central problems of the absence of family and the absence of work in the welfare system.

They know that Government cannot solve this problem, cannot solve it alone, cannot solve it just with more money. The more money we have spent, the greater the problem has grown.

The real cost in this entire operation is not just a cost in terms of financial resources. It has been a cost in lost lives. It has been from those who have sought to use their families, to abuse the system. It has been a cost of the future of children, and it will be the cost of the future of America if we do not correct this.

Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. DOMENICI. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. ASHCROFT). Without objection, it is so ordered.

ENERGY AND WATER DEVELOPMENT APPROPRIATIONS, 1996

The Senate continued with the consideration of the bill.

Mr. DOMENICI. Mr. President, it is my custom on every appropriations bill, whether I am the floor manager or not, to state succinctly as I can how it relates to the budget resolution and do some accounting for anybody that is interested in how the bill stacks up versus the budget resolution.

Mr. President, I would like to take a moment to discuss the budget impact of this bill as reported by the Senate Appropriations Committee.

By CBO's scoring, this bill provides $20.2 billion in new budget authority and $12 billion in new outlays for the Department of Energy, the Corps of Engineers, the Bureau of Reclamation, and for other selected independent agencies. With outlays from prior-year budget authority and other completed actions, the Senate bill is within the subcommittee's section 602(b) allocation.

Mr. President, this year's budget resolution established separate binding caps on defense and nondefense funding. This bill contains both defense and nondefense funding and must meet separate allocations.

According to CBO, the Senate-reported bill is within the allocation of budget authority and outlays for the defense and nondefense funding in this bill.

Mr. President, I ask, unanimous consent that a table printed in the RECORD comparing the Senate-reported bill's budget authority and outlay levels to the subcommittee's section 602(b) allocation.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

ENERGY AND WATER SUBCOMMITTEE—SPENDING TOTALS—SENATE-REPORTED BILL

[Fiscal year 1996, dollars in millions]

	Budget authority	Outlays
DEFENSE DISCRETIONARY		
Outlays from prior-year BA and other actions completed	.....	4,039
H.R. 1905, as reported to the Senate	11,446	6,868
Scorekeeping adjustment	.....	.....
Subtotal defense discretionary	11,446	10,907
NONDEFENSE DISCRETIONARY		
Outlays from prior-year BA and other actions completed	.....	4,171
H.R. 1905, as reported to the Senate	8,716	5,100
Scorekeeping adjustment	.....	.....
Subtotal defense discretionary	8,716	9,271
MANDATORY		
Outlays from prior-year BA and other actions completed	.....	.....
H.R. 1905, as reported to the Senate	.....	.....
Adjustment to conform mandatory programs with Budget Resolution assumptions	.....	.....
Subtotal mandatory	.....	.....
Adjusted bill total	20,162	20,178
SENATE SUBCOMMITTEE 602(b) ALLOCATION		
Defense discretionary	11,447	10,944
Nondefense discretionary	8,733	9,272
Violent crime reduction trust fund	.....	.....
Mandatory	.....	.....
Total allocation	20,180	20,216
ADJUSTED BILL TOTAL COMPARED TO SENATE SUBCOMMITTEE 602(b) ALLOCATION		
Defense discretionary	−1	−37
Nondefense discretionary	−17	−1
Violent crime reduction trust fund	NA	NA
Mandatory	.....	.....
Total allocation	−18	−38

Note.—details may not add to totals due to rounding. Totals adjusted for consistency with current scorekeeping conventions.

SUSQUEHANNA RIVER BASIN WATER MANAGEMENT

Mr. SARBANES. Mr. President, I would like to engage the distinguished chairman of the subcommittee in a colloquy regarding the funding contained in the bill under general investigations for Susquehanna River Basin water management.

