

H.R. 1184. An act to extend the deadline under the Federal Power Act for the construction of the Bear Creek Hydroelectric Project in the State of Washington, and for other purposes.

H.R. 1217. An act to extend the deadline the Federal Power Act for the construction of a hydroelectric project located in the State of Washington, and for other purposes.

The message also announced that the House agrees to the following concurrent resolution, in which it requests the concurrence of the Senate:

H. Con. Res. 60. Concurrent resolution relating to the 30th anniversary of the reunification of the city of Jerusalem.

#### MEASURES REFERRED

The following bills were read the first and second times by unanimous consent and referred as indicated:

H.R. 848. An act to extend the deadline under the Federal Power Act applicable to the construction of the AuSable Hydroelectric Project in New York, and for other purposes; to the Committee on Energy and Natural Resources.

H.R. 1184. An act to extend the deadline under the Federal Power Act for the construction of the Bear Creek Hydroelectric Project in the State of Washington, and for other purposes; to the Committee on Energy and Natural Resources.

H.R. 1217. An act to extend the deadline under the Federal Power Act for the construction of a hydroelectric project located in the State of Washington, and for other purposes; to the Committee on Energy and Natural Resources.

#### MEASURE PLACED ON THE CALENDAR

The following measure was placed on the calendar:

H. Con. Res. 60. Concurrent resolution relating to the 30th anniversary of the reunification of the city of Jerusalem.

#### 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-2106. A communication from the Chief of the Regulations Unit of the Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, a Treasury Notice 97-25, received on June 9, 1997; to the Committee on Finance.

EC-2107. A communication from the Acting General Counsel, Department of Energy, transmitting, pursuant to law, a rule amending the State Energy Program (RIN 1904-AA81), received on June 4, 1997; to the Committee on Energy and Natural Resources.

EC-2108. A communication from the Secretary of Veterans' Affairs, transmitting, a draft of proposed legislation entitled "Veterans' Housing Loan Improvements Act of 1997"; to the Committee on Veterans' Affairs.

EC-2109. A communication from the Acting Associate Deputy Administrator for Government Contracting and Minority Enterprise Development, U.S. Small Business Administration, transmitting, pursuant to law, a report entitled "Minority Small Business and Capital Ownership Development"; to the Committee on Small Business.

EC-2110. A communication from the Assistant Secretary of Legislative Affairs, Department of State, transmitting, a draft of proposed legislation concerning the production of 141 F-2 Combined Interrogator/Transponder (CIT) IFF Systems; to the Committee on Foreign Relations.

EC-2111. A communication from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting, pursuant to law, two reports concerning agreements between the U.S. and Tanzania for Global Learning and Observation to Benefit the Environment; to the Committee on Foreign Relations.

EC-2112. A communication from the Assistant Secretary of Legislative Affairs, Department of State, transmitting, a draft of proposed legislation concerning the Integrated Full Face Helmet in Germany; to the Committee on Foreign Relations.

EC-2113. A communication from the Assistant Secretary of Legislative Affairs, Department of State, transmitting, pursuant to law, a certification license concerning the export of defense articles or defense services, received on May 29, 1997; to the Committee on Foreign Relations.

EC-2114. A communication from the Assistant Attorney General, Office of Legislative Affairs, Department of Justice, transmitting, pursuant to law, a report concerning The Foreign Agents Registration Act; to the Committee on Foreign Relations.

EC-2115. A communication from the Assistant General Counsel, U.S. Information Agency, transmitting, pursuant to law, a report of a rule concerning the Immigration and Nationality Act on the behalf of aliens as amended, received on May 22, 1997; to the Committee on Foreign Relations.

EC-2116. A communication from the Administrator, Department of Transportation, transmitting, pursuant to law, a report concerning European and Australian offset crash tests; to the Committee on Appropriations.

EC-2117. A communication from the Director of the Policy Management Staff, Office of Policy Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, a report of a rule concerning Polydextrose, received on June 10, 1997; to the Committee on Labor and Human Resources.

