I regret that important unrelated and noncontroversial measures are being held up by the sponsors of S. 623, but I cannot consent to passage of this bill at this time. The water flow of the Missouri River is too important to the livelihood of numerous metropolitan areas and small cities, and transportation and industry not only in Missouri but all along the waterway. We must deal with this measure reasonably and in the context of real negotiations, not as a matter of consent to be undertaken without full discussion by the parties.

I thank the Senate for my opportunity to reference my position on this issue. I yield the remainder of the time.

BANKRUPTCY REFORM ACT OF 1999—Continued

The PRESIDING OFFICER. Under the previous order, the Senator from Minnesota is recognized to introduce an amendment.

AMENDMENT NO. 2752

(Purpose: To impose a moratorium on large agribusiness mergers and to establish a commission to review large agriculture mergers, concentration, and market power)

Mr. WELLSTONE. Mr. President, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Minnesota [Mr. WELLSTONE], for himself, Mr. DASCHLE, Mr. DORGAN, and Mr. HARKIN, proposes an amendment numbered 2752.

Mr. WELLSTONE. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

(The text of the amendment is printed in the RECORD of Friday, November 5, 1999, under ''Amendments Submitted.'')

Mr. WELLSTONE. Mr. President, I say to colleagues that I will start out—though my guess is that very soon we will probably have an agreement that will enable us to go to an amendment that will be 10 minutes altogether and then a vote for those who need to leave town. I will start out. I want to say to colleagues, this isn't going to be a long debate, and we'll go back to it on Wednesday. Several colleagues have questions and I will start out that way.

Mr. DORGAN. Will the Senator from Minnesota yield for a question?

Mr. WELLSTONE. Yes.

Mr. DORGAN. Mr. President, I must respond to the comments made by our distinguished colleague from Missouri and comments made by his colleague from Missouri yesterday, as well, with respect to the Dakota Water Resources project in North Dakota. The legislation that was being referenced is profoundly misunderstood. In fact, the Dakota Water Resources Act (S.623) reduces the authorization of the water project. It doesn't expand it; it dramatically reduces it—cutting authorized irrigation from 130,000 to 70,000 acres and deauthorizing several project features.

It also fully protects the interests of the State of Missouri. Nevertheless, one letter from the State of Missouri, written today and delivered to us, complains about the Dakota Water Resources project. In so doing, the letter describes a completely separate and unrelated project (the Devils Lake outlet), which has nothing to do with this at all. So there is a profound misunderstanding here about the facts and circumstances affecting two distinct projects.

I might say, additionally, that the Dakota Water Resources Project is not some dream somebody just had in the last day or two. My State has a Rhode Island-sized flood that has visited us permanently, forever. The Federal Government said, if you will keep a flood forever, you can move some of the water behind the dam around North Dakota for your beneficial purposes. Why did the Government want the permanent flood in North Dakota? The reason was to prevent Missouri River flooding at St. Louis and dozens of other downstream communities.

North Dakota said, fine. The downstream states have flood protection and a lot of the benefits. We agree with that. We support that.

But we have not gotten the benefits, after these many decades, that we were promised, in turn, from a multi-purpose water project. It has been pared back and back, and the legislation just discussed on the floor by my colleague from Missouri shrinks it even further. In fact, we have proposed further protection for Missouri, because one of the objections by the Senator from Missouri was that this project would use water from the Missouri River and Missouri really wants that water. He doesn't feel that the equivalent of one-tenth of a foot off the Missouri River at St. Louis should be used in North Dakota. So we have proposed there be no reduction in water going through St. Louis. We would manage the water impounded by the Garrison Dam in a way that guarantees there would be no reduction in the Missouri River water for St. Louis.

I make the point that the comments made by the Senator from Missouri and his colleague from the same State, in my judgment, and with great respect, profoundly misstate what we are doing. This bill shrinks the authorized project dramatically and would not produce anything like the kind of results that have been alleged. In fact, we believe this project is good for Missouri and all of the States in the Missouri Basin and in the region.

Several Senators addressed the Chair.

Mr. WELLSTONE. Mr. President, I have the floor.

The PRESIDING OFFICER. The Senator from Minnesota has the floor.

Mr. WELLSTONE. I would be pleased to yield for a question.

Mr. REID. Will the Senator yield for a unanimous consent request?

