

gentlewoman suggested, in three days, on September 30. H.R. 2942, as amended, will temporarily extend Chapter 12 for another 3 months so that this critical option for America's family farmers does not expire.

Mr. Speaker, Chapter 12 allows family farmers the option to reorganize debt rather than having to liquidate when declaring bankruptcy. The logic is that a farmer should not be forced to sell his tractor and his plow and his planter and his tools of production when he is reorganizing, trying to make sure that he is paying off those debts, because if we force him to sell those tools of production, then we have almost taken away any possible opportunity for him to reorganize and pay his debts.

I am very pleased that the gentleman from Pennsylvania (Chairman GEKAS) and this body is taking action on this legislation today. With three days to go before expiration, time is very short. Senator GRASSLEY and other Senators are aggressively pursuing this effort over in the Senate and moving ahead on this legislation.

I realize that many of us would prefer to see Chapter 12 extended permanently. I trust that as the general bankruptcy reform is debated, a permanent fix for Chapter 12 is going to be accomplished, because that is what is in the bill that the gentleman from Pennsylvania (Chairman GEKAS) and the committee and this body sent over to the Senate. This legislation is needed to assure producers that this risk management tool is available.

Again, I thank both sides of the aisle, both sides of the Capitol Building, and especially the chairman for moving ahead on this legislation.

Mr. GEKAS. Mr. Speaker, I yield 2 minutes to the gentleman from Nebraska (Mr. BEREUTER).

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

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

Mr. Speaker, I rise in strong support of H.R. 2942. I would also note my cosponsorship of this legislation and legislation introduced by several Members, including the distinguished gentleman from Michigan (Mr. SMITH), which would either extend or make permanent these Chapter 12 bankruptcy provisions. I thank the distinguished gentleman from Pennsylvania for expediting it, as well as the chairman and the ranking member of the full committee. I appreciate the supportive comments of the gentlewoman from Wisconsin.

Chapter 12 bankruptcy has been a necessary and responsible and viable option for family farmers nationwide. It has allowed family farmers to reorganize their assets in a manner which balances the interests of the creditors and the future success of the involved farmer.

If Chapter 12 bankruptcy provisions are not extended for family farmers, it

will have a drastic effect on the agricultural sector, already reeling from low commodity prices. Not only will many family farmers have to end their operations, but also land values will plunge downward. Such a decrease in land values will affect both the ability of the family farmer to earn a living and the manner in which banks making agricultural loans conduct their lending activities.

This gentleman represents a premier agriculture district, and, as a member of the Committee on Banking and Financial Services, I am concerned about those agricultural loans out there and their customers.

This is a very important piece of legislation. Like my colleagues, like the words expressed by the gentleman from Michigan, I would very much like to see this permanently extended. But the House passed this earlier, as the gentleman from Pennsylvania indicated, by actually 313 to 108, with my support. Unfortunately, the other body failed to act on the Bankruptcy Reform Act. Therefore, a 3 month extension is absolutely necessary for our family farmers and other small agri-business families.

Mr. Speaker, in closing I encourage my colleagues to support H.R. 2942, which provides a 3 month extension.

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

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

The SPEAKER pro tempore (Mr. UPTON). The question is on the motion offered by the gentleman from Pennsylvania (Mr. GEKAS) that the House suspend the rules and pass the bill, H.R. 2942, as amended.

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

The title was amended so as to read: "A bill to extend for 3 additional months the period for which chapter 12 of title 11 of the United States Code is enacted."

A motion to reconsider was laid on the table.

#### REAPPOINTMENT AS MEMBER OF LIBRARY OF CONGRESS TRUST FUND BOARD

The SPEAKER pro tempore. Without objection and pursuant to section 1 of the act to create a Library of Congress Trust Fund Board (2 U.S.C. 154), amended by Section 1 of Public Law 102-246, the Chair announces the Speaker's reappointment of the following member on the part of the House to the Library of Congress Trust Fund Board for a 5 year term:

Mr. Edwin L. Cox, Dallas, Texas.

There was no objection.

#### REPORT ON NATIONAL EMERGENCY WITH RESPECT TO NATIONAL UNION FOR TOTAL INDEPENDENCE OF ANGOLA—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 106-132)

The SPEAKER pro tempore laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, without objection, referred to the Committee on International Relations and ordered to be printed:

#### To the Congress of the United States

As required by section 401(c) of the National Emergencies Act, 50 U.S.C. 1641(c), and section 204(c) of the International Emergency Economic Powers Act, 50 U.S.C. 1703(c), I transmit herewith a 6-month periodic report on the national emergency with respect to the National Union for the Total Independence of Angola (UNITA) that was declared in Executive Order 12865 of September 26, 1993.

WILLIAM J. CLINTON.  
THE WHITE HOUSE, September 27, 1999.

#### GENERAL LEAVE

Mr. PACKARD. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on the conference report accompanying the bill (H.R. 2605) making appropriations for energy and water development for the fiscal year ending September 30, 2000, 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 California?

There was no objection.

#### CONFERENCE REPORT ON H.R. 2605, ENERGY AND WATER DEVELOPMENT APPROPRIATIONS ACT, 2000

Mr. PACKARD. Mr. Speaker, pursuant to the previous order of the House, I call up the conference report to accompany the bill (H.R. 2605) making appropriations for energy and water development for the fiscal year ending September 30, 2000, and for other purposes.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Pursuant to the previous order of the House, the conference report is considered as having been read.

