Mr. THOMAS. Mr. Speaker, having indicated that he was going to offer a number of unanimous consents including the dismissal of some contested elections, it is my understanding that there is some problem on the minority side in approving UC's, and so I am hopeful that we will be able to dismiss these contested elections in the near future by unanimous consent.

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

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

Mr. FAZIO of California. Mr. Speaker, I simply want to comment on the issue that the gentleman from California [Mr. THOMAS] just referred to.

Mr. Speaker, I am hopeful that the prohibition on unanimous-consent requests will be lifted sometime today. I certainly join the chairman in our mutual desire to clean up the file and remove these two contested election issues, and hopefully we will be able to get back to it by the end of the day.

CONFERENCE REPORT ON S. 640 WATER RESOURCES DEVELOPMENT ACT OF 1996

Mr. SHUSTER. Mr. Speaker, I move to suspend the rules and agree to the conference report on the Senate bill (S. 640) to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes.

The Clerk read the title of the Senate bill.

(For conference report and statement see proceedings of the House of September 25, 1996, at page H11158.)

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Pennsylvania [Mr. SHUSTER] and the gentleman from Pennsylvania [Mr. BORSKI] each will control 20 minutes.

The Chair recognizes the gentleman from Pennsylvania [Mr. SHUSTER]

Mr. SHUSTER. Mr. Speaker, the conference report on S. 640, the Water Resources Development Act of 1996, is a comprehensive authorization of the water resources programs of the Army Corps of Engineers. It represents 4 years of bipartisan effort to preserve and develop the water infrastructure that is vital to the Nation's safety and economic well-being.

First, let me thank and congratulate my colleagues on the Committee on Transportation and Infrastructure for their vision and tireless efforts in helping move this legislation. I want to give special thanks to Committee Ranking Member JIM OBERSTAR, Subcommittee Chairman, SHERWOOD BOEHLERT, and the Subcommittee Ranking Member BOB BORSKI. Their leadership and contributions have been outstanding.

These Members, and ranking Republican on the committee DON YOUNG, also served with me as House conferees.

Mr. Speaker, in the 103d Congress, the House overwhelmingly passed H.R. 4460, a bill that should have become the Water Resources Development Act of 1994. Unfortunately, that bill did not become law, and for the first time since 1986, Congress was unable to enact WRDA legislation.

During the 104th Congress, we committed to restoring certainty to the process and fulfilling or commitment to non-Federal project sponsors, most of whom had already committed substantial funds to projects.

We conducted 4 days of hearings, receiving testimony from over 90 witnesses, including numerous Members of Congress, the administration, project sponsors, national water resources and environmental organizations, and State and local officials.

The bill we bring to the floor today truly represents a fair and balanced proposal.

Mr. Speaker, S. 640 accomplishes three important objectives:

First, it reflects the committee's continued commitment to improving the Nation's water infrastructure.

Second, it responds to policy initiatives to modernize Corps of Engineers activities and to achieve programmatic reforms.

Third, and this is very important, it takes advantage of Corps capabilities and recognizes evolving national priorities by expanding and creating new authorities for protecting and enhancing the environment.

In developing this bill, we and the Senate conferees have tried hard to be responsive to Member's requests; however, in today's tight fiscal climate, we simple had to establish and adhere to reasonable review criteria, such as the cost-sharing rules established in 1986.

In fact, in the area of flood control, we have actually increased the non-Federal share for future projects. In another area—dredging for navigation projects—we have revised the rules to assure consistency and fairness in selecting methods for the disposal of dredged material.

Mr. Speaker, a few remarks on section 586 of the conference report are warranted. This section is intended to remove impediments to the ''privatizaation'' of wastewater infrastructure assets through leases and concessions. The conferees included certain conditions and limitations to address potential concerns about the exercise of this new authority. This pilot program does not impose, nor is it intended to impose, any conditions or limitations on leases, concessions, or other approaches to privatizing infrastructure assets under other authorities. The conferees encourage EPA to make use of this section and other authorities to promote privatization of infrastructure assets funded under the Clean Water Act, as well as the Safe Drinking Water Act and other water infrastructure programs.

S. 640 is a strong bipartisan bill. It reflects a balanced, responsible approach to developing water infrastructure, preserving and enhancing the environment, and strengthening Federal-State-and-local partnerships.

I want to commend my colleague, Senator JOHN CHAFEE and the other Senate conferees, as well as the Senate staff, on their diligence in helping make S. 640 a reality.

I strongly urge my colleagues to support the conference report.

Mr. Speaker, a monumental amount of effort has gone into the final development of this bill. The staff of the Transportation and Infrastructure Committee and the Senate Environment and Public Works Committee the staff have devoted over 80 hours of effort to this bill. While it will be impossible to mention everyone who has made this bill a success, I would like to mention several key members of our staff that contributed to this fine legislation: Lee Forsgren, Ben Grumbles, Donna Campbell, Ken Kopocis, Art Chan, Pam Keller and Mike Strachn from the Transportation and Infrastructure Committee; and Dan Delich, Jo-Ellen Darcy, Linda Jordan, and Ann Loomis of the Senate Environment and Public Works Committee. In addition, the role of the House and Senate legislative counsel offices was instrumental in writing the legislation. I especially want to recognize David Mendelsohn of House legislative counsel and Janine Johnson of Senate legislative counsel for their efforts. Finally, I want to acknowledge the technical support provided by the Corps of Engineers. Mr. Jim Rausch provided timely, expert advice on technical matters relating to Corps of Engineers projects and policies and played a key role in conference discussions. In addition, Milton Rider, Gary Campbell, John Anderson, Bill Schmitz, Jeff Groska, Juanita Guin, Philomena Herasingh provided valuable assistance. We owe these professionals our gratitude.

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

Mr. BORSKI. Mr. Speaker, I yield myself such time as I might consume.

(Mr. BORSKI asked and was given permission to revise and extend his remark.)

Mr. Speaker, I wish to express my strong support for the conference report on S. 640, the Water Resources Development Act of 1996, which authorizes important infrastructure related projects throughout the Nation.

First, I want to pay my compliments to Chairman SHUSTER and Chairman BOEHLERT for the absolutely fair and bipartisan way in which this bill was handled. WRDA 1996 has been a bipartisan process from start to finish.

I also want to thank the gentleman from Minnesota [Mr. OBERSTAR], the distinguished ranking member of the full committee, for his help on the bill.

I also want to thank the staff of the Subcommittee on Water Resources and Environment, especially Ken Kopocis of the Democratic staff, Mike Strachn of the Republican staff and David

Smallen of my personal staff, for all their hard work in putting this bill together.

S. 640 demonstrates the Transportation and Infrastructure Committee's continuing strong commitment to investment in the Nation's infrastructure. S. 640 is infrastructure legislation that is badly needed.

That need has been clearly shown by the dozens of requests we have received from Members seeking authorization for port development, inland waterway, flood control, beach erosion, and other types of projects.

The committee has done its absolute best to meet all of those needs within the limits imposed by budget constraints and the restrictions on the role of the Army Corps of Engineers.

We have also recognized that the failure of the last Congress to pass a Water Resources Development Act in 1994 left us with a lot to do this year. Harbor deepening, inland waterway improvements, and flood control are vital cornerstones of our Nation's economic vitality.

The ports of America are the doors that link our Nation to billions of dollars of international trade. In Philadelphia, our port supports 50,000 jobs—making a vital contribution to our regional economy. The 11,000 mile inland waterway system provides crucial transportation for bulk farm products, coal, and other materials. It is absolutely essential that we continue to provide funding for these important port and inland waterway projects. Ports and inland waterways must be maintained and improved as significant parts of our Nation's intermodal transportation system.

S. 640 also continues the expansion of the mission of the Corps of Engineers to include improvement of the environment. While the expansion in this bill is not as great as I would have liked, it is a step in the right direction.

We should be aggressive in using the talents and abilities of the Corps of Engineers to meet our huge environmental infrastructure needs.

In flood control, this bill makes important changes that I support.