EC-2118. A communication from the Director of the Policy Management Staff, Office of Policy Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, a report of a rule concerning Menhaden Oil, received on June 10, 1997; to the Committee on Labor and Human Resources.

EC-2119. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, a report on a rule concerning protecting animals in the U.S. from diseases, received on June 5, 1997; to the Committee on Labor and Human Resources.

EC-2120. A communication from Assistant General Counsel for Regulations, Department of Education, transmitting, pursuant to law, a notice concerning final funding priorities administered by (OSERS); to the Committee on Labor and Human Resources.

EC-2121. A communication from the Inspector General of the Department of Health and Human Services, transmitting, pursuant to law, the audit report required under the Superfund Amendments and Reauthorization for fiscal year 1995; to the Committee on Environment and Public Works.

EC-2122. A communication from the Acting Director of the Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, a rule relative to Endangered Status (RIN 1018-AC19) received on June 10, 1997; to the Committee on Environment and Public Works.

EC-2123. A communication from the Acting Deputy Director of the Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, a rule relative to endangered status (RIN 1018-AD52) received on June 10, 1997; to the Committee on Environment and Public Works.

EC-2124. A communication from the General Counsel of the Department of Transportation, transmitting, pursuant to law, a rule relative to truck size and weight (RIN 2125-AE04) received on June 5, 1996; to the Committee on Environment and Public Works.

EC-2125. A communication from the Director of the Office of Regulatory Management and Information, Environmental Protection Agency, transmitting, pursuant to law, seven rules including a rule relative to Approval and Promulgation of Implementation Plans (FRL-5836-8, 5836-2, 5836-6, 5834-4, 5832-2, 5835-8) received on June 5, 1997; to the Committee on Environment and Public Works.

EC-2126. A communication from the Director of the Office of Regulatory Management and Information, Environmental Protection Agency, transmitting, pursuant to law, three rules including a rule relative to Approval and Promulgation of Implementation Plans (FRL-5839-7, 5839-6, 5840-8) received on June 9, 1997; to the Committee on Environment and Public Works.

EC-2127. A communication from the Acting Director of the Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, a rule relative to endangered status (RIN1018-AC52) received on June 10, 1997; to the Committee on Environment and Public Works.

EC-2128. A communication from the Administrator of the Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, a rule relative to melons, received on June 6, 1997; to the Committee on Agriculture, Nutrition, and Forestry.

EC-2129. A communication from the Congressional Review Coordinator of Animal and Plant Health Inspection Service, Marketing and Regulatory Programs, Department of Agriculture, transmitting, pursuant to law, a rule relative to viruses, serums, toxins and analogous products, received on June 9, 1997; to the Committee on Agriculture, Nutrition, and Forestry.

EC-2130. A communication from the Congressional Review Coordinator of Animal and Plant Health Inspection Service, Marketing and Regulatory Programs, Department of Agriculture, transmitting, pursuant to law, a rule relative to approved treatments, received on June 5, 1997; to the Committee on Agriculture, Nutrition, and Forestry.

EC-2131. A communication from the Chairman of the Securities and Exchange Commission, transmitting, pursuant to law, the report of the Securities Investor Protection Corporation for calendar year 1996; to the Committee on Banking, Housing, and Urban Affairs.

EC-2132. A communication from the Chairperson of the Appraisal Subcommittee of the Federal Financial Institutions Examination Council, transmitting, pursuant to law, the annual report for calendar year 1996; to the Committee on Banking, Housing, and Urban Affairs.

EC-2133. A communication from the Attorney-Advisor of the Federal Housing Finance Board, transmitting, a notice relative to the rule entitled "Community Support Requirements"; to the Committee on Banking, Housing, and Urban Affairs.

EC-2134. A communication from the Chairman of the Board of Governors of the Federal Reserve System, transmitting, pursuant to law, the report on retail fees and services of depository institutions; to the Committee on Banking, Housing, and Urban Affairs.

