

# ENROLLED JOINT RESOLUTION PRESENTED

The Secretary of the Senate reported that on May 1, 1996 he had presented to the President of the United States, the following enrolled joint resolution:

S.J. Res. 53. Joint resolution making corrections to Public Law 104-134.

## EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, which were referred as indicated:

EC-2381. A communication from the Chair of the Federal Energy Regulatory Commission, transmitting, pursuant to law, the report of a package of final rules; to the Committee on Energy and Natural Resources.

EC-2382. A communication from the Director of the U.S. Office of Personnel Management, transmitting, pursuant to law, the report of a final regulation (RIN3206-AE80); to the Committee on Governmental Affairs.

EC-2383. A communication from the Deputy Associate Administrator for Acquisition Policy, General Services Administration, Office of Policy, Planning and Evaluation, transmitting, pursuant to law, the report of the Federal Acquisition Circular (Number 90-38); to the Committee on Governmental Affairs.

EC-2384. A communication from the Executive Director of the Committee for Purchase From People Who Are Blind Or Severely Disabled, transmitting, pursuant to law, the report of additions of the Procurement List; to the Committee on Governmental Affairs.

EC-2385. A communication from the Regulatory Policy Officer of the National Archives at College Park, transmitting, pursuant to law, the report of a final and interim final rule (RIN3095-AA59); to the Committee on Governmental Affairs.

EC-2386. A communication from the Human Resources Manager of the National Bank for Cooperatives Retirement Plan, transmitting, pursuant to law, the report of the Plan for calendar year 1994; to the Committee on Governmental Affairs.

EC-2387. A communication from the Chairman of the Federal Trade Commission, transmitting, pursuant to law, the report under the Government in the Sunshine Act for calendar year 1995; to the Committee on Governmental Affairs.

EC-2388. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, the report on Federal agency drug-free workplace plans; to the Committee on Appropriations.

EC-2389. A communication from the Acting Administrator of the General Services Administration, transmitting, pursuant to law, the report of an informational copy relative to the Capital Investment and Leasing Program for fiscal year 1997; to the Committee on Environment and Public Works.

EC-2390. A communication from the Director of the Office of Personnel Management, transmitting, pursuant to law, the report of a final rule (RIN3206-AH36); to the Committee on Governmental Affairs.

## PETITIONS AND MEMORIALS

The following petitions and memorials were laid before the Senate and were referred or ordered to lie on the table as indicated:

POM-568. A resolution adopted by the Southern Governors' Association relative to

the strength of the National Guard; to the Committee on Appropriations.

POM-569. A resolution adopted by the Southern Governors' Association relative to an electronic benefits transfer system; to the Committee on Banking, Housing, and Urban Affairs.

POM-570. A resolution adopted by the Missouri Chapter of the American Fisheries Society relative to the Neosho National Fish Hatchery; to the Committee on Environment and Public Works.

POM-571. A resolution adopted by the Southern Governors' Association relative to Federal highway funds; to the Committee on Environment and Public Works.

POM-572. A resolution adopted by the Abilene Metropolitan Planning Organization relative to transportation trust funds; referred jointly, pursuant to the order of August 4, 1997, to the Committee on the Budget and to the Committee on Governmental Affairs.

## REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mrs. KASSEBAUM, from the Committee on Labor and Human Resources, without amendment:

S. 295. A bill to permit labor management cooperative efforts that improve America's economic competitiveness to continue to thrive, and for other purposes (Rept. No. 104-259).

## EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of committees were submitted:

By Mrs. KASSEBAUM, from the Committee on Labor and Human Resources:

### To be senior assistant engineer officer

Arthur M. Anderson	Philip E. Rapp
Shib S. Bajpayee	John P. Riegel
Robin A. Dalton	Paula A. Simenauer
Thomas J.	Mark A. Stafford
Heintzman	Mark R. Thomas
Michael S. Jensen	Michael B. Wich
David I. McDonnell	Dominic J. Wolf
Kenneth E. Olson II	

### To be assistant engineer officer

James H. Ludington

### To be scientist

Victor Krauthamer

### To be senior assistant scientist

Lemyra M. Debruyne	Rosa J. Key-
Jeffrey S. Gift	Schwartz
Darcy E. Hanes	
James E. Hoadley	

### To be senior assistant sanitarian

Artis M. Davis	Gailen R. Luce
Mark A. Hamilton	Abraham M. Maekele
Michael E. Herring	Mark D. Miller
Steven G. Inerra	Kelly M. Taylor
Theresa I. Kilgus	Michael D. Warren
Cynthia C. Kunkel	Ronald D. Zabrocki

### To be senior assistant veterinary officer

Victoria A.	Ronald B. Landy
Hampshire	

### To be pharmacist

Dennis M. Alder	Daryl A. Dewoskin
John T. Babb	Cynthia P. Smith

### To be senior assistant pharmacist

Lisa D. Becker	Kathleen E. Downs
Kristi A. Cabler	Richard C. Fisher
Wesley G. Cox	Jeffrey J. Gallagher