We have proposed to increase the requirements for mitigation planning before structural flood control projects are built.

An upgraded mitigation program will save us money from start to finish. We will be able to reduce the cost of project construction and it is likely that we will reduce disaster relief costs.

We are also increasing the non-Federal cost sharing for flood control projects from the current minimum of 25 to 35 percent.

This small increase is a simple recognition of our Federal budget situation. We have dwindling resources available for these essential programs.

An increase in the local share will help spread Federal dollars to more projects and will help focus resources on more worthy projects.

The administration proposed a 50-percent non-Federal share which would have done even more to spread scarce Federal dollars.

With restrictions on discretionary spending becoming tighter each year, the 50-percent cost sharing is something we should consider in the future.

I cannot emphasize too strongly that the Corps of Engineers program of infrastructure improvement for ports, inland waterways, and flood control will be subject to more and more budget cuts every year.

We are on a path to reduce funds for these important infrastructure improvements and I question whether that is the right direction for our country.

We are using a shortsighted approach that will ultimately mean reduced economic growth and less job creation.

I hope that at sometime in the future—sooner rather than later—we will reverse our current path and seek ways to increase our infrastructure investment.

We must work together on a bipartisan basis to ensure that, while we are getting our Federal fiscal house in order, programs to invest in critical infrastructure needs are protected.

I hope to work with Chairman SHUSTER, Chairman BOEHLERT, and ranking member OBERSTAR in that effort in the same bipartisan manner in which we drafted the Water Resources Development Act of 1996.

I urge support for this conference report.

□ 1615

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

Mr. SHUSTER. Mr. Speaker, I am pleased to yield 3 minutes to the distinguished gentleman from New York [Mr. BOEHLERT], chairman of the subcommittee.

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

Mr. BOEHLERT. Mr. Speaker, before anything, I would like to compliment the chairman and the ranking member, the gentleman from Pennsylvania [Mr. SHUSTER], the gentleman from Minnesota [Mr. OBERSTAR], and the ranking member of the subcommittee, the gentleman from Pennsylvania [Mr. BORSKI], for the outstanding cooperation that was evident.

It was music to my ears to hear the gentleman from Pennsylvania [Mr. BORSKI] talk about the fairness and bipartisan nature of the process. We pride ourselves on that in the Committee on Transportation and Infrastructure, and we intend to continue in that vein.

Mr. Speaker, this conference report is a major step forward in developing and preserving the Nation's water resources. Almost one-quarter of the bill's costs are for projects and activities that are solely or primarily for protection and restoration of the environment. This is a conservative estimate.

Let me give the Members some examples of major environmental provisions in this measure. There is a requirement for flood plain management plans for flood control projects. There is broadening of existing authority to modify Corps projects to benefit the environment.

We broaden the scope of existing environmental dredging. We create new aquatic ecosystem restoration programs. There are several provisions to address contaminated river and harbor sediments, including the Great Lakes and the New York-New Jersey Harbor.

We do great work in terms of the Chesapeake Bay habitat Restoration Program and the salmon recovery in the Pacific Northwest. There is a major program to restore the Florida Everglades, and we also do some significant restoration work in the New York City Watershed.

I think the Members get the point. This is the greenest Water Resources Development Act in the history of this body. I proudly identify with it. It is not just me and those of us on the committee that are saying good things about this bill. Let me share with the Members a few excerpts from a letter authored by representatives of American Rivers, the Environmental Defense Fund, the National Wildlife Federation, the Sierra Club, and the Sierra Club Legal Defense Fund.

They say,

> We believe that the conference report . . . makes significant improvements over earlier versions and includes important provisions which reform national flood control policies and expand the U.S. Corps of Engineers environmental restoration programs.
>
> Conference members have required that cost-benefit and environmental studies be completed for authorized projects . . . What good work that is. . . . deleted a provision that would support Missouri River navigation at the expense of recreation, and reduced the federal cost of the bill to $3.8 billion.

It goes on to say more very complimentary things about this bill, and concludes,

> H.R. 3592/S. 640 includes reform of our nation's flood control policies, restores Florida's Everglades and expands the Corps' growing environmental restoration program. We are glad to see positive improvements in the Water Resources Development Act of 1996 and look forward to working with you to continue these reforms.

This is a letter that was addressed to me, to the chairmen, to the gentleman from Minnesota, Mr. OBERSTAR, the gentleman from Pennsylvania, Mr. SHUSTER, everybody, the gentleman from Pennsylvania, Chairman BORSKI. We are all chairmen in this instance, because we have worked so hard to make this a reality.

Let me close by saying no bill of this magnitude gets to the floor of this House with such unanimous endorsement without the hard work of people like Mike Strachn, Ken Kopocis, and Jeff More, and all the people on the staff who did such good work. I urge strong support for the measure.

Mr. BORSKI. Mr. Speaker, I yield 2 minutes to the gentleman from Texas [Mr. BENTSEN].

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

Mr. BENTSEN. I rise in strong support of H.R. 3592, the Water Resources Development Act of 1996. I would like to thank the chairman of the Transportation and Infrastructure Committee, Mr. SHUSTER, and the ranking member, Mr. OBERSTAR, for the opportunity to speak on behalf of this important legislation. I would also like to thank the subcommittee chairman, Mr. BOEHLERT, and ranking member, Mr. BORSKI, for their assistance on two vital initiatives in this conference report that will promote economic development and provide better flood control in southeast Texas.

The Houston Ship Channel widening and dredging project will provide the first major expansion of the Port of Houston in 30 years. It will expand the capabilities of the Port 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 Ship Channel expansion project 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. The project also is unique in that it is supported by a coalition of community and environmental groups, to help reverse decades of environmental degradation of Galveston Bay.

This legislation also constructively addresses the issue of Federal flood control reform. As Congress seeks to balance the budget, the scarcity of Federal dollars for flood control threatens hundreds of projects in southeast Texas and around the country. That is why I have been working with this committee and my fellow Texan, Majority Whip TOM DELAY, to allow local entities to plan and construct Federal flood control projects. Giving local agencies, such as the Harris County Flood Control District, the ability to construct and manage these projects will save lives and property, cut Federal administrative costs and better protect the environment. It will also reduce Federal disaster assistance needed to bail out communities in our area each time it floods.

This legislation includes language designating Harris County Texas, as a test site for allowing local control over flood control. Under this plan, the Federal Government would remain a partner in flood control, but local governments would gain the authority to respond more quickly and innovatively to their communities' flood control needs. Federal flood control policy must adapt to meet increasing budgetary constraints without sacrificing public safety and envrionmental protection. The bottomline will be safer communities and savings for the taxpayers.

This legislation meets the challenges of protecting the environment, promoting economic development, and providing safe and efficient flood control throughout the Houston area. I strongly support the Water Resources Development Act, and I urge my colleagues to join me in voting in favor of this conference report.

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

Mr. Speaker, I am pleased to inform the House that this legislation includes a provision which renames the important Uniontown Lock and Dam on the Ohio river in Indiana and Kentucky, and it shall be known as and designated as the John T. Myers Lock and Dam, named in recognition of the extraordinary contributions to our country by the gentleman from Indiana, the honorable JOHN T. MYERS, who is retiring, and who will be sorely missed in this body. We are just very, very pleased to include this provision.

Mr. Speaker, I am pleased to yield 1 minute to my good friend, the distinguished gentleman from Maryland [Mr. GILCHREST].

Mr. GILCHREST. Mr. Speaker, I thank the gentleman from Pennsylvania [Mr. SHUSTER], chairman of the full committee, for yielding time to me.

Mr. Speaker, I do want to thank the gentleman from Pennsylvania [Mr. SHUSTER], the gentleman from New York [Mr. BOEHLERT], the gentleman from Pennsylvania [Mr. BORSKI], and the gentleman from Minnesota [Mr. OBERSTAR], for working on this bill for many, many months, and creating an excellent piece of legislation in truly a bipartisan fashion. When I say an excellent piece of legislation, this is an economic stimulator for the country, and it is an environmentally sound piece of legislation.

Five quick comments I want to make. It truly does stimulate the economy, imports and exports, as far as this Nation is concerned and its waterways. In Maryland alone, it is directly connected to 18,000 jobs, and many more that are spinoffs, and directly related to $2 billion annual sales as a result of the Baltimore Harbor.

It goes a long way in understanding the nature of sediment control as far as the marine ecosystem is concerned. It has environmental alternatives to disposing of dredged material. It enhances wildlife habitat, which is another $1 billion to the Maryland economy. It goes a long way to understanding the important of eliminating persistent toxic chemicals. This is a great piece of legislation.

Mr. BORSKI. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from New Jersey [Mr. PALLONE].

Mr. PALLONE. Mr. Speaker, I am happy to rise today in support of the Water Resource Development Act of 1996 conference report. I would like to thank the chairman of the committee, the gentleman from Pennsylvania [Mr. SHUSTER], the gentleman from New York [Mr. BOEHLERT], and our ranking Democrats, the gentleman from Pennsylvania [Mr. BORSKI] and the gentleman from Minnesota [Mr. OBERSTAR], for their dedication to getting this bill passed in the 104th Congress.

I would also like to thank my colleagues the gentlemen from New Jersey, BOB FRANKS and BOB MENENDEZ, for their efforts on behalf of the Jersey shore and the Port of New York and New Jersey.

This long-awaited bill contains several provisions that are vital to stopping ocean dumping of contaminated dredged materials in New Jersey while protecting jobs in the Port of New York and New Jersey. With this bill, we finally have Federal-local cost sharing of confined disposal facilities, so ports can be dredged and the sediments disposed of in a safe environmental manner.

In addition, this bill reauthorizes a cutting edge sediment decontamination project for the New York-New Jersey Harbor area.

Finally, and very important, thanks to the efforts of the House Coastal Caucus as well as the Senate Coastal Coalition, and the support of the Committee on Transportation and Infrastructure, this bill also maintains the role of the Army Corps of Engineers in much needed shore protection. These are projects that are important to the millions of Americans who live on the coast and whose livelihoods are dependent on the coastal tourism industry.

Mr. BORSKI. Mr. Speaker, I yield such time as he may consume to the distinguished gentleman from Minnesota [Mr. OBERSTAR], the distinguished ranking member of the committee, who has done such an outstanding job not just on this bill, but on leading the Democrats in the Committee on Transportation and Infrastructure.

Mr. OBERSTAR. I thank the gentleman especially for those kind words, Mr. Speaker, and I want to return the compliment to the gentleman from Pennsylvania [Mr. BORSKI] for the steadfast dedication he has devoted on our side to the complex issues of clean water, the Clean Water Act, the Water Resources Development Act, and the many other issues that have come before that subcommittee.

I would also express my very great appreciation to our chairman, the gentleman from Pennsylvania [Mr. SHUSTER], who has led us through many complex issues in the course of this Congress. There will be other bills on which I will also be saying the same thing as we go through these last hours of this Congress, but we have worked together in the time-honored tradition of this committee, the buildings committee of the Congress.

I would say to the gentleman, I appreciate the leadership that he has provided for us, particularly on this legislation and that of the gentleman from New York [Mr. BOEHLERT], who has worked very diligently and exercised visionary leadership on these important issues.

Mr. Speaker, I especially want to express my appreciation to the chairman of the committee for the consideration he gave to me on a matter of importance in my district. Although we could not resolve it satisfactorily, there was a partnership and an understanding that I shall long cherish.

Mr. Speaker, we should support this legislation, the Water Resources Development Act of 1996. We deal here with the oldest infrastructure programs of the whole country. In fact, after the Committee on Ways and Means, the first committee established by the Congress in 1789, the Rivers and Harbors Subcommittee, or committee was created, which later became a subcommittee of this full committee; recognizing, as the Congress did, that to grow as a nation, we needed to develop means of transportation.

Ports were our first cities. America grew up along the water, as 75 percent of our people still live along the water. The first project authorized by the parent and predecessor committee of our Committee on Transportation and Infrastructure was the Fort Henry Lighthouse, guiding navigation.

Mr. Speaker, over the years of development and expansion of the Nation, water resources have been fundamental to our development and growth as an economy and as a people, and as a means of safety and navigation. Today, we continue that grand tradition, that more than 200-year-old tradition of taking the next steps. We continue the development of water-related infrastructure.

Mr. Speaker, virtually every 2 years this committee comes to the House with legislation based on the work of the Corps of Engineers to respond to the needs of carrying goods to market in the most cost-efficient and energy-efficient means, by water; to protect people from floods, from disasters; to restore our shorelines; to deepen the harbors of our great ports and improve the navigation channels.

In 1986, we first called this legislation the Water Resources Development Act. Since then we have come every 2 years, with one exception, in the last Congress, when we passed legislation in the House, having again done our work, and sent the bill to the other body, where, unfortunately, it languished and did not pass.

□ 1630

So this is 4 years, not just 2 years, of accumulated legislative needs, and we have done our work, again I think in a responsible manner, responding to the usual assortment of flood damage reduction, navigation, storm damage reduction and to continue the work of this committee in emphasizing environmental improvement within the Corps program, environmental restoration and environmental enhancement.

One of the great initiative that we undertook was the great river improvement program, an initiative undertaken by the predecessor of the gentleman in the chair today. Mr. Quie and I together worked on the great river improvement program so that the Corps would be required to contemporaneously undertake the environmental improvements at the same time it was doing the navigation improvements, so that we would not have the navigation first and the environmental damage later. The two, environmental protection and enhancement, worked hand in hand and that is a great legacy to the gentleman from Minnesota, Mr. Quie, years ago, but again within the ambit of the Corps of Engineers programs. The Corps often takes a rap for effects on the environment, and I just want to take that moment to point out how the Corps has done such wonderful work to protect the environment.

This legislation does raise the minimum non-Federal share of protect costs from 25 to 35 percent. It does not go as far as the administration bill requested, but it is a responsible step and I think the chairman has sensitively understood the needs of communities that have already made commitments and made plans, that to go beyond 35 percent would put unreasonable financial burdens.

The legislation also addresses the concerns of our committee and our colleagues to provide meaningful ability to pay relief for lower-income communities, and this legislation will provide that kind of help that was envisioned when the 1986 WRDA act was first enacted for helping lower-income communities.

For the Great Lakes I am particularly pleased that we continue the important sharing of costs on confined disposal facilities for dredge materials to protect those extremely sensitive waters of the Great Lakes which represent one-fifth of all fresh water on the face of the earth.

The conference report, however, is not perfect. The bill, I feel, does not go far enough in adequately balancing structural and nonstructural options in the Federal flood control program. I am troubled by provisions that have the effect of legislatively interfering in the 404 wetlands permitting program under the Clean Water Act and the implementation of the national flood insurance program. Both of those provisions, I think, are an unnecessary intrusion and should not be considered precedent for future legislation.

The conference report also has language included at the insistence of the other body that abrogates, in the case of one project, cost-sharing rules, cost-sharing rules that were insisted upon by the other body many years ago. For one project, they were required to provide land easements and right of way but no cash in a matching basis for its project. We have steadfastly opposed repeal of cost-sharing rules for any project, and we should not do that in this case.

Those shortcomings mentioned and noted, I think, for the record, this is a good bill. This is good, solid legislation. Ninety-eight percent of this bill is good policy, good initiative, good for the country, good for the community is serves and will stand as a legacy to the gentleman from Pennsylvania [Mr. SHUSTER], our chairman of the full committee, the gentleman from New York [Mr. BOEHLERT], and to the gentleman from Pennsylvania [Mr. BORSKI] who has labored so hard. I urge passage of this bill.

Mr. SHUSTER. Mr. Speaker, first I would like to thank my good friend for his comments and emphasize that indeed on the very important project in Minnesota, there will be another day and we shall be back together working hard to make it come true.

Mr. Speaker, I yield 1 minute to the distinguished gentleman from Florida [Mr. GOSS].