(For conference report and statement, see prior proceedings of the House of today.)

□ 1745

Mr. SHUSTER. Mr. Speaker, this bill being called up without our having a chance to see it, I have no option but to oppose it and therefore demand the time in opposition.

The SPEAKER pro tempore (Mr. UPTON). Under a unanimous consent

agreement from earlier today, the gentleman from California (Mr. PACKARD) had the right to call up the bill.

Mr. PACKARD. Mr. Speaker, I have no problem dividing the time three ways, if my colleague and minority ranking member would be willing to do that. I do not plan to take certainly more than 20 minutes.

The SPEAKER pro tempore. Is there objection to dividing the debate three ways?

Mr. SHUSTER. Does that mean that I, in opposition, will have 20 minutes?

The SPEAKER pro tempore. Since the Chair understands that both the gentleman from California (Mr. PACKARD) and the gentleman from Indiana (Mr. VISCLOSKEY) support the Conference report; the Chair is able to divide the debate up three ways under the rules.

Mr. SHUSTER. Does that mean that I will be able to control one-third?

The SPEAKER pro tempore. That is correct. The gentleman from Pennsylvania (Mr. SHUSTER) will be recognized for 20 minutes.

Mr. SHUSTER. I have no objection then.

The SPEAKER pro tempore. The gentleman from California (Mr. PACKARD) is recognized for 20 minutes.

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

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

Mr. PACKARD. Mr. Speaker, I rise in support of the conference report. This is a report accompanying H.R. 2605, a bill making appropriations for energy and water development for the fiscal year 2000. There were dramatic differences of priorities between the House and the Senate bill. It was not an easy conference to consummate; but in the final analysis, with the help of tremendous work by our staff and by the members of the subcommittees, both in the House and in the Senate, we were able to work out those differences of priorities and; I think we have produced a very good product.

I am proud of this conference report. We have recommended a generous and cost-effective civil works program. We know that there were limits to what

we could do. We were unable to fund any new projects that were authorized in the Water Resource Development Act of 1999. We agreed also to only fund projects that were within the scope of the House and the Senate recommendations. In short, we agreed to finish what we have started and look forward to expanding the benefits of civil works programs next year and in the future.

I want to thank my Senate counterpart, Senator PETE DOMENICI, the chairman of the Senate committee, and his ranking minority member, Senator HARRY REID, for their cooperation and hard work in the conference. I would like to express my sincere and deep appreciation for my colleagues on the House subcommittee on Energy and Water Development. They devoted untold time and effort to make this conference report possible.

I am especially grateful to my good friend and the ranking minority member, the gentleman from Indiana (Mr. VISCLOSKEY), for his tremendous effort on behalf of this conference report and that of his staff. I believe this was a bipartisan effort, and I think in the final analysis we have a very good product.

I cannot say enough about the hard-working staff that helped us accomplish this task, both our committee staff and our personal staffs, for the work that they did. They worked day and night for the last 2 weeks in preparing this conference report for its adoption. I believe the conference agreement is balanced and fair and would urge all Members of the House to support its adoption. We think we have worked out any problems that the President expressed in terms of a veto threat. We think that the President will be glad to sign this bill. It is good for the Members. It is good for the country, and I urge Members to adopt it.

Mr. Speaker, I rise in support of the conference report to accompany H.R. 2605, a bill making appropriations for energy and water development for fiscal year 2000.

At the outset, I would like to briefly state how pleased I am that the conference committee was able to work out the dramatic differences between the House and Senate bills so amicably and to such positive effect. Given the great divide over House and Senate prior-

ities, many concluded that we would never be able to resolve our differences. Not only did we resolve those differences, we did so in such a way that the critical priorities of the House and Senate were carefully protected.

I am proud of the agreement struck between the House and Senate on energy and water programs. It was a difficult and arduous negotiation, but the product of our deliberations is a package that will help strengthen our defense, rebuild our critical infrastructure and increase our scientific knowledge.

I am especially pleased with the civil works program that the conference report recommends for the U.S. Army Corps of Engineers. At \$4.14 billion, the recommended funding is slightly higher than last year's level and \$247 million higher than the Administration's inadequate request. Moreover, we have been able to preserve funding for water development projects across the country that are of the utmost importance to our colleagues.

We have recommended a generous, efficient and cost-effective civil works program. But, of course, there are limits to what we could do. The conferees did agree to fund no new projects recently authorized by the Water Resources Development Act of 1999, and we agreed to fund only those projects within the scope of the House and Senate recommendations. In short, we agreed to finish what we've started, and we look forward to expanding the benefits of the civil works program next year and in the future.

I want to thank my Senate counterpart, Chairman PETE DOMENICI, and his Ranking Minority Member, Senator HARRY REID, for their cooperation and hard work. Moreover, I would like to express my appreciation to my colleagues on the House Subcommittee on Energy and Water Development, whose devoted efforts made this conference report possible. I am especially grateful to my good friend and the Ranking Minority Member of the House subcommittee, the Honorable PETE VISCLOSKEY, for his tremendous efforts on behalf of this conference report. The spirit of bipartisanship that enveloped the conference negotiations provides a model that other committees would be well advised to emulate.