EC-2135. A communication from the Attorney-Advisor of the Federal Housing Finance Board, transmitting, a notice relative to the rule entitled "Technical Amendment to Definition of Deposits in Banks or Trust Companies"; to the Committee on Banking, Housing, and Urban Affairs.

EC-2136. A communication from the Assistant Secretary for Environmental Management, Department of Energy, transmitting, pursuant to law, the report on the reduction of environmental hazards and contamination resulting from defense waste for fiscal year 1996; to the Committee on Armed Services.

EC-2137. A communication from the Deputy Under Secretary of Defense (Environmental Security), transmitting, pursuant to law, the fiscal year 1996 Defense Environmental Quality Program report; to the Committee on Armed Services.

EC-2138. A communication from the Secretary of Defense, transmitting, notices relative to retirements; to the Committee on Armed Services.

EC-2139. A communication from the Director of the Office of Small and Disadvantaged Business Utilization, (Acquisition and Technology) Under Secretary of Defense, transmitting, pursuant to law, the report on small disadvantage business, historically Black colleges and universities, and minority institutions; to the Committee on Armed Services.

EC-2140. A communication from the Assistant Secretary of the Navy (Installations and Environment), transmitting, pursuant to law, the report of a study relative to outsourcing; to the Committee on Armed Services.

EC-2141. A communication from the Secretary of Energy, transmitting, pursuant to law, a report entitled "Federal Government Energy Management and Conservation Programs, Fiscal Year 1995"; to the Committee on Energy and Natural Resources.

#### 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-131. A resolution adopted by the Roane County (Tennessee) Commission relative to the National Spallation Neutron Source; to the Committee on Commerce, Science, and Transportation.

POM-132. A concurrent resolution adopted by the Legislature of the State of Texas; to the Committee on Banking, Housing, and Urban Affairs.

#### HOUSE CONCURRENT RESOLUTION 109

Whereas, To ensure the prudent use of tax dollars designated for disaster assistance, the federal Flood Disaster Protection Act of 1973 mandates the purchase of flood insurance as a condition of receipt of federal or federally related financial assistance for the acquisition or construction of buildings in Special Flood Hazard Areas (SFHAs); and

Whereas, The Act prohibits federal agencies such as the Federal Housing Administration, the Veterans Administration, the Small Business Administration, and any federally regulated lending institution from making or guaranteeing a loan for a building in an SFHA unless flood insurance has been purchased; additionally, it is standard practice for most mortgage companies to require flood insurance on property in designated flood zones as a condition of a loan; and

Whereas, The Federal Emergency Management Agency (FEMA), the entity responsible for designating and mapping flood risk zones, uses several criteria to establish floodplain classifications, including a community's his-

torical flood and hydrology data, flood control measures, existing and planned development, and topography; and

Whereas, For many communities in Texas, the flood insurance requirement is determined using maps that may have been drawn as far back as the 1970s or early 1980s; these dated flood maps do not accurately reflect changes in population, development, or flood control or storm sewer improvements that a community may have implemented to reduce the risk of flooding; and

Whereas, A glaring example of this problem is the City of Laredo, where residents and business owners are required to purchase flood insurance based on FEMA-designated flood zone maps drawn in 1982; and

Whereas, During the past decade, the City of Laredo has constructed numerous concrete channels to divert flood waters and has made storm sewer improvements to help reduce the risk of flood; these projects have been carried out to accommodate the rapid population growth in the city, which has tripled in size over the last 15 years; and

Whereas, The result of federally mandated flood insurance requirements based on outdated maps has created a windfall for insurance companies, which are collecting millions of dollars in flood insurance from people who no longer live in flood zones: Now, therefore, be it

*Resolved*, That the 75th Legislature of the State of Texas hereby urge the Congress of the United States to request that the Federal Emergency Management Agency update community flood maps every 10 years; and, be it further

*Resolved*, That the Texas secretary of state forward official copies of this resolution to the president of the United States, to the speaker of the house of representatives and president of the senate of the United States Congress, and to all members of the Texas delegation to the congress with the request that it be officially entered in the Congressional Record as a memorial to the Congress of the United States of America.

POM-133. A resolution adopted by the Senate of the Legislature of the State of Oregon; to the Committee on Energy and Natural Resources.

#### SENATE RESOLUTION 3

Whereas the State of Oregon owns the water resources within the state's rivers, streams and lakes; and

Whereas the State of Oregon has authorized and allowed for the acquisition of the right to the use of water for beneficial purposes and any person may perfect such water right as a vested property right under Oregon law; and

Whereas chapter 228, Oregon Laws 1905, specifically authorized appropriation of water for use in projects authorized under the Federal Reclamation Act of 1902; and

Whereas chapter 5, Oregon Laws 1905, specifically authorized the use of the bed of the Upper Klamath Lake for the storage of water for reclamation and irrigation use and for no other purpose; and

Whereas the Klamath Project was authorized and constructed pursuant to the laws of the states of Oregon and California and the United States; and

Whereas pioneers, settlers, homesteaders and veterans of two world wars, by their industry and commitment, have made the farmland in the Klamath Project enormously productive and a valued part of the economy and culture of the states of Oregon and California; and

Whereas water has been appropriated to beneficial use within the Klamath Project in Oregon and California for irrigation of approximately 230,000 acres; and

Whereas irrigators within the Klamath Project have acquired rights to the use of waters of the Klamath River for irrigation, and these rights are recognized and confirmed in the Klamath River Basin Compact, ratified by the states of Oregon and California and consented to by Act of Congress in 1957; and

Whereas the State of Oregon has the legal authority to quantify and regulate rights to the use of water in Oregon; and

Whereas the State of Oregon has undertaken to adjudicate certain rights to the use of the Klamath River and its tributaries; and

Whereas the United States Court of Appeals has confirmed, over the objection of the United States Department of the Interior, that the State of Oregon has the right and responsibility to determine and administer the rights of claimants to the use of the Klamath River and its tributaries; and

Whereas the United States Department of the Interior has directed and proposes to direct the operation of Klamath Project facilities to allocate water to purposes other than irrigation, including instream purposes and instream uses in California; and

Whereas the Department of the Interior has used and proposes to use the bed of Upper Klamath Lake for the storage of water for purposes other than irrigation, in contravention of the limited authority granted by the State of Oregon; and

Whereas the Department of the Interior purports to have the authority to administratively determine and allocate the water of Oregon and to allocate water away from authorized Klamath Project irrigation uses; and

Whereas the position of the State of Oregon is that the Department of the Interior lacks authority to allocate water or reallocate Klamath Project water supplies and the administration of water must proceed in a manner consistent with Oregon's system for the administration of water rights; and

Whereas the Department of the Interior has failed and refused to address legitimate, fair and fundamental questions concerning its authority and actions; and

Whereas the Department of the Interior has failed and refused to protect the rights of the water users in the Klamath Project vis a vis the thousands of junior users in the Klamath watershed, and has instead proposed only to reallocate water used in the Klamath Project to other users and uses; and

Whereas the actions of the Department of the Interior have resulted in division, distrust and anger; and

Whereas it is desirable and in the interests of the State of Oregon that the rights and interests of the Klamath Project irrigators and Oregon's system for the allocation and administration of water rights be respected; now, therefore,

*Be It Resolved by the Senate of the State of Oregon:*

(1) The President and the Congress of the United States are respectfully urged to:

(a) Act to ensure the protection and respect for the State of Oregon's authority to allocate water and to determine and administer rights to the use of water; and

(b) Ensure that the United States Department of the Interior and other federal agencies do not operate or direct the operation of Klamath Project facilities except in accordance with the State of Oregon's system for the determination and administration of water rights and to ensure, at a minimum, that the priority of rights in the Klamath Project to the use of Klamath River water is enforced and protected.

(2) A copy of this resolution shall be sent to the President of the United States, the Secretary of the United States Department of the Interior, the President of the Senate