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

Mr. GOSS. Mr. Speaker, I commend my friends, Mr. BOEHLERT and Chairman SHUSTER, for their dedicated work. The citizens of Florida's southwest coast recognize the importance of maintaining proper stewardship of our water resources. I am very pleased that this bill contains vital Everglades restoration provisions to promote the innovative partnership that has formed between the State of Florida and the Army Corps of Engineers; speeding up the restoration process by many years through proactively reducing bureaucratic red tape and formalizing the joint Federal-State working group. I am also pleased this bill includes legislation introduced by my Florida colleague CLAY SHAW that will overturn an unfortunate Presidential policy and ensure the continued involvement of the corps in worthwhile beach restoration projects. Overall, this is a good bill for Florida's citizens and Florida's environment as it is for all America and I urge my colleagues to support it.

Mr. BORSKI. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from West Virginia [Mr. WISE], a valuable member of the committee.

Mr. WISE. Mr. Speaker, I want to thank the gentleman from Pennsylvania [Mr. SHUSTER], the chairman of our committee, the gentleman from Minnesota [Mr. OBERSTAR], our ranking member, the gentleman from New York [Mr. BOEHLERT], and the gentleman from Pennsylvania [Mr. BORSKI]. They are true examples of what, working together, Republicans and Democrats can do to move this country forward.

Infrastructure is vital to this country. The infrastructure in this bill will move a lot of our areas forward. I want to point out particularly how important it was to get the $229 million authorization that is in this bill for the

Marmet locks and dam upgrade project. This is a project, a lock and dam that moves the second largest amount of traffic in our country right behind the Winfield lock and dams which is presently being upgraded. And most significantly why this is so important to those people in the Belle region, because for years they have known that this was coming but without this authorization, a couple of hundred families could not make the necessary decisions about what to do with their lives and their property. Happily this now provides the authorization for the Corps of Engineers to move forward. We still need to get the appropriation, the budget money for it, but now we know that this project is going to be built. And so we will be able to move large jumbo barges through whereas before we could only move the smaller barges and suffer the delays as a result. Likewise, for central West Virginia which has been hard hit in flooding, the language in here could greatly help the Moorefield residents which were hard hit in January and even devastated further in the floods of September. This gives us the vehicle to move forward with the Corps of Engineers and move those flood control projects forward, too, in a way that is beneficial to the community.

I just want to thank those who have made this bill possible. This bill is moving now, it is going to pass, it is going to go to the President, and we can get about the business of building America even more.

Mr. BORSKI. Mr. Speaker, I yield 2 minutes to the gentleman from Ohio [Mr. TRAFICANT], the distinguished ranking member of the Subcommittee on Public Buildings and Economic Development.

Mr. TRAFICANT. Mr. Speaker, I want to thank the gentleman from Pennsylvania [Mr. BORSKI] and commend him for the fine job he has done in representing the interests of many of the Democrats in some of the important projects they had on this bill as well as the gentleman from Minnesota [Mr. OBERSTAR]. I want to thank the gentleman from New York [Mr. BOEHLERT] and the gentleman from Pennsylvania [Mr. SHUSTER] for being fair to all concerns. But I would like to say this: that there are many of us who did not join this committee for cerebral stimulation.

Mr. Speaker, this Nation must improve its infrastructure and I believe that there is much more that we can and should be doing, and I think that public works is most important. It will help to put people to work in our country, and improve the quality of life.

Specifically I want to thank the committee for three projects that will be happening in my district. First, the Army Corps to plan and assist with a regional water system for our valley, absolutely necessary; to make improvements to the Gerard Lake and in fact make repairs at that spillway; and finally, the environmental dredging program for the Mahoning River that cuts right through the city of Youngstown from the Beaver River on up through all that old steel mill property that has been polluted for years. This will help to clean up the city of Youngstown.

So I am hoping that in the future all this business of being afraid of earmarks, being afraid of pork barrels, keep this in mind. These are taxpayer dollars that come from our communities, put back into our communities, and I would hope that our venerable leader, the gentleman from Minnesota [Mr. OBERSTAR], will continue to push hard for the inclusion of these projects for both Democrats and Republicans. I also want to say that the gentleman from Pennsylvania [Mr. SHUSTER] has been a war horse as well, and without these two fellows specifically, I think a lot of improvements to our Nation's infrastructure would never have been made with some of the so-called new philosophy we have around here.

I like the old-fashioned take care of our own, take care of America, and I want to thank the gentleman from Pennsylvania [Mr. SHUSTER], a Pitt man, for his help and the gentleman from Minnesota [Mr. OBERSTAR].

Mr. SHUSTER. Mr. Speaker, I want to thank the great former quarterback from the University of Pittsburgh for his kind comments.

Mr. BORSKI. Mr. Speaker, I yield 1 minute to the distinguished gentleman from Florida [Mr. DEUTSCH].

Mr. DEUTSCH. Mr. Speaker, I rise to support S. 640 to emphasize a provision that strengthens our commitment to one of America's greatest natural treasures—the Florida Everglades.

This legislation contains measures that will expedite restoration of this endangered ecosystem, authorize critical new resources, and cut through bureaucratic redtape. Mr. Speaker, this bill directs the Army Corps of Engineers to complete its comprehensive Everglades restoration plan and report this plan to Congress by July 1, 1999. The bill also codifies the partnership between the Federal, State, and local agencies which are involved with this effort. This will facilitate better cooperation and information sharing so we can finish the job as soon as possible. Finally, Mr. Speaker, there are many critical projects which must be completed now. Accordingly, this bill authorizes $75 million in new resources to construct projects which are critical to restoration.

I thank my colleagues for supporting this bipartisan accomplishment, and I urge passage of the bill.

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

I want to particularly recognize Mike Strachn and Ken Kopocis who have really been the lead staffers on both sides of the aisle for the tremendous job they have done on this legislation.

Finally and very importantly, Mr. Speaker, I would like to take a moment to recognize the extraordinary service to the House and most particularly to our committee of Erla Youmans. Erla, the committee administrator, is retiring at the end of this Congress.

She began her career in the House when she went to work for Congressman Gordon Scherer in 1958. She went to work for the Public Works Committee in 1962 and since then has worked for 7 senior Republican Members.

After a number of years serving as the committee minority administrator, Erla finally had the opportunity in 1995 to become the majority administrator. Erla has provided invaluable service to the Members on both sides of the aisle throughout her career, but most particularly in the last 2 years in ensuring that the committee has run smoothly and efficiently.

I am sure all of the members of the committee join me in thanking Erla Youmans for her outstanding contribution and in wishing her well in her retirement for many, many years in the future.

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

Mr. SHUSTER. I yield to the gentleman from Minnesota.

Mr. OBERSTAR. Mr. Speaker, I want to join with him in recognizing Erla Youmans and paying tribute to her.

She started with the committee a year before I did, in 1963, is when I came then to work for my predecessor, John Blatnik. But I started on the Rivers and Harbors Subcommittee as what was quaintly known as a clerk in those days, and Erla was there. She has been there all through the years since then, and worked in such a bipartisan manner, years later that I realized she worked for the Republican side of the committee. We did not know the distinction.

She gave 38 years to government service, 36 of them with the committee on Public Works and then Committee on Public Works and Transportation, now Transportation and Infrastructure. We served 6 years together, those first 2 years as I worked on the subcommittee and then 4 years when I was administrator of the Public Works Committee staff. In every respect, Erla was a thorough-going professional.

I just kind of looked it up the other day. If she had been a Member all these years, she would rank third in seniority, having begun her service in the 85th Congress. That is a long and dedicated career. She has made such a lasting contribution. Many Members come through here, they might get a bill passed, they might even get an amendment passed, they might even have something become law. Erla has presided over many bills, many laws, too numerous to mention, provided enormous service. A person of great patience, devotion, deep professionalism, and now she, as the chairman said, had the opportunity, which I am very happy for her, to have served as the majority staff person and run a very smooth and efficient operation.