I believe the conference agreement is balanced and fair, and I would urge the unanimous support of the House for its adoption. I would hope we could quickly conclude action on this conference report so that we can get this bill to the White House before the fiscal year expires.

## ENERGY AND WATER DEVELOPMENT APPROPRIATIONS BILL, 2000 (H.R. 2605)

(Amounts in thousands)

	FY 1999 Enacted	FY 2000 Request	House	Senate	Conference	Conference vs. enacted
TITLE I - DEPARTMENT OF DEFENSE - CIVIL						
DEPARTMENT OF THE ARMY						
Corps of Engineers - Civil						
General investigations .....	161,747	135,000	158,993	125,459	161,994	+247
Construction, general .....	1,429,885	1,239,900	1,412,591	1,086,586	1,400,722	-29,163
Supplemental appropriations (P.L. 105-277) .....	35,000					-35,000
Flood control, Mississippi River and tributaries, Arkansas, Illinois, Kentucky, Louisiana, Mississippi, Missouri, and Tennessee .....	321,149	280,000	313,324	315,630	309,416	-11,733
Emergency appropriations (P.L. 105-277) .....	2,500					-2,500
Operation and maintenance, general .....	1,653,252	1,835,900	1,888,481	1,790,043	1,853,618	+200,368
Emergency appropriations (P.L. 105-277) .....	99,700					-99,700
Regulatory program .....	106,000	117,000	117,000	115,000	117,000	+11,000
FUSRAP .....	140,000	140,000	150,000	150,000	150,000	+10,000
General expenses .....	148,000	148,000	148,000	151,000	149,500	+1,500
Total, title I, Department of Defense - Civil .....	4,097,233	3,895,800	4,188,389	3,733,718	4,142,250	+45,017
TITLE II - DEPARTMENT OF THE INTERIOR						
Central Utah Project Completion Account						
Central Utah project construction .....	25,741	21,002	20,431	21,002	22,573	-3,168
Fish, wildlife, and recreation mitigation and conservation .....	10,476	12,047	10,476	12,047	10,476	
Utah reclamation mitigation and conservation account .....	5,000	5,000	5,000	5,000	5,000	
Subtotal .....	41,217	38,049	35,907	38,049	38,049	-3,168
Program oversight and administration .....	1,283	1,321	1,283	1,321	1,321	+38
Total, Central Utah project completion account .....	42,500	39,370	37,190	39,370	39,370	-3,130
Bureau of Reclamation						
Water and related resources .....	617,045	652,838	604,910	612,451	607,927	-9,118
(By transfer) .....	(25,800)					(-25,800)
Supplemental appropriations (P.L. 106-31) .....	1,500					-1,500
Loan program .....	8,421	12,425	12,425	12,425	12,425	+4,004
(Limitation on direct loans) .....	(38,000)	(43,000)	(43,000)	(43,000)	(43,000)	(+5,000)
Central Valley project restoration fund .....	33,130	47,346	47,346	37,346	42,000	+8,870
California Bay-Delta ecosystem restoration .....	75,000	95,000	75,000	50,000	60,000	-15,000
Policy and administration .....	47,000	49,000	45,000	49,000	47,000	
Total, Bureau of Reclamation .....	782,096	856,609	784,681	761,222	769,352	-12,744
Total, title II, Department of the Interior .....	824,596	895,979	821,871	800,592	808,722	-15,874
(By transfer) .....	(25,800)					(-25,800)
TITLE III - DEPARTMENT OF ENERGY						
Energy supply .....	727,091	834,791	607,579	715,412	639,117	-87,974
(By transfer) .....		(5,821)	(5,821)	(5,821)	(5,821)	(+5,821)
Supplemental appropriations (P.L. 105-277) .....	60,000					-60,000
Non-defense environmental management .....	431,200	330,934	327,223	327,922	333,618	-97,582
Uranium enrichment decontamination and decommissioning fund .....	220,200	240,198	240,198	200,000	250,198	+29,998
Science .....	2,682,880	2,831,444	2,718,647	2,725,069	2,799,851	+118,991
Supplemental appropriations (P.L. 105-277) .....	15,000					-15,000
Nuclear Waste Disposal .....	169,000	258,000	169,000	242,500	240,500	+71,500
(By transfer) .....		(39,000)				
Departmental administration .....	200,475	240,377	193,769	219,415	206,365	+5,890
Miscellaneous revenues .....	-136,530	-116,887	-106,887	-116,887	-106,887	+29,643
Net appropriation .....	63,945	123,490	86,882	102,528	99,478	+35,533
Y2K conversion (emergency appropriations) .....	10,000					-10,000
Office of the Inspector General .....	29,000	30,000	30,000	29,000	29,500	+500
Environmental restoration and waste management:						
Defense function .....	(5,576,824)	(5,785,768)	(5,440,250)	(5,849,168)	(5,737,841)	(+161,017)
Non-defense function .....	(651,400)	(571,132)	(567,421)	(527,922)	(583,816)	(-87,584)
Total .....	(6,228,224)	(6,356,900)	(6,007,671)	(6,377,090)	(6,321,657)	(+93,433)
Atomic Energy Defense Activities						
Weapons activities .....	4,400,000	4,507,935	3,962,500	4,609,832	4,443,939	+43,939
Defense environmental restoration and waste management .....	4,310,227	4,497,951	4,157,758	4,551,676	4,484,349	+174,122
Y2K conversion (emergency appropriations) .....	10,340					-10,340
Defense facilities closure projects .....	1,038,240	1,054,492	1,054,492	1,069,492	1,064,492	+26,252
Y2K conversion (emergency appropriations) .....	3,500					-3,500
Defense environmental management privatization .....	228,357	228,000	228,000	228,000	189,000	-39,357
Subtotal, Defense environmental management .....	5,590,664	5,780,443	5,440,250	5,849,168	5,737,841	+147,177

