federal/state partnership helps maintain a dynamic tourism industry that employs over 800,000 people in my state alone.

Mr. Chairman, I urge my colleagues to oppose this amendment.

Mr. CALLAHAN. Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. All time having expired, the question is on the amendment offered by the gentleman from Colorado (Mr. TANCREDO).

The question was taken; and the Chairman announced that the noes appeared to have it.

Mr. TANCREDO. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN. Pursuant to clause 6 of rule XXVIII, further proceedings on the amendment offered by the gentleman from Colorado (Mr. TANCREDO) will be postponed.

Mr. BARTON of Texas. Mr. Chairman, I move to strike the last word. I would like to enter into a colloquy with the gentleman from Alabama (Mr. CALLAHAN), the distinguished chairman of the subcommittee.

Mr. Chairman, my family came to Texas in the 1840s and settled in Hill and Bosque County in the 1870s around a community called Whitney. My great-great-grandfather and my great-grandfather and my grandfather and my father all grew up on a farm under what is now Lake Whitney, because in the 1940s, the Corps of Engineers built a public lake. Since 1954, that lake has been open for use. There have been hundreds, if not thousands, of boat docks put on that lake, but beginning in the 1970s, the Corps began to refuse permits for new boat docks and, as the old boat docks have declined, they have refused to allow them to continue to be maintained.

I had submitted language to the Subcommittee on Energy and Water Appropriations that would be no cost, but would simply allow a holder of a permit on Lake Whitney for a boat dock to use that permit. I would like to ask the distinguished gentleman from Alabama (Mr. CALLAHAN), the chairman of the subcommittee, ''Beach Boy Callahan,'' if he would support at some point in the process insertion of language that is of absolutely no cost to the Federal Government, but which would allow people around Lake Whitney which, at some point in time, had a permit for a boat dock to utilize that permit.

Mr. EDWARDS. Mr. Chairman, will the gentleman yield?

Mr. BARTON of Texas. I yield to the gentleman from Texas.

Mr. EDWARDS. Mr. Chairman, I am a little surprised because I represent both Hill County and Bosque County. This is the first I have heard about it, and none of this is in the gentleman's district. I respect the fact that he has family ties in the area, but as a member of the subcommittee, I would have at least asked the gentleman to contact me to ask me if I am aware of what he is trying to do.

Mr. BARTON of Texas. Mr. Chairman, reclaiming my time, the gentleman and I have actually had discussions on this.

Mr. EDWARDS. Mr. Chairman, if the gentleman will yield, I had no idea this issue was coming up. It is wholly within my district. I am the only Texan of either party on this subcommittee. I do not know that I would have objection; I do not know if I would support the gentleman's request, but it seems like it would have been common courtesy to approach me personally.

Mr. BARTON of Texas. Mr. Chairman, I have done that.

Mr. EDWARDS. It would have been common courtesy to approach me personally and say, I am going to come to the floor today to talk to the chairman of the subcommittee about something that is not in my district that is within yours.

Mr. BARTON of Texas. Mr. Chairman, if I could reclaim my time, I think the gentleman from Waco has got an absolutely sincere complaint. The gentleman and I have spoken on this several times, but not in the last week. I thought this was in the bill.

Mr. EDWARDS. Mr. Chairman, not in the last month, not in the last year that I can recall.

My request to the gentleman would be this: This bill still has a long way to go. I am more than willing to sit down with the chairman of the subcommittee, the ranking member, and the gentleman from Texas and see if we agree on this. But I would think before we shape the future of my congressional district, that I would have some input on this.

Mr. BARTON of Texas. Mr. Chairman, again reclaiming my time, the gentleman and I have not had a discussion on this recently.

Mr. EDWARDS. Not in the last year.

Mr. BARTON of Texas. Yes, we have. Yes, we have.

Mr. EDWARDS. Mr. Chairman, I will say to the gentleman, I honestly do not recall that discussion. I have dealt with this issue since 1974 when I worked for former Congressman Tiger Teague, and I think I would remember if we had a discussion any time in the last 12 months on this.

My request is simply one of common courtesy. I would like to work with the gentleman on this. I would like to work with the chairman on this. I would hope that we would not make any decision today on this. Let us work in good faith and sit down, since this is entirely, completely within my congressional district.

Mr. BARTON of Texas. Mr. Chairman, again reclaiming my time, I will withdraw my request for a colloquy, because I am absolutely stunned at what the gentleman has just said.

Mr. EDWARDS. Mr. Chairman, if the gentleman will yield, I am stunned that this came up on the floor today, quite frankly. But despite being stunned on both sides, let us sit down and talk this out as two Members of Congress from the State of Texas and see if we can proceed.

Mr. CALLAHAN. Mr. Chairman, will the gentleman yield?

Mr. BARTON of Texas. I yield to the gentleman from Alabama.

Mr. CALLAHAN. Mr. Chairman, let me explain my position. This problem is not limited to just one county in Texas, it also is applicable to some portions of Alabama and other States where the same type of incident is taking place. My agreement with the gentleman from Texas (Mr. BARTON) was that I would agree to sit down with him to try to work out a problem that impacts me as well as other Members of Congress.

So it was not intended to move into one particular county, but to discuss the overall issue of what they are doing with these facilities that these people have been using, in some cases for decades. I do think that we ought to try to find a solution that will apply to Alabama and to Georgia and to Missouri and all over the Nation, because we are all facing a similar problem.

Mr. BARTON of Texas. Mr. Chairman, reclaiming my time, let me say one thing, because I am not going to press the point. But the language that I had prepared does not expand the number of boat permits, it simply says if there is an existing boat permit or has been, that it can be utilized. That is all it does.

Mr. EDWARDS. Mr. Chairman, will the gentleman yield?

Mr. BARTON of Texas. I yield to the gentleman from Texas.

Mr. EDWARDS. Mr. Chairman, I think what the gentleman from Alabama has suggested makes eminent sense; I respect that. I would look forward to being a part of that conversation along with other Members, but the gentleman from Texas's comments only focused on a lake in my district, not in any other district.

Mr. BARTON of Texas. That is true, that is true.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

SEC. 106. None of the funds made available in this Act may be used to revise the Missouri River Master Water Control Manual when it is made known to the Federal entity or official to which the funds are made available that such revision provides for an increase in the springtime water release program during the spring heavy rainfall and snow melt period in States that have rivers draining into the Missouri River below the Gavins Point Dam.

TITLE II

DEPARTMENT OF THE INTERIOR

CENTRAL UTAH PROJECT

CENTRAL UTAH PROJECT COMPLETION ACCOUNT

For carrying out activities authorized by the Central Utah Project Completion Act, $34,918,000, to remain available until expended, of which $10,749,000 shall be deposited into the Utah Reclamation Mitigation and Conservation Account for use by the Utah Reclamation Mitigation and Conservation Commission.

In addition, for necessary expenses incurred in carrying out related responsibilities of the Secretary of the Interior, $1,310,000, to remain available until expended.

BUREAU OF RECLAMATION

The following appropriations shall be expended to execute authorized functions of the Bureau of Reclamation:

WATER AND RELATED RESOURCES

(INCLUDING TRANSFER OF FUNDS)

For management, development, and restoration of water and related natural resources and for related activities, including the operation, maintenance and rehabilitation of reclamation and other facilities, participation in fulfilling related Federal responsibilities to Native Americans, and related grants to, and cooperative and other agreements with, State and local governments, Indian tribes, and others, $691,160,000, to remain available until expended, of which $14,649,000 shall be available for transfer to the Upper Colorado River Basin Fund and $31,442,000 shall be available for transfer to the Lower Colorado River Basin Development Fund; of which such amounts as may be necessary may be advanced to the Colorado River Dam Fund; of which $8,000,000 shall be for on-reservation water development, feasibility studies, and related administrative costs under Public Law 106–163; and of which not more than $500,000 is for high priority projects which shall be carried out by the Youth Conservation Corps, as authorized by 16 U.S.C. 1706: *Provided*, That such transfers may be increased or decreased within the overall appropriation under this heading: *Provided further*, That of the total appropriated, the amount for program activities that can be financed by the Reclamation Fund or the Bureau of Reclamation special fee account established by 16 U.S.C. 460l–6a(i) shall be derived from that Fund or account: *Provided further*, That funds contributed under 43 U.S.C. 395 are available until expended for the purposes for which contributed: *Provided further*, That funds advanced under 43 U.S.C. 397a shall be credited to this account and are available until expended for the same purposes as the sums appropriated under this heading: *Provided further*, That funds available for expenditure for the Departmental Irrigation Drainage Program may be expended by the Bureau of Reclamation for site remediation on a non-reimbursable basis: *Provided further*, That section 301 of Public Law 102–250, Reclamation States Emergency Drought Relief Act of 1991, as amended, is amended further by inserting ''2001, and 2002'' in lieu of ''and 2001''.

BUREAU OF RECLAMATION LOAN PROGRAM ACCOUNT

For the cost of direct loans and/or grants, $7,215,000, to remain available until expended, as authorized by the Small Reclamation Projects Act of August 6, 1956, as amended (43 U.S.C. 422a–422l): *Provided*, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974, as amended: *Provided further*, That these funds are available to subsidize gross obligations for the principal amount of direct loans not to exceed $26,000,000.

In addition, for administrative expenses necessary to carry out the program for direct loans and/or grants, $280,000, to remain available until expended: *Provided*, That of the total sums appropriated, the amount of program activities that can be financed by the Reclamation Fund shall be derived from that Fund.

CENTRAL VALLEY PROJECT RESTORATION FUND

For carrying out the programs, projects, plans, and habitat restoration, improvement, and acquisition provisions of the Central Valley Project Improvement Act, $55,039,000, to be derived from such sums as may be collected in the Central Valley Project Restoration Fund pursuant to sections 3407(d), 3404(c)(3), 3405(f), and 3406(c)(1) of Public Law 102–575, to remain available until expended: *Provided*, That the Bureau of Reclamation is directed to assess and collect the full amount of the additional mitigation and restoration payments authorized by section 3407(d) of Public Law 102–575.

