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–480. A communication from the President and Chairman of the Export-Import Bank, transmitting, pursuant to law, the report on a transaction involving U.S. exports to various countries; to the Committee on Banking, Housing, and Urban Affairs.

EC–481. A communication from the President and Chairman of the Export-Import Bank, transmitting, pursuant to law, the report on a transaction involving U.S. exports to various countries; to the Committee on Banking, Housing, and Urban Affairs.

EC–482. A communication from the President and Chairman of the Export-Import Bank, transmitting, pursuant to law, the report on a transaction involving U.S. exports to various countries; to the Committee on Banking, Housing, and Urban Affairs.

EC–483. A communication from the President and Chairman of the Export-Import Bank, transmitting, pursuant to law, the report on tied aid credits; to the Committee on Banking, Housing, and Urban Affairs.

EC–484. A communication from the Secretary of Housing and Urban Development, transmitting pursuant to law, the report entitled ''Effect of the 1990 Census on CDBG Program Funding''; to the Committee on Banking, Housing, and Urban Affairs.

EC–485. A communication from the Secretary of Energy, transmitting a draft of proposed legislation to provide additional flexibility for the Department of Energy's program for the disposal of spent nuclear fuel and high level radioactive waste, and for other purposes; to the Committee on Energy and Natural Resources.

EC–486. A communication from the Assistant Secretary of the Interior for Territorial and International Affairs, transmitting a draft of proposed legislation to authorize appropriations for United States insular areas, and for other purposes; to the Committee on Environment and Public Works.

EC–487. A communication from the Deputy Administrator of the General Services Administration, transmitting, pursuant to law, a report of the building project survey for Hilo, Hawaii; to the Committee on Environment and Public Works.

EC–488. A communication from the Assistant Secretary of the Interior for Policy, Management and Budget, transmitting, pursuant to law, a report relative to the progress in conducting environmental remedial action at federally owned or federally operated facilities; to the Committee on Environment and Public Works.

EC–489. A communication from the Secretary of the Treasury, transmitting the administration's policy proposals on disaster assistance and disaster-related insurance; to the Committee on Environment and Public Works.

EC–490. A communication from the Acting Chairman of the Nuclear Regulatory Commission, transmitting, pursuant to law, the ''Report to Congress on Abnormal Occurrences, July-September 1994''; to the Committee on Environment and Public Works.

EC–491. A communication from the Administrator of the General Services Administration, transmitting, pursuant to law, prospectuses for U.S. courthouses in Jacksonville, FL, Albany, GA, and Corpus Christi, TX; to the Committee on Environment and Public Works.

EC–492. A communication from the Fiscal Assistant Secretary of the Treasury, transmitting, pursuant to law, the report of the December 1994 issue of the Treasury Bulletin; to the Committee on Finance.

EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of committees were submitted:

By Mr. MURKOWSKI, from the Committee on Energy and Natural Resources:

Wilma A. Lewis, of the District of Columbia, to be inspector general, Department of the Interior.

(The above nomination was reported with the recommendation that she be confirmed, subject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.)

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 Mr. THOMAS (for himself, Mr. NICKLES, Mr. HELMS, Mr. BURNS, Mr. LOTT, Mr. STEVENS, and Mr. KYL):

S. 518. A bill to limit the acquisition by the United States of land located in a State in which 25 percent or more of the land in that State is owned by the United States, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. DASCHLE (for himself, Mr. EXON, Mr. FORD, Mr. CONRAD, Mr. DORGAN, Mr. KOHL, Mrs. FEINSTEIN, Mr. BUMPERS, Mr. ROBB, Mr. KERRY, Mr. FEINGOLD, Mr. HARKIN, Mr. REID, Mr. HOLLINGS, Mrs. BOXER, Mr. LEVIN, Mr. PRYOR, and Mr. BIDEN):

S. 519. A bill to require the Government to balance the Federal budget; to the Committee on the Budget and the Committee on Governmental Affairs, jointly, pursuant to the order of August 4, 1977, with instructions that if one Committee reports, the other Committee have thirty days to report or be discharged.

By Mr. SHELBY:

S. 520. A bill to amend the Internal Revenue Code of 1986 to allow a refundable tax credit for adoption expenses; to the Committee on Finance.

By Ms. SNOWE:

S. 521. A bill entitled ''the Small Business Enhancement Act of 1995''; to the Committee on Finance.

By Mr. DOMENICI (for himself and Mr. BINGAMAN):

S. 522. A bill to provide for a limited exemption to the hydroelectric licensing provisions of part I of the Federal Power Act for certain transmission facilities associated with the El Vado Hydroelectric Project in New Mexico; to the Committee on Energy and Natural Resources.

By Mr. BENNETT (for himself, Mr. BROWN, Mr. CAMPBELL, Mr. HATCH, and Mr. KYL):

S. 523. A bill to amend the Colorado River Basin Salinity Control Act to authorize additional measures to carry out the control of salinity upstream of Imperial Dam in a cost-effective manner, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. WELLSTONE (for himself, Mr. KENNEDY, Mr. REID, Mr. BRADLEY, and Mrs. MURRAY):

S. 524. A bill to prohibit insurers from denying health insurance coverage, benefits, or varying premiums based on the status of an individual as a victim of domestic violence and for other purposes; to the Committee on Labor and Human Resources.

By Mr. BAUCUS (for himself, Mr. DASCHLE, Mr. DORGAN, and Mr. PRESSLER):

S. 525. A bill to ensure equity in, and increased recreation and maximum economic benefits from, the control of the water in the Missouri River system, and for other purposes; to the Committee on Environment and Public Works.

By Mr. GREGG (for himself and Mr. BOND):

S. 526. A bill to amend the Occupational Safety and Health Act of 1970 to make modifications to certain provisions, and for other purposes; to the Committee on Labor and Human Resources.

By Mr. LOTT:

S. 527. A bill to authorize the Secretary of Transportation to issue a certificate of documentation with appropriate endorsement for employment in the coastwise trade and for the vessel *Empress;* to the Committee on Commerce, Science, and Transportation.

S. 528. A bill to authorize the Secretary of Transportation to issue a certificate of documentation and coastwise trade endorsement for three vessels; to the Committee on Commerce, Science, and Transportation.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. THOMAS (for himself, Mr. NICKLES, Mr. HELMS, Mr. BURNS, Mr. LOTT, Mr. STEVENS, and Mr. KYL):

S. 518. A bill to limit the acquisition by the United States of land located in a State in which 25 percent or more of the land in that State is owned by the United States, and for other purposes; to the Committee on Energy and Natural Resources.

THE NO-NET-LOSS OF PRIVATE LANDS ACT

Mr. THOMAS. Mr. President, I rise today to introduce a bill, the No-Net-Loss of Private Lands Act.

Mr. President, this is a bill that I think is a commonsense approach that would begin to slow and halt the Federal Government's continual land acquisition in the public land States.

This is an issue that is peculiar to the West; peculiar to public land States. As you know, as the original States grew at the Mississippi River and beyond, as the States came into the Union, they acquired all the lands that lay within their States. They even went into private ownership, or in fact belonged to the State. Those kinds of things that were of public interest, such as parks and forests and others, were withdrawn later by the Government for a particular use. I certainly support that idea.

In the West, however, it was handled differently. There was a period of time for homestead, and much of the public land was taken up. But there were incentives to take it up. However, the West is peculiar. The arid States are peculiar in that the lands pretty much rely on the water. They rely on the feed for livestock.

So lands that were not taken up were left after the homestead time was over. These were simply lands that were there when all the private ownership was done.

So they were managed by the Federal Government. And in fact, the organic act of the land management agencies indicated that they would be held prior to pending disposal. The fact is, to make a long story short, there was no disposal, and that they are now permanently managed by the Federal Government.

The Federal Government continues in addition to that to acquire substantial amounts of land throughout the Nation in every State. I think people are saying it is time to slow or stop the growth of the Federal Government in its land ownership and to limit its ever-increasing impact on our lives.

In my State of Wyoming, approximately 50 percent of the surface belongs to the Federal Government, and more, as a matter of fact, in the subsurface in the State. But when half of your State belongs to the Federal Government and is managed by Federal land managers, then your economic future depends a great deal upon how the management takes place and what happens in those lands.

Other Western States have an even higher percentage of Federal ownership. For example, in Idaho it is 61 percent; Utah, 63 percent; and, in Nevada, nearly 85 percent of that State is owned and managed by the Federal Government.

Unfortunately, particularly, in recent years, as the economies begin to grow, the Federal Government has not always been a good neighbor to the people of the West. The Federal land management agencies continue to make it more difficult, and continue to lock up vast amounts of land in the West.

We are not talking here in multiple use of parks or wilderness. We are talking about lands that have been set aside for multiple use and the Federal Government—and particularly this administration—has made it increasingly difficult to use these lands as multiple use for timber harvest, for grazing, and for mining. All these uses, many of which are compatible ones with another, play a very important part, of course, in our economy. So there has indeed and continues to be a ''war in the West.''

Just yesterday we had some hearings to talk about domestic energy. One of the issues that certainly is a part of that is the difficulty of access to public lands for exploration and production of minerals. It has been almost a deathblow to the domestic oil industry in the West.

Recently, the General Accounting Office released a report detailing the growth of the amount of lands and found that over the last 3 decades the Federal land ownership has increased dramatically. In the fiscal year 1994 alone, the Federal land management agencies acquired an additional 203,000 acres of land in the United States.

These increases, of course, were a result of expansion to the forests or wildlife refuges or national parks. I have no objection to that. As a matter of fact, when there is a reason to acquire lands for a public purpose that is determined through the process, I have no problem with it.

The purpose of this bill is to say that in States where more than 25 percent of the surface is owned by the Federal Government and when additional lands are acquired, there should be lands of equal value disposed; a fairly simple concept, and I think a fairly fair concept. It is particularly, of course, appropriate only for the West, only with those States with more than 25 percent.

It seems to me it is a fairness issue. It puts the West in sort of the same position as the rest of the States. It is an equity issue. It certainly is an issue of economics for us.

So I am very pleased to introduce this bill. I have a number of cosponsors. I urge my colleagues to take a look at this bill and see if they think there is fairness causing the Federal Government through trades or sales to dispose of lands of equal value to additional lands that are acquired.

