

want to see further litigation and we do not want to break our word to these native Americans. That is why section 507 was included.

Second, a question may arise as to what the conferees meant by the words "timely implementation" and "without delay" is simple. Timely implementation means, right now. That is why they choose the words, "without delay." They could have said, without one year's delay. They could have said, without undue delay. Instead, they chose the unambiguous, without delay. The Secretary should have no trouble interpreting this unambiguous language.

I reiterate that this is primarily an issue of fair dealing with native Americans. Nearly 125 years ago the United States promised these two tribes water to make their reservations a homeland. In 1988 Congress reaffirmed that promise and, in return for this promise, the tribes set aside their most valuable tribal asset—their senior water rights in exchange for the promised project. They in good faith agreed not to seek to take water away from their non-Indian neighbors, but instead to share water with them. Congress now must ensure that the United States lives up to its end of the deal.

The Secretary of Interior has the responsibility under the 1988 legislation to build the Animas-La Plata project. In hearings on the fiscal year 1994 Energy and water development appropriations bill, Secretary Babbitt stated: "I understand that Congress has mandated that this project get going, and I will comply with that mandate."

The Secretary now has yet another mandate from the Congress. Section 507 provides him with the necessary tools to move forward and build this project in accordance with obvious congressional intent. I urge Secretary Babbitt to move forward and build the Animas-La Plata project immediately so that the United States may preserve the integrity of the water rights settlement.

I urge my colleagues to support the adoption of this rule.

Mr. Speaker, I include for the RECORD the following:

A-LP FOES ARE ALL WET

It's been suggested in some quarters of late that supporters of the Animas-La Plata water project near Durango are trying to slip something past the public and the Congress.

What hogwash.

In reality, the efforts under way this month are aimed at keeping on track a project that was long-ago approved—and has subsequently been re-approved—by Congress, by the states of Colorado and New Mexico, by voters in the local water district and by two Ute Indian tribes.

Environmental groups, led by the Sierra Club Legal Defense Fund, continue to work behind the scenes and in court to halt a project that has been legitimately approved by both houses of Congress and signed into law as a treaty obligation to Colorado's long-suffering native Indian tribes.

The current debate, like much that has surrounded the Animas-La Plata since it was authorized by Congress in 1968, is filled with misinformation and half-truths.

For example, one Front Range newspaper said that before Congress approves the project it must be certain that it isn't adding to the list of broken promises to the Indians.

There are several things wrong with that. First is the fact that Congress has already approved the project, initially when it was authorized in 1968; later, through annual appropriations bills; and most importantly, when it adopted the 1988 Indian Water Rights Settlement Act.

Secondly, the 1988 act wasn't approved only by Congress, but by the states of Colorado and New Mexico, and by the Ute Mountain Utes and Southern Ute Indian Tribes. Essential to that act is the construction of the Animas-La Plata to provide water to the Indian tribes, a provision the Indians accepted in return for dropping their long-standing claims under the Winters Doctrine to water in rivers of the region.

If Animas-La Plata isn't built by the deadlines set in that agreement, the Indians are free to go back to court and win a much more costly settlement from the U.S. government. But the Indians have said repeatedly that they want the water the project will provide, not a prolonged court battle.

Much is also made of the fact the Animas-La Plata will be built in two phases, and there is no guarantee the second phase, which won't have federal involvement, will ever be constructed. Therefore, critics charge, there is no guarantee the Indians will get the water due them from the project.

But the Indians will receive 60,000 acre feet of water from Phase 1 of the Animas-La Plata project, no small amount of water currency. (It's instructive to note that when critics talk about the cost of the Animas-La Plata, they use the most recent figures for both Phase 1 and Phase 2, approximately \$710 million, not the roughly \$525 million for Phase 1. But when they talk about the benefits of the project, they only mention Phase 1.)

In 1991, the U.S. Fish and Wildlife Service acknowledged that the primary features of the project could be constructed with no threat to the endangered Colorado squawfish and issued a final biological opinion stating as much. The sufficiency language now proposed in Congress would simply require construction of what was allowed under that opinion.

However, the 1991 opinion was a disappointment to Sierra Club officials, who have vowed to keep the project tied up in litigation for 40 years. They immediately filed a lawsuit claiming the project violated the National Environmental Policy Act on the grounds that "all reasonable and prudent alternatives" to the project were not adequately examined. Unfortunately, the Sierra Club got a federal judge to agree, forcing the U.S. Bureau of Reclamation to halt its construction plans and file a supplemental Environmental Impact Statement. That supplement is expected to be completed later this year.

This project has had agonizing environmental examination, as well as broad-based official approval. Congress should adopt the language in the appropriations bill and allow the project to proceed.

Mr. QUILLEN. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Pennsylvania [Mr. GEKAS].

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

Mr. Speaker, this rule, which I support, gives evidence of how well our conference system works. Many times, as in this case in title IV, the House which provided no moneys, shall we

say, for the Delaware River Basin Commission or the Susquehanna River Basin Commission, an ongoing independent agency, in both cases the Senate, in its wisdom, did something different. Then the conference, in its own type of wisdom, was able to strike a compromise and bring in amounts of money that reflect the desire of the Congress to continue the operation of some of these independent agencies, albeit with a warning that in years to come more and more responsibility for their activities will have to be placed within their own bailiwicks in their local governments.

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In the compact types of commissions like the Susquehanna River Basin Commission, New York, Pennsylvania, and Maryland, they will, in due time, be able to reconstruct their funding streams in such a way that they will be able to continue their activities well. They could not do it, though, with a zeroing out of their funding for this particular year.

Hence, the conference saved the ongoing stream of funding for the Susquehanna River Basin Commission, but at a lower level. The conference has worked. The people's will has been met through the work of the House and the Senate.

Mr. Speaker, I urge adoption of the rule.

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

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

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. MYERS of Indiana. 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. 1905) making appropriations for energy and water development for the fiscal year ending September 30, 1996, and for other purposes, and that I may include tabular and extraneous material.

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

There was no objection.

CONFERENCE REPORT ON H.R. 1905, ENERGY AND WATER DEVELOPMENT APPROPRIATIONS ACT, 1996

Mr. MYERS of Indiana. Mr. Speaker, pursuant to the provisions of House Resolution 248, I call up the conference report on the bill (H.R. 1905), making appropriations for energy and water development for the fiscal year ending September 30, 1996, and for other purposes.