First, I want to thank the chairman for including $290,000—the full amount requested in fiscal year 1996—for the Army Corps of Engineers to continue the reconnaissance study investigation of the Susquehanna River Basin that was initiated last year. The Susquehanna River is the largest river on the east coast of the United States and the largest tributary of the Chesapeake Bay. It is also one of the most flood prone river basins in the Nation. The Army Corps of Engineers operates 13 reservoirs on the upper Susquehanna and regulates the low and high water flow management. There are also three large hydroelectric projects on the lower Susquehanna. Under normal conditions, these reservoirs and dams serve as traps for the harmful sediments which flow into the river. During major storms however, they suddenly discharge tremendous amounts of built-up sediments, severely degrading the water quality of the Chesapeake Bay, destroying valuable habitat and killing fish and other living resources. Scientists estimate that Tropical Storm Agnes in 1982 aged the bay by more than a decade in a matter of days because of the slug of sediments discharged from the Susquehanna River reservoirs. There is a real danger that another major storm in the basin could scour the sediment that has been accumulating behind these dams and present a major setback to our efforts to clean up the bay.

It was my understanding that it was the committee's intent in funding the reconnaissance study of the Susquehanna River Basin last year and again this year, that the corps was to investigate not only alternatives for managing water storage during high and low flow conditions and flood damage reduction needs in the basin, but also to address sediment related issues for the study area. Is this correct?

Mr. DOMENICI. The Senator from Maryland is correct. It is the committee's intent that the Corps of Engineers conduct a basin-wide sedimentation assessment as part of this study, including a complete evaluation of potential sediment management strategies to reduce the impact on Chesapeake Bay.

Mr. SARBANES. I appreciate these assurances and thank the chairman for his support.

COMMITTEE AMENDMENT BEGINNING ON PAGE 12, LINE 17

Mr. DOMENICI. Mr. President, with reference to the bill, I have two housekeeping measures that I would like to get behind us now.

On page 12, starting at lines 17, section 102, continuing through page 13 until section 103, I ask unanimous consent that that committee amendment be tabled.

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

EXCEPTED COMMITTEE AMENDMENT BEGINNING ON PAGE 38, LINE 19

Mr. DOMENICI. Mr. President, on page 38 of the bill, lines 19 through 25, that committee amendment remains not adopted because we just did not ask that it be adopted. At this point, I ask unanimous consent that committee amendment be adopted.

The PRESIDING OFFICER. That amendment has been agreed to.

Mr. DOMENICI. I thank the Chair. That is our error.

Ms. MOSELEY-BRAUN. As we consider the fiscal year 1996 energy and water development appropriations bill, I would like to express my great concern about the decision by the Senate to reduce funding for high-energy physics research by $20 million for a total of $657 million. This funding cut will impact the operating budgets of Fermi National Accelerator Laboratory in my State of Illinois, the Stanford Linear Accelerator Center in California, and the Brookhaven National Laboratory in New York.

I am aware that the deficit-driven decisions this Congress must make will have a real impact on Federal energy priorities. I also appreciate the support the committee has provided for high-energy physics research, and for Femilab, in previous years. Physicists commit decades of their lives, and, in many instances, their entire careers to

long-term Government-sponsored research projects. And that means it is critical that the Government also remain committed to orderly, stable research priorities.

This Federal commitment, however, can be jeopardized by insufficient funding for the base budgets of the high-energy physics laboratories, crating situations where research is pared back, trained personnel are lost from the field, and future productivity is endangered by discouraging students from these professions.

This is the situation faced by Fermilab. Budget cuts in previous years have led to the loss of approximately 300 people at Fermilab. And once again, the budget cuts proposed by the Senate will require further staff reductions at Fermilab.

I greatly appreciate the decision by the committee to provide $52 million to continue the construction of the main injector. The main injector will increase the power of the particle accelerator at Fermilab by a factor of 5. Given that Fermilab was the site of one of the most significant discoveries in modern physics—the discovery of the subatomic particle known as the top quark—ensuring that the main injector comes on line as quickly as possible will help us learn more about the top quark and other critically important high-energy physics issues.

Unfortunately, the leaps in knowledge promised by the main injector will be adversely countered by the cuts in the operating budget as proposed by the Senate, and that means less people who can use Fermilab, and more delays in carrying out our research priorities.