It is time for the Federal Government to take a look at itself. Of course, that is what this whole Congress has been about; making some fundamental changes in Government in terms of the size of Government, in terms of the cost of the Government, and in terms of shifting those things—that can be managed better in the private sector or by the States—back to the private sector and to the States. This bill is consistent with that view.

Mr. LOTT. Mr. President. I am pleased to join Senator THOMAS in introducing legislation which will limit land acquisition by the Federal Government. Very simply, it makes no sense for the Federal Government, with all of its financial problems, to continue buying land that it can not afford to properly manage.

On the contrary, the Federal Government should be examining its current land holdings for possible sale prospects. I am sure there are many instances where the Government bought land over 100 years ago to support a program or policy which is no longer valid in today's society. Here is where Senator THOMAS' bill will ask the question: why do we still have the land? Under this legislation, a review would occur prior to any land purchase to maintain a no-net-gain public lands policy. This analysis will permit the identification of land to be sold to compensate for the piece considered for purchase. It will also answer that important question.

This legislation applies only to States in which the Federal Government currently controls more than 25 percent of the land. This approach focuses a legislative solution where the problem is the greatest. It avoids that one-size-fits-all mentality which existed in past Congresses.

Presently, there are 13 States in which the Federal Government already owns and controls over a fourth of the land. You could call these States Federal colonies. They are virtual hostages to Federal policies and to the Washington bureaucrats who dominate the States' economies by their whims and agenda.

Fortunately, Mississippi's public lands percentage is under 5 percent. That does not mean I do not appreciate the problem. I became a cosponsor because Federal intrusion into local jurisdictional matters is pervasive.

Every State must have the ability to sustain a viable growing economy and to manage its natural resources. How can a State or local municipality function when out of the blue, a Federal policy can override legitimate local concerns? We saw that happen last year with regard to a questionable agenda concerning grazing fees.

Let's talk numbers because they will illustrate the magnitude of the Federal Government's appetite. There are roughly 2 billion acres in the United States, of which the Government already owns about 650 million acres. When this patchwork of Government ownership is consolidated, it translates into a land mass equal to the size of 11 Southern States starting with Virginia and stretching around the gulf to Texas and going north to Arkansas and Kentucky. And we still need more. In addition to the South, you would have to add the west coast from California through Oregon and half of Washington is required to equal the size of the land area controlled by the Federal Government.

That's over one-fourth of the United States, and if that is not enough, the Federal Government continues on a buying frenzy. Just last year, it claimed over 7 million more acres of land. That represents an area larger than the State of Maryland. I do not think anyone can dispute the fact that this Federal land policy needs to be reviewed and put on a diet. The Thomas legislation provides a responsible first step. It merely tries to stabilize the growth.

When you visualize the extent of Federal ownership, several questions come to mind. Why does the Federal Government need so much land? Is it all really needed? Will the sky fall if this Government stops buying up more private land?

Beyond Federal land gluttony, what is even more disturbing is how poorly the Federal Government manages these lands. For the Government to take land on the premise that it will do a better job conserving the land, ignores reality. There is ample evidence that private lands are far better managed ecologically than Government lands.

A review of the budgets for just two Federal agencies responsible for land management reveals they are funded only to a level to perform custodial care. Ordinarily, I would be sympathetic to their desire for more funds for

land management improvements, but these same agencies are the ones who seek to acquire more and more land. The Bureau of Land Management and the National Park Service just can not say no. Rather than use their budget to manage and husband natural resources already in their care; they are out shopping for more land. They have become the Nation's largest absentee landlord. Evidently, their agenda is to take as much private land as possible with no real intention to manage it wisely.

Today, Senator THOMAS is offering a win-win legislative solution. The Federal Government gets a maintenance diet, and the States get a chance to chart their own destiny without fear of more Government intrusion.

Let me be clear about this: Federal holdings take land off local tax rolls, causing the property tax base to shrink and tax rates to rise commensurately for those who remain. This only gets worse as more and more land is taken.

Let me be even more candid: A growing Federal presence is increasingly perceived as an oppressive Federal occupation. In most instances, the Federal Government is not necessarily a good neighbor.

Our Founding Fathers deeply believed in individual rights. That includes freedom of speech and religion; and the right for Americans to own property. Unfortunately, today it looks as if the Federal Government believes it must own and control the land, rather than individual Americans. Senator THOMAS has provided us an opportunity to stop this policy and restore our country to what our Founding Fathers envisioned.

I thank my colleagues for their consideration, and I hope they will examine this worthwhile legislation.

By Mr. DASCHLE (for himself, Mr. EXON, Mr. FORD, Mr. CONRAD, Mr. DORGAN, Mr. KOHL, Mrs. FEINSTEIN, Mr. BUMPERS, Mr. ROBB, Mr. KERRY, Mr. FEINGOLD, Mr. HARKIN, Mr. REID, Mr. HOLLINGS, Mrs. BOXER, Mr. LEVIN, Mr. PRYOR, and Mr. BIDEN):

S. 519. A bill to require the Government to balance the Federal budget; to the Committee on the Budget and the Committee on Governmental Affairs, pursuant to the order of August 4, 1977, with instructions that if one committee reports, the other committee have 30 days to report or be charged.

THE BALANCED BUDGET ACT OF 1995

Mr. DASCHLE.

Mr. President, I wish to thank the distinguished Senator from North Dakota for his comments this morning. I have respected the leadership of Senator CONRAD on this issue, as I have of the distinguished Senator from Montana.

Mr. President, a number of Senators have been developing for some time a bill that we are introducing today that would put our money where our mouth is when it comes to making the tough decisions on the budget that we all know must be made.

Over the course of the last several weeks, we have had a vigorous debate about the advisability, the practicality, and the prudence, of a balanced budget amendment to the U.S. Constitution.

As everyone knows, by a very close vote, the Senate has decided, at least for now, that there will not be a constitutional amendment to balance the budget. But no one should interpret that to mean there will not be an effort to reduce the deficit, or that we will not continue on the progress that we have made in the past 3 years on getting the deficit under control. We intend to continue deficit reduction further than it has come to this point. We want to balance the budget by a date certain without relying on the Social Security trust funds.

We made good progress. We have reduced the deficit, now, by 40 percent from what it was just 3 years ago. It has been a long time since the Senate and the Congress has done that. The last time Washington has reduced the deficit 3 years in a row was during the time of Harry Truman. So we have come a long way. We have made some very tough choices. We made tough choices with regard to both revenue as well as cuts in 1990. We made very tough choices, and on another very close vote, passed a $600 billion deficit reduction package in 1993.

We have come this far as a result of those very tough choices, choices for which a lot of Members took a lot of political heat. We can say, perhaps somewhat boastfully, that because of those tough choices, our country is stronger today. Because of those tough choices, we have actually been able to make real progress in meaningful deficit reduction.

We need another effort just like that this year. The only change that I hope we can make is that in 1993, unfortunately, it became a very partisan choice, the Republicans versus Democrats. I hope this year, given the tremendous burden we all must share in coming to grips with this deficit, that it does not have to be partisan; that it indeed will be a bipartisan effort at deficit reduction; that we could put the next installment on deficit reduction into place now in 1995.

So the bill that we are introducing, Mr. President, will do just that. It says very fundamentally three things. First and foremost, that we shall reduce the deficit to zero by the year 2002, or at the earliest possible date set by the Budget Committee.

Our view is that unless we have a time certain, it is really impossible to develop the necessary blueprint to get us from here to there. Recognizing that we have $1.8 trillion of deficit reduction decisionmaking ahead of us, there is no way we can come to grips with it and do all that we must to do it right unless we take it in installments year after year, recognizing that each year has to be a downpayment.

So that is the provision in our bill: to set a date certain, either 2002 or the earliest date set by the Budget Committee.

The second provision is one that we have talked a good deal about: protecting Social Security. I said the deficit over the course of the next 7 years will be $1.8 trillion more if we do nothing. That is our goal. It would be $1.2 trillion if we were to use the Social Security trust funds to finance the deficit. Many of us feel that using Social Security trust funds to pay for other government programs is wrong. There is a designated purpose for those trust funds, and we do not want to play games with trust fund dollars or with the revenue that would be required to meet the obligations we have to workers who will need the trust funds to retire in future years.

So our view is to take Social Security off the table, to recognize the magnitude of the problem for what it really is—$1.8 trillion—and to begin making the effort to balance the budget, as we know we must.

The third, and an equally important element in this budget package, is one which simply says this must be the Congress to start this effort. This must be the Congress to begin making the headway and leading the way to ensure that future Congresses do what we know we must do. We cannot delegate the responsibility to future Congresses, it has to be this one now, this year, this session of Congress. And so our bill makes that point very clear.

Our bill provides for a budgetary point of order—a requirement that 60 Senators must vote to overturn—against any reported budget resolution that does not balance the budget by a date certain.

So, Mr. President, there has been a lot of discussion, a lot of debate, and a lot of strongly held feelings about how we get from here to there. I believe the time has come for us to put aside the rhetoric, to get down to the real hard decisionmaking that we all must do if we are going to accomplish this in a successful way.

In 23 days' time, the Budget Committee is required—by law—to produce a budget blueprint. In 38 days, Congress must approve a plan. We stand ready to work with our Republican colleagues to craft a plan that meets the goals set out in the bill we are introducing today. We hope they will support this bill.

Mr. President, the Social Security trust funds are the only Federal funds that are explicitly excluded from the deficit calculations under this bill. That is because, as I have said, the surplus revenues building up in those trust funds—amounting to $705 billion between now and 2002—would otherwise be raided to balance the budget.

Just as we are determined to protect Social Security, this bill would force Congress to set national priorities as

we balance the budget. As we engage in that process, we need to protect those who need our help. Cutting back on meals for schoolchildren, as some are proposing, is not what proponents of this bill have in mind. Neither would we support cutting back on benefits to veterans with service-connected disabilities.

The debate should be about priorities. We must balance the budget, and we must do it in a way that strengthens the economy and that is fair.

I am very pleased that so many of my colleagues have joined me in cosponsoring this bill. Many of them are on the floor this morning to participate in this colloquy. I yield the floor at this time to accommodate the other statements.

Mr. President, I ask that the time that I have just used be taken from my leader time. And I ask unanimous consent that the full 30 minutes under my control be made available to my colleagues.

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

Mr. DASCHLE. With that, I yield to the distinguished Senator from North Dakota, and I designate the distinguished Senator from North Dakota as the manager of the time.