I am going to miss Erla. Always a ready smile, always a warm word, always a kind person, and always a professional.

Mr. SHUSTER. I thank my good friend for his comments.

Mr. PORTMAN. Mr. Speaker, I rise today in strong support of a particular provision contained in the Water Resources Development Act conference report. This provision directs the Secretary of the Army to convey a parcel of land under the jurisdiction of the Corps of Engineers to the Village of Mariemont, OH.

Mr. Speaker, this legislation is very important to Mariemont because it will enable the village to relocate its maintenance facility to the former Army Corps land, and move MariElders, a center for older adults that has been displaced from its site, to the refurbished maintenance facility.

This legislation also makes good fiscal sense. The Army Corps land has an appraised value of $85,000. Mr. Speaker, the conference report transfers the land to Mariemont for the appraised amount and will put the property to productive use. In addition, the property has been screened by the General Services Administration [GSA] and no other Federal agency has expressed interest in the site.

I commend chairman SHUSTER, chairman BOEHLERT, and the conferees for incorporating this provision in the conference report, and urge all my colleagues to support this legislation.

Mrs. SMITH of Washington. Mr. Speaker, I rise in support of this legislation which will put to an end a long and very contentious chapter in the history of North Bonneville.

This legislation would resolve a long-standing dispute between the city of North Bonneville and the Federal Government that occurred when the city was relocated in the 1970's. It would be a vital step forward in the recovery of a community that has been severely impacted by this relocation.

This community has been economically devastated through a combination of factors outside their control, particularly the downturn of the timber industry. This legislation will convey key parcels of land to the city that will create jobs by giving the county a land base to attract businesses to the area. In fact, this might be the most important jobs bill this county has seen in a long time because for many years, the city has not had industrial land that could bring in family-wage jobs.

I want to thank public officials in the community of North Bonneville for their support of this legislation. I particularly want to commend Mayor Keith Chamberlain for being a strong advocate of this legislation.

I urge my colleagues to support this important legislation.

Mr. CRANE. I rise today in support of the conference report on S. 640, the Water Resources Development Act [WRDA] of 1996. Once again, the 104th Congress is on the verge of an accomplishment that eluded its predecessor, passage of a measure that authorizes and reauthorizes a number of important water-related projects in a fiscally responsible manner.

One such project deserves particular mention by this Member, not just because it is in his congressional district, but due to the environmental and economic benefits it can provide to many places around the country in the future. I refer specifically to the Des Plaines River Wetlands Demonstration Project [DPRWDP] adjacent to Wadsworth in northern Illinois. Since its inception over a decade ago, this internationally recognized research effort has produced, and continues to produce, invaluable data that will facilitate the rehabilitation, restoration, maintenance and/or expansion of our nation's wetlands. In the process, information has been, and is being, developed that has significant and positive implications for habitat conservation, species enhancement and flood control efforts as well. In addition, the success of two wetlands mitigation banks at the DPRWDP is providing further evidence that environmental protection imperatives can, indeed, be reconciled with the manifestations of economic growth. But, for all these potential benefits to be fully realized, additional funds are needed to complete the research and to prepare a how to manual that will enable interested parties to put the findings to good use.

To date, almost $9 million has been contributed to the research work at the DPRWDP, only $1.9 million of which has come from the Federal Government. However, another $2.2 million in Federal funds was authorized by the 1988 WRDA, only $125,000 of which has actually been expended. Enactment of this conference report would once again give the DPRWDP an equal chance to compete for the rest of those monies, which is all one can ask in this era of tight budget constraints. That being the case, I urge my colleagues to give this project, and the conference report in which it is reauthorized, their support. Both will redound to the future benefit of America.

Mrs. LINCOLN. Mr. Speaker, I rise today to support this conference report and salute the hard work of chairman SHUSTER and ranking member OBERSTAR.

I believe this bill to be one of the most important that we undertake in this Congress. The wise use of America's water resources is critical to the environmental and economic well-being of this Nation. This fact is evident in the First Congressional District of Arkansas, which I represent. The first district is one of the most productive agricultural district in the Nation, ranking No. 1 in the production of rice, No. 3 in soybeans, and No. 6 in cotton. Our water supply is vital to the production of agricultural commodities as well as their transportation to market.

Messrs. SHUSTER and OBERSTAR were kind enough to work with me on three projects that are vital to the first district. The first is the Grand Prairie-Bayou Meto project that lies in the heart of Arkansas' rice production. The alluvial aquifer that supports this area is rapidly being depleted and unless something is done by 2015 the area stands to suffer irreparable economic damage and the Nation would lose a large percentage of its domestic rice supply. The project reauthorized in this bill will allow work on this vital project to begin so that the aquifer can be restored without economic or environmental damage to our State.

The second project is the White River Navigation Project. The White River is a 255-mile river that flows from the Ozark Mountain to the Mississippi River through the heart of the Arkansas Delta. It flows through the Grand Prairie of which I just spoke, and is a great resource for agricultural and industrial commerce, but only part of the year. The commercial channel of the river has only a 5-foot depth which is inadequate to accommodate the standard 9-foot draft barges employed around the country today. The reauthorization project that is included in this bill will allow development of a commercially viable 9-foot channel that can be utilized during the entire year.

I was also very pleased that members of the conference saw fit to include language which would ensure that new cost sharing requirements on Corps projects would not apply to works which have already been authorized, but on which construction has yet to begin. The Helena and Vicinity flood control project in the town of Helena, Arkansas on the Mississippi was first authorized by this Congress in 1986. However, the local community contribution was not worked out until a year ago, delaying the beginning of construction. It would have been patently unfair to raise the bar on this type of project after years of hard work by local citizens and the Corps of Engineers. I am very pleased that the drafters of this bill had the foresight to impose the new cost-sharing requirements only on projects authorized in this bill and beyond.

Mr. FRANKS of Connecticut. Mr. Speaker, I rise today in support of the conference report for H.R. 3592, the Water Resources Development Act of 1996. I commend Chairman BUD SHUSTER and Chairman SHERWOOD BOEHLERT for their diligent work in writing this important legislation.

This bill contains several provisions that I introduced in legislation earlier this year to help our Nation's ports. First, this bill provides for a Federal cost-sharing mechanism for the upland disposal of dredged material. This updates the current cost-sharing mechanism that provides for only ocean disposal of dredged material. Second, this bill allows ports to take advantage of the $600 million surplus in the Harbor Maintenance Trust Fund by allowing the fund to be used for the Federal share of upland disposal, and for the construction of containment facilities that are needed to hold contaminated material. Third, this bill doubles the funding authorization for the EPA's sediment decontamination pilot study, which will allow for the environmental restoration of harbor floors.

In addition, this legislation contains a provision I have worked on for several years regarding flood control projects. Currently, the prevention of the loss of life is not one of the principal criteria used in deciding whether to proceed with a particular water resources project. H.R. 3592 will elevate the criteria of saving human life, rather than economic benefit, in the prioritization of these projects.

I would also like to commend the chairman for including language that calls for a greater utilization of private industry to perform the Corps' hopper dredge work. I would have preferred a much broader provision than what is contained in the bill, but I am pleased that the Committee is taking an important first step toward reaping the economic benefits that greater reliance on the private sector will yield. I intend to work closely with the committee leadership to evaluate the results of this study and to push forward for greater privatization if, as I suspect, the results are promising.

I have enjoyed working with the committee on this legislation, and I urge my colleagues to support this bill.

Mr. MARTINI. Mr. Speaker, I want to take this opportunity to thank the Water Resources Subcommittee Chairman BOEHLERT, and all other committee members and staff who

worked tirelessly to put together a fair and economically responsible WRDA bill.

This bill has carefully balanced the interests of environmentalists with those in the business community and provided the language that will enable our ports to once again flourish, our citizens to be protected from flooding, our environment to be protected, and our taxpayers' dollars to be wisely and not frivolously spent.

I would like to specifically mention a couple of provisions in the bill that are of great importance to the citizens in my district. The Water Resources Development Act includes authorized funds for a buyout alternative to the Passaic River Flood Tunnel.

Back in 1994 when I was first running for Congress, I recognized the importance of flood protection to the citizens of the Eighth Congressional District in New Jersey. In addition, I recognized that there must be a more economically and environmentally sound flood control alternative to an authorized flood tunnel with a price tag of $1.9 billion that would have extensive negative affects on area wetlands and the existing ecosystems.

By authorizing $194 million for the buyout alternative, we are taking great strides towards both flood protection for our citizens and environmental protection for the Passaic River, while saving the taxpayer money.

Also included in the bill is continued authorization for the Molly Ann's Brook flood protection project. I am pleased that the committee treated this project with the urgency and priority that it deserves. This project will provide critical flood protection to many residents of Haledon, Prospect Park and the city of Paterson.

Once again, I extend my thanks to the committee. The Water Resources Development Act of 1996 is a clear example of the 104th making things happen and protecting the interests of not only the citizens of New Jersey, but the interests of all Americans.

Mr. DELAY. Mr. Speaker, I would like to commend Chairmen SHUSTER and BOEHLERT, as well as Mr. OBERSTAR and Mr. BORSKI, for all their hand work on this bill, and rise in strong support of this legislation. I came to the floor earlier this summer when the bill first came through the House to discuss two provisions critical to the Houston area, and am very pleased that these provisions remain in this final conference report.

One of these is the authorization of funding to deepen and widen the Houston Ship Channel. These improvements are essential to the economic development not only of the region, but of the country generally, as the Houston Ship Channel is a critical economic lifeline between our Nation and the rest of the world.

The improvements authorized are also consistent with the Port's and my enduring commitment to the environment. The dredged material from the Ship Channel project will be used to create over 4,000 acres of additional marsh land to be used in developing bird islands, boater destinations, and shoreline erosion projects.

The second provision in this bill allows certain flood control districts to carry out flood control projects with far greater flexibility than ever before.

Although still subject to the high standards set by the Corps of Engineers, my Harris County Flood Control District officials will now be able to plan, study, design and construct these projects with greater independence and more input from the local community.

I am convinced that Harris County will demonstrate that it can design and construct flood projects faster and cheaper when it is not burdened by Federal redtape.

In fact, I am told that the Harris County projects will not only be completed much sooner than projected by the Corps, they will be completed at a total cost that is as much as 35 percent less than that projected by the Corps.

Again, I strongly support this legislation and urge my colleagues to support it, as well.

Mr. FAZIO of California. Mr. Speaker, I rise in support of the bill. I would just like to point out one clarification to Section 101(a)(1)(D) of the conference report, which relates to the cost-sharing associated with the variable flood control operation of Folsom Dam and Reservoir.

Specifically, it is the intent of this provision that the local, non-Federal share of the costs of the variable flood control operation of Folsom Dam not exceed 25 percent. It is also the intent of the conference agreement that the remaining 75 percent of the costs associated with the variable flood control operation of Folsom Dam and Reservoir be the responsibility of the United States and that such costs shall be considered a nonreimbursable expense. In other words, these costs should not be passed onto the water and power ratepayers of California.

It is the intent of this provision that the costs associated with the variable flood control operation of Folsom Dam and Reservoir be shared between the non-Federal project and sponsor and the Federal Government. It was not the intent of the conferees that Californians' be required to assume the full burden of the provision of interim flood protection to the citizens of Sacramento.

Mr. MATSUI. Mr. Speaker, the conference report for S. 640, the Water Resources Development Act, contains several important provisions for the area that I represent. There is no doubt that these steps will improve the flood control system for the city of Sacramento and afford a level of additional safety to the citizens of my district.

Despite the inclusion of these provisions, I would note with grave disappointment that with the final approval of this conference report, another Corps of Engineers authorization will have passed the Congress without inclusion of a comprehensive plan to address the severe flood threat facing the Sacramento area. As a result, 400,000 people in Sacramento will continue to face an unacceptable threat of flooding. Our flood control system will be able to achieve the 100-year protection level established as an actuarial baseline by the Federal Emergency Management Agency. Nonetheless, it will be far short of what is tolerable for a highly urbanized area like Sacramento.

Given the very short warning period that Sacramento would have before a flood event occurred, this threat is more than just a matter of tremendous economic risk for our region. Lives will continue to be unnecessarily at risk until a comprehensive plan for protecting Sacramento from the American River is authorized and constructed. I am deeply committed to working for a comprehensive solution to this problem, and I am anxious to continue to build upon the progress toward such a result embodied in this bill.

I would also like to take an opportunity to address one specific aspect of the conference report. Section 101(a)(1)(D) of the conference report directs that the non-Federal participant in the project for the American River Watershed shall bear only a 25-percent share of the costs associated with the variable flood control operation (reoperation) of Folsom Dam and Reservoir for a 4-year period. This provision modifies similar language in H.R. 3592 as passed by the House.

I would like to underscore that it was the clear intent of the Sacramento delegation, in working with the Transportation and Infrastructure Committee on this provision, that the Federal share of reoperation costs would be nonreimbursable—in other words, that these costs could not be passed along to California water and power ratepayers. Only in this way will we actually limit the non-Federal share of costs associated with the variable flood control operation of Folsom Dam and Reservoir to 25 percent, as called for by the conference report.

Finally, I would like to thank the members of the Transportation and Infrastructure Committee, particularly Chairman BUD SHUSTER and the ranking member, JAMES OBERSTAR, as well as SHERWOOD BOEHLERT and ROBERT BORSKI, respectively the chairman and ranking member of the Water Resources and Environment Subcommittee. Without their assistance, we certainly would not have been able to take the important steps forward for Sacramento that were included in this bill.

Ms. DELAURO. Mr. Speaker, I want to commend Chairman BOEHLERT and Ranking Democrat BORSKI on a job well done. The Water Resources Development Act was perhaps the most bipartisan effort of the 104th Congress.

I am particularly pleased because this bill will enable major projects in my congressional district in Connecticut to move forward.

The bill eliminates federal jurisdiction over three local channel projects that are currently on hold in my district. In one case, a deauthorization will enable a state financed bridge project to be constructed—at no additional cost to taxpayers.

I also want to commend my colleagues for authorizing the construction of an erosion barrier for Faulkner's Island, a federally owned wildlife refuge in the Long Island Sound. This refuge is a migratory resting site for over 300 species of birds, including threatened and endangered species. It also encompasses a working light house commissioned by Thomas Jefferson that would fall into the Sound in 15 years if the erosion is not stopped.

Thank you again for your work on this bill. I urge my colleagues to pass this measure.

Mr. RAHALL. Mr. Speaker, I rise in support of S. 640, the conference agreement on the Water Resources Development Act of 1996. The House version of this bill, H.R. 3592, passed this body on July 29 of this year.

The enactment of this legislation is overdue. Many places of the country, such as West Virginia, continue to be subjected to severe flooding. In fact, many places of my Congressional District have spent a good part of this last year under federal disaster declarations.

With this said, while I am pleased that we are finally gaining the enactment of this legislation, I would have preferred to see many of the provisions of the version as passed by the House have remained unmodified by the Senate. In this respect, this conference agreement at the insistence of the Senate Conferees scaled back certain House provisions such as the one relating to flood control in the

Greenbrier Basin of West Virginia that I sponsored. The fight we have had in gaining approval of this provision, which does not include the construction of a main-stem dam, illustrates that it would be virtually impossible for supporters of a dam on this river to be successful. In effect, in this bill we have been reduced to a $12 million authorization for non-dam alternatives. It is, as such, highly improbable that anyone could have succeeded in obtaining over $100 million for a dam in an era when the Congress is simply not approving new main-stem flood control dams.

Following is an explanation of those provisions I sponsored in this legislation.

SEC. 579. GREENBRIER RIVER BASIN, WEST VIRGINIA, FLOOD CONTROL

The subject of providing flood control along the Greenbrier River Basin in West Virginia has been considered for many years. At some point in the 1930s, a main-stem dam was authorized, known as the Big Bend project. However, in 1974, at the recommendation of the Corps of Engineers, this project was deauthorized. This lack of interest in providing flood control protections for the Greenbrier was short-lived. In 1978, the Huntington District of the Corps of Engineers undertook a flood control study for the basin. The study was ready for release in 1985. However, in that year, a flood of record occurred which the caused the Corps to look into other methods of flood control. Prior to 1985, the Corps was ready to recommend channel improvements in the area of Marlinton (Pocahontas County) as a means of flood control.

In 1994, preliminary findings of the study indicated that a single-purpose flood control dam on the Greenbrier River upstream from Marlinton may offer the greatest potential for providing flood protections against a reoccurrence of the 1985 flood. This type of project, however, had a low cost-benefit ratio and the Huntington District decided to evaluate a non-structural flood plain management approach. Meanwhile, earlier this year, in January, the area experienced a flood which exceed the one in 1985. The Corps decided not to release its study, but rather, to update it with the data from the January 1996 event. In May, the Greenbrier River once again left its banks and in certain areas, exceeded the flood level experienced in January.

The communities along the river have been divided on the question of the proposed main-stem dam. With the defeat of the proposed Auburn Dam during the Committee on Transportation and Infrastructure's consideration of H.R. 3592, and the fact that the cost-benefit ratio associated with any type of Greenbrier River dam even with an updated study would not pass Corps let alone Congressional muster, it became apparent that some type of alternative flood control protections should be pursued for the Greenbrier Basin.

The provision which passed the House of Representatives as section 580 of H.R. 3592 would have authorized $20 million for the Corps of Engineers to design and implement a flood damage reduction program for the Greenbrier River Basin in the vicinity of Durbin, Cass, Marlinton, Renick, Ronceverte and Alderson. In consultation with these communities, flood control activities that could be undertaken includes levees, floodwalls, channelization, small tributary stream impoundments and nonstructural measures such as individual flood proofing. In addition, also authorized are floodplain relocations, floodplain evacuations, and a comprehensive river corridor management plan.

In Conference with the Senate, the House provision was modified by reducing the $20 million authorization to $12 million. Further, the innovative cost-benefit considerations included in the House-passed bill were objected to by the Senate, and this provision was dropped.

SEC. 359. SOUTHERN WEST VIRGINIA ENVIRONMENTAL RESTORATION

Section 340 of the Water Resources Development Act of 1992 authorized an environmental restoration infrastructure and resource protection development pilot program in southern West Virginia. Under this provision, the U.S. Army Corps of Engineers is to provide design and construction assistance for publicly owned projects such as wastewater treatment and water supply facilities through local cooperation agreements with non-Federal entities such as, for example, a county commission or public service district. In addition, appropriated amounts for the pilot program must be matched on a 75% federal/25% local basis.

To date, the full $5 million authorized for the program in 1992 has been appropriated and the Huntington District of the Corps of Engineers is engaged in two projects: a wastewater system in Gilbert and a water supply system in Summers/Mercer Counties. However, the authorized level of $5 million is unduly restrictive and will serve to limit the potential benefits this demonstration project has for the Nation.

H.R. 3592 as passed by the House would increase the authorization to $25 million and make sundry technical amendments which the Corps' has identified as facilitating the implementation of the program. In Conference with the Senate, the $25 million authorization increase was modified to $20 million.

SEC. 357. BLUESTONE LAKE, WEST VIRGINIA

Section 102(ff) of the Water Resources Development Act of 1992 authorized and directed the Army Corps of Engineers to take such measures as are technologically feasible to prohibit the release of drift and debris into waters downstream of Bluestone Lake project. As part of the implementation of this directive, some concern has been raised that the removal of all woody debris may adversely affect the biological integrity of the New River. For this reason, H.R. 3592 as passed by the House, and maintained in the Conference Report, would provide for the release of that organic matter necessary to maintain and enhance the biological resources of such waters and such non-obtrusive items of debris as may not be economically feasible to prevent being release through the project.

In implementing this provision, the Secretary should not construe the amendment being made as allowing the release of substantial amounts of accumulated drift and debris. In this regard, the amendment conforms this provision of law with the Secretary's responsibility under section 1110 of the National Parks and Recreation Act of 1978 to provide for the release of water from the Bluestone Lake project in a manner to facilitate protection of the biological resources of the New River. I would further note that this amendment is being adopted in anticipation of a Memorandum of Understanding being entered into between the Corps of Engineers, the National Park Service and the State of West Virginia relating to river cleanup responsibilities downstream of Bluestone Dam.

SEC. 580. LOWER MUD RIVER, WEST VIRGINIA

Originally envisioned as a P.L. 83–566 watershed protection and flood prevention project, the Watershed Plan and Environmental Impact Statement has been completed for the Lower Mud River, West Virginia, and section 401 and 404 permits secured. The proposed project is aimed at preventing flooding in the City of Milton (Cabell County) through channel work (widening and straightening the flood channel) of the Lower Mud River and includes both on- and off-site wetlands mitigation. In light of the fact that the Natural Resources Conservation Service is no longer being authorized or funded to undertake projects of this nature, H.R. 3592 as passed by the House and agreed to in the Conference Report provides for this project to be completed by the U.S. Army Corps of Engineers. The total project cost is $20,159,000, with an estimated Federal cost of $15,426,000 and an estimated non-Federal cost of $4,733,100.

SEC. 360. WEST VIRGINIA TRAIL HEAD FACILITIES

Section 306 of the Water Resources Development Act of 1992 directed the Corps of Engineers to conduct a study and develop a plan for trailhead facilities connected several Corps facilities in southern West Virginia. In devising the report, the Corps entered into an interagency agreement with the Bureau of Land Management and the National Park Service. Earlier this year, the Corps published a ''West Virginia Trailhead Facility Study, Final Report.'' This report constitutes a Master Plan to guide in the development, management and operation of a regional system of recreational trails.

The development of the trail system will be undertaken by a non-federal entity: the Hatfield-McCoy Regional Recreation Authority established by the State of West Virginia. However, as part of the development and management of the trail system, the Authority is seeking continued technical assistance from the Corps and BLM. H.R. 3592 as passed by the House, and as agreed to in the Conference Report, provides for the Corps to enter into an interagency agreement with the BLM for the purpose of providing ongoing technical assistance and oversight for the trail facilities envisioned in the master plan. Under this provision, the BLM must provide this assistance and oversight. It intended for this assistance and oversight to be undertaken with the trail Authority.

SEC. 229. MARSHALL UNIVERSITY, WEST VIRGINIA

H.R. 3592 as passed by the House contained a provision authorizing the Corps of Engineers to enter into a cooperative agreement with Marshall University to provide technical assistance to the Center for Environmental, Geotechnical and Applied Sciences. The House bill also contained a generic provision of this nature, entitled ''Support of Army Civil Works Program,'' relating to relationships through which the Corps could enter into with colleges and universities, among other entities. In Conference with the Senate, the House provision relating solely to Marshall University was dropped with the intention that it be covered by the generic House provision which was retained by the Conference Committee and a specific reference to Marshall University was included in the Statement of Managers discussion of this provision.

Under this provision, it is intended for the Corps of Engineers and Marshall's Environmental Center to work together in dealing with environmental contamination in the Central Appalachian Region and to provide national leadership in this area.

Envisioned activities under the cooperative agreement would include, among other items: (1) the development of innovative technologies for all aspects of handling hazardous waste, including management, treatment, remediation, restoration, mitigation and disposal projects; (2) research to improve the understanding of the processes of groundwater contamination and subsequent

migration/diffusion; (3) the development and application of modern computer technologies for the collection and management of large volumes of scientific and other data characterizing the various environmental problems located in or affecting activities within the region; (4) environmental technology transfer; and (5) public education about the many regional environmental issues, problems and hazards.