The United States has great potential to lead the world in high-energy physics—our community of scientists, facilities, and partnerships built up over the last 40 years is one of our Government's greatest achievements. In order to exploit these superb resources and the new major upgrades underway at these three national laboratories, however, increased base program funding is crucial.

Therefore, during conference of this bill, I strongly urge that $20 million be restored to the high-energy physics budget, bringing the total funding to $677 million, and ensuring that the high-energy physics field in the United States remains strong in the years ahead.

Mr. DOMENICI. I thank the Senator from Illinois for her comments regarding Fermi National Accelerator Laboratory and the high-energy physics budget. The committee has provided substantial funding for this budget in previous years, but given the budget constraint that the committee was forced to confront, we were simply unable to include these funds. I can assure the distinguished Senator that we will look favorable upon her request in conference and do all that we can to assist her in including her recommendation.

MCCOOK RESERVOIR CONSTRUCTION

Ms. MOSELEY-BRAUN. Mr. President, I would like to call attention to language in the committee report to this bill that would jeopardize the commencement of construction on a very important flood control project in my State of Illinois, the McCook and Thornton Reservoir project.

The McCook and Thornton Reservoir project is an integral part of the underground tunnel system of the Chicago underflow plan [CUP] designed to control major flooding problems in Chicago and surrounding communities. Once construction in complete, the reservoirs will protect over 500,000 homes and over 3 million people, helping to protect an extremely vulnerable area which sustains over $150 million in damages every year from floods. The project has been strongly supported over the years by the Appropriations Committees of both Chambers of Congress and by the Illinois delegation.

The McCook and Thorton Reservoir project is fully authorized. Its design memorandum is based upon a plan that was carefully crafted by the U.S. Army Corps of Engineers, and, most importantly, with the full input of the current landowner. Every effort was made to accommodate the interests of all parties involved in the project. Due to complexities associated with the negotiations for the acquisition of the project land, construction on the McCook and Thornton Reservoirs have been greatly delayed. However, these negotiations are making substantial progress, and are nearing closure.

That is why I am greatly concerned by the committee report language which unfairly questions the 1986 design memorandum that was the basis for the project authorization. The committee report language also directs the U.S. Army Corps of Engineers to continue their assessment of other siting options for the project.

If the committee report language is allowed to stand, the baseless questions about the authorization will continue, construction will be further delayed, and the project will wither and die.

Chicago desperately needs these flood control reservoirs to come online. In 1993, severe thunderstorms caused massive flooding southeast of Chicago. The capacity of the existing underground flood control system was only able to hold 1.5 billion of the 45 billion gallons of rainfall before being overwhelmed. The resulting excess floodwaters caused severe disruptions of major traffic thoroughfares, including the closing of Interstate 55, and the Dan Ryan and Stevenson expressways. Rainwater and raw sewage backed up into the basements of half a million homes, creating serious public health problems. The McCook and Thornton Reservoirs, had they been complete, would have provided more than enough capacity to contain those excess waters, and would have prevented these types of disasters from occurring.

This project must be allowed to move forward without further delay. I urge the Chairman's assistance in clarifying the committee's intent regarding this project. I also ask that the committee include language in the committee report which directs the key parties to complete negotiations for the acquisition of the McCook Reservoir immediately, and to direct the corps to proceed to construction with the project as authorized, notwithstanding the language in the committee report. In addition, if further funding beyond the prior appropriated dollars is needed to advance the project in fiscal year 1996, then the corps would have the authority to reprogram funds to the project.

Mr. SIMON. I want to join my colleague from Illinois in her request. The McCook Reservoir project is the linchpin to the successful flood protection and water pollution control efforts we have developed in the Chicago area. Unless this project is allowed to proceed with the funding Congress has provided, the Chicago metropolitan area will remain vulnerable to floods and significant threats to health and safety.

I urgently request the assistance of the chairman in including the conference report language referred to by Senator MOSELEY-BRAUN to complete negotiations for land for the project immediately, and to direct the corps to proceed with the authorized project notwithstanding the committee report language. Her assistance in including this and the reprogramming language is critical to the protection of the Chicago area, and I thank her for her efforts.