POLICY AND ADMINISTRATION

For necessary expenses of policy, administration, and related functions in the office of the Commissioner, the Denver office, and offices in the five regions of the Bureau of Reclamation, to remain available until expended, $52,968,000, to be derived from the Reclamation Fund and be nonreimbursable as provided in 43 U.S.C. 377: *Provided*, That no part of any other appropriation in this Act shall be available for activities or functions budgeted as policy and administration expenses.

ADMINISTRATIVE PROVISION

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

GENERAL PROVISIONS

DEPARTMENT OF THE INTERIOR

SEC. 201. None of the funds made available in this Act may be used by the Bureau of Reclamation (either directly or by making the funds available to an entity under a contract) for the issuance of permits for, or any other activity related to the management of, commercial rafting activities within the Auburn State Recreation Area, California, until the requirements of the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) and the Federal Water Pollution Control Act (33 U.S.C. 12151 et seq.) are met with respect to such commercial rafting activities.

SEC. 202. Section 101(a)(6)(C) of the Water Resources Development Act of 1999 (113 Stat. 274) is amended to read as follows:

''(C) MAKEUP OF WATER SHORTAGES CAUSED BY FLOOD CONTROL OPERATION.—The Secretary of the Interior shall enter into, or modify, such agreements with the Sacramento Area Flood Control Agency regarding the operation of Folsom Dam and Reservoir, as may be necessary, in order that, notwithstanding any prior agreement or provision of law, 100 percent of the water needed to make up for any water shortage caused by variable flood control operation during any year at Folsom Dam and resulting in a significant impact to the environment or to recreation shall be replaced, to the extent that water is available, as determined by the Secretary of the Interior, with 100 percent of the cost of such available water borne by the Sacramento Area Flood Control Agency.''.

Mr. CALLAHAN (during the reading). Mr. Chairman, I ask unanimous consent that the remainder of title II be considered as read, printed in the RECORD, and open to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from Alabama?

There was no objection.

The CHAIRMAN. Are there any amendments to title II?

If not, the Clerk will read.

The Clerk read as follows:

TITLE III

DEPARTMENT OF ENERGY

ENERGY PROGRAMS

ENERGY SUPPLY

For Department of Energy expenses including the purchase, construction and acquisition of plant and capital equipment, and other expenses necessary for energy supply activities in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion; and the purchase of not to exceed 17 passenger motor vehicles for replacement only, $639,317,000, to remain available until expended.

AMENDMENT OFFERED BY MR. HINCHEY

Mr. HINCHEY. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. HINCHEY:

In title III, in the item relating to ''DEPARTMENT OF ENERGY ENERGY PROGRAMS; ENERGY SUPPLY'' after the aggregate dollar amount, insert the following: ''(increased by $50,000,000)''.

In title III, in the item relating to ''ATOMIC ENERGY DEFENSE ACTIVITIES NATIONAL NUCLEAR SECURITY ADMINISTRATION; WEAPONS ACTIVITIES'' after the aggregate dollar amount, insert the following: ''(reduced by $60,000,000)''.

Mr. CALLAHAN. Mr. Chairman, I ask unanimous consent that all debate on this amendment and all amendments thereto be limited to 10 minutes, the time to be equally divided between the proponent of the amendment and a Member opposed.

The CHAIRMAN. Is there objection to the request of the gentleman from Alabama?

Mr. VISCLOSKY. Mr. Chairman, reserving the right to object, I would just want to know who would control the time on each side.

The CHAIRMAN. The gentleman from New York (Mr. HINCHEY) would control the time in favor of the amendment, and the gentleman from Alabama (Mr. CALLAHAN) would control the time in opposition.

Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. HINCHEY. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I want to thank the chairman of the subcommittee for a very good work product, but every product can be improved, and I think that this amendment would improve this energy and water bill significantly.

One of the problems we face as a country, Mr. Chairman, is the fact that our energy policy looks backward rather than forward. We are dependent too heavily on fossil fuels, and increasingly those fossil fuels are coming from places beyond our shores. We are currently dependent on more than 50 percent of our oil from places outside of the United States.

What this amendment would do would be to increase the funding for renewable energy within this bill by $50 million. It would pay for that funding by taking $60 million from the Energy Department's missile program.

Now, that missile program within the Energy Department currently is funded at the rate of $5.1 billion. That is just within the Energy Department. This bill increased that funding by $118 million for the projected fiscal year.

My amendment would take $60 million from that $118 million increase and apply $50 million of it to alternative energy. By alternative energy, of course, we mean producing energy through direct solar, by wind, geothermal and similar technologies.

□ 1630

It is important that we do so. It is important that we do so, because we want to improve the availability of energy from sources other than fossil fuels, and it is particularly important in terms of nuclear security, because we want to reduce the amount of energy that we need to import from places that are outside the United States.

We can do that by advancing technologies that promote solar, wind, and geothermal energy. Mr. Chairman, up until recently, the United States led the world in the production of energy through photovoltaic cells and other direct solar means; however, beginning in the decade of the 1980s, we began to lose that edge. And that edge currently is enjoyed by the Japanese.

They have the edge on us by producing electricity directly from solar and by other solar means and photovoltaic cells particularly.

Up until recently, we had the edge in producing energy through wind technologies. We have lost that edge to the Danes and to the Germans. They are currently ahead of us, and they have more advanced technology for producing energy through wind than we do.

We know that within the next several decades, production of energy through solar and wind technologies and geothermal technologies will provide industrial opportunities globally to the tune of hundreds of billions of dollars, perhaps, trillions of dollars, even by the midpart of this century. And for that reason, alone, as well as our own independence and security, we ought to be advancing these techniques for energy production.

Mr. Chairman, I think that this amendment, which would increase our funding for renewable energy technologies by $50 million, is frankly little enough; and perhaps, the least that we could do at this particular moment.

It pays for this increase by drawing from the Energy Department's missile program. As we know, the Defense Department under Secretary Rumsfeld is currently engaged in a top-to-bottom review of our military defense program, and our nuclear missile program is going to be a major part of that.

Mr. Chairman, this bill funds nuclear programs through the Energy Department in ways that are, I think, greatly outdated, even archaic. For example, there is a provision in this bill to pay $96 million for a particular type of cruise missile which is used only by the B–52 bomber.

Now the B–52 bomber is 40 years old. It is clearly an outdated technology, and it is very likely that when the Rumsfeld review, top-to-bottom of our defense needs, is completed that this particular program is going to be rapidly phased out.

I can cite a number of other nuclear technology examples that are archaic, that are outdated, and which will undoubtedly not be funded as a result of the top-to-bottom review of the Rumsfeld program. So, therefore, I think it makes sense to take this money from that program and put it here to renewable energy.

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

Mr. CALLAHAN. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I yield 1 minute to the gentlewoman from California (Mrs. TAUSCHER).

Mrs. TAUSCHER. Mr. Chairman, I thank the gentleman from Alabama (Mr. CALLAHAN) for yielding the time to me.

Mr. Chairman, I kind of feel like I am torn between two of my favorite things, as the ranking member on the panel to oversee the national nuclear security administration, I believe we should be investing more money in nonproliferation programs and counterproliferation programs.

Obviously, as a Californian, I think it is very important that we work hard to make sure that we have strong energy policies and diversify our portfolio to make sure that we have renewables and alternatives to fossil fuels, but I cannot support this amendment, because we are taking very needed money and, frankly, robbing Peter to pay Paul.

Mr. Chairman, I urge my colleagues to vote against the Hinchey amendment

Mr. CALLAHAN. Mr. Chairman, I yield 1 minute to the gentleman from Texas (Mr. THORNBERRY).

Mr. THORNBERRY. Mr. Chairman, I appreciate the gentleman from Alabama (Mr. CALLAHAN) for yielding the time to me.

Mr. Chairman, I share the desire of the gentlewoman from California (Mrs. TAUSCHER) that we become more energy independent, but it would be a great mistake to take further funds away from our nuclear weapons program.

What the gentleman from New York (Mr. HINCHEY) may not realize is our existing nuclear weapons are 18 years old and aging. They were designed to last about 12 years.

We have decided as a country that we are not going to conduct nuclear tests, but some way we have to make sure these weapons continue to be safe, reliable, and secure. If we do not have the funds to conduct surveillance and to conduct scientific tests, to see whether these weapons will continue to be reliable, the only option for us is to go back to nuclear testing.

I am afraid amendments like this which would reduce the funds available to just make sure what we have now is safe, secure, and reliable drives us inexorably back towards nuclear testing which is not an option I suggest the gentleman would like.

Mr. Chairman, I oppose the amendment; and I suggest my colleagues do likewise.

Mr. CALLAHAN. Mr. Chairman, I yield 1 minute to the gentleman from New Jersey (Mr. FRELINGHUYSEN).

Mr. FRELINGHUYSEN. Mr. Chairman, I thank the gentleman from Alabama (Mr. CALLAHAN) for yielding me the time; and I rise in opposition to this amendment.

Last year, Mr. Chairman, at this time, we were rightfully fixated on the security of our national labs and protection of our secrets and the protection of our nuclear weapons program and data and research, et al.

This amendment would strip dollars away from the National Nuclear Security Administration's weapons activities program, the very programs we have worked to strengthen in last year's budget as a result of well-publicized security breaches.

As important as support is for renewable energy programs, the sponsor better find a better account to take it from. I oppose the amendment.

Mr. CALLAHAN. Mr. Chairman, I yield 1 minute to the gentlewoman from New Mexico (Mrs. WILSON).

Mrs. WILSON. Mr. Chairman, I rise in strong opposition to this amendment. We have cut the nuclear weapons budget in this country below what the President requested by $200 million.

I have a letter here from John Gordon that he handwrote to me this afternoon about this amendment and some others that might result in the further reduction of money for the nuclear weapons stockpile stewardship program. It says in part, now, on top of this comes news of potential further budget cuts resulting from possible floor amendments. This is completely unacceptable if we are to have any chance of meeting our high-priority mission needs.

The nuclear weapons program is supposed to certify the safety, security, and reliability of the nuclear weapons stockpile. Our stockpiling is aging, and we must continue to make sure it is safe and reliable for this country.

As much as I support conservation and investment in renewable energy, this is the wrong place at the wrong time to take that money from.