Mr. DORGAN addressed the Chair.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. DORGAN. Mr. President, I yield myself such time as I may consume.

The discussion by Senator DASCHLE, the minority leader, is about an initiative that would give this Congress a procedure to try to reduce the Federal budget deficit and reach a balanced budget. All of us understand that changing the Constitution will not change the budget deficit. That requires specific actions by the Congress.

We finished a battle last week that was a bruising debate, a battle on the question of should the U.S. Constitution be amended to require a balanced budget. That proposition would have had 75 or 80 votes had it included a provision that said the Social Security trust funds will not be used to balance the budget. But that provision was voted down, and, therefore, the amendment itself lost.

But the question is not whether there is a constitutional amendment. The question is whether we will balance the Federal budget. We have proposed today a process by which we hope Republicans and Democrats can join together to say it is up to us now together to balance the Federal budget.

I said yesterday I had watched ESPN 1 day just very briefly and they were showing a bodybuilding contest. The announcer, in announcing this bodybuilding contest, said something kind of interesting that I thought applied to Congress as well. He said, ''You know, there's a difference in the skills a bodybuilder uses between when he poses and when he lifts,'' because in this contest they were posing. He said, ''That requires a different skill than lifting.''

It occurred to me that that is a perfect description of what happens here. Some are skillful posers and do no lifting at all. The question at the moment is not how do we pose on the issue of a balanced budget, the question is how will we all decide to lift together to cut the spending, to do the things necessary in a real way to balance the Federal budget.

So we propose that by statute we require that as a Congress we complete a budget that includes a specific plan to bring the deficit down to zero by the year 2002, without raiding the Social Security trust funds. No one need force us to do that. It is our job to do that.

We propose a 60-vote point of order against any budget that would come to the floor of the Senate that does not do that. We propose to set up a supermajority against legislation that would fail to do exactly what everyone in this Chamber says we want to do, and that is require a budget plan to balance the Federal budget by the year 2002.

That is real medicine. That is not in the sweet by-and-by. That is not posing. That is deciding on a process that will require real lifting.

Everyone in this Chamber understands, or should, that what happened in 1993 probably will not happen again. We won by one vote a $500 billion reduction in the Federal deficit over 5 years. It turned out to be a $600 billion reduction in the accumulated deficits. We carried that by one vote because one side of the aisle decided they would help lift, the other side did not. That probably will not happen again.

The only way we can achieve progress toward a goal the American people want and a goal the American people know this country needs is if every one of us, all of us—Republicans and Democrats, conservatives and liberals—decide our goal is 2002, our responsibility is a budget plan that is real and enforceable and our determination, our grim determination is to get there and to do that. This legislation establishes a process that will accomplish that.

The question then for Members of the Senate is not a question of posing anymore. It is a question of who is going to join together to be involved in helping balance the budget in a real way.

I hope that in the coming days, we will decide as a Senate to adopt this process, which was proposed by the minority leader and I hope will be embraced on a bipartisan basis. The minority leader is saying that we share a common goal and we will come together for a common purpose. We will legislate in a manner that gives this country a balanced budget by the year 2002. No excuses. No raiding the Social Security trust funds. No dishonest budgeting. If we do that, this country will have been well served by all of us working together for a change, and I think that will strengthen America.

Mr. President, I yield the floor and I yield 3 minutes to the Senator from Wisconsin, Senator KOHL.

Mr. KOHL. I thank the Senator. Mr. President, I rise today to offer my support for the Democratic leadership's balanced budget legislation. This legislation says two things: First, the only budget that Congress should consider is one that contains a plan that will bring us into balance; and second, in bringing our budget into balance, Congress should protect Social Security.

Though there is disagreement on whether we need a constitutional amendment to balance the budget, there are few who think that we should not be moving toward that goal. And though a few want Social Security on the budget cutting table, a large majority believe that we ought to balance the budget without using the Social Security trust fund. And so I do not see why the legislation that we are talking about today should not gain a huge majority vote in the U.S. Senate.

Anyone who voted for the balanced budget amendment, as I did, and anyone who believes that we should not balance the budget using Social Security, as I do, should clearly support this legislation. The American people are tired of hearing us endlessly debate the idea of a balanced budget. They want to see us do something to get there. If that means changing our rules so we cannot consider a budget that is out of balance, then we ought to change our rules. And if that means Democrats and Republicans sitting down together to map out the hard cuts we need to make, then we ought to sit down together. But make no mistake, we will be held accountable if we let our work toward a balanced budget end with the defeat of the balanced budget amendment. I voted for the balanced budget amendment even though it would not take effect for years because I believe that it is imperative we get our Nation's fiscal affairs in order. I support this legislation because it does something right now to force Congress into balancing the budget.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 519

Be it enacted in the Senate and the House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Balanced Budget Act of 1995''.

SEC. 2. ENFORCEMENT OF A BALANCED BUDGET.

(a) PURPOSE.—The Congress declares it essential that the Congress—

(1) require that the Government balance the Federal budget without counting the surpluses of the Social Security trust funds;

(2) set forth with specificity in the first session of the 104th Congress the policies that achieving such a balanced budget would require; and

(3) enforce through the congressional budget process the requirement to achieve a balanced Federal budget.

(b) POINT OF ORDER AGAINST BUDGET RESOLUTIONS THAT FAIL TO SET FORTH A GLIDE PATH TO A BALANCED BUDGET.—Section 301 of the Congressional Budget Act of 1974 is amended by inserting at the end thereof the following new subsection:

''(j) CONGRESSIONAL ENFORCEMENT OF A BALANCED BUDGET.—

''(1) POINT OF ORDER.—It shall not be in order to consider any concurrent resolution on the budget (or amendment, motion, or conference report thereon) unless that resolution—

''(A) sets forth a fiscal year (by 2002 or the earliest possible fiscal year) in which, for the budget as defined by section 13301 of the Budget Enforcement Act of 1990 (excluding the receipts and disbursements of the Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust fund), the level of outlays for that fiscal year or any subsequent fiscal year does not exceed the level of revenues for that fiscal year;

''(B) sets forth appropriate levels for all items described in subsection (a)(1) through (7) for all fiscal years through and including the fiscal year described in paragraph (A);

''(C) includes specific reconciliation instructions under section 310 to carry out any assumption of either—

''(i) reductions in direct spending, or

''(ii) increases in revenues.

''(3) NO AMENDMENT WITHOUT THREE-FIFTHS VOTE IN THE SENATE.—It shall not be in order in the Senate or the House of Representatives to consider any bill, resolution, amendment, motion, or conference report that would amend or otherwise supersede this section.''.

(c) REQUIREMENT FOR 60 VOTES TO WAIVE OR APPEAL IN THE SENATE.—Section 904 of the Congressional Budget Act of 1974 is amended by inserting ''301(j),'' after ''301(i),'' in both places that it appears.

(d) SUSPENSION IN THE EVENT OF WAR OR CONGRESSIONALLY DECLARED LOW GROWTH.—Section 258(b)(2) of the Balanced Budget and Emergency Deficit Control Act of 1985 is amended by inserting ''301(j),'' after ''sections''.

Mr. BUMPERS. Mr. President, I rise today to join my colleagues in introducing the Balanced Budget Act of 1995. It is my understanding that this proposal will be offered as an amendment on legislation the Senate will be considering shortly. I look forward to working with my colleagues to pass this legislation to put the Federal Government on a path toward a balanced budget.

The proposal we are introducing today contains elements of an amendment Senator EXON, the distinguished ranking Democrat on the Budget Committee, offered when the Senate considered the congressional accountability bill, and an amendment I offered during Senate consideration of the constitutional balanced budget amendment. In my opinion this proposal is one of the most sensible ideas ever presented to this body. It is sensible because it is more likely to actually achieve a balanced Federal budget than the amendment to the Constitution considered by the Senate last week and secondly because this proposal is statutory in nature, and thus would not trivialize the Constitution with an unenforceable amendment.

The proposal we are introducing today would set the Federal budget on a glide path toward being balanced beginning this year. What this means is that, rather than waiting 7 years before acting, as the constitutional balanced budget amendment provided for, the Congress would have to begin reducing the deficit this year. Under this glide path the Federal budget deficit would be lower every year between now and 2002, when the budget presumably would be balanced.

If the Budget Committee were to report a budget resolution that did not set us on a glide path toward a balanced budget or that failed to achieve a balanced budget by the targeted date, any Member of this body could raise a point of order. It would take 60 votes to overcome this point of order. In comparison, the constitutional balanced budget amendment failed to provide an enforcement mechanism. If Congress failed to achieve a balanced budget, nothing would happen unless Congress passed legislation permitting the courts to enforce the amendment—a result most proponents of the amendment said would not occur.

When I offered my amendment as an alternative to the constitutional amendment, Senator HATCH, the distinguished manager of House Joint Resolution 1, pointed out that statutory budget restrictions don't work because they can be overcome by a simple majority vote. However, Senator HATCH failed to note that my amendment required 60 votes in order to modify or repeal the balanced budget requirement. The very same 60 votes that would have nullified the balanced budget requirement of the constitutional amendment. The Balanced Budget Act of 1995, which we are introducing today, contains the very same 60 vote requirement before changes could be made.

The proposal we are introducing today is also far superior to the constitutional amendment because it addresses some of the very legitimate concerns expressed by Senators during the debate on House Joint Resolution 1. For instance, unlike the constitutional amendment, the Social Security trust fund would not be able to be used to mask the deficit. When we say the budget is balanced, it will really be balanced.

In addition, our proposal would prevent a minority of Senators from sending this country into an economic tailspin. Congress could suspend the balanced budget requirement by passing a joint resolution in a fiscal year which CBO identified a period of low-growth—at least 2 consecutive quarters of below zero real economic growth. The constitutional amendment, in comparison, would have allowed 41 Senators to stop any effort by the Government to prevent a depression through stimulus spending.

Mr. President, the people of this country do not expect miracles. They expect us to be sensible, and they expect us to keep faith with them in their demands to get our deficit under control. The beauty of the proposal we are offering today is that we can both achieve a balanced federal budget and save our sacred organic law called the Constitution of the United States, which every single one of us held up our hand to protect, preserve, and defend when we were sworn into the Senate. That did not just mean to protect the Constitution and all the rights it provides for the people of this country; it also meant protecting it against trivialization and politicization.