Mr. DOMENICI. Mr. President, I understand Senator ROD GRAMS is about ready to come and help us complete this measure.

Mr. FORD. Mr. President, will the Senator yield for a question?

Mr. DOMENICI. Of course.

Mr. FORD. I know he is doing everything he can. But any Senator who has been on his way now for about 40 minutes—

Mr. DOMENICI. He is here, and he is going to be ready quickly.

Mr. FORD. We are holding a lot of things up, and I know the Senator from New Mexico wants to get through the bill and get it behind us so we can move on to the defense authorization bill.

Mr. DOMENICI. I am fully aware of that, and we are keeping the Senate open. But Senator GRAMS is very desirous that I give him another 5 minutes, and I am going to accommodate him. He is in the Cloakroom. He will be out shortly, and then we can complete this matter.

Mr. WELLSTONE addressed the Chair.

The PRESIDING OFFICER. The Senator from Minnesota.

AMENDMENT NO. 2076

(Purpose: To establish interim water levels for certain lakes)

Mr. WELLSTONE. Mr. President, I send an amendment to the desk.

The PRESIDING OFFICER. The clerk will report the amendment.

The legislative clerk read as follows:

The Senator from Minnesota [Mr. WELLSTONE] proposes an amendment numbered 2076.

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

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

The amendment is as follows:

At the appropriate place in title V, insert the following:

SEC. . WATER LEVELS IN RAINY LAKE AND NAMAKAN LAKE.

(a) FINDINGS.—Congress finds that—

(1) the Rainy Lake and Namakan Reservoir Water Level International Steering Committee conducted a 2-year analysis in which public comments on the water levels in Rainy Lake and Namakan Lake revealed significant problems with the current regulation of water levels and resulted in Steering Committee recommendations in November 1993; and

(2) maintaining water levels closer to those recommended by the Steering Committee will help ensure the enhancement of water quality, fish and wildlife, and recreational resources in Rainy Lake and Namakan Lake.

(b) DEFINITIONS.—In this section:

(1) EXISTING RULE CURVE.—The term ''existing rule curve'' means each of the rule curves promulgated by the International Joint Commission to regulate water levels in Rainy Lake and Namakan Lake in effect as of the date of enactment of this Act.

(2) PROPOSED RULE CURVE.—The term ''proposed rule curve'' means each of the rule curves recommended by the Rainy Lake and Namakan Reservoir International Steering Committee for regulation of water levels in Rainy Lake and Namakan Lake in the publication entitled ''Final Report and Recommendations'' published in November 1993.

(c) WATER LEVELS.—The dams at International Falls and Kettle Falls, Minnesota, in Rainy Lake and Namakan Lake, respectively, shall be operated so as to maintain water levels as follows:

(1) COINCIDENT RULE CURVES.—In each instance in which an existing rule curve coincides with a proposed rule curve, the water level shall be maintained within the range of such coincidence.

(2) NONCOINCIDENT RULE CURVES.—In each instance in which an existing rule curve does not coincide with a proposed rule curve, the water level shall be maintained at the limit of the existing rule curve that is closest to the proposed rule curve.

(d) ENFORCEMENT.—

(1) IN GENERAL.—The Federal Energy Regulatory Commission shall enforce this section as though the provisions were included in the license issued by the Commission on December 31, 1987, for Commission Project No. 5223–001.

(2) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to require the Commission to alter the license for Commission Project No. 5223–001 in any way.

(e) SUNSET.—This section shall remain in effect until the International Joint Commission review of and decision on the Steering Committee's recommendations are completed.

Mr. WELLSTONE. Mr. President, I will be brief. We have been waiting for some time. I think this amendment is acceptable to both sides. I thank my colleagues for their support.

This amendment deals with really a critical problem of water levels in the Rainy Lake and Namakan Lake. It is a hugely important issue to my State, especially to northern Minnesota.

The problem has been that the water level has been too low in the spring which, in turn, has created problems with spawning of fish and other wildlife habitat, but it also has been a problem for anglers. It has been a problem for recreation. It has been a problem for our resort owners.

So what this amendment does is it takes the water curve rule and it just essentially says this is an agreement that ultimately has to be worked out, I say to my colleague from New Mexico and my colleague from Minnesota, with the Canadians, with the IJC, the International Joint Commission. But in the meantime, within the existing rule structure, what we say to FERC is to implement this in such a way within the existing rules that we require that the water level in these lakes be on the upper level of the curve in the spring.

This is hugely important to my State of Minnesota. I will just list some of the beneficiaries. Above and beyond fish and wildlife and the park ecosystem, the sportfishing industry, the resort industry, the local economy; this amendment has the support of the International Steering Committee on Rainy Lake and Namakan Reservoir, the Citizens' Council on Voyageurs National Park, the Ash River Sportfishing Association, the Rainy Lake Sportfishing Association, and numerous other resorts, recreational, and business interests.

The amendment will not affect the IJC's current regulations. We cannot do that by law, nor are we trying to. This is an interim measure. It will not increase the flood risk. It will protect fish spawning grounds. It will improve dock access and decrease dock damage, also extremely important to people in my State. It will protect the park ecosystem and it will help save the local economy an estimated $800,000 a year in lost business due to low water levels at the beginning of the fishing season.

So it has taken some time for us to work this out, but this is an amendment that I am really proud to bring to the Senate. I believe I have the support of colleagues. I know it is extremely important to the International Falls community and really northeastern Minnesota.

I will say, since northeastern Minnesota is so important to Minnesota, it is very important to Minnesota.

I know that my colleague from Minnesota, whom I believe now is going to be supporting this, wants to speak on this as well.

I yield the floor to my colleague from Minnesota, and then I think I will follow up with concluding remarks. I believe the amendment will be acceptable to both sides.

Mr. GRAMS addressed the Chair.

The PRESIDING OFFICER. The Senator from Minnesota.

Mr. GRAMS. Mr. President, I rise today in support of this amendment.

Clearly, there is a problem with the disputed water levels. It is a problem that deserves a solution—one that is well thought out and final.

Today, my colleague from Minnesota has offered his proposal. And I am prepared to support it—not as a solution to the problems facing the people of northern Minnesota, but as a message that we will not let these problems go unresolved.

Unfortunately, this amendment, while sending a message, does not necessarily pass the test of being a good solution. Hastily prepared ideas rarely do.

It should come as no surprise that this amendment has a number of problems and could have some unforeseen consequences of which we're not aware today. And the Senate needs to be aware of that.

There is an orderly and regular process by a joint United States-Canadian commission to address this very matter—the International Joint Commission.

That process is already underway. It will result in water level decisions based on scientific analysis.

Tonight the Senator's amendment would prejudge the outcome of that process.

It would put into effect a subcommittee report to the full international committee before the full committee has a chance to consider the report and make a final decision.

We simply do not know what impact the subcommittee recommendation would have on fish, wildlife, and the environment.

The amendment also does a very curious thing: It would require the Federal Energy Regulatory Commission to enforce the international joint commission subcommittee's water recommendations on dams and water impoundments over which the FERC does not now have jurisdiction.

What we are doing here is codifying a decision by a subcommittee of a United States-Canadian body, the international joint commission with virtually no input from the Canadian side.

But today, we will adopt this amendment—without adequate notice, without proper consultation. Because what we are giving the people of Minnesota is a message: and that is the Senate urges the IJC to act quickly to resolve this issue. The people of Minnesota deserve a solution, not just a message. But a message is what we are giving them tonight.

Again, I want to thank my colleague for his efforts and support. I yield the floor.

Mr. WELLSTONE addressed the Chair.

The PRESIDING OFFICER. The Senator from Minnesota.

Mr. WELLSTONE. Mr. President, there is agreement. We will not go on with the debate.

I say to my colleagues, this is not a hastily prepared idea. The steering committee spent 2 years and had lots of public comments before they reached their recommendations.

This is not a solution, it is an interim solution. We wait for the IJC to make final ruling. We cannot wait in the meantime. We have this problem to deal with now. This does not prejudice any final outcome. It is just a way of fixing a very important problem now.