Mr. CALLAHAN. Mr. Chairman, we have only one more speaker and I think we have the right to close?

The CHAIRMAN. The gentleman has 1 minute remaining and the right to close. All time has expired on the other side.

Mr. CALLAHAN. Mr. Chairman, I yield the balance of my time to the gentleman from Tennessee (Mr. WAMP), a valuable member of the Subcommittee on Energy and Water Development, and our expert on this issue.

Mr. WAMP. Mr. Chairman, I want to thank the gentleman from Alabama (Mr. CALLAHAN) and the gentleman from Indiana (Mr. VISCLOSKY), the ranking member, for hearing our bipartisan plea to increase the funding for renewable energy sources in this bill.

We increased the funding $100 million above the President's request. We worked overtime to make sure that this appropriation bill matches the national energy policy from a balanced comprehensive approach. And as the cochairman of the Energy Efficiency and Renewable Energy Caucus with the gentleman from Colorado (Mr. UDALL), I thank them for hearing our plea to increase renewables.

The result is good and balanced, but the other side of the well-intended amendment of the gentleman from New York (Mr. HINCHEY) is that it takes funding from our nuclear stockpile stewardship and management.

Our country must maintain a safe and reliable stockpile for nuclear weapons. That decision has been made. That is not even debatable, frankly, in this country, in terms of the consensus of Americans that expect us to have a reliable nuclear weapons stockpile.

We must maintain our national preparedness, and we are losing that capability, so we must fight back this amendment in a bipartisan way.

Mrs. TAUSCHER. Mr. Chairman, I rise in reluctant opposition to this amendment.

Reluctant because I have been an outspoken critic of the President's budget, which made drastic cuts to COE's renewable energy programs. Programs that promote renewable energy technologies must be part of any comprehensive energy plan for our country.

I am pleased that my colleagues on the Appropriations Committee have restored some of the funding to the renewable energy accounts, providing $1 million above last year's levels.

Clearly more needs to be done. It is important to advance deployment of renewable technologies for applicable use in our homes and businesses and on our grids as soon as possible.

But Mr. Chairman, I must oppose any attempt to defer fully funding our nuclear weapons programs while we wait for the Secretary of Defense's Strategic Review to be completed.

As a Member of the House Armed Services Committee, I can tell you that the Secretary has briefed me and my colleagues on the status of this Review, and based on these briefings, it is unclear when this Review will be completed.

These programs are vital to our national security and can not afford to be underfunded or delayed until the Administration concludes its Review.

And given some of the military needs identified in this year's supplemental appropriations bill, like training and readiness, military personnel quality of life issues, and advanced weapons systems; it is clear that the funding needs of our nuclear weapons programs at DOE next year must be maintained in this bill.

Mr. Chairman, I urge my colleagues to oppose this amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York (Mr. HINCHEY).

The question was taken; and the Chairman announced that the noes appeared to have it.

Mr. HINCHEY. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN. Pursuant to the clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from New York (Mr. HINCHEY) will be postponed.

The Clerk will read.

The Clerk read as follows:

NON-DEFENSE ENVIRONMENTAL MANAGEMENT

For Department of Energy expenses, including the purchase, construction and acquisition of plant and capital equipment and other expenses necessary for non-defense environmental management activities in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction or expansion, $227,872,000, to remain available until expended.

Mr. PETRI. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I want to thank the gentleman from Alabama (Chairman CALLAHAN) for his work on this bill. Over the years, I have been intimately involved in several of the issues contained in this bill, and I am aware of the many challenges that he faces in putting it together.

It is one of those issues about which I rise today. For several decades, Congress has debated the merits of constructing a massive water on the Animas River in Colorado. Last fall, the Colorado Ute Settlement Act Amendments of 2000 was included in the end-of-the-year omnibus appropriations bill with little opportunity for debate or a vote on this specific project, and today's bill appropriates $16 million for it.

While the features of this Animas La Plata project are not as egregious as earlier versions, there are serious concerns that significant loopholes remain which will enable project beneficiaries to violate the intent of the act.

None of these loopholes is more significant than the possibility that nontribal beneficiaries are going to avoid their responsibilities, as required by reclamation law, for the full repayment of all capital and operating costs associated with their share of water from the project.

This has been a continuing concern of many of us who have opposed this project in the past. There are already some indications that local nontribal water users may be trying to do just that with the potential of buying water from the tribes instead.

To cite just one example, on May 24, 2001, the director of Colorado's Water Conservation Board sent an e-mail to other State officials stating, and I quote, ''given the cost of ALP water, I do not think the State can afford to purchase. We discussed the possibility of an option to lease or option to purchase at some future date with a nominal annual payment. I would prefer to let the Feds pay for it at this time with the Indians holding title.''

The language adopted last year clearly states that nontribal repayment arrangements must be made before construction begins. Furthermore, it directed the Secretary of the Interior to report to Congress by April 1 of this year on the status of the repayment negotiations. That report has still not been made.

Mr. Chairman, I hope that what was declared in the 1987 ad in the Colorado paper does not come to pass. It said, ''Why should we support the Animas La Plata project? Reason number seven, because someone else is paying most of the tab. We get the water. We get the reservoir. They pay the bill.''

If the local beneficiaries are not willing to pay their share, nobody else's constituents should have to pay this bill. Such a situation certainly begs the question of whether the project is really worthwhile, that is what the principle of cost sharing is all about.

I will continue to closely monitor the development of this project and, if necessary, work to stop the further funding of this project if it does not progress as required by law, and I ask the chairman and the committee and all of my colleagues to do the same.

Please keep an eye on this project and do not allow it to move forward if all parties do not fulfill their repayment obligations.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

URANIUM FACILITIES MAINTENANCE AND REMEDIATION

For necessary expenses to maintain, decontaminate, decommission, and otherwise remediate uranium processing facilities, $393,425,000, of which $272,641,000 shall be derived from the Uranium Enrichment Decontamination and Decommissioning Fund, all of which shall remain available until expended.

SCIENCE

For Department of Energy expenses including the purchase, construction and acquisition of plant and capital equipment, and other expenses necessary for science activities in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or facility or for plant or facility acquisition, construction, or expansion, and purchase of not to exceed 25 passenger motor vehicles for replacement only, $3,166,395,000, to remain available until expended.

NUCLEAR WASTE DISPOSAL

For nuclear waste disposal activities to carry out the purposes of Public Law 97–425, as amended, including the acquisition of real property or facility construction or expansion, $133,000,000, to remain available until expended and to be derived from the Nuclear Waste Fund: *Provided*, That not to exceed $2,500,000 may be provided to the State of Nevada solely for expenditures, other than salaries and expenses of State employees, to conduct scientific oversight responsibilities pursuant to the Nuclear Waste Policy Act of 1982, Public Law 97–425, as amended: *Provided further*, That $6,000,000 shall be provided to affected units of local governments, as defined in Public Law 97–425, to conduct appropriate activities pursuant to the Act: *Provided further*, That the distribution of the funds as determined by the units of local government shall be approved by the Department of Energy: *Provided further*, That the

funds for the State of Nevada shall be made available solely to the Nevada Division of Emergency Management by direct payment and units of local government by direct payment: *Provided further*, That within 90 days of the completion of each Federal fiscal year, the Nevada Division of Emergency Management and the Governor of the State of Nevada and each local entity shall provide certification to the Department of Energy that all funds expended from such payments have been expended for activities authorized by Public Law 97–425 and this Act. Failure to provide such certification shall cause such entity to be prohibited from any further funding provided for similar activities: *Provided further*, That none of the funds herein appropriated may be: (1) used directly or indirectly to influence legislative action on any matter pending before Congress or a State legislature or for lobbying activity as provided in 18 U.S.C. 1913; (2) used for litigation expenses; or (3) used to support multi-State efforts or other coalition building activities inconsistent with the restrictions contained in this Act: *Provided further*, That all proceeds and recoveries realized by the Secretary in carrying out activities authorized by the Nuclear Waste Policy Act of 1982, Public Law 97–425, as amended, including but not limited to, any proceeds from the sale of assets, shall be available without further appropriation and shall remain available until expended.

DEPARTMENTAL ADMINISTRATION

(INCLUDING TRANSFER OF FUNDS)

For salaries and expenses of the Department of Energy necessary for departmental administration in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the hire of passenger motor vehicles and official reception and representation expenses (not to exceed $35,000), $209,611,000, to remain available until expended, plus such additional amounts as necessary to cover increases in the estimated amount of cost of work for others notwithstanding the provisions of the Anti-Deficiency Act (31 U.S.C. 1511 et seq.): *Provided*, That such increases in cost of work are offset by revenue increases of the same or greater amount, to remain available until expended: *Provided further*, That of the funds provided to the Department of Energy under title III of Public Law 105–277 for activities related to achieving Year 2000 conversion of Federal information technology systems and related expenses, remaining balances, estimated to be $1,480,000, may be transferred to this account, and shall remain available until expended, for continuation of information technology enhancement activities: *Provided further*, That moneys received by the Department for miscellaneous revenues estimated to total $137,810,000 in fiscal year 2002 may be retained and used for operating expenses within this account, and may remain available until expended, as authorized by section 201 of Public Law 95–238, notwithstanding the provisions of 31 U.S.C. 3302: *Provided further*, That the sum herein appropriated shall be reduced by the amount of miscellaneous revenues received during fiscal year 2002 so as to result in a final fiscal year 2002 appropriation from the General Fund estimated at not more than $71,801,000.

OFFICE OF THE INSPECTOR GENERAL

For necessary expenses of the Office of the Inspector General in carrying out the provisions of the Inspector General Act of 1978, as amended, $32,430,000, to remain available until expended.

ATOMIC ENERGY DEFENSE ACTIVITIES

NATIONAL NUCLEAR SECURITY ADMINISTRATON

WEAPONS ACTIVITIES

For Department of Energy expenses, including the purchase, construction and acquisition of plant and capital equipment and other incidental expenses necessary for atomic energy defense weapons activities in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion; and the purchase of not to exceed 11 passenger motor vehicles for replacement only, $5,123,888,000, to remain available until expended.

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AMENDMENT NO. 2 OFFERED BY MR. KUCINICH

Mr. KUCINICH. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 2 offered by Mr. KUCINICH:

In title III, in the item relating to ''WEAPONS ACTIVITIES'', after the aggregate dollar amount, insert the following: ''(reduced by $122,500,000)''.

In title III, in the item relating to ''DEFENSE NUCLEAR NONPROLIFERATION'', after the aggregate dollar amount, insert the following: ''(increased by $66,000,000)''.

Mr. KUCINICH. Mr. Chairman, the National Ignition Facility is a multi-billion-dollar giant laser designed to blast a radioactive fuel pellet in an attempt to create a nuclear fusion explosion. The Department of Energy considers the National Ignition Facility important to its Stockpile Stewardship program, but according to experts, the project is overbudget, may not be technically feasible, and is not necessary to maintain our nuclear arsenal.

According to Dr. Robert Civiak, physicist and former OMB Program Examiner for Department of Energy nuclear weapons programs, the NIF will cost nearly $5 billion to build, $4 billion more than the Department of Energy's original estimate. Including operating costs, the NIF will consume more than $32 billion, six times the Department of Energy's original estimate.

Dr. Civiak also reports that the Department of Energy has yet to solve numerous technical problems that prevent NIF from successfully creating the fusion explosion. Full operation of NIF is already 6 years behind its original schedule.

In fact, according to former Los Alamos physicist Leo Mascheroni, The chance of the NIF reaching ignition is zero. Not 1 percent. Those who say 5 percent are just being . . . polite.

What is all that money being spent for? Department of Energy says the NIF helps us maintain our nuclear weapons, but experts disagree. When asked about NIF's utility for weapons maintenance, Edward Teller, father of the hydrogen bomb and cofounder of the Lawrence Livermore National Laboratory, replied that it had ''none whatsoever.''

Sandia National Laboratory's former vice president called NIF ''worthless'' for maintaining nuclear weapons safety and reliability.

Lawrence Livermore Laboratory weapons designer Seymour Sack called NIF ''worse than worthless'' for the task.

Ray Kidder, another Livermore physicist, has stated, ''As far as maintaining the stockpile is concerned, NIF is not necessary.''

In fact, NIF is an instrument for developing new nuclear weapons. Department of Energy itself touts NIF as playing an essential role in understanding the physics of nuclear weapons design and nuclear weapons effects. This type of nuclear weapons design activity violates the spirit of both the Nuclear Non-Proliferation Treaty and the Comprehensive Test Ban Treaty.

Nor is there a consensus with the Department of Energy on NIF's importance. Officials at Sandia National Laboratory, another DOE facility, have challenged Department leaders on NIF, calling for a scaled-down version in order to make sure it works and that it can be built affordably.

Now, at the same time that Congress is covering the spiralling cost of NIF, an instrument of proliferation, we have cut funding for the DOE's nonproliferation activities. The bill we have before us cuts nearly $27 million from the 2001 nonproliferation budget.

This should be a cause for concern for all of us, because even funding at fiscal year 2001 levels would not be enough to address the problem. Currently, for instance, there are enough quantities of fissile material in Russia to make more than 40,000 nuclear weapons, and the resource-starved Russian Government cannot secure all of this material on its own.

The bipartisan Cutler-Baker panel that recently studied these issues called the risk of theft of Russian nuclear materials the United States' most urgent unmet national security threat. Their report urged sharp increases in spending on nonproliferation, not cuts.

Our amendment attempts to address these skewed priorities by taking money being used for proliferation-type activities and setting it aside for critical nonproliferation programs should be considered by this House and approved by this House.

The amendment reduces NIF funding by one-half. This still represents a $42.5 million increase in funding over the last year.

At the same time that we slow down the dubious National Ignition Facility, we add $24 million to the Immobilization Program, which disposes of surplus plutonium; $19 million to the Materials Protection, Control and Accounting Program, which seeks to secure 603 metric tons of at-risk weapons-usable nuclear material in Russia; $23 million to the Nuclear Cities Initiative, which helps find employment for nuclear scientists in Russia's 10 closed

nuclear cities so that they are not tempted to sell sensitive information to groups developing weapons of mass destruction.

I urge a yes vote on this amendment. Let us demonstrate our Nation's commitment to smart government and take the leadership role in the fight to prevent proliferation of nuclear weapons.

Mr. WAMP. Mr. Chairman, I move to strike the last word in opposition of the amendment.

Mr. Chairman, again, I applaud the intent of the author of the amendment to increase our accounts for renewable energy, but as the Republican cochairman with the gentleman from Colorado (Mr. UDALL) of the House Renewable and Energy Caucus, a caucus that includes 180 members, in a bipartisan way we have worked tirelessly with the cooperative efforts of the gentleman from Alabama (Chairman CALLAHAN) and the gentleman from Indiana (Mr. VISCLOSKY), ranking member, to increase these renewable accounts by $100 million above the President's request.

This is even by those in the renewable energy field being applauded as a great victory at this point in the process. Now, if there are future victories to be had for renewables, and I hope there are this year, they need to take place at the conference committee where we have an increase in the allocation on the Senate side, and I believe still room for debate on the final funding levels for these important renewable energy functions. I will be there at that conference advocating on behalf of further increases in these renewable accounts.

But here we go taking the money again out of an absolutely essential function of our Federal Government. Our nuclear weapons stockpile stewardship is critically important for the good of this country and, indeed, the entire free world. If we are going to be able to test these weapons without firing these weapons, then facilities like NIF must be supported.

Granted, the management of the project itself has not been stellar, and it has had to be improved, but the fact is the imperative is there to finish the project, to continue to support our nuclear weapons stockpiling stewardship, and to be able to maintain these weapons and test these weapons without firing these weapons.

We increased at this subcommittee these nonproliferation accounts that the gentleman referred to by $71 million. Again, we have done a very good job at the subcommittee of balancing all of these needs because we agree with the gentleman on the points that he made. But we have already done that work. What the gentleman's amendment actually does is takes it further and cuts into our national preparedness, something that we cannot afford to do.

There is no question that some people would come to the floor today and oppose anything nuclear. But, Mr. Chairman, our country wants us to maintain a safe and reliable nuclear stockpile. Our country desperately needs to invest in NNSA-related programs so that these plants that have built up our nuclear weapons and today maintain them for the potential future use, God forbid it ever happens, but it is that deterrent that has brought about the global peace that we see today because that deterrent was, indeed, deployed. It was never deployed, but it was built up to the point where it never had to be deployed.

So our nuclear weapons stockpile stewardship is at risk here with this amendment, and we must maintain this. We must support the NNSA and all of its different programs, and this would certainly take away from that.

So I respectfully agree with the intent of the gentleman, but stand in strong opposition and applaud the subcommittee work because it is balanced and responsible and supports our national security missions, and it also supports the need to have a balanced energy strategy, including increased funding for renewables.

Mrs. TAUSCHER. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in strong opposition of the Kucinich-Lee amendment. As the mother of a 10-year-old, I share my colleagues' hope for a peaceful world free of nuclear weapons.

I believe the United States should reduce the number of nuclear weapons we maintain, and I introduced legislation today with the gentleman from North Carolina (Mr. SPRATT) calling on President Bush to do just that.

I agree that funding for nonproliferation programs is well short of what is needed, but I also believe that, as long as this country relies on nuclear weapons as a central part of our national security strategy, we have a commitment to maintain them in a safe and reliable condition.

Our best hope for maintaining the reliability of our nuclear weapons without testing is a robust Stockpile Stewardship program that includes the National Ignition Facility known as the NIF.

The NIF is an essential component of our Stockpile Stewardship program because it will allow us to create conditions similar to those that exist within a nuclear explosion without actually conducting live tests of nuclear weapons. Tremendous progress has been made in constructing this facility.

Since construction began, over $1 billion has been invested in the NIF, and more than 1,000 tons of equipment have been installed. The building housing the NIF is 98 percent complete, and 70 percent of the laser glass has been produced and meets specification.

Mr. Chairman, we can ill afford to abandon the NIF at this critical juncture in the Stockpile Stewardship program. We must give the Nation's nuclear stewards the tools they need to maintain the safety, security and reliability of our Nation's nuclear deterrent.

Finally, Mr. Chairman, I would like to submit for the RECORD a letter I received today from Ambassador Thomas Graham, who negotiated the nonproliferation treaty, expressing his support of the NIF.

I would also like to direct the RECORD on quotes attributed to Dr. Edward Teller. Dr. Teller's quote is, ''I was misquoted giving the appearance I did not support this NIF project. It is necessary that I correct this completely wrong impression.'' I am for the NIF.

Mr. Chairman, I urge my colleagues to strongly vote down this amendment. It will jeopardize our ability to have a safe and reliable and certifiable stockpile.

Mr. Chairman, I include the following documents for the RECORD as follows:

LAWYERS ALLIANCE FOR WORLD SECURITY COMMITTEE FOR NATIONAL SECURITY,

Washington, DC, June 26, 2001.

Hon. ELLEN TAUSCHER,
House of Representatives, 1122 Longworth House Office Building, Washington, DC.

DEAR CONGRESSWOMAN TAUSCHER, I am writing this letter to urge your support on a matter that I consider to be crucial to the continuing viability of the U.S. nuclear arsenal and therefore to our national security. I believe that it is necessary that we maintain an effective and fully funded stockpile stewardship program, an important element of which is the National Ignition Facility. Specifically, the stockpile stewardship program is the underpinning for our current moratorium on nuclear testing and will provide the conditions for Senate reconsideration of the Comprehensive Nuclear Test Ban Treaty.

I am not a new supporter of NIF. I supported it when I was in charge of the U.S. worldwide efforts to extend the Nonproliferation Treaty (NPT) and I supported it when, after the 1995 Conference which permanently extended the NPT, I urged negotiation of a zero-yield CTBT. I supported it despite earlier concerns about cost, management and technical problems, concerns that were well justified. And while there continue to be some problems in these respects, I am confident that under General Gordon's leadership the NNSA will successfully correct the situation and complete this much needed element of our effort to maintain a safe and reliable nuclear deterrent without underground testing. I strongly urge you to support the full NNSA request for the NIF project in FY2002.