Mr. WELLSTONE. I am pleased to yield for a unanimous consent request. I ask unanimous consent that I regain the floor following the agreement.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. GRASSLEY. Mr. President, I ask unanimous consent that the pending consent regarding the Wellstone amendment be temporarily suspended and the Senate now resume the Dodd amendment No. 2532, and there be 10 minutes remaining and a vote occur on or in relation to the amendment at the end of that time. I further ask consent that the Senate then turn to the Wellstone amendment and that all debate but 1 hour equally divided be used during the session of the Senate today. I also ask that 1 hour of debate occur on Wednesday, November 17, and a vote occur on or in relation to the amendment at the conclusion or the yielding back of time, provided that a vote in relation to the Wellstone amendment occur prior to a cloture vote, if cloture is filed on the bill.

Mr. REID. Reserving the right to object, Mr. President, it is my understanding there would be a vote on the Dodd amendment this evening, is that correct?

Mr. GRASSLEY. Yes.

Mr. CONRAD. Reserving the right to object. Mr. President, I would like 5 minutes before we go to the vote to have a chance to also respond to statements made by the Senators from Missouri over the last couple days with respect to the water project in North Dakota. If I could get that consent, I certainly would not object.

Mr. REID. Mr. President, reserving the right to object, if I could say to the proponent of the unanimous consent request, it has been brought to my attention that instead of 10 minutes, we will need 15 minutes equally divided. I am sure he would have no objection to that. We have no objection, I say to the Senator from North Dakota. Does anybody else need to respond to that?

Mr. ASHCROFT. I have no objection to the statements of the Senators from North Dakota. I made my position clear. This issue has been well known for a couple of decades now.

Mrs. FEINSTEIN. Mr. President, reserving the right to object, I have two amendments that have been moved and laid aside. I would like to have a time when I might take those amendments off the desk and have a brief period of debate and a vote.

Mr. REID. Mr. President, if I may respond, I say to my friend from California that we are now using the good graces of the Senator from Minnesota to get this agreement. One reason the two leaders want us to come back for a vote in 15 or 20 minutes is so they can advise the Senate as to what is going to transpire in the next few days. I don't know, under the present framework, how—this may be the last vote. I would assume this would be the last vote tonight.

Mrs. FEINSTEIN. What I am concerned about is, I have made this known for a number of days now. I have been patient and I have tried to get in the queue. I have waited. I have no objection if this is Wednesday or Wednesday afternoon, but I would appreciate having some time. I am prepared to object if I can't get that time.

Mr. REID. I say to my friend, objecting doesn't help her cause. It just prevents us from having everybody gathered to know what is going to happen. Otherwise, there will be no vote and Senator WELLSTONE will argue his amendment, and we will be out of here anyway. On the Democratic side, we probably have 8 or 9 Senators on the same position that the Senator from California is in. They have offered amendments, and they are waiting to have a vote on those amendments. I have worked with——

Mrs. FEINSTEIN. But my experience is that if they come to the floor, they are often accommodated. I don't see why that same accommodation should not be made for me, most respectfully.

Mr. REID. The Senator certainly is a great advocate. We would like to concede that she has the right above everybody else to a vote, but right now we don't have the parliamentary ability to do that.

I say to my friend that I think Senators FEINGOLD, DURBIN, JOHNSON—I can go through the whole list—have also been here making the same requests the Senator from California has and we haven't been able to get the votes up because of the nongermane amendments being debated on minimum wage and everything. It isn't as if the Senator from Iowa hasn't wanted votes. We haven't been able to get to them.

Mrs. FEINSTEIN. My amendment is germane.

The PRESIDING OFFICER. Is there objection?

Mrs. FEINSTEIN. I object.

The PRESIDING OFFICER. Objection is heard.

The Senator from Minnesota has the floor.

Mr. WELLSTONE. Mr. President, I want to point out that if there is an objection, people can't leave. I am trying to accommodate people's schedules. I think it would be unfortunate if because of an objection Senators who want to leave to get back for Veterans Day are not able to leave tonight. I was trying to accommodate.

I hope the Senator from California will reconsider. Basically, the implication is that many people have many other amendments. This happens to be one of the three amendments that was part of the original agreement about how we would proceed. That is the only difference. Many of us have other amendments.

If the Senator wants to object, go ahead.