Syrena T. Gatewood	Connie J. McGowen-
Lillie D. Golson	Cox
Douglas P. Herold	Steven K. Rietz
Rita L. Herring	Margaret A.
Mary Ann Holovac	Simoneau
Carl W. Huntley	John F. Snow
Michael D. Jones	Daniel R. Struckman
Dennis L. Livingston	Earl D. Ward, Jr
Robert H. McClelland	

### To be assistant pharmacist

David A. Konigstein

### To be senior assistant health services officer

Traci L. Galinsky	Richard R. Kauffman
William D. Henriques	Dorothy E. Stephens
	Gene W. Walters

### To be assistant health services officer

Carol E. Auten	Cherly A. Wiseman
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The following candidates for personnel action in the regular corps of the Public Health Service subject to qualifications therefor as provided by law and regulations:

### 1. FOR APPOINTMENT

#### To be medical director

Richard J. Hodes	Douglas G. Peter
William E. Paul	

#### To be senior surgeon

Melinda Moore

#### To be surgeon

Thomas R. Hales	Scott F. Wetterhall
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#### To be senior assistant surgeon

Mary M. Agocs	Lana L. Jeng
James P. Alexander, Jr	Philip R. Krause
Arturo H. Castro	David E. Nelson
George A. Conway	Patrick J. O'Connor
Theresa Diaz Vargas	Carol A. Pertowski
Nina J. Gilberg	Rossanne M. Philen
	Steven G. Scott
	Jessie S. Wing

#### To be senior assistant dental surgeon

Leonard R. Aste	Michael D. Jones
George G. Bird	Steven J. Lien
April C. Butts	Aaron R. Means, Sr
Lisa W. Cayous	Samuel J. Petrie
Sherwood G. Crow	Roy F. Schoppert, III
Bret A. Downing	Darlene A. Sorrell
Scott K. Dubois	James N. Sutherland
Edward D. Gonzales	Charles S. Walkley
Joseph G. Hosek	Evan L. Wheeler

#### To be nurse officer

Norma J. Hatot

#### To be senior assistant nurse officer

Gary W. Bangs	Sharon D. Murrain-
Robyn G. Brown-	Ellerbe
Douglas	Paul J. Murter III
Priscilla A. Coutu	Steven R. Oversby
Robin L. Fiske	Teresa L. Payne
Colleen A. Hayes	Ricky D. Pearce
India L. Hunter	Candice S. Skinner
Bradley J. Husberg	Ernestine T. Smartt
Christopher L.	Yukiko Tani
Lambdin	Mary E. Tolbert
Wanda F. Lambert	Vien H. Vanderhoof
Michael D. Lyman	Siona W. Willie
Mary Y. Martin	Arnette M. Wright

#### To be assistant nurse officer

Sandra A. Chatfield	James M.
	Simmerman

(The above nominations were reported with the recommendation that they be confirmed.)

Mrs. KASSEBAUM. Mr. President, for the Committee on Labor and Human Resources, I report favorably a nomination list in the Public Health Service which was printed in full in the CONGRESSIONAL RECORD of November 9,

1995, and ask unanimous consent, to save the cost of reprinting on the Executive Calendar, that this nomination lie at the Secretary's desk for the information of Senators.

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

(The nominations ordered to lie on the Secretary's desk were printed in the RECORD of November 9, 1995, at the end of the Senate proceedings.)

#### INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second time by unanimous consent, and referred as indicated:

By Mrs. HUTCHISON:

S. 1719. A bill to require the Secretary of the Interior to offer to sell to certain public agencies the indebtedness representing the remaining repayment balance of certain Bureau of Reclamation projects in Texas, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. DOLE (for himself, Mr. KENNEDY, and Mr. KERRY):

S. 1720. A bill to establish the Nicodemus National Historic Site and the New Bedford National Historic Landmark; ordered held at the desk.

#### STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mrs. HUTCHISON:

S. 1719. A bill to require the Secretary of the Interior to offer to sell to certain public agencies the indebtedness representing the remaining repayment balance of certain Bureau of Reclamation projects in Texas, and for other purposes; to the Committee on Energy and Natural Resources.

##### THE TEXAS RECLAMATION PROJECTS INDEBTED PURCHASE ACT

• Mrs. HUTCHISON. Mr. President, I introduce today a bill on behalf of the State of Texas and several major water supply authorities in Texas. It would transfer title for Bureau of Reclamation projects to local control.

The purpose of this bill is to give local public agencies the right to make decisions regarding their own local water supplies. In doing so we will reduce the size of the Federal Government and save taxpayers significant amounts of money.

Mr. President, I mentioned that I am introducing this legislation on behalf of the State of Texas. Our goal is to create a process to allow the State of Texas or its public agencies to purchase and accept title to the Bureau of Reclamation projects in the State.