I recognize that President Bush has indicated he does not support a CTBT at this time, a view with which I respectfully disagree. Nevertheless, he has given his full support to a continuing moratorium on nuclear testing. Thus, we need a full commitment to an effective and successful stockpile stewardship program.

Without a doubt, a significant part of the reason the Senate voted against ratification of the test ban treaty in 1999 was a failure on the part of CTBT advocates to convince enough senators that stockpile stewardship works. A successful NIF, which will perform key scientific experiments and is crucial to efforts to attract the quality personnel required to permit the labs to fill their stewardship missions, would help remedy this misperception in the future. Conversely, failure to support NIF will undoubtedly undermine the stockpile stewardship program and,

as a result, the U.S. testing moratorium and future CTBT ratification efforts.

While some critics of the NIF correctly assert that other elements of the stockpile stewardship program need additional funding, the answer is not to take funds from one part of the program to fix another but rather to provide sufficient resources for a fully effective program. When this issue is considered in committee later this year. I urge you to continue your support for the National Ignition Facility and the stockpile stewardship program. We have come too far, and have too far to go, to falter now.

Sincerely,

THOMAS GRAHAM, Jr.

Statement by Dr. Edward Teller regarding the NIF:

''. . . I was misquoted giving the appearance that I did not support this (NIF) project. It is necessary that I correct this completely wrong impression.

It is my opinion that the NIF will almost certainly demonstrate nuclear fusion basic for the hydrogen bomb. Such demonstration will be valuable in the Nation's search for ways that future functioning of fusion bombs can be assured.''

Mr. CALVERT. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in strong opposition to this very irresponsible amendment. We often debate the proper roles and responsibilities of the Federal Government, but I thought we all agreed that Congress exists in large part to provide for our national security.

This amendment strikes at the heart of our country's defense. If we pull support from the National Ignition Facility, we would cripple our nuclear weapons stockpile, the cornerstone of our national defense.

NIF is the only facility that can create the extreme temperature and pressure conditions that exist in exploding nuclear weapons. Without NIF, we would lose our ability to fully understand the operations of our arsenal.

NIF is also the only facility that can create fusion ignition-and-burn in the laboratory. Without NIF, we would not be able to access and certify the aging nuclear stockpile unless we renew underground testing.

Do not just take my word for it. The head of the National Nuclear Security Administration in DOE has said that, without NIF, we will need to begin underground tests once again.

We need to ensure that our weapons are safe and that they will work. NIF gives us this assurance. Stand up for the defense of our Nation. I urge my colleagues to vote against this ill-advised amendment.

Ms. LEE. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I stand today in strong support of this amendment to cut funding from the National Ignition Facility and to transfer that money to crucial nuclear nonproliferation programs and to the national Treasury.

This project has already sucked up billions of taxpayer dollars while endangering our environment and sabotaging efforts to reduce nuclear nonproliferation. Instead of continuing to go down this path, let us stand up today for peace, for security, and fiscal common sense.

NIF has cost billions and will cost billions more and will not increase our national security. The National Ignition Facility is not some crucial component to our security system. It is an albatross, mired in cost overruns and dubious science.

When Edward Teller, the father of the hydrogen bomb, says that NIF has no utility whatsoever, we really should listen.

Now, at the same time, the Energy and Water Development Appropriations bill cuts funding for nonproliferation programs that represent an investment in peace, which is really an investment worth making. So this amendment restores badly needed dollars to programs that will make us truly safer.

This is not a trade-off in security. It is an enhancement of security. Now is not the time to cut support for efforts to curtail the spread of nuclear weapons. Reducing the number of nuclear weapons in the world and reducing the amount of nuclear material in the world enhances our security.

□ 1645

So we must move forward toward a safer future, not backwards to a more dangerous past.

Finally, this amendment returns over $56 million to the national treasury. Fifty-six million dollars. That money could go to house the homeless, to care for our seniors, or to feed the hungry. Without housing, without medical care, without food for all, how can we really be secure?

Once again I urge my colleagues' support of this amendment.

Mr. RYAN of Wisconsin. Mr. Chairman, I move to strike the requisite number of words, and I rise in favor of the amendment.

Mr. Speaker, I am in support of this amendment from a good-government-taxpayer point of view. This program has failed audit after audit after audit. Just the most recent GAO audit has given it a failing grade. This program is 6 years over its original completion date, and it is almost $4 billion over budget.

For us, as the legislative branch of government, to properly conduct our proper oversight role over the executive branch, to see if their proper stewardship of our taxpayer dollars is making sense and is being implemented well, and for us to walk away from these kinds of abuses, is quite simply irresponsible.

I support the Kucinich amendment. I do not think it strikes a devastating blow to our nuclear stockpile program. In fact, I think this is a good thing, because it says that if an organization is going to take taxpayer dollars, they have to spend them wisely, have a good plan in place, and that we will not chase good money after bad. These audits need to be passed before we can reward this program with the funding they are asking for.

Mr. CALLAHAN. Mr. Chairman, I ask unanimous consent to limit debate on this particular amendment to 10 minutes, 5 minutes for a proponent and an opponent.

The CHAIRMAN. Is there objection to the request of the gentleman from Alabama?

Mr. VISCLOSKY. Mr. Chairman, I object momentarily.

The CHAIRMAN. Objection is heard.

Mr. THORNBERRY. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in opposition to this amendment. I support the nonproliferation efforts which can reduce the amount of nuclear material and nuclear expertise which is floating around the world and which some reports say is the greatest single threat to U.S. security, but I cannot support reductions in programs that keep our own nuclear stockpile safe, secure, and reliable.

I would say to the gentleman who just spoke in the well that this Congress is not walking away from the management difficulties that the NIF has had. As a matter of fact, in the Committee on Armed Services we have had a number of hearings over the past several years on the NIF and its management difficulties. As a matter of fact, I think one of the reasons we have a new entity within the Department of Energy is to help correct some of those problems in the past. And I can report that the new National Nuclear Security Administration and General Gordon, its head, has moved aggressively to solve the management problems that the NIF has had in the past.

As my colleague from California has said, we have sunk a tremendous amount of money into this project. To walk away now would be the height of folly. But I want to take just a second to put the NIF into its proper context, because I think many of my colleagues do not realize we continue to rely today on nuclear weapons as the central part of our security deterrent; yet those nuclear weapons are 18 years old, on average. They were designed to last 12 years, and so they are already well beyond their design life.

What many people do not realize also is that there is a lot we do not know about nuclear weapons and how they work. In spite of the fact that we have conducted many tests over the past number of years, going back to 1945, there is a lot about what happens with a nuclear explosion that we do not understand, and NIF and other programs like that are designed to help us understand what is going on so that as our weapons age we can continue to have confidence that they are safe, secure, and reliable. If we do not have NIF or other tools like NIF, then the uncertainties will grow, and they will grow to a point where the President and a Congress will have no choice but to resume nuclear testing, and that will have enormous consequences.

I would point out to my colleagues that this subcommittee has already cut

the President's request by $176 million. That gives me enormous concern. But to take more money out of the President's request to increase the uncertainties and here to stop the funding for NIF, which is one of the essential tools to help answer those questions as our stockpiles age, would be a serious, serious mistake.

Mr. Chairman, I think that what we have before us as an amendment will hurt the security of the United States not only here but in the long term, and I hope my colleagues will reject it.

Mr. CALLAHAN. Mr. Chairman, I ask unanimous consent that all debate on this amendment, and all amendments thereto, be limited to 10 minutes, the time to be equally divided between the proponent of the amendment and a Member opposed.

The CHAIRMAN. Is there objection to the request of the gentleman from Alabama to limit the debate to 10 minutes, 5 minutes divided equally on each side?

There was no objection.

The CHAIRMAN. The gentleman from Ohio (Mr. KUCINICH) will control the time in favor of the amendment, and a Member on the opposite side will control the time in opposition to the amendment.

Mr. KUCINICH. Mr. Chairman, I yield such time as he may consume to the gentleman from Massachusetts (Mr. OLVER).

Mr. OLVER. Mr. Chairman, I thank the gentleman for yielding me this time, and I am rising in support of the amendment that has been proposed by the gentleman from Ohio, in part, I think, to clear up some of the issues along the way.

The expenditure in nuclear programs is far beyond what we need to be expending in nuclear programs. That is as simple as one can say it. The increase in nuclear programs in this budget is by a very significant amount over the previous year when we have such great other needs. The amendment that the gentleman has proposed returns $56 million to the Treasury, which by the way is about similar to the amount that was involved in the amendment that had been offered by the gentleman from New York seeking only an additional $50 million for renewable energy research programs. It seems to me that that would be a far, far better way to use the $56 million that otherwise would be returned to the Treasury by the gentleman from Ohio and his amendment.

I just want to point out, in partial reply on exactly the same amendment earlier, the gentleman from Tennessee was speaking about what the committee had done, and I do commend the committee for returning, on renewable energy sources, $100 million, which had been cut from the budget for renewable energy sources by the President's request. In returning that amount of money, they now have in the bill $377 million for renewable energy research and development, which is exactly $1 million more than there was in the previous bill.

Now, I would just point out here that in the National Energy Policy Report that has come out, the policy report has at one point a statement that President George W. Bush understands the promise of renewable energy and strongly encourages alternative sources, such as wind, biomass, and solar energy. And in another place here the statement reads that ''renewable and alternative fuels offer hope for America's energy future.'' I do not think that it is appropriate to have only a $1 million increase in the accounts for renewable energy, commendable though it is, that the subcommittee has recommended $100 million more than the President had proposed, because he had cut so much out of what he is in other places here saying are such important pieces of work to be done.

It seems to me that we would be far wiser to use money that might be saved from the NIF and otherwise, by the amendment, would return to the Treasury for something that would really significantly help in producing the kind of energy that we need for the future in renewable sources that does not produce global warming, CO_2, in most of its forms, and produces very little, except renewable sources, in biomass.

The CHAIRMAN. Does the gentleman from Tennessee (Mr. WAMP) seek to control the time in opposition to the amendment?

Mr. WAMP. I do, Mr. Chairman.