Mrs. FEINSTEIN. I have no objection to proceeding with the amendment. What I suspect is going to happen come Wednesday is it will be closed down, and we will not have an opportunity to offer an amendment. One of these amendments I have made to the bankruptcy bill. The Senator from Iowa knows I have been a supporter of this bill. He is supportive of this amendment. If there is an opportunity, I believe it will pass. Senator JEFFORDS and I are cosponsors of the amendment. I, again, would like an opportunity to offer it before there is a cloture motion or something and there will be no more amendments on the bill.

Mr. REID. I say to my friend from California that none of us here have power to do anything about it. The Senator from Iowa and I will be happy to put the Senator from California in line to vote tonight. But there may not be any more votes tonight and we may have votes next Wednesday. There may be only one vote on the Wellstone amendment. We don't know. There is no problem having the amendment as one of the next ones to come up—whenever that will be, this year or next year—on this bill.

Mr. GRASSLEY. Mr. President, if the Senator will yield.

Mrs. FEINSTEIN. I certainly will.

Mr. WELLSTONE. Mr. President, I have the floor.

Mr. WYDEN. Will the Senator from Minnesota yield?

Mr. WELLSTONE. First, I say to the Senator from Iowa, I hope we can work it out so Senators can leave.

Mr. GRASSLEY. I am trying to satisfy the Senator from California, although I don't think I can do any better than the Senator from Nevada has just done. But I pled for two reasons. No. 1, I still hope to work with the Senator from Texas, the chairman of the Banking Committee, to see what we can do to facilitate the amendment, whether it is now or a week from now or next year, if we aren't finished with this bill. No. 2, we are trying to get to a situation where we can get to a vote, which is something we promised a Member who has been waiting for a long, long time.

We still have the third situation where Senator REID and I are going to sit down with our staffs to see what we can do with all of the amendments so we know where we are and have a complete picture. That is why I would plead with her to let the unanimous consent request go through.

Mrs. FEINSTEIN. My understanding is that at some point I will have an opportunity to offer this amendment, whether that is on Wednesday, another day, or next year. Is that the correct understanding?

Mr. GRASSLEY. As far as I am concerned, the answer is yes. But let me say it is my understanding under the agreement we have now that there can be an objection to the Senator offering her amendment if, for instance, somebody on the Banking Committee——

Mr. REID. She already offered it.

Mr. GRASSLEY. Then the answer is yes.

Mrs. FEINSTEIN. I understand that. I will not object.

Mr. WELLSTONE. Can we get the agreement?

Mr. GRASSLEY. Can we move forward with the agreement?

The PRESIDING OFFICER. Is there objection?

Mr. CONRAD. Reserving the right to object, I repeat my request to have 5 minutes.

The PRESIDING OFFICER. That is part of the agreement.

Mr. CONRAD. Then I certainly do not object.

Mr. REID. In fairness to the Senator from California, I don't know what is going to happen. I am not in a position to do anything about it. But it is possible there could be some procedural thing that will stop a lot of votes from going forward. The Senator from Iowa says, all things equal, the Senator's amendment will go forward. I can't stand here and guarantee it will happen. I don't know what will happen. Procedurally, a lot of amendments may not go forward.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. WELLSTONE. Mr. President, I still have the floor. I know we want to move forward. I am trying to move forward. I would like to yield 3 minutes to the Senator from Oregon. He has been waiting.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

Mr. CONRAD. Mr. President, reserving the right to object, I thought this was part of the agreement. It is unclear to the Senator from North Dakota what the agreement was. My understanding was I would be recognized after this agreement was reached for the purpose of responding to the statements that have already been made on the floor. I was assured that was part of that agreement.

The PRESIDING OFFICER. The agreement provides 5 minutes for the Senator from North Dakota.

Mr. CONRAD. I would like to have that 5 minutes at this time, Mr. President.

The PRESIDING OFFICER. The request is that the Senator from Oregon be recognized for 3 minutes. Is there objection?

Without objection, it is so ordered.

The Senator from Oregon.

SECRET HOLDS

Mr. WYDEN. Mr. President, and colleagues, this is the time of the legislative session when too many important bills and nominations are killed in secret through a process known as the secret hold. This session of the Senate was supposed to be different as a result of an agreement between the majority and the minority leaders. I am going to read from that agreement. On February 25, Senator LOTT and Senator DASCHLE wrote all Senators: