

which to revise and extend their remarks and include extraneous material on H.R. 3087.

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

There was no objection.

#### WATER RESOURCES DEVELOPMENT ACT OF 2003

Mr. HASTINGS of Washington. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 375 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

##### H. RES. 375

*Resolved*, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 2557) 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 first reading of the bill shall be dispensed with. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chairman and ranking minority member of the Committee on Transportation and Infrastructure. After general debate the bill shall be considered for amendment under the five-minute rule. It shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule the amendment in the nature of a substitute recommended by the Committee on Transportation and Infrastructure now printed in the bill. The committee amendment in the nature of a substitute shall be considered as read. All points of order against the committee amendment in the nature of a substitute are waived. No amendment to the committee amendment in the nature of a substitute shall be in order except those printed in the report of the Committee on Rules accompanying this resolution. Each such amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against such amendments are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. Any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the committee amendment in the nature of a substitute. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommend with or without instructions.

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

Mr. HASTINGS of Washington. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes

to the gentleman from Massachusetts (Mr. MCGOVERN), pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

(Mr. HASTINGS of Washington asked and was given permission to revise and extend his remarks.)

Mr. HASTINGS of Washington. Mr. Speaker, House Resolution 375 is a structured rule providing for the consideration of H.R. 2557, the Water Resources Development Act of 2003. The rule provides for 1 hour of general debate to be equally divided and controlled by the chairman and ranking minority member of the Committee on Transportation and Infrastructure.

The rule provides that the amendments in the nature of a substitute, recommended by the Committee on Transportation and Infrastructure, now printed in the bill shall be considered as the original bill for the purpose of amendments and shall be considered as read. The rule also waives all points of order against the committee amendment in the nature of a substitute. Furthermore, the rule makes in order only those amendments printed in the Committee on Rules report accompanying this resolution. It provides that the amendments printed in the report shall be considered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report, equally divided and controlled by a proponent and an opponent, shall not be subject to amendment and shall not be subject to a demand for a division of the question in the House or in the Committee of the Whole.

Finally, the rule waives all points of order against the amendments printed in the report and provides for one motion to recommit, with or without instructions.

Mr. Speaker, H.R. 2557 is a bill providing for the conservation and development of water and related resources and authorizing the Secretary of the Army to construct various projects to improve rivers and harbors in the United States, and for other purposes.

The bill establishes a traditional 2-year cycle of congressional action to authorize, modify and improve the projects, programs and policies of the Corps of Engineers. It authorizes 13 "Chiefs Reports" on Federal flood damage reduction, navigation, hurricane and storm damage reduction and environmental restoration.

It should be noted, Mr. Speaker, that this bill includes provisions for streamlining and expediting Corps of Engineers project delivery and permits. It also reflects an important consensus agreement on peer review of Corps of Engineers projects.

I am particularly pleased, Mr. Speaker, that the committee has included in the manager's amendment, language permitting the Corps of Engineers em-

ployees working at dams in the Pacific Northwest, my area, to participate in wage surveys that are conducted to determine their rate of pay. This important provision would allow these employees the same participation allowed similar employees at dams in the region operated by the Bonneville Power Administration and the Bureau of Reclamation. I appreciate the committee's consideration of my request on this matter.

Finally, Mr. Speaker, the Congressional Budget Office estimates that implementing H.R. 2557 would cost \$2.6 billion over the 2004–2008 period and an additional \$2.1 billion over the following 10 years. In addition, the CBO estimates that enacting H.R. 2557 would increase direct spending by \$17 billion from the 2004 to 2008 period and by \$32 billion through 2013.

H.R. 2557 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act. Federal participation in water resources projects and programs authorized by this bill would benefit State, local and tribal governments, and any costs incurred by those governments to comply with the conditions of this Federal assistance would be entirely voluntary.

With broad bipartisan support, this bill was reported favorably to the House on July 23 by voice vote. Accordingly, Mr. Speaker, I urge my colleagues to support both H.R. 2557 and the underlying rule.

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

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

Mr. Speaker, I thank the gentleman from Washington (Mr. HASTINGS) for yielding me the customary 30 minutes.

Mr. Speaker, I am pleased to support the passage of H.R. 2557, the Water Resources Development Act of 2003, and want to begin by thanking and congratulating my colleagues, the gentleman from Alaska (Chairman YOUNG) and the ranking member, the gentleman from Minnesota (Mr. OBERSTAR) of the full Committee on Transportation and Infrastructure, as well as the gentleman from Tennessee (Chairman Duncan) and the ranking member, the gentleman from Illinois (Mr. COSTELLO) on the Subcommittee of Water Resources and Environment for their hard work on this legislation.

This bill is the result of thoughtful bipartisan cooperation which is clearly evident in the final product. These colleagues and the committee staff deserve a tremendous amount of credit for tackling some difficult issues in this legislation, not the least of which is the reform of the Army Corps of Engineers project review process.

H.R. 2557 reauthorizes the 1986 Water Resources Development Act for the Civil Works Program for the Army Corps of Engineers.

□ 1600

The bill authorizes funding for a number of vitally important water resource development programs, studies and projects all across this country.

The Congressional Budget Office estimates the total outlays authorized by the bill for 2004 to 2008 to be \$2.6 billion, with an additional \$2.1 billion over the 10 years after fiscal year 2008. CBO also estimates that the Water Resources Development Act of 2003 will increase direct spending by \$17 million over the period of fiscal year 2004 through fiscal year 2008.

Mr. Speaker, the Army Corps of Engineers is a unique Federal agency in that it performs a broad range of both military and civilian duties. The Corps' civilian duties have traditionally included the construction and maintenance of passable channels and flood control. However, Congress expanded these responsibilities in the early 1990s to add beach erosion control, ecosystem protection, disaster relief, and other activities to their charge.

Today the Corps maintains more than 11,000 miles of channels for commercial navigation, 300 deep commercial harbors and 600 shallow inland harbors. The Corps also manages 33 major lakes and reservoirs and 8,500 miles of levees for flood control. Perhaps lesser known, but equally as important, is the fact that there are 75 hydropower plants at Army Corps facilities that are responsible for producing approximately one-quarter of the Nation's electricity.

Mr. Speaker, my home State of Massachusetts is a State with an abundance of navigable rivers, harbors, lakes and coastline, and I am especially grateful for the work performed by the Army Corps of Engineers. However, I believe the reforms to the Corps' project review and approval process adopted in this bill are not only necessary, but will serve to strengthen the Corps' capabilities.

By establishing an independent peer review system under the direction of the National Academy of Sciences, this legislation ensures that Corps projects will satisfy acceptable economic and environmental standards. The peer review system applies only to projects estimated to cost \$50 million or more, which represents roughly 30 percent of all Corps projects. The bill also provides sufficient flexibility and discretion for the Corps to exempt non-controversial projects from the review process. This is critically important so that the Corps can move quickly on projects that do not have an adverse impact.

The Water Resources Development Act of 2003 also embraces a number of other important reforms to improve the coordination of environmental reviews and enhance the Corps' ability to work cooperatively with non-Federal partners. I am especially pleased that this legislation recognizes the need for the Federal Government to do more for local communities by substantially in-

creasing the Federal cost share for deep harbor dredging to 65 percent and 100 percent for long-term maintenance. This is welcome news to States and other non-Federal partners that are struggling in this economy to leverage the match for these projects.

Mr. Speaker, although the underlying bill is good, and it is a bipartisan project, I personally wish we were considering this bill under an open rule. The majority leader has already cancelled votes on Mondays and has informed this body that it is unlikely there will be votes on Fridays during the entire month of September. It is clear that we have time to consider thoughtful bills like the Water Resources Development Act under an open rule. Yet the Republican leadership continues to close the democratic process by reporting restrictive rules that only make in order a handful of amendments.

While the chairman and ranking member of the Committee on Transportation and Infrastructure and the Subcommittee on Water Resources and Environment worked with a number of Members, including myself, on a variety of issues, not every issue was addressed by the manager's amendment. A number of thoughtful amendments were brought before the Committee on Rules, requesting waivers for their consideration by this body. While the rule does make in order three amendments, the manager's amendment and one amendment each from majority and minority, other amendments were not made in order.

One of these amendments was offered by the gentlewoman from Michigan (Mrs. MILLER). Her amendment would have directed the Department of Transportation to develop regulations to reduce the amount of invasive species that enter the Great Lakes on the cargo ships that travel throughout the region. This is a critically important issue the gentlewoman made clear to the Committee on Rules last night. Her amendment was thoughtful, and I am disappointed that this body will not have the opportunity to debate and vote on it.

However, the underlying bill, the Water Resources Development Act, demonstrates our collective commitment to addressing water resource needs nationally, and it reaffirms our confidence in the Army Corps of Engineers. It was written and considered in a bipartisan fashion, and it deserves the support of every Member of this body.

Once again, I commend the work of the members of the committee, specifically the chairman and the ranking member, on this bill, and I urge my colleagues to support its passage.

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

Mr. HASTINGS of Washington. Mr. Speaker, I am pleased to yield 2 minutes to the gentleman from Tennessee (Mr. DUNCAN).

Mr. DUNCAN. Mr. Speaker, I will not take 2 minutes, but I rise in strong sup-

port of the rule for consideration of H.R. 2557, the Water Resources Development Act of 2003. This is a good rule and a good bill. All amendments that were submitted were submitted in a timely manner and were germane and made in order.

The reason I rise is to take just a moment to say that there are few amendments because the committee worked hard to address Members' needs in the bill and in the manager's amendment.

I just wanted to commend the staff on both sides for their hard work and long hours that they put in on this bill because, in many cases, groups and Members and staff started out far apart on many controversial issues, but this bill became a real effort and the best of bipartisanship, and we ended up with a very good bill that has flood control and environmental restoration projects, navigation projects, water conservation, recreation and dam safety projects.

So I just wanted to say that I want to commend the Members who worked so hard on this bill, particularly the gentleman from Illinois (Mr. COSTELLO), the ranking member, and the gentleman from Alaska (Mr. YOUNG) our chairman, and the gentleman from Minnesota (Mr. OBERSTAR), the ranking member, but especially I wanted to say a word about the hard work and long hours that the staff put in on this to resolve many of the very controversial issues, and I also want to thank the Committee on Rules for giving us this time and a good rule here, and I urge support of this rule.

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

Before I yield back my time, I again want to thank the gentleman from Alaska (Chairman YOUNG), and the gentleman from Minnesota (Ranking Member OBERSTAR), and the gentleman from Tennessee (Chairman DUNCAN), and the gentleman from Illinois (Ranking Member COSTELLO), and the staff of the full Committee on Transportation and Infrastructure for all their work on this bill. This is a good bill, and it deserves to be passed.

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

Mr. HASTINGS of Washington. Mr. Speaker, I am pleased to yield 2 minutes to the gentleman from California (Mr. ROHRBACHER).

Mr. ROHRBACHER. Mr. Speaker, I rise in strong support of this rule and support of the legislation as well, and I would hope, first of all, to congratulate all of those in leadership who have been involved in this. Water issues are so important, and they are also hard to work out at times, and I know the gentleman from Alaska (Mr. YOUNG) has put a lot of time and effort into this, as well as all of those on the committee.

I especially am, of course, supportive of this rule because it makes in order an amendment that I have to this bill that I believe is vitally important to the security of our country and to the American taxpayers. The amendment

that I will be offering, and I would hope that my fellow colleagues would consider this very deeply when it comes to the floor, it permits the ports around the United States, does not mandate them, but permits them to put a fee on containers coming in or out of the port, up to \$100 per container.

As we move forward with an incredibly expensive goal of modernizing our ports so they will be secure and safe, there is going to be this astronomical cost to accomplishing this goal. The ports themselves do not have the revenue resources necessary to do their part unless we give them a source of revenue. Many of the ports are going to complain, and I understand that some of the ports have actually complained that they do not want the power to even ask for a fee from those people who are using the port facilities, the manufacturers overseas who are using the port facilities to send their containers in and out of the port.

The American people should not have to pick up the entire burden that is required to make our ports safe and to keep our ports functioning in a way. My bill would make sure the people overseas pay their part as well and are able to do so through a fee on the containers coming through the ports.

Mr. MCGOVERN. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from California (Mr. FILNER), a member of the Committee on Transportation and Infrastructure.

Mr. FILNER. Mr. Speaker, I thank the gentleman from Massachusetts (Mr. MCGOVERN) for yielding me the time, and I rise today in support obviously of the rule, but also of the underlying bill, and especially the manager's amendment which the gentleman from Alaska (Mr. YOUNG) will bring up later which authorizes a water-related infrastructure project of great interest and need in my district and to my constituents in Imperial County, California.