Mr. Chairman, I yield 3 minutes to the gentlewoman from California (Mrs. TAUSCHER).

Mrs. TAUSCHER. Mr. Chairman, I thank my colleague for yielding me this time. We can have our own opinion, but we cannot have our own separate set of facts; and the facts about the NIF are very clear. While there were significant production failures and management problems in the NIF in 1999, even into early 2000, that has been dramatically fixed by new management. And, frankly, we have not had any GAO reports saying anything other than that.

These investments are critical to our stockpile stewardship program. They are critical to having an ability to certify the sustainability and the safety of these weapons. The NIF is a project that was plagued with problems; but even today, in the Subcommittee on Military Procurement, General Gordon, the administrator of the National Nuclear Security Administration, testified that the NIF is now problem free, it is a program that is going forward, that we have significant investment in, and it is critical to our ability to have a stockpile stewardship program that enables us to certify weapons without testing.

So I think that while there are rumors out there that the NIF is still plagued with problems, I want to assure my colleagues that they need to vote down this amendment. I urge them to strongly oppose it. We need the NIF for stockpile stewardship, and we need it for nuclear security.

Mr. KUCINICH. Mr. Chairman, how much time remains?

The CHAIRMAN. The gentleman from Ohio (Mr. KUCINICH) has 1½ minutes remaining, and the gentleman from Tennessee (Mr. WAMP) has 3½ minutes remaining.

Mr. KUCINICH. Mr. Chairman, I yield myself such time as I may consume, and I would like to cite the latest GAO report about the NIF, which was issued on June 1, and continues to recommend an independent scientific review of NIF. It says,

> In our reports, we recommended that the Secretary of energy arrange for an independent outside scientific and technical review of NIF's remaining technical challenges. NIF still lacks an independent external review process. Independent external reviews are valuable for measuring cost, schedule, and technical success in any large and ambitious science project. Yet, no such external independent reviews of NIF have been conducted or planned. The DOE's own orders state that external independent reviews are beneficial; however, DOE plans to continue its own internal review program, allowing Defense Programs officials to manage the process themselves.

It is very clear, Mr. Chairman, that accountability has been lacking. While we know about the lack of accountability at NIF, we also have an opportunity here to take a strong position with respect to nonproliferation and fund some of those programs that have been cut back.

Mr. WAMP. Mr. Chairman, I yield myself the balance of my time.

Whether coming at the amendment from a budget-cutting perspective or coming at it from an anti-nuclear or non-proliferation perspective, it does not serve our country well today to retreat from our national preparedness, including the ultimate deterrent of a safe and reliable nuclear weapons stockpile. We built it up for a purpose, and we must maintain it for a purpose. The entire free world is depending on us.

And, frankly, in closing, I want to say we now have better management for our weapons stockpile than we had 5 years ago. There is no question that NNSA was a good move. It was done by a bipartisan team led by the gentleman from Texas (Mr. THORNBERRY) and the gentlewoman from California (Mrs. TAUSCHER), and I applaud their work. Because today, under General Gordon's leadership, the NNSA is responsibly reforming our nuclear weapons programs so that we are prepared for the future.

For too long our weapons activities have been put on the back burner.

□ 1700

We have been funding through our national security programs weapons, and our personnel on active duty and our Guard and Reserve, but we cannot move our weapons activities to the back burner and expect to have an infrastructure that is capable of the next

generation of nuclear weapons if we need them, or a workforce. We have a graying workforce and aging infrastructure throughout the weapons complex.

I represent the Y–12 in Oak Ridge, Tennessee, where bricks fall off the walls and people have to report to work in hard hats because the infrastructure has eroded.

Mr. Chairman, we must reinvest in the modernization of these facilities. We have buildings that are 50 years old. We have not adequately funded those facilities. This strikes at NIF, but NIF is at next-generation of being able to test without activating these weapons and testing underground, maintaining the weapons stockpile reliability. We must do this and fight back this amendment.

Mr. Chairman, I urge a ''no'' vote on this amendment.

Mr. WAMP. Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Ohio (Mr. KUCINICH).

The question was taken; and the Chairman announced that the noes appeared to have it.

Mr. KUCINICH. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN. Pursuant to clause 8 of rule XVIII, further proceedings on the amendment offered by the gentleman from Ohio (Mr. KUCINICH) will be postponed.

Mr. BARR of Georgia. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I would like to enter into a colloquy with the distinguished gentleman from Alabama (Mr. CALLAHAN), the chairman of the Subcommittee on Energy and Water Development.

Mr. Chairman, since being elected to the Congress, I have worked closely with the Army Corps of Engineers to ensure full pool lake levels at West Point Lake. On several occasions, the Army Corps has imprudently lowered the lake level, causing environmental degradation and severely affecting the use of the lake by the tens of thousands of citizens who rely on it for their water, energy, and recreation.

Over the last year, however, with the assistance of former Assistant Secretary of the Army for Civil Works, Joseph Westphal, we were able to work on making sure that the Army Corps in managing West Point Lake, respected the benefit-cost priorities that were established by Congress when this project was authorized by title II, section 203 of the Flood Control Act of 1962, Public Law No. 87–874 (76 Stat. 1190, October 23, 1962).

This legislation authorized four primary project purposes with benefits and costs as follows: generation of hydroelectric power, flood control, fish and wildlife, recreation and navigation.

Mr. Chairman, I would like to ask the distinguished chairman, the gentleman from Alabama, can I be assured the gentleman will work with the Army Corps to continue to respect the relative priorities of these federally mandated purposes?

Mr. CALLAHAN. Mr. Chairman, will the gentleman yield?

Mr. BARR of Georgia. I yield to the gentleman from Alabama.

Mr. CALLAHAN. Mr. Chairman, I thank the gentleman for bringing the issue to the attention of the committee. I recognize the work the gentleman from Georgia has done to assist the Army Corps in making rational decisions in the operation of West Point Lake. It is my goal to direct the Army Corps to continue to work on improving the management of West Point Lake. The Army Corps needs to work to fulfill the intent of Congress with respect to this facility. I pledge to work with the gentleman from Georgia to ensure the Corps of Engineers adequately addresses the concerns of the gentleman and his constituents.

Mr. BARR of Georgia. Mr. Chairman, I thank the gentleman for his continued work in this area and look forward to working with him.

Mr. CALLAHAN. Mr. Chairman, I ask unanimous consent that we bring the Bonior amendment up out of order, and that time constraints be put on the amendment limiting debate on the amendment and all amendments thereto to 1 hour, the time to be equally divided between the proponent of the amendment and a Member opposed.

Mr. VISCLOSKY. Mr. Chairman, if the gentleman would yield, the vote on the Bonior amendment would be the first vote in sequence tomorrow morning?

Mr. CALLAHAN. That is correct. We are going to make that announcement after the unanimous consent is adopted. If the unanimous consent is accepted, then we will debate the Bonior amendment or any amendment thereto, including the Rogers amendment tonight, probably finish about 6, have no further votes tonight, and then begin in the morning at 9.

Mr. VISCLOSKY. And no further amendment will be offered tonight, we will do our unanimous consent, and the first vote in the morning would be the Bonior amendment?

Mr. CALLAHAN. With the exception of the Rogers amendment.

Mr. VISCLOSKY. Mr. Chairman, I have no objection.

The CHAIRMAN. Without objection, the gentleman from Michigan (Mr. BONIOR) will be permitted to offer an amendment in the form of a limitation to be inserted at the end of the bill at this point in the reading, and that debate on the amendment and any amendments thereto be limited to 60 minutes, equally divided and controlled by the gentleman from Michigan and a Member opposed.

There was no objection.

AMENDMENT OFFERED BY MR. BONIOR

Mr. BONIOR. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. BONIOR:

At the end of the bill, insert after the last section (preceding the short title) the following new section:

SEC. ____. No funds provided in this Act may be expended to issue any permit or other authorization under section 10 of the Rivers and Harbors Appropriation Act of 1899 (33 U.S.C. 403), or to issue any other lease, license, permit, approval, or right-of-way, for any drilling to extract or explore for oil or gas from the land beneath the water in any of Lake Huron, Lake Ontario, Lake Michigan, Lake Erie, Lake Superior, Lake Saint Clair, the Saint Mary's River, the Saint Clair River, the Detroit River, the Niagara River, or the Saint Lawrence River from Lake Ontario to the 45th parallel of latitude.

The CHAIRMAN. Under a previous agreement of the House, time will be limited to 60 minutes equally divided between the gentleman from Michigan (Mr. BONIOR) and a Member opposed.

The Chair recognizes the gentleman from Michigan (Mr. BONIOR).

Mr. BONIOR. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, first of all, I want to thank my colleagues who have worked to put this together: the gentleman from Indiana (Mr. VISCLOSKY), the gentleman from Alabama (Mr. CALLAHAN), the gentleman from Florida (Mr. YOUNG), and the gentleman from Wisconsin (Mr. OBEY).

Secondly, I want to thank the gentleman from Michigan (Mr. STUPAK) for being the leader on this important issue for all of us in the Great Lakes. I thank him for his leadership. And I also thank the gentleman from Ohio (Mr. LATOURETTE) for his sponsorship of this, as well as the gentlewoman from Ohio (Ms. KAPTUR).

Mr. Chairman, for those who have grown up along the shores of the Great Lakes, we know that the Great Lakes defines the region that we live in. It is what we are about. It is what has made the Great Lakes region the wealthiest area on the planet Earth because of this wonderful and abundant resource.

Mr. Chairman, we depend on our drinking water, our recreation, the engine of our economy on the water in the Great Lakes. Tourism is our second largest industry. We do about $10 billion a year in tourism. Families come to Michigan to fish, to use our beautiful beaches, to swim in our lakes and enjoy our sand dunes. They do not come to Michigan to look at oil wells or oil derricks. We are passionate about protecting the Great Lakes.

We cannot afford to put our greatest natural resource at risk. When I say that, 95 percent of all of the fresh water in our country comes out of the Great Lakes and its connecting waterways; 20 percent, a fifth of the fresh water on planet Earth, comes out of the Great Lakes.