I submit this measure with the full support of the State of Texas. The State legislature recently passed a resolution, endorsed and signed by the Governor, accepting the responsibility for this process of title transfer.

My interest in this effort goes back to the last Congress, when in June 1994, I introduced S. 2236 in an effort to correct a longstanding problem involving the U.S. Bureau of Reclamation and the city of Corpus Christi.

That legislation directed the Secretary of the Interior to enter into and complete negotiations with the city of Corpus Christi concerning the Nueces River project, also known as Choke Canyon Reservoir. A hearing was held on the legislation, but the Congress ended before the Senate could act.

This year, with title transfers being encouraged by both the administration and Congress, it makes sense for the Choke Canyon legislation to be included with the broader Bureau of Reclamation legislation as developed by the State of Texas.

In 1976 the city of Corpus Christi and the Nueces River authority contracted with the Bureau for construction of Choke Canyon Reservoir on the Frio River near Three Rivers, TX. The primary purpose of the project was to provide additional water to the city of Corpus Christi through the year 2040. Since project completion in 1982, however, subsequent studies have determined that the current supply to the city from the project is less than contracted for, and that additional water supplies likely will be required by the year 2003.

The local sponsors are proposing that the repayment agreements be renegotiated to reflect the diminished water supply derived from the project, as well as the unanticipated expenses that the local sponsors have incurred to obtain additional water to compensate for the projected shortfall in the Choke Canyon-Lake Corpus Christi system.

I have incorporated the Choke Canyon project into this legislation for two reasons:

First, to pursue the intent of the original contract—because the city still is not getting the water it was promised;

Second and most important, I have introduced this legislation because the area is facing a very real water shortage. Due to the lower than anticipated yield from the Choke Canyon Reservoir, projections show the 12-county region it serves will be short of water within 10 years. This will affect nearly 400,000 people and numerous major industries.

The discount and prepayment conditions which the Corpus Christi is asking be negotiated are extremely important to the city's ability to ensure adequate future water supplies at affordable prices. Congressman SOLOMON ORTIZ has introduced similar legislation on the House side.

Also included in this legislation is a project near Amarillo in the congressional district of Congressman MAC THORBERRY: the Canadian River project. Construction of the Canadian River project by the BOR was authorized by Public Law 898 on December 29, 1950, to provide a source of municipal and industrial water to member cities of the Canadian River Municipal Water Authority in the Texas Panhandle and South Plains. The cities served include Amarillo, Borger, Brownfield, Lamesa, Levelland, Lubbock, O'Donnell, Pampa,

Plainview, Slaton, and Tahoka. These currently comprise a combined population of nearly 500,000 persons.

The major project facilities include Sanford Dam on the Canadian River 35 miles northeast of Amarillo, Lake Meredith which is formed by the dam, and a 322-mile aqueduct system that transports water from the lake to the member cities. The project was built in the 1960's and has supplied water to the cities continuously since 1968. Responsibility for operation and maintenance of the entire complex of municipal water supply facilities, including Sanford Dam, was transferred to the authority on July 1, 1968.

The project authorization—section 2. (c)(3)—provides that title to the aqueduct shall pass to the project sponsor upon payment of all obligations arising from the legislation and contract.

Total project cost was about \$83.8 million, of which about \$76.9 million is reimbursable to the United States by the Authority. Non-reimbursable components paid for flood control and fish and wildlife benefits. Including interest during construction, the original reimbursable obligation was \$83.7 million, repayable with interest at the rate of 2.632 percent over a term of 50 years. Twenty-six annual payments have been made.

Under this bill the outstanding balance would be purchased by the project sponsor, the Canadian River Municipal Water Authority. Title to the aqueduct would be transferred to the Authority. Title to the dam will not be transferred because of its flood-control functions, which need to remain under the supervision of the U.S. Corps of Engineers, and title to the land around the reservoir to remain with the National Park Service because it is designated a National Recreation Area.

Purchase of the debt would be accomplished by payment of the net present value of the cash stream which would be required to repay the current indebtedness, discounted at U.S. Treasury rates on the date of purchase contract execution, after adjustment to reflect unrealized project benefits and outstanding credits.

##### ADVANTAGES FOR FEDERAL INTERESTS

Recent changes in the mission of the Bureau of Reclamation have reduced emphasis on water resource development projects. Now, the BOR's activities are regulatory in nature, for the most part, as they relate to existing projects. Transfer of Federal ownership would eliminate the need for BOR participation in the oversight of operation and maintenance, and relieve the Federal Government of liability related to operation of transferred facilities.

The cash payment to the Government would make funds available to support new projects that create jobs or which cannot be funded from present budget sources. Currently, BOR is considering the prospect of title transfer for selected projects, including the aqueduct system of the Canadian River Project. The debt purchase proposal in