There have been over 11,000 efforts to amend the Constitution since this country was founded. Think of it, 11,000. And because of the eminent good sense of the Congress and people of this country, we have only amended the Constitution on 18 separate occasions, and that includes the Bill of Rights, which was adopted at the same time the Constitution was.

The only time we have ever attempted to put social policy into the Constitution was Prohibition. We found out that you can say as an amendment to the Constitution everybody will love the Lord, but you cannot enforce that. You should not put things that are unenforceable into the Constitution.

Mr. President, I ask unanimous consent I be permitted to proceed for 3 more minutes.

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

Mr. BUMPERS. Mr. President, since last week's vote on the balanced budget amendment I have received calls and letters from people saying, ''Senator, you are going to be in big trouble if you run for reelection in 1998.'' My response is far better that I be in political trouble than the Nation be in big trouble by starting down the path of putting every single whim and caprice that somebody can come up with in some national magazine in the Constitution.

The people in this body who do not want the issue for political purposes but who really want a balanced budget are not only going to support the Balanced Budget Act of 1995 when the Senate considers the proposal, they are going to support it strongly, because it has teeth and it requires action immediately.

The people in this country are not interested in all the partisan bickering that has taken place in Congress. When it comes to the deficit, they expect the people of this body to hold hands and work together.

I made a chamber of commerce speech the other night. I said the beauty of our system is that while you may not like our politics, the truth of the matter is that we agree on a lot more things than we disagree on.

The people on that side of the aisle and the people on this side of the aisle get awfully partisan, almost personal at times. But the truth of the matter is where the country is at risk we join

hands. And every day in the world, we agree on a lot more things than we do not agree on.

Mr. President, if there ever was a time when the American people have a legitimate demand that we join hands and agree on something, it is this deficit. And the proposal we are introducing today does what the American people want and it does not tinker or clutter our Constitution.

I yield the floor.

Mr. FORD. Mr. President, it is always good to listen to my distinguished friend from Arkansas. He tells it like it is, and I think we all enjoy his remarks and the manner in which he expresses his convictions. It is very difficult for some of us in this Chamber to be as eloquent as he is. We are no less sincere than he is, but his sincerity can be put in a way that communicates with all of us.

During the debate over the balanced budget amendment, our colleagues from the other side of the aisle put forth grand sounding resolutions about how they would balance the budget by a date certain without using the Social Security trust fund to do it. That was all well and good, and many Democrats voted in favor of the honorable sounding proposals. The problem is, they did not do anything. Those sense-of-the-Senate resolutions, you know, had no teeth. We could vote for that, go back home, pound our chests and say we voted for it, but it did not mean anything. It had no enforcement provisions.

Yesterday, several of our colleagues, those who voted for the constitutional amendment and those who voted against the amendment passing this Chamber—but all with the same goal, the same end, and that is a balanced budget—said let us start eliminating the deficit, get to paying off the debt. As the Senator from Arkansas said, we all want the same thing and the way to get there is here and now. It is not later. We can do it today.

So our colleagues yesterday held a press conference. We put forth what I feel is a real budget balancing piece of legislation. This proposal replaces words with action. It calls for a 60-vote point of order on any budget resolution that comes before this body that does not lead to a balanced budget by a certain date. This point, a certain date, is important. It may be difficult to get there. But we need, as the Senator from Arkansas said, to tell our constituents that we are making an honest effort. I have heard my colleagues on the other side say, and in the press, making speeches back in their home States: I have never supported a tax increase in my political career. But now, if we pass this balanced budget amendment, I will start considering tax increases.

That tells this Senator—and it does not take a brain surgeon to understand it, I do not think—they want a gun to their head to balance the budget. Otherwise, they are not going to do it. They are not going to lean on this amendment to the Constitution to be that gun to their head to start helping.

You can hear a lot of things, but in 1993, when it was a tough vote and the hide was coming off politically, we stood here without a Republican; 50 of us voted, and the Vice President of the United States broke that tie. We reduced the deficit over $600 billion, and we did it without any help of those who proposed a constitutional amendment. That proves that the body can, with a capital C—do it.

Now, all we have to say is let us get down to it; pass this amendment and say every year, every year, every year the deficit has to be less than it was the year before.

With or without a balanced budget amendment to the Constitution, Mr. President, we the Congress must still act to implement it. We have the power to achieve the desired goal right now. We do not have to wait until 38 States ratify an amendment. We do not have to wait until 2005, if they do not ratify it until 2003. We can start right now.

So let us use that power that the people placed in our hands. Our proposal would force this action—and I underscore force this action. If the constitutional amendment would force that Republican who made the speech, that he would now consider increased taxes if you have the balanced budget amendment in the Constitution, why do we not have the intestinal fortitude to do it now?

Our proposal would force this action and get on the path to what we all want. As the Senator from Arkansas said, we all agree on more things than we disagree on. Already this morning, I have seen reports that suggested our colleagues from the other side of the aisle have already labeled our actions that we took yesterday and are attempting to take here as just another political ploy—just another political ploy.

Vote for this amendment and see if it is a political ploy. See if we do not start on the right path to get a balanced budget. And we will come closer by this action today, or tomorrow, than we would have had we voted for a balanced budget amendment and waited for the States to ratify it. Try us. That is all I ask. If you think this is a political ploy: Try us. Vote for it and see what happens.

I hope they do not mean this, that it is a political ploy. I truly believe that this amendment will do what everybody in this Chamber talks about but we do not have the right kind of action on, such action as this is, to achieve a balanced budget. If they do not join us in this effort, we will never get to a balanced budget. This can be the most political of all actions, trying to take the issue—trying to take the issue.

I said last evening that before the vote in the hearts of some of those on the other side of the aisle, and at the national committee, they hope it fails because they want the issue. Boy, it did not take 24 hours to find out they wanted that issue. I want to tell you. My phone calls are still the same. They are still better than 50 percent. If you count the votes, you win by better than 50 percent. You do not lose. So I am still getting more thanking me than those saying you are out of here. They are going to get a chance, I guess, to tell me more in the next few years. But let us not take the issue. Let us take the action. The action is necessary to actually balance the budget.

So if this is a political ploy, I say again, Mr. President, try us. Vote for this amendment. Let us start doing something right and leave Social Security alone. I was here in 1983. We made a hard decision then. I think it would have been very, very tough on any of us to vote in 1983 to say in 12 years we are going to take this tax that we are taking out of the pockets of the employees and the employers to pay for foreign aid and welfare, and to attempt to do all these other things.

So, Mr. President, I hope that all our colleagues will join on this and not say that it is just anther political ploy.

By Mr. SHELBY:

S. 520. A bill to amend the Internal Revenue Code of 1986 to allow a refundable tax credit for adoption expenses; to the Committee on Finance.

THE ADOPTION ASSISTANCE FOR FAMILIES ACT

● Mr. SHELBY. Mr. President, today I am introducing a bill to help strengthen the role of the family in America. With the hustle and bustle of the world today, we sometimes overlook simple, commonsense ways to help one another. My bill, entitled ''Adoption Assistance for Families Act,'' would effectively find homes for children who need parents and find children for parents who need families. Mr. President, the objective of my legislation is to provide an appropriate and reasonable incentive to encourage a policy which should be embraced by all Americans.

Adoption is a positive action that benefits everyone involved. Obviously, a loving, caring family is the primary benefit of adoption. Studies show the child also receives a strong self identity, positive psychological health and a tendency of financial well-being.

On the other hand, parents who adopt children also benefit. They receive the joy and responsibility of raising a child as well as the love and respect only a child can give. The emotional fulfillment of raising children clearly contribute to the fullness of life.

Lastly, do not forget society. Society is unambiguously better off as a result of adoption. Statistics show time and again that children with families intact are more likely to become productive members of society than children without both parents.

Unfortunately more times than not, a financial barrier stands in the way of otherwise qualified parents-to-be. The monthly costs of supporting the child

is not the hurdle, but instead the initial outlay. Many people may not realize, but there are many fees and costs involved with adopting a child. These include: maternity home care, normal prenatal and hospital care for the mother and child, preadoption foster care for the infant, home study fees, and legal fees. These costs can range anywhere from about $13,000 to $36,000 according to the National Council for Adoption.

Just like the person who wants to buy a home, but cannot because the financial hurdle of a downpayment stops them, so are the parents-to-be who cannot adopt a child because of the substantial initial fees, fees that could actually exceed the cost of a downpayment for a house. As a result, the benefits to everyone involved never materialize; children do not receive loving parents and married couples are prohibited from welcoming children into their compassionate family.

My bill seeks to address this problem. The Adoption Assistance for Families Act would allow a $5,000 refundable tax credit for adoption expenses. This credit would be fully available to any individual with an income up to $60,000 and phased out up to an income of $100,000.

I believe this tax credit will go a long way in helping children find the caring homes they so desperately need. This legislation would undeniably benefit children, parents, and society as a whole. Mr. President, I hope my colleagues will join me in reaching out to families in order to provide a better, brighter future for our children and a heightened degree of appreciation for the potential life holds.

Mr. President, I urge my colleagues to support this legislation.●

By Ms. SNOWE:

S. 521. A bill entitled ''the Small Business Enhancement Act of 1995''; to the Committee on Finance.

THE SMALL BUSINESS ENHANCEMENT ACT OF 1995

● Ms. SNOWE. Mr. President, I introduce a package of legislation to meet the needs of America's small businesses. The legislation I am introducing today will help these small businesses by extending a tax deduction for health care coverage, requiring an estimate of the cost of bills on small businesses before Congresses passes those costs, and assign an Assistant U.S. Trade Representative for Small Business.

In order to create jobs both in my home State of Maine and across America, we must nurture small businesses, because small business is the engine of our economy. Businesses with fewer than 10 employees make up more than 85 percent of Maine's jobs, and nationally, small businesses employ 54 percent of the private work force. In 1993, small businesses created an estimated 71 percent of the 1.9 million new jobs. When we call small business the ''engine'' of our economy, we mean it: and America's small businesses are jumpstarting our economy.

Small businesses are the most successful tool for job creation that we have. They provide two-thirds of the initial job opportunities in this country, and are the original—and finest—job training program. Unfortunately, as much as small businesses help our own economy—and the Federal Government—by creating jobs and building economic growth, Government too often gets in the way. Instead of fueling small business, Government too often stalls our small business efforts.

Government regulations and redtape add up to more than a billion hours of paperwork time by small businesses each year, according to the Small Business Administration. Moreover, because of the size of some of the largest American corporations, U.S. commerce officials too often devote a disproportionate amount of time to the needs and jobs in corporate America rather than in small businesses.

My legislation will address three aspects of our Nation's laws on small businesses, and I hope it will both encourage small business expansion and fuel job creation.

First, this legislation will allow self-employed small businessmen and women to fully deduct their health care costs for income tax purposes. This provision will place these entrepreneurs on equal footing with larger companies by eliminating a provision in current law that limits deductions to 25 percent of the overall cost. In addition, the legislation makes the tax deduction permanent. At a time when America is facing challenges to its health care system, and the Federal Government is seeking remedies to the problem of uninsured citizens, this provision will help self-employed business people to afford health insurance without imposing a costly and unnecessary mandate.

From investors to start-up businesses, self-employed workers make up an important and vibrant part of the small business sector—and too often they are forgotten in providing benefits and assistance. Indeed, 11 percent of uninsured workers in America are self-employed. By extending tax credits for health insurance to these small businesses, we will help to provide health care coverage to millions of Americans.

I am pleased that the Committee on Ways and Means in the U.S. House of Representatives has decided to report out a bill restoring the 25-percent tax deduction retroactively. This decision will allow self-employed small business people to deduct health care costs on their 1994 tax returns. I can think of no better incentive for small businesses than a positive action of this nature.

Earlier this month, I joined 74 of my colleagues in writing to the Senate leadership urging quick consideration of this issue once it is transmitted to the Senate from the other body. I remain committed to working with the leadership to restore this crucial provision.

My legislation will also require a cost analysis of legislative proposals before new requirements are passed on to small business. Too often, Congress passes well-intended programs that shift the costs of programs to small businesses. The proposal will ensure that these unintended consequences are not passed along to small businesses. According to the U.S. Small Business Administration, small business owners spend at least 1 billion hours a year preparing Government forms, at an annual cost that exceeds $100 billion. Before we place yet another obstacle in the path of small business job creation, we should understand the costs our plans will impose on small businesses.

The legislation will require the Director of the Congressional Budget Office to prepare for each committee an analysis of the costs to small businesses that would be incurred in carrying out proposals contained in new legislation. This cost analysis will include an estimate of costs incurred in carrying out the bill or resolution for a 4-year period, as well as an estimate of the portion of these costs that would be borne by small businesses. This provision will allow us to fully consider the impact of our actions on small businesses—and through careful planning, we will succeed in avoiding unintended costs.

Finally, this legislation will direct the U.S. Trade Representative to establish a position of Assistant U.S. Trade Representative for Small Business. The Office of the U.S. Trade Representative is overburdened, and too often overlooks the needs of small business. The new Assistant U.S. Trade Representative will promote exports by small businesses and work to remove foreign impediments to these exports.

Mr. President, I am convinced that this legislation will truly assist small businesses, resulting not only in additional entrepreneurial opportunities but especially in new jobs. I urge my colleagues to join me in supporting this legislation.●

By Mr. BENNETT (for himself, Mr. BROWN, Mr. CAMPBELL, Mr. HATCH, and Mr. KYL):

S. 523. A bill to amend the Colorado River Basin Salinity Control Act to authorize additional measures to carry out the control of salinity upstream of Imperial Dam in a cost-effective manner, and for other purposes; to the Committee on Energy and Natural Resources.

THE COLORADO RIVER BASIN SALINITY CONTROL ACT AMENDMENTS ACT OF 1995

Mr. BENNETT. Mr. President, I rise to introduce legislation which will amend the Colorado River Basin Salinity Control Act and authorize additional measures to carry out the salinity program. During the last session of Congress, this noncontroversial bill passed the Senate Energy Committee;

however, the legislation was stalled in a log jam in the closing days of the session. I am hopeful we will be able to move this bill early in this session of Congress.

The Colorado River Basin Salinity Control Program has been authorized by Congress and implemented by Federal and State entities for the last 20 years. There is now a need to update and revise the authorizations provided for in the Colorado River Basin Salinity Control Act so that the Bureau of Reclamation [Reclamation] can move ahead in a more responsive and cost-effective way with the portion of the program which Reclamation is responsible for administering. The following statement provides general background as to the purposes and legislative history of the Salinity Control Act and the identified reforms necessary to the act.

BACKGROUND

In the 1960's and early 1970's, rising salinity levels in the Lower Colorado River caused great concern because of damages inflicted by salt dissolved in the water. This damage was occurring in the United States and Mexico. In 1972, with the passage of the Clean Water Act, it was apparent that water quality standards needed to be adopted in the United States, and a plan of implementation to meet those water quality standards needed to be identified. The U.S. Environmental Protection Agency [EPA] published water quality standards for the Colorado River. The United States modified the treaty with Mexico to add to the United States commitments a water quality parameter.

The Colorado River Basin States were involved in many of the discussions with respect to both the Mexico commitment and the water quality standards. Through the formation of a Colorado River Basin Salinity Control Forum, the States became collectively and formally involved in discussions with Federal representatives concerning the quality of the Colorado River.

At the urging and with the cooperation of the basin States and the State Department in 1974, the Colorado River Basin Salinity Control Act was enacted by Congress. That authority became formally known as Public Law 93–320 (88 Stat. 266), the Colorado River Basin Salinity Control Act. That act consisted of two titles. Title I addressed the United States commitment to Mexico, and title II addressed the authorization for programs above Imperial Dam to help control the water quality in the river for the benefit of users in the United States.

The amendments now being proposed in this legislation are exclusively related to title II authorizations. Title I has not been amended since the original enactment in 1974. Title II has received minor modifications as authorities were given to Reclamation to consider salinity control implementation strategies in some additional areas of the Colorado River Basin. More importantly, title II was amended in 1984 by Public Law 98–569 (98 Stat. 2933). The 1984 amendments provided for a formally constituted U.S. Department of Agriculture [USDA] program within the Salinity Control Act. The amendments gave additional responsibilities to the U.S. Bureau of Land Management [BLM] to seek cost-effective salinity control strategies. The amendments further described the basin States' cost-sharing responsibilities with respect to the USDA program, and further increased the cost-sharing requirements of the basin States with respect to newly authorized and implemented Reclamation programs.

NEEDED REFORMS

The Colorado River Basin Salinity Control Forum [Forum] has perceived for some period of time the need for amendments to the authorization relating to Reclamation's program. It has been felt by the States that the program has, at times, been encumbered by formalities imposed by Reclamation and the authorizing legislation which related to procedures Reclamation used in implementing major water development projects in decades past. It is felt that authorization which would allow Reclamation to avoid some of these encumbrances and move more expediently and cost effectively to the best salinity control opportunities would ensure compliance with the water quality standards of the Colorado River, and this compliance could be accomplished at less cost.

There is a need to allow Reclamation to consider salinity control strategy implementation in three geographic areas where planning documents have been prepared and cost-effective salinity control strategies have been identified. In the past, for Reclamation to implement salinity strategies in new areas, formal approval by Congress has been required. It is viewed that this is encumbering.

Further, it is felt that Reclamation needs flexibility so that it might move to opportunities with the private sector to cost-share, offer grants, and/or allow the private sector, rather than the Federal Government to contract for the expenditure of appropriated funds. In this manner the limited dollars would not be partially lost through expenses which have been directly identified with the use of Federal procurement procedures.

Last, Reclamation was authorized a ceiling expenditure in 1974 by Congress. After two decades, the funds expended are approaching the authorized ceiling. It is believed that it would be more appropriate for a $75 million authorization provision to be placed on the program. This will allow the salinity program to move forward for approximately 3 to 5 years at proposed spending levels.

The Salinity Forum believes that legislative reform for the Reclamation program would be tailored after authorities given to the USDA by the Congress in 1984. The inspector general for the Department of the Interior released findings in 1993. Those findings are incorporated in a document entitled, ''Audit Report, Implementation of the Colorado River Basin Salinity Control Program, Bureau of Reclamation'', March 1993. The above legislation proposals are in keeping with the recommendations of the inspector general.

Last year, Reclamation sent out a broad-based mailing to affected parties and interest groups asking for recommendations concerning the need for potential future efforts by Reclamation with respect to salinity control. Further, Reclamation asked for input as to how the program might possibly be reformulated. The responses received by Reclamation are in keeping with this legislation, and it is my understanding that the Bureau of Reclamation is expected to support this legislation again this year.

To that end, I appreciate the excellent working relationship that has existed between my office, the Commissioner's Office of the Bureau of Reclamation, and the Colorado River Basin Salinity Control Forum.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 523

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. BASINWIDE SALINITY CONTROL PROGRAM FOR THE COLORADO RIVER BASIN.

(a) AUTHORIZATION TO CONSTRUCT, OPERATE, AND MAINTAIN A BASINWIDE SALINITY CONTROL PROGRAM.—Section 202 of the Colorado River Basin Salinity Control Act (43 U.S.C. 1592) is amended—

(1) in subsection (a)—

(A) in the first sentence—

(i) by striking ''the following salinity control units'' and inserting ''the following salinity control units and salinity control program''; and

(ii) by striking the period at the end and inserting a colon; and

(B) by adding at the end the following:

''(6) SALINITY CONTROL PROGRAM.—

''(A) IN GENERAL.—The Secretary, acting through the Commissioner of Reclamation, shall implement a basinwide salinity control program.

''(B) CONTRACTS AND OTHER VEHICLES.—The Secretary may carry out this paragraph directly, or may enter into contracts and memoranda of agreement, or make grants, commitments for grants, or advances of funds to non-Federal entities, under such terms and conditions as the Secretary considers to be appropriate.

''(C) COST-EFFECTIVE MEASURES.—The salinity control program shall consist of cost-effective measures and associated works to reduce salinity from saline springs, leaking wells, irrigation sources, industrial sources, erosion of public and private land, or other sources, as the Secretary considers to be appropriate.

''(D) MITIGATION.—The salinity control program shall provide for the mitigation of incidental fish and wildlife resources that are lost as a result of the measures and associated works described in subparagraph (C).

''(E) PLANNING REPORT.—The Secretary shall submit a planning report concerning

the salinity control program to the appropriate committees of Congress.

''(F) The Secretary may not expend funds for any measure or associated work described in subparagraph (C) before the expiration of a 30-day period beginning on the date on which the Secretary submits a planning report under subparagraph (E).''; and

(2) in subsection (b)(4) by striking ''and (5)'' and inserting ''(5), and (6)''.

(b) ALLOCATION OF COSTS.—Section 205(a) of the Colorado River Basin Salinity Control Act (43 U.S.C. 1595(a)) is amended—

(1) in paragraph (1) by striking ''authorized by sections 202(a) (4) and (5)'' and inserting ''authorized by section 202(a) (4), (5), and (6)''; and

(2) in paragraph (4)(i) by striking ''sections 202(a) (4) and (5)'' each place it appears and inserting ''section 202(a) (4), (5), and (6)''.

(c) AUTHORIZATION OF APPROPRIATIONS.—Section 208 of the Colorado River Basin Salinity Control Act (43 U.S.C. 1598) is amended by adding at the end the following new subsection:

''(c) ADDITIONAL AUTHORIZATION OF APPROPRIATIONS.—In addition to the amounts authorized to be appropriated under subsection (b), there are authorized to be appropriated—

''(1) such sums as are necessary to pay for nonfederally financed salinity control; and

''(2) $75,000,000 for the construction of federally financed improvements described in section 202(a).''.

By Mr. WELLSTONE (for himself, Mr. KENNEDY, Mr. REID, Mr. BRADLEY, and Mrs. MURRAY):

S. 524. A bill to prohibit insurers from denying health insurance coverage, benefits, or varying premiums based on the status of an individual as a victim of domestic violence and for other purposes; to the Committee on Labor and Human Resources.

THE VICTIMS OF ABUSE ACCESS TO HEALTH INSURANCE ACT

Mr. WELLSTONE. Mr. President today I am introducing the Victims of Abuse Access to Health Insurance Act. This bill would outlaw the practice of denying health insurance coverage to victims of domestic violence.

In Minnesota three insurance companies denied health insurance to entire women's shelter because ''as a battered women's program we were high risk.'' The women's shelter in Rochester was told that it was considered uninsurable because its employees are almost all battered women.

A woman sought the services of Women House in St. Cloud because the abuse during her 12-year marriage had escalated to such an extent that she was hospitalized for a broken jaw and spent 2 weeks in a mental health unit of a hospital. She was subsequently denied coverage by two insurance companies—one said they would not cover any medical or psychiatric problems that could be related to the past abuse.

These are just a couple examples of women who have been physically abused and sought proper medical care only to be turned away by insurance companies who say they are too high of a risk to insure.

Victims of domestic violence are being denied health insurance coverage. This is a abhorrent practice. It is plain old-fashioned discrimination. It is profoundly unjust and wrong. And, it is the worst of blaming the victim.

We must treat domestic violence as the crime that it is—not as voluntary risky behavior that can be easily changed and not as a pre-existing condition. Insurance company policies that deny coverage to victims only serve to perpetuate the myth that the victims are somehow responsible for their abuse.

Domestic violence is the single largest threat to women's health. Denying women access to much needed health care must be stopped.

The Victims of Abuse Access to Health Insurance Act is a very simple and straightforward bill. It would prohibit insurance companies from ''engaging in a practice that has the effect of denying, canceling, or limiting health insurance coverage or health benefits, or establishing, increasing or varying the premium charged for the coverage or benefits'' for victims of domestic violence.

It would prohibit insurance companies from considering domestic violence as a preexisting condition. Under the bill, domestic violence is defined as any violent act against a current or former member of the family or household, or someone with whom there has been or is an intimate relationship. This could mean spouse, partner, lover, boyfriend, or children. If an insurance company, or even a company that is large enough to self-insure, violates this act it could be held civilly and criminally liable.

Reporting domestic violence and seeking medical help is often the first step in ending the cycle. Oftentimes health care providers are the first, and sometimes the only, professionals in a position to recognize violence in their patient's lives. Battered women should be encouraged to seek medical help. We should not be discouraging this by allowing insurance companies to use this information against them. Women should not have to fear that when they take that first step they could lose their access to treatment.

Doctors and other health care providers need to be encouraged to properly diagnose, treat, and document domestic violence. Denial of health insurance coverage will cause doctors not to document it accurately if only to protect the victim.

Domestic violence is the leading cause of injury to women, more common than auto accidents, muggings, and rapes by a stranger combined. It is the No. 1 reason women go to emergency rooms. And research indicates that violence against women escalates during pregnancy.

Last year during the health care reform debate, I raised this issue in the context of requiring insurance companies to make insurance available to all people who wanted it. We should certainly all be moving toward that goal. However, this is a real immediate need and it must be addressed.

Last year Congress passed the first most comprehensive package of legislation to address gender based violence—the Violence Against Women Act. It was a great step forward in stopping the cycle of violence. But, it is not enough. We cannot stop at reforming and improving the judicial system and think it will solve the problem. The entire community must be involved in the solution—we all must be involved in stopping the cycle of violence.

Insurance companies should not be allowed to discriminate against anyone for being a victim of domestic violence. This is an abhorrent practice and should be prohibited.

I urge my colleagues to support it.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 524

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Victims of Abuse Access to Health Insurance Act''.

SEC. 2. PROHIBITION OF HEALTH INSURANCE DISCRIMINATION RELATING TO VICTIMS OF CERTAIN CRIMES.

(a) IN GENERAL.—No insurer may engage in a practice that has the effect of denying, canceling, or limiting health insurance coverage or health benefits, or establishing, increasing, or varying the premium charged for the coverage or benefits—

(1) to or for an individual on the basis that the individual is, has been, or may be the victim of domestic violence; or

(2) to or for a group or employer on the basis that the group includes or the employer employs, or provides or subsidizes insurance for, an individual described in paragraph (1).

(b) PRE-EXISTING CONDITIONS.—

(1) IN GENERAL.—A health benefit plan may not consider a condition or injury that occurred as a result of domestic violence as a pre-existing condition.

(2) PREEXISTING CONDITION.—As used in paragraph (1), the term ''preexisting condition'' means, with respect to coverage under a health benefit plan, a condition which was diagnosed, or which was treated, prior to the first date of such coverage (without regard to any waiting period).

SEC. 3. CIVIL AND CRIMINAL REMEDIES AND PENALTIES.

(a) IN GENERAL.—Whoever violates the provisions of this Act shall be—

(1) subject to a fine in an amount provided for under title 18, United States Code, for a class A misdemeanor not resulting in death;

(2) subject to the imposition of a civil monetary penalty; and

(3) subject to the commencement by the aggrieved party of a civil action under subsection (b).

(b) CIVIL REMEDIES.—

(1) IN GENERAL.—Any individual aggrieved by reason of the conduct prohibited in this Act may commence a civil action for the relief set forth in paragraph (2).

(2) RELIEF.—In any action under paragraph (1), the court may award appropriate relief, including temporary, preliminary, or permanent injunctive relief and compensatory and punitive damages, as well as the costs of suit and reasonable fees for plaintiffs attorneys

and expert witnesses. With respect to compensatory damages, the plaintiff may elect, at any time prior to the rendering of final judgment, to recover, in lieu of actual damages, an award of statutory damages in the amount of $5,000 per violation.

(3) CONCURRENT JURISDICTION.—Both Federal and State courts shall have concurrent jurisdiction over actions brought pursuant to this section.

SEC. 4. DEFINITIONS.

For purposes of this Act:

(1) DOMESTIC VIOLENCE.—The term ''domestic violence'' means the occurrence of one or more of the following acts between household or family (including in-laws or extended family) members, spouses or former spouses, or individuals engaged in or formerly engaged in a sexually intimate relationship:

(A) Attempting to cause or intentionally, knowingly, or recklessly causing bodily injury, rape, assault, sexual assault, or involuntary sexual intercourse.

(B) Knowingly engaging in a course of conduct or repeatedly committing acts toward another individual, including following the individual, without proper authority, under circumstances that place the individual in reasonable fear of bodily injury.

(C) Subjecting another to false imprisonment.

(2) INSURER.—

(A) IN GENERAL.—The term ''insurer'' means a health benefit plan, a health care provider, an entity that self-insures, or a Federal or State agency or entity that conducts activities related to the protection of public health.

(B) HEALTH BENEFIT PLAN.—The term ''health benefit plan'' means any public or private entity or program that provides for payments for health care, including—

(i) a group health plan (as defined in section 607 of the Employee Retirement Income Security Act of 1974) or a multiple employer welfare arrangement (as defined in section 3(40) of such Act) that provides health benefits;

(ii) any other health insurance arrangement, including any arrangement consisting of a hospital or medical expense incurred policy or certificate, hospital or medical service plan contract, or health maintenance organization subscriber contract;

(iii) workers' compensation or similar insurance to the extent that it relates to workers' compensation medical benefits (as defined by the Secretary of Health and Human Services); and

(iv) automobile medical insurance to the extent that it relates to medical benefits (as defined by the Secretary of Health and Human Services).

SEC. 5. INAPPLICABILITY OF MCCARRAN-FERGUSON ACT.

For purposes of section 2(b) of the Act of March 9, 1945 (15 U.S.C. 1012(b); commonly known as the McCarran-Ferguson Act), this Act shall be considered to specifically relate to the business of insurance.

SEC. 6. REGULATIONS.

The Secretary of Health and Human Services shall issue regulations to carry out this Act.

SEC. 7. EFFECTIVE DATE.

This Act shall take effect 90 days after the date of the enactment of this Act.

Mr. KENNEDY. Mr. President, I strongly support the Victims of Abuse Access to Health Insurance Act, and I commend Senator WELLSTONE for introducing it. This needed legislation will prohibit insurers from denying health insurance coverage, benefits, or premiums to victims of domestic abuse. Enactment of this measure is an essential step in the struggle to combat domestic violence and to assist women and children who are its victims.

Violence against women has reached epidemic proportions. Nationwide a woman is beaten every 18 seconds. A woman is raped every 5 minutes. More than 1 million women across the country are victims of reported crimes of domestic violence; 3 million more such crimes go unreported.

Last year, as part of the omnibus crime bill, Congress passed the Violence Against Women Act. In doing so, we established new Federal penalties for spouse abusers, provided a civil rights cause of action for gender-motivated crimes of violence, and authorized funds for services for victims, including victim counselors, battered women's shelters, rape crisis centers, and a national domestic violence toll-free hotline.

By enacting that law, Congress made a strong commitment to do more to help the victims of domestic violence. We encouraged them to report their abusers, and to seek assistance. We gave them new means to help them protect themselves. And now, with this legislation, we must tell them that they will not be denied health insurance for doing what is necessary to protect themselves and their children.

Insurance companies that refuse to cover battered women commit an injustice to those women and to society. Denial of health insurance to victims of domestic violence is discrimination against women and children. It is another way to blame and punish the victim, while letting the abuser go free. Allowing this discrimination tacitly endorses it—and endorses the myth that victims of domestic abuse are responsible for the violence committed against them.

Denying such insurance also discourages victims of domestic abuse from reporting the crimes against them and from leaving their abusers and seeking help. It discourages victims from seeking medical treatment for injuries inflicted by their abusers. For countless Americans, health insurance is the only realistic means of obtaining access to health care. The loss of health care for themselves and their children is enough to intimidate many victims into staying in abusive environments and keeping silent.

We must not condone any practice which makes it harder for women to leave their abusers or deters them from reporting the crimes against them and their children. We must not condone any practice which punishes women for seeking medical treatment for themselves and their children, for seeking safety from violence, or for speaking out against the crimes committed against them. I urge my colleagues to support this legislation, and I look forward to working with my colleagues to promote its passage.

By Mr. BAUCUS (for himself, Mr. DASCHLE, Mr. DORGAN, and Mr. PRESSLER):

S. 525. A bill to ensure equity in, and increased recreation and maximum economic benefits from, the control of the water in the Missouri River system, and for other purposes; to the Committee on Environment and Public Works.

THE MISSOURI RIVER WATER CONTROL EQUITY ACT

Mr. BAUCUS. Mr. President, I will not speak for the full 25 minutes; it will be 10 or 15 minutes. I thank the Chair for recognizing me. Mr. President, I rise this morning with my colleagues from North Dakota and South Dakota to discuss the Army Corps of Engineers and particularly the Missouri River system.

We are here today to make our side of the story known on what is called the Preferred Alternative to the Missouri River Master Water Control Manual. That sounds very technical, but it is really about the heart and soul of our State of Montana. Let me explain.

MONTANA AND THE MISSOURI RIVER

It is difficult to describe what the Missouri River means to Montana. People across the country may be familiar with the writer Norman Maclean's book ''A River Runs Through It.'' He grew up in Missoula, and the title refers to the Big Blackfoot on the western side of the Divide. But for so many of us growing up east of the Continental Divide, the river is the Missouri.

This river was part of our life before we became a State. Our attachment to Missouri began eight decades before statehood, when Lewis and Clark came up in their boats way back in 1805.

I grew up in the Helena Valley. My parents and friends—my friends and I, in particular, spent our summers swimming in Holter Lake by my family's ranch on the Missouri. Sometimes in Hauser Lake, sometimes Canyon Ferry. Is it impossible to imagine Montana without lie on the Missouri River.

The Missouri is where farmers get water for their crops; where ranchers take their stock to drink; where sportsmen take the weekend to go rafting or fishing. It comes up through Broadwater and Lewis and Clark Counties, Great Falls, and Fort Benton, and runs all the way through the State to the Fort Peck Dam and the North Dakota line.

So when people at the Army Corps of Engineers headquarters in Washington, DC, or St. Louis, or Omaha, decide how high the reservoirs will be, how much water we will have for irrigation, or whether we can dock our boats at Fort Peck, it is an emotional, important decision that affects us.

THE 1987–92 DROUGHT

That would be true even if they at corps made good decisions. but up to now, most of the decisions have not been good. They have been bad—very bad.

We were hit by a big drought a few years ago that lasted 6 years, from 1987

to 1992. During most of that drought, the corps did absolutely nothing to help us out. It stuck like a leech to the status quo. Everything for irrigation down river, almost nothing for recreation up river. One drawdown after another—drawdown during a drought—when we had no rain to refill our reservoirs.

Our lake levels fell dramatically. At Fort Peck, the lake shore receded until it was more than a mile from many boat ramps. Weeds were growing in fields by the docks. This picture to my left will give you an idea of the wreckage. At that point, I and other Montanans decided we had enough, we were not going to take any more. We needed the corps to go back to the book and make basic changes.

TRADITIONAL CORPS MANAGEMENT MISTAKEN

Well, why did the corps allow this disaster to take place? Because the corps has traditionally given the maximum preference to barge traffic down river, which makes no sense.

According to the corps' own numbers, navigation is worth only about $15 million a year. Many experts think even that is too high. Recreation and tourism, according to the corps' own numbers, bring in much more—about $77 million annually, which is five times the value of navigation.

For years, the corps said the law required this approach. They said, that is the law, you have to do it. But again, the corps is wrong—dead wrong.

As the General Accounting Office testified at a hearing I held in Glendive, MT, last year:

> Contrary to what the Corps believed, Federal statutes do not require the Corps to give recreation a lower priority than other project purposes—flood control, navigation, irrigation, and the generation of hydroelectric power—in major decisions about water releases.

NEW MASTER MANUAL IS INADEQUATE

For years, I urged the corps to update its operating plan for the Missouri River. The draft of the new preferred alternative operating plan is a step in the right direction.

But I am sorry to say it is not good enough. It is not much more than a rehash of the status quo. It continues to give recreation the lowest priority, even though recreation yields the most economic benefits. It ignores the need to raise permanent reservoir levels, and it ignores erosion below Fort Peck Dam. Let me examine these issues one by one.

DISPROPORTIONATE BENEFITS FOR LOWER BASIN STATES

The first is simple fairness.

The four upper basin States receive about $358 million, or 32 percent of the benefits, from river management. Lower basin States get $756 million, or 68 percent of benefits. As for Montana, we receive only about 4 percent—not even a nickel of each dollar—of all of the economic benefits of the Missouri River system. The preferred alternative will not change that.

As you can see from this chart, it will mean that 32 percent for the upper basin States and 68 percent for the lower basin States. That is the allocation; no change, which is obviously unfair.

RECREATION TOO LOW A PRIORITY

Second, the corps still values navigation over recreation. That is backwards. Navigation is worth only 1 percent of the river system's economic benefits. One percent. Recreation brings in more. It is more than just pleasure boating, it is jobs. Recreation is therefore more valuable to the country, and it should be a much higher priority.

As I mentioned earlier, recreation benefits, overall, are five times navigation benefits. The corps undervalued recreation in its Master Manual Review. According to the corps, the average visitor to a corps reservoir spends about $7 a day. But the Sports Fishing Institute found that the amount spent for walleye fishing, for example, is $45 a day. And at Fort Peck, the average was $69 a day. The corps' figures do not add up.

MINIMUM POOL LEVEL MUST BE HIGHER

Third, the new plan does not change reservoir levels. The minimum pool level, below which the corps will not release water in a drought, is now 18 million acre-feet. At that level, weeds grow on the bed of Fort Peck Reservoir. Boat ramps are high and dry a mile from shore. Under the preferred alternative, the minimum pool level is still 18 million acre-feet.

The right level should be 44 million acre-feet. The master manual environmental impact statement prepared by the corps states that 44 million—not 18—44 million acre-feet yields the greatest economic benefit to the Missouri basin States. Repeating that, 44 million acre-feet yields the greatest economic benefit to the Missouri basin States. Specifically, it adds $1.28 million to the regional economy.

As you can see from the chart on my left, those numbers speak for themselves. And that level would benefit the environment and the quality of life—things we cannot estimate in cold cash, but which are more important in Montana than I can tell you.

River management requires compromise, and we understand that. Downstream States have not understand that in the past. They wanted to stone wall. They wanted everything, and they have usually gotten it in the past. But the problems remain. We pledge to work with our friends downstream to find a fair solution.

I can tell you now, Mr. President, that anything under 44 million acre-feet is unacceptable, and anything that gives navigation more than its fair share will not fly.

PLAN IS INADEQUATE IN COMBATING EROSION

Finally, the plan ignores erosion. Before we completed Fort Peck Dam in 1940, there was virtually no erosion anywhere along the river, from what is now the dam to Lake Sakakawea. Since then, 4,935 acres of prime farm land have eroded away, washed down to North Dakota by explosive releases from the Fort Peck Reservoir. And the corps itself predicts in the next 50 years, erosion will cost us another 4,500 acres.

Talk about taking private property without compensation. Here is an example. The farmers in Montana have received no compensation for what they have lost. And the corps has done nothing to stop further erosion. In the 54 years we have had the Fort Peck Dam, the corps has built one—just one—streambank stabilization project in Montana.

That defies common sense. It defies good policy. And it defies the law. The Water Resources Development Act of 1990 requires the corps to spend $3 million every year to perform streambank stabilization. And under the preferred alternative, there will be more releases, not fewer. It is no better—in fact, it is worse—than the status quo.

FDR'S PROMISE

Plain and simple, the corps must do better. It is time the corps kept the old promise that the river would be managed for everybody.

President Franklin Delano Roosevelt made that promise to us. He came to Fort Peck 4 years before I was born. In those days, few Montanans owned cars. The Depression had us flat on our back. Twenty-eight Montana counties applied for aid from the Red Cross. We have only 56 counties in the entire State. North of Fort Peck, in Daniels County, 3,500 of the county's 5,000 citizens were on Federal relief—3,500 of the county's 5,000 citizens were on relief.

But even so, 20,000 Montanans came out to see their President. FDR stood under the massive wooden scaffold they put up to build the dam. And he said:

> The Nation has understood that we are building for future generations of our children and grandchildren, and that in the greater part of what we have done, the money spent is an investment which will come back a thousand-fold in the coming years.

We believed him. We put in the investment. Montana farmers gave up 250,000 acres of prime riverbottom land. But very little of it—forget ''a thousand-fold''—has returned.

Year after year, for six decades, the corps has betrayed FDR's promise. We are sick and tired of it. It is time to put it right.

CONCLUSION

I am sorry if I have gotten a little emotional about this. But when it comes to keeping Montana's water in Montana, most of us get emotional. And I do want to recognize the progress the corps has made.

Ken Byerly, the editor emeritus of the Lewistown News Argus, once wrote that ''solving this problem is like eating an elephant; you take it one bite at a time.''

We have taken some bites already. About 4 years ago, the late Senator

Quentin Burdick and I convinced the corps to admit that the basic manual—a work drafted in the 1950's, before the Interstate Highway System made barge traffic more or less obsolete—had to be redone to meet the needs of the 1990's.