## ENERGY AND WATER DEVELOPMENT APPROPRIATIONS BILL, 2000 (H.R. 2605) — continued

(Amounts in thousands)

	FY 1999 Enacted	FY 2000 Request	House	Senate	Conference	Conference vs. enacted
Other defense activities .....	1,696,676	1,863,015	1,851,809	1,872,000	1,722,444	+25,788
Emergency appropriations (P.L. 105-277) .....	525,000					-525,000
Y2K conversion (emergency appropriations) .....	13,650					-13,650
Defense nuclear waste disposal .....	189,000	112,000	112,000	112,500	112,000	-77,000
<b>Total, Atomic Energy Defense Activities .....</b>	<b>12,414,990</b>	<b>12,263,393</b>	<b>11,166,559</b>	<b>12,443,500</b>	<b>12,016,224</b>	<b>-398,766</b>
<b>Power Marketing Administrations</b>						
Operation and maintenance, Southeastern Power Administration .....	7,500			39,594	39,594	+32,094
Operation and maintenance, Southwestern Power Administration .....	26,000	27,167	27,167	28,000	28,000	+2,000
(By transfer) .....		(773)	(773)		(773)	(+773)
Construction, rehabilitation, operation and maintenance, Western Area Power Administration .....	203,000	171,471	171,471	223,555	193,357	-9,643
Falcon and Amistad operating and maintenance fund .....	1,010	1,309	1,309	1,309	1,309	+299
<b>Total, Power Marketing Administrations .....</b>	<b>237,510</b>	<b>199,947</b>	<b>199,947</b>	<b>292,458</b>	<b>262,260</b>	<b>+24,750</b>
<b>Federal Energy Regulatory Commission</b>						
Salaries and expenses .....	167,500	179,900	174,950	170,000	174,950	+7,450
Revenues applied .....	-167,500	-179,900	-174,950	-170,000	-174,950	-7,450
<b>Total, title III, Department of Energy .....</b>	<b>17,060,796</b>	<b>17,112,197</b>	<b>15,548,035</b>	<b>17,078,389</b>	<b>16,670,746</b>	<b>-390,050</b>
Appropriations .....	(16,423,306)	(17,112,197)	(15,546,035)	(17,078,389)	(16,670,746)	(+247,440)
Supplemental appropriations .....	(75,000)					(-75,000)
Emergency appropriations .....	(525,000)					(-525,000)
Y2K conversion (emergency appropriations) .....	(37,490)					(-37,490)
<b>TITLE IV - INDEPENDENT AGENCIES</b>						
Appalachian Regional Commission .....	66,400	66,400	60,000	71,400	66,400	
Defense Nuclear Facilities Safety Board .....	16,500	17,500	16,500	17,500	17,000	+500
Denali Commission .....	20,000			25,000	20,000	
Rescission .....			-18,000			
Nuclear Regulatory Commission:						
Salaries and expenses .....	465,000	465,400	455,400	465,400	465,000	
Revenues .....	-444,800	-442,400	-432,400	-442,400	-442,000	+2,800
<b>Subtotal .....</b>	<b>20,200</b>	<b>23,000</b>	<b>23,000</b>	<b>23,000</b>	<b>23,000</b>	<b>+2,800</b>
Office of Inspector General .....	4,800	6,000	6,000	5,000	5,000	+200
Revenues .....	-4,800	-6,000	-6,000	-5,000	-5,000	-200
<b>Subtotal .....</b>						
<b>Total .....</b>	<b>20,200</b>	<b>23,000</b>	<b>23,000</b>	<b>23,000</b>	<b>23,000</b>	<b>+2,800</b>
Nuclear Waste Technical Review Board .....	2,600	3,150	2,600	3,150	2,600	
Tennessee Valley Authority: Tennessee Valley Authority Fund .....		7,000		7,000		
Supplemental appropriations (P.L. 105-277) .....	50,000					-50,000
<b>Total, title IV, Independent agencies .....</b>	<b>175,700</b>	<b>117,050</b>	<b>84,100</b>	<b>147,050</b>	<b>129,000</b>	<b>-46,700</b>
<b>TITLE V - RESCISSIONS</b>						
<b>DEPARTMENT OF DEFENSE - CIVIL</b>						
<b>DEPARTMENT OF THE ARMY</b>						
<b>Corps of Engineers - Civil</b>						
General investigations (rescission) .....				-1,512	-930	-930
Construction, general (rescission) .....				-35,412	-12,819	-12,819
<b>Total, Corps of Engineers - Civil .....</b>				<b>-36,924</b>	<b>-13,749</b>	<b>-13,749</b>
<b>DEPARTMENT OF ENERGY</b>						
Nuclear Waste Disposal (rescission) .....					-4,000	-4,000
<b>Power Marketing Administrations</b>						
Southeastern Power Administration:						
Purchase power and wheeling (rescission) .....				-5,500	-3,000	-3,000
<b>Total, title V, Rescissions .....</b>				<b>-42,424</b>	<b>-20,749</b>	<b>-20,749</b>
<b>Grand total:</b>						
New budget (obligational) authority .....	22,158,325	22,021,026	20,640,395	21,717,325	21,729,969	-428,356
Appropriations .....	(21,493,635)	(22,021,026)	(20,658,395)	(21,759,749)	(21,750,718)	(+257,083)
Rescissions .....			(-18,000)	(-42,424)	(-20,749)	(-20,749)
Emergency appropriations .....	(664,690)					(-664,690)
(By transfer) .....	(25,800)	(45,594)	(6,594)	(5,821)	(6,594)	(-19,208)

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

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

Mr. Speaker, in a quarter of a century in this House I have known of no situation in which the chairman or ranking member of an authorizing committee informed the leadership that they would have an objection to a unanimous consent request and subsequently had that ignored and indeed had a unanimous consent request made in their absence, in effect snuck past them, without giving them an opportunity to exercise their rights. I believe this is disgraceful. I am stunned. I cannot believe, when I walked on this floor, to learn that after we had clearly communicated to the leadership that we would have a unanimous consent objection that we were not informed and given the right to be here to protect our rights. But if that is the way the Republican leadership wants to run this House, then that is their decision. It is certainly not my decision and I cannot find the words to adequately express my dismay at the way this House is being managed.

Now having said that, I want to emphasize that I have absolutely no quarrel whatsoever with the gentleman from California (Mr. PACKARD), the distinguished chairman of the subcommittee. Indeed, he did his work as his legislation passed through this House. Indeed, I voted for his appropriation bill when it passed through this House, and in spite of some of the things that we do not like about it, I assumed that I would be prepared to vote for it, for the conference report, when it came back; but there is one little problem. That is, we have not seen the conference report. We have not been able to read the conference report. It might be an excellent conference report, and it might be one which we can support. We simply do not know that because we have not had the opportunity to see it and to study it and to read it.

This problem takes on particular significance because of the experience we have had in the past in dealing with matters such as this. Let me remind the House that when the omnibus bill came through here last year, not only did we not have a chance to see it but we accepted it on faith and indeed we only discovered later that a point of order, which was part of the law in T-21, the transportation bill, had been changed without our knowledge in the last moments before that omnibus bill came to the floor, and we never knew it was in there.

That is not the end of the story. Indeed, as previous legislation came to the floor with regard to the aviation bill, the House in the aviation bill last year provided that a 30 percent funding of the total funding would come from the general fund.

The Senate, in the bill as it worked its way through the Senate, provided that 30 percent of the total funding

would come from the general fund. We were assured that that is what obviously would come back to the House in a conference report since that is what both the House bill said and what the Senate bill said, but in the dead of night, despite those assurances we received, the general fund percentage was cut to 15 percent. Nobody knew it. We did not know it. Not only did we not know it, we were lied to. We were lied to, and I choose that word carefully because we were assured that it would be 30 percent funded.

So with that kind of a background, with that kind of experience in the past, how can we in good conscience take the assurance that this bill, which I indeed voted for when it came through the House, that this bill is as it is purported to be?

There is an old saying, fool me once, shame on you. Fool me twice, shame on me. Well, I suppose fool me thrice, and it really would make a fool of us all.

So I regret, I regret, that our right was not protected to object to the unanimous consent request. I regret that we have not had an opportunity to see this conference report, which once we study it may well be acceptable.

I regret that we were misled last year in the omnibus bill. I regret that we were misled, yes lied to, with regard to the aviation general funding in last year's bill. So for all of those reasons, I must oppose this conference report, express my deep regret and urge all my colleagues who care about following the proper procedure of this House and knowing what is in legislation urge them all to oppose this conference report.

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

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

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

Mr. VISCLOSKY. Mr. Speaker, I want to thank the chairman of the subcommittee, the gentleman from California (Mr. PACKARD), all of the Members on both sides of the aisle of the subcommittee, for their diligent work. I would also want to thank all of the members of the staff.

I would suggest to the membership this is a good bill and I would encourage them to vote for it.

Mr. Speaker, I yield 2 minutes to the gentleman from Texas (Mr. EDWARDS).

Mr. EDWARDS. Mr. Speaker, I just want to rise to compliment the chairman of the committee, the gentleman from California (Mr. PACKARD), and the ranking Democratic member, the gentleman from Indiana (Mr. VISCLOSKY), for their hard and bipartisan efforts on this bill.

A lot of times this bill is below the radar screen for many Members of this House and members of the general public, but the fact is that there are some key infrastructure programs in this

legislation that is essential to the future economic development of America: flood control projects to save our cities and families from massive floods that we have witnessed throughout the country; navigation projects that are so terribly important for commerce in America; vital university research programs; perhaps those things that do not have an overnight payoff but investment in the brightest minds in America that help make life better for all American families; and finally, something that we do not talk enough about on the floor of this House and that is the threat of nuclear proliferation in the world.

This subcommittee, under the leadership of the gentleman from California (Mr. PACKARD), plays a very key role in trying to limit the proliferation of nuclear arms, a threat that could virtually touch every family in America, if not every family in the world.