I am amazed and appalled and alarmed that some in Michigan are proposing to drill for oil and gas beneath our Great Lakes. They seek to add 30 new directional drills along our shores. They are moving at breakneck speed to get this done. Over their lifetime, directional wells drilled already in place have produced less than one-

third of a day's supply of natural gas and oil.

This process began with seven wells, up to 13, now back to seven as far back as 1979. There is virtually very little that has accrued. I remind my colleagues that 1 quart of oil can contaminate up to 2 million gallons of drinking water. Just think of the damage that would do if we had directional slant drilling.

If we have a drill that hits a pressure pocket, it can spew gas and oil back out like a geyser, Mr. Chairman. There is also another problem that we have experienced in one of the drills in the area of Manistee, Michigan. It is called hydrogen sulfide. It is a poisonous gas. It is very similar to cyanide. It was released back in 1997 and 1998, sending 20 people in that region to the hospital.

Under the present movement to access and explore gas and oil, our drinking water could be contaminated. Oil could wash up to our shores; and if that happened, it could take as much as 500 years to completely flush out.

In conclusion, let me say, Mr. Chairman, oil and water do not mix. Let us put an end to this bad idea by passing this amendment sponsored by my colleague, the gentleman from Michigan (Mr. STUPAK), the gentlewoman from Ohio (Ms. KAPTUR), and put an end to this once and for all.

This amendment would prohibit the Army Corps from spending funds to issue any new permits for oil and gas drilling under the Great Lakes. We need to preserve this natural beauty for future generations. Drilling in the Great Lakes is a formula for disaster. I urge my colleagues to support the amendment.

Mr. Chairman, I yield 4½ minutes to the gentleman from Michigan (Mr. STUPAK), my distinguished colleague and leader on this issue.

Mr. STUPAK. Mr. Chairman, I thank the gentleman for yielding me this time.

Mr. Chairman, this could be a great day for the Great Lakes and all of us who live in and around the Great Lakes. Since the 105th Congress 4 years ago, I have sought to ban the practice of drilling for oil and gas in and under our Great Lakes. Early on I was a lone voice among public officials on this issue.

But I have been rewarded for my efforts, Mr. Chairman, with strong support from both sides of the aisle, Democrats and Republicans, and from Members inside and outside of the Great Lakes basin.

The vote we will take tomorrow demonstrates how this issue has found its time and place in the House of Representatives.

□ 1715

This is not a Florida situation. We have drilling in Michigan for oil and gas. But what our amendment says is there will not be any drilling for oil and gas on our shoreline. We should not be drilling in the world's greatest supply of fresh water. We should not have to be drilling on the shoreline of fresh water for 34 million people who live around the Great Lakes. Let us not jeopardize our Great Lakes. Let us not jeopardize their drinking water. Let us not drill for gas and oil under our Great Lakes.

This amendment is important because our State of Michigan is moving forward to open new areas for drilling along the shores of Lake Michigan, Lake Huron, Lake St. Clair, the connecting waterway between Lake Huron and Lake Erie.

Consider, Mr. Chairman, that 18 percent of the world's fresh water is found in the Great Lakes. Ninety-five percent of our Nation's fresh water is found in the Great Lakes. It is the home and workplace of 34 million people. The procedure that Michigan plans to authorize does not involve oil platforms located in the water of the Great Lakes themselves. Instead, the rigs would be located along the shore. Oil pockets under the lakes would be tapped by drilling at an angle from the shore rigs. This is a procedure known as directional drilling.

Michigan law already permits State officials to move forward to lease bottomlands of the Great Lakes for drilling, without a new vote of the Michigan State House or State Senate. Michigan can move forward to lease bottomlands without permission from any other Great Lakes State. But as people inside and outside of Michigan have learned what Michigan is doing, Mr. Chairman, they have raised their voice in opposition. The Governor of Ohio has said he would never consider such a procedure. The Wisconsin Senate has said no to directional drilling. Members of the Michigan legislature themselves are waking up to the dangers that this practice presents to the Great Lakes. Although the Michigan Senate earlier this month voted to support new drilling, that language last night was eliminated from a House-Senate conference report and the language allowing directional drilling has been eliminated in Michigan.

Here in Congress, a bipartisan group of Members from this body and the other body have brought forth bills to block any new drilling for oil and gas underneath the Great Lakes. But despite all of these actions, the State of Michigan can still move forward by administrative action and still plans to do so under the leadership of Governor Engler. Leasing of bottomlands of the Great Lakes for new oil and gas could take place within months under the current administration in Michigan. Michigan State officials have argued that the procedure is safe. A set of recommendations made up by a panel, a panel that was handpicked by the Michigan Governor to study the safety of directional drilling, have not been implemented and will not be implemented. They want to drill up in my district and they have never yet had a hearing in my district as required under the procedures as to whether or not you should drill in the Great Lakes.

Mr. Chairman, we may be able to imagine the hazards of drilling, but it is harder to see the benefits. What is the economic trade-off here that you could argue in favor of drilling under our Great Lakes? The answer, Mr. Chairman, is small and short-term gain for Michigan's budget and profits for oil companies. But the public at large that faces the threat of drilling would see virtually no benefits. The proposed 30 or so new wells would yield only enough oil to meet the needs of Michigan residents for 3 weeks and enough natural gas for 5 weeks.

Mr. Chairman, of all the places in the Nation where we might wish to sink oil wells, I believe we can argue that we would never choose the shoreline shared by the people of Chicago, Milwaukee, Detroit, Cleveland, Toronto, and Buffalo among others. Let us block this procedure.

I thank the U.S. Senators in the Michigan delegation and other Senators for their efforts. I would like to thank my colleagues, the gentleman from Michigan (Mr. BONIOR), the gentlewoman from Ohio (Ms. KAPTUR), the gentleman from Ohio (Mr. LATOURETTE), the gentlewoman from Florida (Mrs. THURMAN), the gentleman from Wisconsin (Mr. BARRETT), the gentleman from Ohio (Mr. BROWN), and others who stepped forward to cosponsor legislation to ban directional drilling each and every Congress that I have introduced it.

A vote for this amendment tells the American public that we understand that the Great Lakes, one of the Nation's, one of the world's greatest resources, should and will be protected. Vote ''yes'' on the Bonior amendment.

The CHAIRMAN. Does the gentleman from Alabama seek the time in opposition to the amendment?

Mr. CALLAHAN. Yes, Mr. Chairman.

The CHAIRMAN. The gentleman from Alabama is recognized for 30 minutes.

Mr. CALLAHAN. Mr. Chairman, I yield 2 minutes to the gentleman from Michigan (Mr. CAMP).

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

Mr. CAMP. I thank the gentleman for yielding me this time.

Mr. Chairman, I rise today in support of the amendment offered by my colleagues from the Midwest, an amendment which prohibits the Federal Government from facilitating drilling projects in the Great Lakes. This amendment is a vote in support of the most precious fresh water resource we have.

It remains unclear whether or not the Federal Government or the Army Corps of Engineers has any authority in this area, but I believe it is important to make a statement on protecting the Great Lakes. For example, section 10 of the Rivers and Harbors

Act cited in this amendment was passed in 1899 and only refers to blocking navigable waters.

Protection of the Great Lakes basin best remains with the eight Great Lakes Governors and two Canadian Premiers. Earlier this month, the governors and premiers came together and signed Annex 2001 which protects the Great Lakes from commercial withdrawals of water. So while not a perfect solution, I am voting for this amendment to be sure the word goes out that our Federal Government should not be participating in our Great Lakes and this amendment does that.

I applaud Members of both parties for working to protect our lakes. I urge my colleagues to vote in favor of protecting our greatest natural resource.

Mr. CALLAHAN. Mr. Chairman, I yield 2 minutes to the gentleman from Michigan (Mr. HOEKSTRA).

Mr. HOEKSTRA. I thank the gentleman for yielding me this time.

Mr. Chairman, my district represents roughly 150 miles of Lake Michigan shoreline. On a day-to-day basis the quality of life and the very livelihood of many of my constituents are directly affected by Lake Michigan and the Great Lakes. The Great Lakes are one of this Nation's most precious resources. This amendment is one way we can help protect and preserve the largest body of fresh water in the world.

I am and have always been in favor of States rights and there are some that will invoke that issue in regard to this amendment. Action by Congress is needed, however, because the Great Lakes States and provincial governments of Canada have a patchwork of regulations that do little to protect the Great Lakes from the dangers associated with oil and gas drilling. Canada allows vertical drills to line the bottomlands of Lake Erie. While some States in the Great Lakes region allow drilling, others have banned this practice. Protection of this resource cannot vary from State to State or from one body of water to the next. Everything is interconnected in the Great Lakes region and the decisions that place Lake Erie at risk in turn place Lake Michigan at risk and vice versa. The only appropriate policy is to keep drills out of the Great Lakes.

I feel it is necessary today to vote in favor of this amendment to eliminate the risk as opposed to allowing this activity to take place. In addition to supporting this amendment today, I am also introducing legislation that will call for further study of the environmental impact of oil and gas drilling in the Great Lakes. I will ask for a complete assessment of the condition, safety, and the potential environmental effects of pipelines that run under the Great Lakes and through the States that surround those lakes. And I will ask for a comprehensive study to determine how much oil and gas might be gained by drilling in the Great Lakes region.

We should go further. We need a comprehensive plan to protect the Great Lakes. This is a good first step.

Mr. CALLAHAN. Mr. Chairman, I yield 3 minutes to the gentleman from Texas (Mr. DELAY), the majority whip.

Mr. DELAY. Mr. Chairman, I cannot believe amendments like this. It is the height of irresponsibility. I think Members should oppose this amendment because it establishes a horribly irresponsible precedent for our energy security in this country. The Democrat leadership is constraining our economy within the same energy straitjacket that they applied under the Carter administration and that they are applying now in California that brings blackouts.

The working people of America are depending on us to open energy reserves to safe, environmentally responsible exploration. Without reliable energy, our economy will crumble. It will mean blackouts, layoffs, and plant closings.

This energy security obstructionism is one aspect of a broader effort to systematically choke off every promising source of domestic energy. It is hard to fathom how this campaign to block energy production could be driven by anything but a misguided motivation to weaken America and to leave us beholden to foreign sources of energy.