There is no reason to go on with the debate. I am proud to have the support. I hope that we can voice vote this tonight.

Mr. DOMENICI addressed the Chair.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. DOMENICI. Mr. President, I thank both Senators for working this amendment out. Obviously, we have no objection on our side, and I understand Senator JOHNSTON has no objection on his side. With that, I yield the floor.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment (No. 2076) was agreed to.

Mr. WELLSTONE. Mr. President, I move to reconsider the vote.

Mr. DOMENICI. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. DOMENICI. I thank both Senators.

Mrs. BOXER. Mr. President, the energy and water appropriations bill for fiscal year 1996, despite some progress particularly on water reclamation projects, represents a serious setback for environmental preservation.

In addition, the committee, in my view, has strayed outside its jurisdiction in directing the Secretary of the Army to develop a plan to consolidate the division offices of the Corps of Engineers. That issue is properly left with the authorizing committee, in this case the Environment and Public Works Committee.

I appreciate the committee accepting an amendment by me and Senator MAX BAUCUS, chairman of the Committee on Environment and Public Works, that specifies that the report on division consolidation shall be sent to the Senate Environment and Public Works Committee, on which I serve. I believe it is important that divisions which have a large workload and critical emergency response duties, such as the South Pacific Division in San Francisco, should be located in close proximity to the work requirements. The Environment and Public Works Committee will have a chance to consider the corps consolidation plan before implementation begins in August 1996.

Included in the House-passed bill, but omitted from the Senate Appropriations Committee version, were funds for the Spring Run Restoration Programs, the Coho Salmon Restoration Programs, the Winter Run Chinook Salmon Captive Breedstock Program, and certain fish screening programs and habitat acquisition programs. These represent solid investments in the health of the Pacific Salmon fishery.

I sincerely hope that the Senate conferees give these particular House-passed provisions careful consideration when they go to conference with the House.

I am pleased that the bill includes $11,367,000 for construction of the Los Angeles County Drainage Area, an important flood control improvement project that will restore an adequate level of flood protection to one of the more densely populated areas of the country. Without flood control improvements, the corps estimates that a 100-year flood event could inundate as much as 82 square miles of Los Angeles County, affecting more than 500,000 residents in 11 cities.

I appreciate Acting Assistant Secretary of the Army for Civil Works, John Zirschky, meeting with me personally about the project and hearing my concerns about the environmental impact of this project. Several environmental groups in Los Angeles County had raised concerns about the effect both visually and environmentally of constructing parapet walls along the top of the levees in place now and questioned whether the corps had fully explored nonstructural alternatives.

I understand because of the urgent need to move on this project that we could not afford to halt construction until such alternatives had been assessed. Therefore, I agreed to support the project after obtaining the corps support to pursue a feasibility study of the whole Los Angeles Basin watershed. Although some of the cities in the floodplain recently refused to participate in a community task force to look at project modifications while initial construction was under way, Secretary Zirschky has assured me that the corps will seek the county's cooperation in a 3-year feasibility study for ways to improve the river watershed including a review and possible modifications of the river's flood control improvements.

Even without a formal task force, the Secretary is willing to work with the county, affected cities, and the environmental groups to recommend ways to restore the natural ecosystem, improve stormwater management, and enhance water conservation and supply, and recreational opportunities. It is my hope that this study will serve as a springboard to greater cooperation among the affected cities, the country, the corps, and the environmental community.

Secretary Zirschky should be commended for working with Los Angeles County in the flood control project cooperation agreement to require the county to manage stormwater runoff to avoid any need for future expansion of the flood control project.

I ask unanimous consent that Secretary Zirschky's July 21, 1995, letter to me about this project be printed in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

DEPARTMENT OF THE ARMY,
Washington, DC, July 21, 1995.

Hon. Barbara Boxer,
U.S. Senate, Washington, DC.