SEC. 539. ACID MINE DRAINAGE MITIGATION, NEW RIVER, WEST VIRGINIA

Acid mine drainage from abandoned coal mines is perhaps the single most serious water quality problem in many parts of the Appalachian Region. In fact, nationwide, over 12,000 miles of rivers and streams and over 180,000 acres of lakes and reservoirs are contaminated due to acidic and toxic drainage from abandoned mines. Because of the magnitude of the problems associated with acid mine drainage from abandoned coal mines, and the lack of progress made to date in addressing this issue, H.R. 3592 as passed by the House authorized the Corps of Engineers to undertake certain demonstration projects aimed at abatement and mitigation of acid mine drainage caused by abandoned mines, as well as degradation caused by the lack of sanitary wastewater treatment facilities. As modified by the Conference Committee, the provision is limited to the Corps providing technical assistance for these projects. Under the Conference Agreement, $1.5 million is authorized for the Corps to provide technical assistance for projects in the New River, West Virginia.

In conducting these activities, it is intended for the Corps to focus on Dunloup Creek, Manns Creek, Wolf Creek and Piney Creeks of the New River watershed. In this regard, the Corps is to cooperate with the Federal entity with administrative jurisdiction over the lands within such watersheds, the National Park Service, and if appropriate, with the West Virginia Division of Environmental Protection.

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

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

The SPEAKER pro tempore (Mr. GUTKNECHT). The question is on the motion offered by the gentleman from Pennsylvania [Mr. SHUSTER] that the House suspend the rules and agree to the conference report on the Senate bill, S. 640.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the conference report was agreed to.

A motion to reconsider was laid on the table.

□ 1645

NATIONAL TRANSPORTATION SAFETY BOARD AMENDMENTS OF 1996

Mr. SHUSTER. Mr. Speaker, I move to suspend the rules and concur in the Senate amendment to the bill (H.R. 3159) to amend title 49, United States Code, to authorize appropriations for fiscal years 1997, 1998, and 1999 for the National Transportation Safety Board, and for other purposes.

The Clerk read as follows:

Strike out all after the enacting clause and insert:

TITLE I—NTSB AMENDMENTS

SEC. 101. SHORT TITLE.

This title may be cited as the ''National Transportation Safety Board Amendments of 1996''.

SEC. 102. FOREIGN INVESTIGATIONS.

Section 1114 of title 49, United States Code, is amended—

(1) by striking ''(b) and (c)'' in subsection (a) and inserting ''(b), (c), and (e)''; and

(2) by adding at the end the following:

''(e) FOREIGN INVESTIGATIONS.—

''(1) IN GENERAL.—Notwithstanding any other provision of law, neither the Board, nor any agency receiving information from the Board, shall disclose records or information relating to its participation in foreign aircraft accident investigations; except that—

''(A) the Board shall release records pertaining to such an investigation when the country conducting the investigation issues its final report or 2 years following the date of the accident, whichever occurs first; and

''(B) the Board may disclose records and information when authorized to do so by the country conducting the investigation.

''(2) SAFETY RECOMMENDATIONS.—Nothing in this subsection shall restrict the Board at any time from referring to foreign accident investigation information in making safety recommendations.''.

SEC. 103. PROTECTION OF VOLUNTARY SUBMISSION OF INFORMATION.

Section 1114(b) of title 49, United States Code, is amended by adding at the end the following:

''(3) PROTECTION OF VOLUNTARY SUBMISSION OF INFORMATION.—Notwithstanding any other provision of law, neither the Board, nor any agency receiving information from the Board, shall disclose voluntarily provided safety-related information if that information is not related to the exercise of the Board's accident or incident investigation authority under this chapter and if the Board finds that the disclosure of the information would inhibit the voluntary provision of that type of information.''.

SEC. 104. TRAINING.

Section 1115 of title 49, United States Code, is amended by adding at the end the following:

''(d) TRAINING OF BOARD EMPLOYEES AND OTHERS.—The Board may conduct training of its employees in those subjects necessary for the proper performance of accident investigation. The Board may also authorize attendance at courses given under this subsection by other government personnel, personnel of foreign governments, and personnel from industry or otherwise who have a requirement for accident investigation training. The Board may require non-Board personnel to reimburse some or all of the training costs, and amounts so reimbursed shall be credited to the appropriation of the 'National Transportation Safety Board, Salaries and Expenses' as offsetting collections.''.

SEC. 105. AUTHORIZATION OF APPROPRIATIONS.

Section 1118(a) of title 49, United States Code, is amended—

(1) by striking ''and''; and

(2) by inserting before the period at the end of the first sentence the following: '', $42,400,00 for fiscal year 1997, $44,400,000 for fiscal year 1998, and $46,600,000 for fiscal year 1999.''.

TITLE II—INTERMODAL TRANSPORTATION

SEC. 201. SHORT TITLE.

This title may be cited as the ''Intermodal Safe Container Transportation Amendments Act of 1996''.

SEC. 202. AMENDMENT OF TITLE 49, UNITED STATES CODE.

Except as otherwise expressly provided, whenever in this title an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of title 49 of the United States Code.

SEC. 203. DEFINITIONS.

Section 5901 (relating to definitions) is amended—

(1) by striking paragraph (1) and inserting the following:

''(1) except as otherwise provided in this chapter, the definitions in sections 10102 and 13102 of this title apply.'';

(2) by redesignating paragraphs (6) and (7) as paragraphs (7) and (8), respectively; and

(3) by inserting after paragraph (5) the following:

''(6) 'gross cargo weight' means the weight of the cargo, packaging materials (including ice), pallets, and dunnage.''.

SEC. 204. NOTIFICATION AND CERTIFICATION.

(a) PRIOR NOTIFICATION.—Subsection (a) of section 5902 (relating to prior notification) is amended—

(1) by striking ''Before a person tenders to a first carrier for intermodal transportation a'' and inserting ''If the first carrier to which any'';

(2) by striking ''10,000 pounds (including packing material and pallets), the person shall give the carrier a written'' and inserting ''29,000 pounds is tendered for intermodal transportation is a motor carrier, the person tendering the container or trailer shall give the motor carrier a'';

(3) by striking ''trailer.'' and inserting ''trailer before the tendering of the container or trailer.'';

(4) by striking ''electronically.'' and inserting ''electronically or by telephone.''; and

(5) by adding at the end thereof the following: ''This subsection applies to any person within the United States who tenders a container or trailer subject to this chapter for intermodal transportation if the first carrier is a motor carrier.''.

(b) CERTIFICATION.—Subsection (b) of section 5902 (relating to certification) is amended to read as follows:

''(b) CERTIFICATION.—

''(1) IN GENERAL.—A person who tenders a loaded container or trailer with an actual gross cargo weight of more than 29,000 pounds to a first carrier for intermodal transportation shall provide a certification of the contents of the container or trailer in writing, or electronically, before or when the container or trailer is so tendered.

''(2) CONTENTS OF CERTIFICATION.—The certification required by paragraph (1) shall include—

''(A) the actual gross cargo weight;

''(B) a reasonable description of the contents of the container or trailer;

''(C) the identity of the certifying party;

''(D) the container or trailer number; and

''(E) the date of certification or transfer of data to another document, as provided for in paragraph (3).

''(3) TRANSFER OF CERTIFICATION DATA.—A carrier who receives a certification may transfer the information contained in the certification to another document or to electric format for forwarding to a subsequent carrier. The person transferring the information shall state on the forwarded document the date on which the data was transferred and the identity of the party who performed the transfer.

''(4) SHIPPING DOCUMENTS.—For purposes of this chapter, a shipping document, prepared by the person who tenders a container or trailer to a first carrier, that contains the information required by paragraph (2) meets the requirements of paragraph (1).

''(5) USE OF 'FREIGHT ALL KINDS' TERM.—The term 'Freight All Kinds' or 'FAK' may not be used for the purpose of certification under section 5902(b) after December 31, 2000, as a commodity description for a trailer or container if the weight of any commodity in the trailer or container equals or exceeds 20 percent of the total weight of the contents of the trailer or container. This subsection does not prohibit the use of the term after that date for rating purposes.