The Democrat leadership is at war with our ability to produce an adequate and dependable energy supply. They oppose safe oil exploration. They oppose expanded nuclear power. They oppose clean coal. They oppose ANWR. They oppose tapping the natural gas trapped beneath public lands. They oppose drilling in the Gulf of Mexico. And now they oppose slant drilling in Michigan.

Now, they are for closing plants. They are for closing refineries. They are against opening any new plants. They oppose everything that allows us to increase our supply. Their actual objective must be to eradicate America's energy security. Why else would the Democrat leadership be recklessly pursuing a policy that is weakening the United States economy?

The question for Democrats to answer is this: Where will Americans go for the energy that they need to sustain their quality of life after you have completely strangled our ability to produce the energy that we need? What will Democrats tell the men and women stranded in gas lines? What explanation will they offer families suffering through frequent and recurring blackouts? What justification will they offer to workers when they open a pink slip after plants are forced out of business by spiraling energy costs?

And this environmental extremism, this radical environmentalism is entirely unwarranted. Today, slant drilling technology allows us to safely withdraw oil and gas beneath bodies of water from the shore. Environmentally safe. We do not have to trade environmental safety for energy security.

Members, please oppose these amendments that weaken America by enhancing the power that foreign suppliers of energy hold over our Nation.

Mr. BONIOR. Mr. Chairman, I yield 2 minutes to the distinguished gentleman from Wisconsin (Mr. BARRETT).

Mr. BARRETT of Wisconsin. Mr. Chairman, I applaud the gentleman from Michigan (Mr. BONIOR) for introducing this amendment along with the gentleman from Michigan (Mr. STUPAK) and others.

Mr. Chairman, I rise in strong support of this amendment. Unfortunately, some public officials in Michigan are using recent fuel price spikes to justify their desire to open up the Great Lakes to oil and gas drilling. Although drilling in the Great Lakes may bring a profit to the oil companies, it is not going to solve our national energy crisis or even temporarily drive down the cost of gas in the Midwest. In fact, it is estimated that new wells in the Great Lakes will only yield enough oil to meet one State's needs for 3 weeks.

The negligible benefits of expanded oil and gas drilling in the Great Lakes is hardly worth it considering the risks. The type of directional drilling industry proposes carries the risk of oil spills and toxic hydrogen sulfide releases, ruining the lakes' pristine ecosystem and jeopardizing human health. Many of us recall the Exxon Valdez oil spill which dumped 11 million gallons of crude oil contaminating 300 miles of shoreline and causing billions of dollars in damage to one of our most pristine natural wildlife refuges in Alaska. And more recently, an oil spill devastated the Galapagos Islands, ruining miles of shoreline and destroying the environment.

As the world's biggest source of fresh water, the Great Lakes must be protected from such a tragedy. I think the 34 million people inhabiting the Great Lakes basin as well as Americans across the country would agree.

Unfortunately, State officials in Michigan are ignoring common sense and pushing forward in their efforts to reverse a moratorium on Great Lakes drilling. It is therefore incumbent upon Congress to protect the Great Lakes. Banning Federal funding through this amendment is a step in the right direction and would send a strong signal to those eager to exploit Great Lakes resources.

People in Wisconsin and other Great Lakes States are blessed to have the world's most pristine lakes and fresh water resources in our backyard. We get our drinking water from them, our kids swim in them, and our tourism industry depends on them. Because the Great Lakes are such an important part of our daily lives, we are not willing to gamble with this precious resource for short-term gain.

I urge my colleagues' support of this amendment. Please stand with us to protect the Great Lakes from environmental hazard and degradation.

Mr. CALLAHAN. Mr. Chairman, I yield 5 minutes to the gentleman from

Michigan (Mr. KNOLLENBERG), a member of our subcommittee.

Mr. KNOLLENBERG. I thank the gentleman for yielding me this time.

Mr. Chairman, I rise in strong opposition to the amendment. The amendment is overly broad and would prohibit all agencies in the Energy and Water bill including the Corps of Engineers, the Department of Energy, and a portion of the Department of the Interior from expending funds for drilling in the Great Lakes. I have concerns that needed grants from these Federal agencies would be cut off as a result of this amendment. This is another attempt by the amendment's author and others to shift decision-making authority over the Great Lakes to the Federal Government, just like the water management issue. They would rather have bureaucrats in Washington to manage our resources than those of us who actually live there. I do not think that is right.

The issue is under the jurisdiction of the State of Michigan and our State legislature and the governments of all the Great Lakes States. This is not just a Michigan issue. The Michigan State legislature has made a decision that this will be handled by State agencies, including the Michigan Department of Environmental Quality, Department of Natural Resources, and the State's Natural Resources Commission.

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They have made this decision on their own, free from Federal interference, which is as it should be. In fact, my home State of Michigan is not alone in this sentiment. It is shared by others. In a letter from the Interstate Oil and Gas Compact Commission, and I have a letter here, which has 30 of our Nation's 50 States as members, this letter went to EPA administrator Christie Todd Whitman, who writes, ''The member States of the OIGCC regard drilling beneath the Great Lakes and protection of the environment in relation to that drilling to be matters that are within the exclusive jurisdiction of the States and not the United States EPA or other Federal agencies.''

This amendment would be counter to the belief of the IOGCC and the majority of States in our Union. Remember again, there are 30 States involved here.

Mr. Chairman, directional drilling should not be confused with offshore drilling. Directional drilling sites are inland. In the State of Michigan, they are prohibited from being closer than 1,500 feet from the shoreline. Conversely, offshore drilling done from ships or rigs directly in the water is prohibited by State law in five of the eight Great Lakes States.

In 1997, the Michigan Environmental Science Board concluded directional drilling posed little or no risk to the contamination to the Great Lakes. Since 1979, there have been no accidents and no significant impact to the environment or public health. I think the evidence shows clearly that directional drilling is safe and an effective procedure and does not warrant any kind of Federal encroachment. State geologists estimate the production of new oil and gas resources from the Great Lakes could provide, contrary to what one might have heard, as much as $100 million to the Michigan Natural Resources Trust Fund, the State's sole source of funds for land acquisitions, recreational projects, and natural resource development projects.

The revenue produced by leasing of land for drilling is crucial; and without it, state-owned natural resources could be taken without compensation by private wells drilled along the State of Michigan shorelines and the other States as well; on private lands, I might add.

Furthermore, I believe directional drilling can be done in an environmentally safe manner, and it may be one solution, one solution, to some of our energy woes.

This amendment is counterproductive because our Nation, particularly those in California, are currently experiencing an energy supply shortage and prohibiting directional drilling in the Great Lakes would cut off a critical supply source.

Mr. Chairman, this amendment is little more than an example of mission creep by which the Federal Government slowly, slowly gains more and more authority. This mission creep amendment should not pass this House. I urge Members to oppose this amendment.

The CHAIRMAN. The Committee will rise informally.

The SPEAKER pro tempore (Mr. SHIMKUS) assumed the Chair.

SUNDRY MESSAGES FROM THE PRESIDENT

Sundry messages in writing from the President of the United States were communicated to the House by Ms. Wanda Evans, one of his secretaries.

The SPEAKER pro tempore. The Committee will resume its sitting.

ENERGY AND WATER DEVELOPMENT APPROPRIATIONS ACT, 2002

The Committee resumed its sitting.

Mr. BONIOR. Mr. Chairman, I yield 1 minute to the distinguished gentleman from Illinois (Mr. KIRK).

Mr. KIRK. Mr. Chairman, first I want to commend the gentleman from Alabama (Mr. CALLAHAN) for restoring funding for renewable energy in this bill.

With regard to contamination of Lake Michigan, we have had the Rock Gobie, the Fish Hook Flea, alewife, nuclear waste and PCBs. Lake Michigan has had enough. We killed Lake Erie in the 1960s and nearly killed Lake Michigan. The Great Lakes are home to half of the world's supply of fresh water. It is one of our Nation's greatest environmental treasures. I strongly support the Bonior-LaTourette bipartisan amendment and am totally committed to Lake Michigan's environment and urge Members to support this worthy goal.

Mr. CALLAHAN. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I might point out that the purpose of this debate, what the gentleman from Michigan (Mr. BONIOR) is attempting to do, is to restrict the Corps of Engineers from granting any further permits for this venture.

This is what the Corps of Engineers is all about. The Corps of Engineers is there to protect the environment, to make absolutely certain that everything with respect to any type of activity on the lake is in the best interest of the environment and of the American people and the area.

So I would beg to differ that the permitting process on this is not taking place, because it is. They cannot do it without permits. If the gentleman's amendment is adopted, the Corps would be prevented from issuing the permits, resulting in a halting of further exploration.

I might say that every day we hear in these 1-minutes the Members of the minority talking about the energy crisis, and this is an opportunity to do something about the energy crisis while not doing anything to harm the environment. So I would urge the Members to pay close attention to what this debate is all about.

Mr. Chairman, I yield 2 minutes to the gentleman from Michigan (Mr. UPTON).

Mr. UPTON. Mr. Chairman, I would join my Michigan Republican colleagues who have spoken in support of this amendment, the gentleman from Michigan (Mr. CAMP) and the gentleman from Michigan (Mr. HOEKSTRA), also in support of the amendment.

Some say that this is a safe process, slant drilling. Well, I have to say that I am not convinced that the science, in fact, will protect us. No one has ever suggested that the oil perhaps underneath the Great Lakes is an Arab oil field. It will not provide a lot of oil under anyone's estimation. So why should we take the risk?

I grew up on the shores of Lake Michigan, and I can remember as a young boy in the 1960s and even into the 1970s there in fact had been an oil spill on the southern shore of Lake Michigan, and I will say virtually every day, every day in St. Joe, Benton Harbor, my hometown and along the southern shore of Lake Michigan, anyone that went to the beach got oil from the sand on themselves. I do not think there was a house along the street that did not have a little bottle of Mr. Clean on the kitchen step, which was the only stuff that would take that oil off our clothes, off our shoes, name it.

That smell of Mr. Clean stays with me from this day, from those summer days of always getting oil on our feet.