I wish we had had more funds to work with on this subcommittee, but given the allocation that the chairman and ranking member had, I think they did an excellent job truly working on a bipartisan, fair basis to fund these terribly important programs.

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

Mr. Speaker, relative to the legislation, I would like to point out that important changes have happened since our House approved this legislation on July 27. Additional funding was added to the original House bill, a total of \$1.2 billion. As a result, important water-related infrastructure projects not funded in the Senate's version of the bill were retained in the final conference agreement. I am pleased that we were able to assist so many Members with important water-related projects in their individual congressional district.

On the matter of national policy, I would point out that two legislative provisions in Title I of the bill were modified by the conference committee late last week during intense negotiations. Specifically, legislative language had been included in the conference report creating in statutory language a new administrative appeal system in the Corps of Engineers related to jurisdictional determinations for wetlands.

Again, as I indicated in my earlier remarks, there are a number of other very worthwhile provisions in this legislation, and I would encourage my colleagues to support the legislation.

Mr. Speaker, I yield 1 minute to the gentleman from Texas (Mr. BENTSEN).

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

Mr. BENTSEN. Mr. Speaker, I thank the gentleman from Indiana for yielding me this time.

Mr. Speaker, I just want to take a minute to commend both the chairman and the ranking member of the subcommittee for the work they have

done, particularly as it relates to the Simms Bayou project in my district that I share with the 18th District, which is an ongoing project about halfway through, the Brazoria Bayou project which is in my district and that I share with the 22nd district of Texas. These are important flood control projects that affect tens of thousands of homeowners in the greater Houston area, and also for the Houston Galveston Navigational Channel project and the funding that runs through part of my district and the language addressing that and the barge traffic.

I appreciate the work of the gentleman from Texas (Mr. EDWARDS), a member of the subcommittee, for the hard work he did on all of these projects even though they are far from his district in central Texas, but he understands the importance that they are to the greater Houston area.

Again, I thank the chairman and ranking member.

Mr. SHUSTER. Mr. Speaker, I am pleased to yield such time as he might consume to the gentleman from Minnesota (Mr. OBERSTAR), the distinguished ranking member of the Committee on Transportation and Infrastructure.

Mr. OBERSTAR. Mr. Speaker, I thank the gentleman from Pennsylvania (Chairman SHUSTER) for yielding. I rise in support of the chairman's profound concern and I would say controlled outrage at the treatment that the senior Member of the House has been accorded in this matter. It is a matter of simple courtesy when concern has been expressed by the committee chairman, a senior Member of the House and a committee chairman, that comity directs that these concerns be addressed. The chairman was not fairly treated. Our committee has not been fairly treated. I join with the chairman in expressing that concern.

I make no observation about the substance, as the gentleman from Pennsylvania (Chairman SHUSTER) expressed, of this bill. We have not seen it. We do not know what has been in it, what has been included or excluded. But we do have a basic principle of fairness. When a senior Member expresses reservations, they ought to be at least given the opportunity to express those concerns at the appropriate time in the parliamentary proceeding. I will join my chairman in expressing that at the appropriate time when we come to a vote on this bill.

Mr. VISCLOSKEY. Mr. Speaker, I have no further speakers, and I yield back the balance of my time.

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

Mr. Speaker, I want to thank the gentleman from Minnesota (Mr. OBERSTAR) and again emphasize that my concern, while very serious about the fairness issue here, which he has outlined, goes beyond that to the very real experience we had last year when we were misled about the contents of the omnibus bill. Indeed, it is for that rea-

son that our concern here is not theoretical about what might be in the bill. Our concern is grounded in our experience of having been misled previously.

It is for that reason that we believe we should have the right and the opportunity to read and study the bill before we vote on it, a bill which I voted for when it worked its way through the House, but a conference report which I must oppose for those two fundamental reasons.

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

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

Mr. Speaker, I certainly believe that there is absolutely nothing in this bill that will surprise any of the Members. We feel it is a very good bill, and we hope all of the Members will support it.

Mr. UDALL of Colorado. Mr. Speaker, I support this conference report.

This is an important bill for our country. It is especially important for Colorado because it provides the funding for continuing work on the critical task of cleaning up Rocky Flats, the former atomic-weapons facility.

Rocky Flats sits near the heart of the Denver-Boulder metropolitan area, which is home to more than two million people. It has extensive amounts of hazardous materials. For all Coloradans it's a matter of highest priority to have Rocky Flats cleaned up efficiently, safely, and promptly.

In 1997, DOE designated Rocky Flats as a pilot site for accelerated cleanup and closure, and is working to finish cleaning it up in time for closure in 2006. I strongly support this effort, as does the entire Colorado delegation here in the House and in the other body as well.

So, I am very glad that the conference report maintains the needed funding for the Rocky Flats closure fund. I want to thank Chairmen Packard and Young, Ranking members Visclosky and Obey, and the other conferees for their leadership and for recognizing the importance of this undertaking for Colorado and the nation. I am particularly pleased that the conference report says in the future DOE should request adequate funds to keep Rocky Flats and the other closure projects on a schedule for closure by 2006 or earlier.