DEAR SENATOR BOXER: I am pleased to inform you that I recently sent to Congress a recommendation for construction of the flood damage reduction project for the Los Angeles County Drainage Area. My recommendation completes the authorization required by Section 101(b) of the Water Resources Development Act of 1990. A copy of my letter to Congress and a press release on the project are enclosed.

In approving this project, I have required that the non-Federal sponsor manage future stormwater runoff so that the authorized level of flood protection is not diminished. In addition, we have agreed to seek a non-Federal sponsor and initiate a multi-objective feasibility study of the entire Los Angeles River Watershed. This study will focus on restoring the natural ecosystem along the river and throughout the watershed, as well as providing opportunities to improve stormwater management, water conservation and water quality, recreation and the aesthetics in the watershed area. The study could also result in further modifications to the recently authorized project. In conducting this study, we are committed to working with other Federal agencies—State and local governments, as well as other non-governmental environmental organizations. The study will be initiated with available funds and will not delay construction of the Drainage Area project.

I look forward to working with you in bringing this much needed project to completion.

Sincerely,

JOHN H. ZIRSCHKY,
Acting Assistant Secretary of the Army (Civil Works).

Mr. THURMOND. Mr. President, will the manager of the bill, the distinguished Senator from New Mexico, yield for a question?

Mr. DOMENICI. I would be glad to yield.

Mr. THURMOND. Am I correct in my understanding that the energy and water development appropriations bill, as reported from the Appropriations Committee, includes an increase of over $140,000,000 for the Department of Energy's stockpile management program?

Mr. DOMENICI. My colleague from South Carolina, the chairman of the Senate Armed Services Committee, is correct. As reported by the Appropriations Committee, the Energy and Water Development Appropriations Act for fiscal year 1996 includes a $143,800,000 increase over the budget request for stockpile management.

Mr. BOND. Mr. President, I strongly support the increase in stockpile management provided by the committee. There is a clear need for the Department to ensure that its capabilities that currently reside at the Y–12 plant at Oak Ridge, TN; the Kansas City plant in Kansas City, MO; the Pantex plant in Texas; and the Savannah River site in South Carolina, are modernized to meet the requirements of the enduring nuclear weapons stockpile.

Mr. THOMPSON. Mr. President, I want to thank the Senator from New Mexico for his support for stockpile management and the additional funds

necessary to make needed investments in the Department of Energy's production sites such as the Y–12 plant. We certainly expect the Department will make additional investments in the production facilities to ensure those facilities meet future requirements.

Mr. FRIST. Mr. President, the facilities funded by the Department of Energy's stockpile management program represent essential elements in the continuing DOE complex. By simply having the know-how at hand, we cannot guarantee the proper management of the stockpile over the long term; we must also maintain the capabilities that exist in the facilities that produced components of the enduring stockpile.

Mrs. HUTCHISON. Mr. President, I also strongly support the increase in stockpile management provided by the committee. I am pleased to join with my colleagues to speak to the importance of maintaining a safe and reliable U.S. nuclear deterrent, and in particular, the need to make the necessary and cost-effective investments in nuclear weapons stockpile activities. The Pantex plant, along with Savannah River, Y–12, and Kansas City plant, is one of the few remaining production sites with existing infrastructure and capabilities that can meet the national security needs identified in the Department of Defense's nuclear posture review.

Mr. DOMENICI. I thank my colleagues.

Mr. President, I believe we are ready for third reading of the bill.

The PRESIDING OFFICER. The question is on the engrossment of the amendments and third reading of the bill.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read a third time.

The PRESIDING OFFICER. The bill having been read the third time, the question is, shall the bill pass?

So the bill (H.R. 1905), as amended, was passed.

Mr. DOMENICI. I move to reconsider the vote, and I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. DOMENICI. Mr. President, I move that the Senate insist on its amendments and request a conference with the House on the disagreeing votes thereon and that the Chair be authorized to appoint conferees on the part of the Senate.

The motion was agreed to, and the Presiding Officer appointed Mr. DOMENICI, Mr. HATFIELD, Mr. COCHRAN, Mr. GORTON, Mr. MCCONNELL, Mr. BENNETT, Mr. BURNS, Mr. JOHNSTON, Mr. BYRD, Mr. HOLLINGS, Mr. REID, Mr. KERREY, and Mrs. MURRAY conferees on the part of the Senate.