The New River, and that is the name of the river we are dealing with, the New River has been described as the world's worst polluted river. The river flows from Mexico north across the U.S. border and through my district in southern California. Due to grossly inadequate sewage treatment and solid waste facilities in Mexico, raw sewage, industrial waste and garbage are constantly released into the New River, hundreds of millions of gallons of raw sewage in the New River every year.

It is extremely polluted. It is foamy, foul-smelling. A person would not want their children to play anywhere near this river. It violates water quality standards, and plants and animals cannot survive in much of the river. It continues to threaten the health of the residents of my district and even of undocumented immigrants who use the waterway to try to cross the international border.

A coalition of citizen groups and government agencies in my district, including the Calexico New River Committee, has developed a feasible plan

that will significantly improve the quality of water that flows through this community. They need to be supported, and this bill, which authorizes the Nation's water-related projects, would authorize \$10 million to make sanitation improvements to this river. It is an extremely important first step in the process in enhancing the water quality of the New River, enriching life in our community and making a healthier home not only for the human beings, but for fish and wildlife.

So for the sake of my constituents at the U.S.-Mexico border, I urge my colleagues to support the manager's amendment and pass this bill.

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

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

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

The SPEAKER pro tempore (Mr. HASTINGS of Washington). Pursuant to House Resolution 375 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the consideration of the bill, H.R. 2557.

□ 1612

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 2557) 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, with Mr. LAHOOD in the chair.

The Clerk read the title of the bill.

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

Under the rule, the gentleman from Tennessee (Mr. DUNCAN) and the gentleman from Illinois (Mr. COSTELLO) each will control 30 minutes.

The Chair recognizes the gentleman from Tennessee (Mr. DUNCAN).

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

Mr. Chairman, I urge all Members to support H.R. 2557, the Water Resources Development Act of 2003. Under the great leadership of the gentleman from Alaska (Mr. YOUNG) our committee has focused on the need to meet our Nation's navigation, flood control and environmental restoration needs.

In our subcommittee, we have held numerous hearings in which witnesses have testified about the importance of these water resources projects to our economy. Just last week, our subcommittee held a hearing on the contributions of ports and inland waterways to the Nation's intermodal transportation system. It is clear from the

testimony we received that if we do not take action now to improve our ports and waterways, we could severely harm our economy as a result of congestion in our transportation systems.

That is just one reason why we need to pass the Water Resources Development Act of 2003. There are many other reasons.

Each of the over 400 provisions of the bill meets an important national purpose. We are confident of this because for each request the committee received, the committee consulted with the Corps of Engineers to ensure that there was a Federal interest in the project and that the request complied with all rules on cost-sharing and cost-benefit analysis. Obviously not all requests met this standard, but after this review, the committee was able to approve over 60 authorizations, modifications, studies and policies relating to navigation improvements, over 100 flood control authorizations, modifications and studies, over 80 environmental authorizations, modifications or studies.

H.R. 2557 also includes some important new policies. H.R. 2557 encourages watershed planning by authorizing greater technical assistance to State and local governments and authorizes an additional 24 watershed studies.

□ 1615

This bill encourages the Corps of Engineers to carry out projects in partnerships with its local sponsors and to streamline the process for entering into agreements with local sponsors. In fact, this bill has very good streamlining provisions in it so that these very important projects, instead of sometimes taking 8 or 10 or 12 years, hopefully can be done in a much shorter time, saving taxpayer money and saving lives and doing good things for the environment in the process.

H.R. 2557 includes important provisions that allow the Corps of Engineers to help expedite environmental permits for non-Federal water resource projects as well as streamlining approvals for its own projects. And that, as I said, is one of the most important parts of this legislation.

H.R. 2557 includes consensus provisions on peer review of certain Corps of Engineers studies. This is a landmark provision in this legislation. It also includes, Mr. Chairman, 27 shoreline and streambank protection projects, 16 water conservation projects, 12 recreation projects, 12 dam safety projects, and many other projects too numerous to name.

This bill has been put together on a true bipartisan basis. There are no Republican or Democrat navigation, flood control, or environmental restoration projects. We all recognize that communities across the country have water resources needs, very important water resources needs. This bill responds to those communities, our constituents.

I want to recognize the assistance and expertise and friendship provided