I also appreciate the inclusion in this conference report of \$24.5 million for the work of DOE's Office of Worker and Community Transition. While this is less than was the Senate's bill, it is more than in the original bill passed by the House earlier this year. The activities of this office, which implements the so-called "3161" program, are essential if we are to truly keep faith with the Cold-war warriors who have worked at Rocky Flats and at the other sites in DOE's nuclear-weapons complex.

In addition, funding through this office is very important to assist the local communities as they work to adjust to ongoing changes now underway at Rocky Flats and those that will come after cleanup and closure are achieved.

I do regret that the conference report does not include more funding for solar and renewable energy programs. I think this is a serious shortcoming in this measure—and, if it were not for the other important programs such as those I have mentioned, I would oppose the conference report because of this defect.

However, I will continue to work to provide more funds for these important purposes in the future.

Mr. VISCLOSKEY. Mr. Speaker, I rise to express my strong support for the conference report accompanying H.R. 2605, the Energy and Water Development Appropriations bill for Fiscal Year 2000. This legislation contains \$21,279,000,000 (\$21 billion \$279 million \$969 thousand dollars) in new federal funding for programs of the Department of Energy, the U.S. Army Corps of Engineers, Bureau of Reclamation, Power Marketing Administrations, NRC, FERC, and the Appalachian Regional Commission.

This funding level is \$210 million over the Fiscal Year 1999 Energy and Water Development conference report funding level of \$21,069,000,000 billion.

The bill includes:	Fiscal year 2000	Fiscal year 1999 (in millions)
Title I (Corps) .....	\$4,142,250,000	\$4,097,233,000 [+\$45]
Title II (BOR) .....	\$808,722,000	\$824,596,000 [–\$15]
Title III (DOE) .....	\$16,670,246,000	\$16,423,000,000 [+\$247]
Title IV (Ind Agnys) .....	\$129,000,000	\$175,700,000 [–\$47]
Rescissions (Scorekeeping adjustments \$450,000,000) .....	\$20,749,000	\$0.0 [–\$20]
Grand total: .....	\$21,279,000,000	\$21,069,000,000 [+\$210]

Mr. GREEN of Texas. Mr. Speaker, I rise in support of this important appropriations conference report. Let me first thank Chairman RON PACKARD and Ranking Member PETE VISCLOSKEY for their support and hard work. I also want to thank my colleague and friend, Congressman CHET EDWARDS for his dedication, hard work, and I especially appreciate his advice. Because of their efforts, the Houston-Galveston Navigation project has been appropriated the full \$60 million needed to maintain the construction schedule of the deepening and widening of the Houston Ship Channel.

This subcommittee has had the foresight to maintaining the optimal construction schedule. By providing the necessary funds now, this project's return on investment will save taxpayers an estimated \$63.5 million in increased construction costs. Also, the Port of Houston generates \$300 million annually in customs fees and \$213 annually in state and local taxes, which demonstrates that the Houston-Galveston Navigation Project will more than pay for itself.

The continued expansion of the Port of Houston is important on many levels. More than 7,000 vessels navigate the ship channel each year. The port provides \$5.5 billion in annual business revenues and creates directly or indirectly 196,000 jobs. It is anticipated that the number and size of vessels will only increase. Completing the widening and deepening of the ship channel in a timely manner will increase safety and the economic viability of the port and the City of Houston.

The citizens of Houston appreciate your confidence in this project, and I urge my colleagues to support this bill.

Mr. KIND. Mr. Speaker, as the representative from Wisconsin's Third Congressional District and a co-chair of the Upper Mississippi

River Task Force, I rise in support of the Energy and Water conference report for fiscal year 2000.

I am pleased that the conference report includes \$18.955 million for the Environmental Management Program (EMP), a cooperative effort among the U.S. Fish and Wildlife Service, the National Biological Service and the U.S. Army Corps of Engineers to "ensure the coordinated development and enhancement of the Upper Mississippi River System." The EMP is designed to evaluate, restore and enhance riverine and wetland habitat along a 1,200 mile stretch of the Upper Mississippi and Illinois Rivers.

This appropriation will allow the state operated EMP field stations to remain open and continue to fulfill their mission by collecting essential data on the rivers. This funding along with the recent passage of the Water Resource Development Act of 1999 highlights the EMP's importance to the Upper Mississippi River Basin's economic and environmental well being.

In addition, I am especially grateful that the fiscal year 2000 Energy and Water Appropriations conference report, provides \$3 million in funding for the Kickapoo Valley Reserve Project in western Wisconsin. This money will be used for remediation of past contamination, completion of site safety modifications, and the continuation of the work on satisfying the authorized highway relocation requirements.

In 1962, Congress first authorized the Army Corps of Engineers to construct a flood control dam at La Farge, Wisconsin. This dam project, however, was abandoned in 1973 due to environmental and economic concerns. Since the decision to abandon the project, more than 8,600 acres of land have been held in a state of limbo. Recently through the dedicated efforts of many concerned citizens in western Wisconsin, this area is finally being restored for recreation and agriculture uses. Passage of the fiscal year 2000 Energy and Water conference report will help advance this much needed project toward its completion.

While the conference report contains these two excellent projects, I am gravely disappointed that an anti-environment provision that would curtail the Federal Government's efforts to reduce global air pollution is included. Such unnecessary language will hamper global efforts to preserve our environment for future generations.

Though I am opposed to including the Knollenberg provision, because of the importance of these two projects for Wisconsin and other important Energy and Water projects which are included in this conference report, I will vote for final passage.

Ms. PRYCE of Ohio. Mr. Speaker, today, I rise in strong support of the conference report for H.R. 2605, the Fiscal Year 2000 Energy and Water Development Appropriations bill. This annual appropriation bill includes full funding for the West Columbus Floodwall, an important project located in my district. Each year, as the appropriations process unfolds in Congress, I have made budget requests for the Floodwall Project, and have closely monitored the process to ensure that it receives the funding it needs. I remain committed toward achieving this goal. The \$16 million included in this conference report will allow this project to proceed on-schedule and on-budget and sends a strong message that Congress intends to fulfill its existing commitments to the

people of Columbus. I would like to express my sincere gratitude to Chairman PACKARD (CA), Vice-Chairman VISCLOSKEY (IN), and the House and Senate conferees for the inclusion of \$16 million for the West Columbus Floodwall Project.

The threat of a major flood disaster continues to loom in Columbus and Central Ohio. In 1913, 1937, and 1959, melting snow and heavy rains caused the Scioto River to overflow its banks. The resulting catastrophic floods caused the loss of many lives, destroyed homes and businesses, and damaged millions of dollars worth of residential and commercial property. Until the Floodwall Project is completed, the potential for a major flood disaster will continue to threaten citizens, homes, and businesses located in the very heart of downtown Columbus that borders the Scioto River. Today, approximately 17,000 residents continue to be placed at risk of life, injury, and hardship. Should a 100-year frequency flood occur prior to completion of the project, the damages are estimated at \$365 million and should a 500-year flood occur, the damages are estimated to exceed \$455 million.

While risk to human life and safety is of paramount concern, completion of the Floodwall will also permit important new development along the Scioto riverfront. Columbus is now the largest city in Ohio and the fifteenth largest city in the United States. Its economy is strong and the city is experiencing rapid growth. New construction in the downtown riverfront area, however, will not be able to proceed until the Floodwall construction is completed. Without the important protection of the Floodwall, this looming risk will deter future business and housing development, economic growth, infrastructure improvements, and recreational opportunities in the city. Currently, flood plain zoning restrictions continue to remain in place for 5,520 residences and 650 non-residential structures, as well as the future development of 2,800 acres. It is, therefore, imperative to the city's growth and economic health that the Floodwall Project continue on schedule. Therefore, it is not only the safety of Columbus residents and businesses, but also the future growth of the city's downtown which depends on the timely completion of this important project.

On behalf of those that continue to live with the threat of a major disaster in Columbus and Central Ohio, let me again thank all the Members for their assistance on this very important project.

Mr. VITTER. Mr. Speaker, I rise today to commend you for your efforts to include language and funding in this Conference agreement to address so many of the urgent needs of our constituents in Louisiana, in particular two critically important projects. As you know, Mr. Chairman, flood control is a major issue in Louisiana with so many low-lying areas susceptible to high waters and flooding, especially during the hurricane season. The Southeast Louisiana (SELA) flood control project is an aggressive effort by federal, state and local officials to protect thousands of Louisianians from the loss of life and property through the construction of extensive flood control mechanisms in the most vulnerable areas of our state. Your willingness to include \$47 million for this project together with language to reinstate the Corps' current authority to expedite construction for this project and to proceed

with continuing contracts for construction is deeply appreciated.

Furthermore, with regard to the SELA project, it is my understanding that the conference report language and the current authorization for this project, specifically Section 533(d) of the 1996 Water Resources and Development Act, allows the Corps to proceed with expedited funding of construction contracts above the current authorization level as long as the projects provided for by these contracts are determined by the Corps to be "technically sound, environmentally acceptable, and economic as applicable."

Secondly, I applaud you and the conferees for including \$15.9 million in the Army Corps of Engineers (Corps) budget for the Inner Harbor Navigational Canal (IHNC) Lock Replacement Project in New Orleans and inserting language in the Conference Report that would expedite the community mitigation plan associated with that project.

Finally, regarding the IHNC lock replacement project, I believe that the Corps is directed to work in good faith to arrive at an equitable solution to value the properties that it acquires from the Port of New Orleans to complete this project. Accordingly, under such direction, the Port's property and facilities require valuation at the full replacement cost in the same manner that the Corps is employing in its acquisition of certain Coast Guard property to be acquired by the Corps for this project.

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

The SPEAKER pro tempore (Mr. LAHOOD). Without objection, the previous question is ordered on the conference report.

There was no objection.

The SPEAKER pro tempore. The question is on the conference report.

Pursuant to clause 10 of rule XX, the yeas and nays are ordered.

Pursuant to clause 8 of rule XX, further proceedings on adoption of the conference report will be postponed.

#### ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will now put the question on each motion to suspend the rules and the question on adoption of a conference report on which further proceedings were postponed earlier today in the order in which that motion and question were entertained.

Votes will be taken in the following order:

H. Con. Res. 187, by the yeas and nays;

H. Con. Res. 140, by the yeas and nays;

S. 293, by the yeas and nays;

H.R. 202, by the yeas and nays;

The conference report to accompanying H.R. 2605, by the yeas and nays.

The Chair will reduce to 5 minutes the time for any electronic vote after the first such vote in the series.