Mr. DOMENICI. Mr. President, I am going to proceed to wrap up the Senate at the request of the majority leader.

MORNING BUSINESS

Mr. DOMENICI. Mr. President, I ask unanimous consent that there now be a period for the transaction of routine morning business, with Senators permitted to speak therein for up to 10 minutes each.

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

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Thomas, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session, the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The nominations received today are printed at the end of the Senate proceedings.)

REPORT ON THE NATIONAL EMERGENCY WITH IRAQ—MESSAGE FROM THE PRESIDENT—PM 71

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, together with an accompanying report; which was referred to the Committee on Banking, Housing, and Urban Affairs.

To the Congress of the United States:

I hereby report to the Congress on the developments since my last report of February 8, 1995, concerning the national emergency with respect to Iraq that was declared in Executive Order No. 12722 of August 2, 1990. This report is submitted pursuant to 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).

Executive Order No. 12722 ordered the immediate blocking of all property and interests in property of the Government of Iraq (including the Central Bank of Iraq) then or thereafter located in the United States or within the possession or control of a U.S. person. That order also prohibited the importation into the United States of goods and services of Iraqi origin as well as the exportation of goods, services, and technology from the United States to Iraq. The order prohibited travel-related transactions to or from Iraq and the performance of any contract in support of any industrial, commercial, or governmental project in Iraq. United States persons were also prohibited from granting or extending credit or loans to the Government of Iraq.

The foregoing prohibitions (as well as the blocking of Government of Iraq property) were continued and augmented on August 9, 1990, by Executive Order No. 12724, which was issued in order to align the sanctions imposed by the United States with United Nations Security Council Resolution 661 of August 6, 1990.

Executive Order No. 12817 was issued on October 21, 1992, to implement in the United States measures adopted in United Nations Security Council Resolution 778 of October 2, 1992. Resolution 778 requires U.N. Member States to transfer to a U.N. escrow account any funds (up to $200 million apiece) representing Iraqi-oil sale proceeds paid by purchasers after the imposition of U.N. sanctions on Iraq, to finance Iraq's obligations for U.N. activities with respect to Iraq, such as expenses to verify Iraqi weapons destruction, and to provide humanitarian assistance in Iraq on a nonpartisan basis. A portion of the escrowed funds also funds the activities of the U.N. Compensation Commission in Geneva, which handles claims from victims of the Iraqi invasion and occupation of Kuwait. Member States also may make voluntary contributions to the account. The funds placed in the escrow account are to be returned, with interest, to the Member States that transferred them to the United Nations, as funds are received from future sales of Iraqi oil authorized by the U.N. Security Council. No Member State is required to fund more than half of the total transfers or contributions to the escrow account.

This report discusses only matters concerning the national emergency with respect to Iraq that was declared in Executive Order No. 12722 and matters relating to Executive Orders Nos. 12724 and 12817 (the ''Executive orders''). The report covers events from February 2, 1995, through August 1, 1995.

1. During the reporting period, there were no amendments to the Iraqi Sanctions Regulations.

2. The Department of the Treasury's Office of Foreign Assets Control (''FAC'') continues its involvement in lawsuits seeking to prevent the unauthorized transfer of blocked Iraqi assets. In *Consarc Corporation* v. *Iraqi-ministry of Industry and Minerals*, a briefing schedule has been set for disposition of FAC's December 16, 1994, appeal of the district court's order of October 17, 1994, transferring blocked property.

Investigations of possible violations of the Iraqi sanctions continue to be pursued and appropriate enforcement actions taken. There are currently 43 enforcement actions pending, including nine cases referred by FAC to the U.S. Customs Service for joint investigation. Additional FAC civil penalty notices were prepared during the reporting period for violations of the International Emergency Economic Powers Act and Iraqi Sanction Regulations with respect to transactions involving Iraq. Three penalties totaling $8,905 were collected from two banks for