But the corps has not spent a penny. Instead, it orders releases of water that increase erosion.

In 1993, at our hearing in Glendive, Colonel Schaufelberger, who was the commander of the Missouri River Division of the corps at that time, somewhat sheepishly agreed that the corps' lawyers had been wrong. Federal laws actually do let the corps consider recreation on an equal basis with navigation and other uses. I ask unanimous consent that an excerpt of his testimony be printed in the RECORD.

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

EXCERPT FROM A HEARING BEFORE THE COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS, OCTOBER 1, 1993

Senator BAUCUS. * * *

I would like to begin with Mr. Duffus. You state in your report that there is no legal requirement that the Corps give preference to navigation over recreation; in fact, you state in your report that recreation must be given at least equal status to navigation. That is, the law makes that clear, in GAO's judgment, that recreation has equal status compared with navigation. Is that correct?

Mr. DUFFUS. That's correct, Mr. Chairman.

Senator BAUCUS. And what do you base that on? Is that just your reading of the statute? What's the reason for that?

Mr. DUFFUS. The basis for the Corps' categorization of project purposes as primary or secondary rose out of their conclusion that if a project purpose was not identified and had cost allocated to it, then it was not primary, it was secondary. It had to be relegated to a secondary purpose. In documents that they sent up to the Congress when the project was authorized in 1994 and approved, recreation was not allocated any cost. So it was on that basis that the Corps came to the conclusion that recreation was a secondary purpose.

Our review of the statute and our review of the legislative history found no basis for that.

Senator BAUCUS. Colonel, do you agree that there is nothing in the law that requires navigation to be given preference over recreation—or to ask the same question turned around, that the law in fact requires that equal emphasis be given to recreation as compared to navigation?

Colonel SCHAUFELBERGER. Sir, the law does not discriminate. The law says in the purposes of the reservoirs—and they are enunciated—there is no priority established. So there is nothing in the law that says there has to be one priority over the other. The only priority established in the law is the O'Mahoney-Milliken amendment, which specifies that consumptive use has priority over other purposes. That's the only priority that I'm aware of that is specified by law.

Senator BAUCUS. But there is nothing in the law that gives preference to navigation over recreation?

Colonel SCHAUFELBERGER. That is correct, there is nothing in the law.

Mr. BAUCUS. And today I am introducing a bill entitled the ''Missouri River Water Control Equity Act.'' It will balance the equities between the upper and lower basin States. It will require a greater emphasis on recreation. And it will ensure that common sense, not pork-barrel politics, determine how the Missouri River is run.

It may seem unimportant compared to many bills before the Congress. But it means everything to Montanans. We have a lot of elephant steak left to fry, but we are firing up the grill and we are determined to make progress.

I thank you, Mr. President, and I want to thank my colleagues, particularly the distinguished minority leader and also my very good friend, the Senator from North Dakota, Senator CONRAD, for joining me here today.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 525

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION. 1 SHORT TITLE.

This Act may be cited as the ''Missouri River Water Control Equity Act.''

SEC. 2. FINDINGS.

Congress finds that—

(1) gross revenues from recreation on the Missouri River system are estimated by the Army Corps of Engineers to be $77,000,000 annually;

(2) gross revenues from navigation on the Missouri River system are estimated by the Army Corps of Engineers to be $15,000,000 annually;

(3) barge traffic produces only 1 percent of the annual net revenue that derives from the operation of the Missouri River system;

(4) the Army Corps of Engineers requires 18,000,000 acre-feet of water to remain in the reservoirs of the Missouri River system;

(5) maximum economic benefits for the Missouri River system are estimated by the Army Corps of Engineers to be achieved if 44,000,000 acre-feet of water are maintained in the reservoirs of the Missouri River system;

(6) the recreation industry along the Missouri River has been stifled by drawdowns of the reservoirs of the Missouri River system during drought periods;

(7) barge traffic on the Missouri River has steadily decreased since 1977 so that currently the quantity of cargo shipped on the Missouri River is only 1,400,000 tons annually;

(8) the States of Missouri, Iowa, Kansas, and Nebraska receive 68 percent of the total economic benefits of the Missouri River system; and

(9) the States of Montana, North Dakota, South Dakota, and Wyoming receive only 32 percent of the total economic benefits of the Missouri River system.

SEC. 3. PURPOSES.

The purposes of this Act are—

(1) to ensure that the States of Montana, North Dakota, South Dakota, and Wyoming receive an equitable portion of the economic benefits from the operation of the Missouri River system;

(2) to encourage the development of the recreation industry along the Missouri River;

(3) to maximize the economic benefits to the United States of the operation of the Missouri River system; and

(4) to phase out navigation, which is the least productive use of the Missouri River system, in order to increase the productivity of other competing uses of the system such as hydropower and flood protection.

SEC. 4. MINIMUM POOL LEVELS.

(a) MISSOURI RIVER SYSTEM.—The Secretary of the Army, acting through the Assistant Secretary of the Army having responsibility for civil works (referred to in this Act as the ''Secretary''), shall not permit the permanent pool levels in the Missouri River system to fall below 44,000,000 acre-feet at any time unless the Secretary makes a finding that a lower level is required to provide necessary—

(1) emergency flood control to protect human life and property;

(2) hydropower; or

(3) water supply.

(b) FORT PECK LAKE.—The Secretary shall not permit the permanent pool level in Fort Peck Lake to fall below 12,000,000 acre-feet (which is equivalent to an elevation of 2,220 feet) at any time unless the Secretary makes a finding that a lower level is required to provide necessary—

(1) emergency flood control to protect human life and property;

(2) hydropower; or

(3) water supply.

SEC. 5. NAVIGATION DEAUTHORIZED.

(a) TRANSITION PROVISION.—The Secretary shall decrease the length of the first navigation season that begins after the date of enactment of this Act, and each navigation season thereafter, by 30 days from the length of the previous navigation season, until such time as the navigation season for the Missouri River is eliminated.

(b) PROHIBITION.—Beginning on the day after the end of the last navigation season under subsection (a), the Secretary may not authorize a program, project, or activity that involves navigation on the Missouri River.

SEC. 6. MITIGATION OF EROSION.

(a) IN GENERAL.—Not later than January 1, 1997, the Secretary shall develop and implement a plan to mitigate streamback and reservoir erosion caused by the operations of the Missouri River system.

(b) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out the plan developed under subsection (a) $20,000,000 for each fiscal year.

Mr. CONRAD. Mr. President, I would like to salute the Senator from Montana, Senator BAUCUS, for his leadership on this subject. The Senator from Montana has been an absolute champion for our part of the country in trying to get fair treatment and equity with respect to the management of the mainstream reservoirs. He has been absolutely determined and dedicated to achieving a fair result.

I can remember very well when the Senator from Montana and I teamed up to stop the appointment of a new head of the Corps of Engineers until our part of the country got fair treatment in the depths of the worst drought we had suffered since the Great Depression. The Senator from Montana, Senator BAUCUS, has shown nerves of steel in taking on the Corps of Engineers on this issue. Very frankly, our part of the country has gotten short shrift, gotten shortchanged, and it has to be altered.

Now we know that for years the Corps of Engineers was operating on a policy that was not supported by law and was not supported by fact. And it is because of the energy and effort of the Senator from Montana, in large

measure, that we are moving toward a new day today. I want to thank him publicly for everything he has done.

Mr. BAUCUS. Will the Senator yield?

Mr. CONRAD. Yes.

Mr. BAUCUS. I thank the Senator.

Mr. President, I think that North Dakotans should know that there is no Senator who has worked harder on this issue than their Senator, KENT CONRAD. He and I have teamed up many times on this matter. And I must say it is a combination of working with the Senator from North Dakota, as well as the other Senator from North Dakota, Senator DORGAN, and other members of the House delegation that has enabled us to stem—pardon the pun—more of the flow down the stream. But this is a problem that has to be corrected, and I thank my colleague for joining me in assuring this correction is made.

Mr. CONRAD. I thank the Senator from Montana. It has been a team effort, but I think there is no doubt the Senator from Montana, Senator BAUCUS, has been a key player in this effort.

Mr. President, from its origins in Montana to its end near St. Louis, the mighty Missouri River is managed and controlled by the Army Corps of Engineers. Five years ago, the Army Corps of Engineers began a review of its river management plan, commonly called the master manual. This was the first major review of the manual since it was implemented in 1960.

The corps started this review in response to our concerns over falling reservoir levels in the Dakotas and Montana. At that time, we were in the middle of the worst drought since the Great Depression, and the corps was draining huge amounts of water from the reservoirs for the sole purpose of keeping a small number of barges on the Missouri River afloat.

I can remember very well holding a hearing in the midst of that terrible drought and learning, to my shock and my surprise, that the Army Corps of Engineers was releasing record amounts of water from our reservoirs in the midst of the worst drought in 50 years. I mean, think about it. It is absolutely extraordinary. In the worst drought in 50 years, they were releasing record amounts of water and, as a result, our reservoir levels were dropping like a stone.

Mr. President, while the barges continued to float, Lake Sakakawea and other mainstream reservoirs dropped by almost 30 feet. It is hard to imagine. It is hard to visualize what that meant, Mr. President. I know the occupant of the chair, the distinguished occupant of the chair, is from a downstream State, and I know there are legitimate interests there as well. But I say to you, if you could have seen what was happening in our part of the country, I think even the downstreamers would have been stunned. To see a reservoir drop 30 feet in a very short period of time and to see the economic wreckage caused by that drop, I think, told many of us that something was badly askew.

I can still remember a young couple. He had been a pro football player. He and his wife put everything they had into a resort right before the drought hit. And when the reservoir dropped, they found their marina high and dry. They found everything they had put in, all their life savings, everything they could borrow, was lost, all of it put at risk and all of it lost.

Mr. President, the water has returned to our reservoirs, but the need to change the master manual remains. Five years of corps study has made it clear that the current master manual provides disproportionate benefits for downstream States at the expense of upstream States. About 70 percent of the system's economic benefits goes to downstream States, while upstream States get roughly 30 percent. This is not a fair distribution of benefits and it should change.

Of special concern to me is the fact that the current plan destroys a growing recreation industry from the upper basin to keep subsidizing a shrinking Missouri River barge industry.

The main problem with the current manual is that it is slanted toward navigation and based on outdated assumptions. The master manual anticipates annual river navigation traffic of 12 million tons. We have never even gotten close to that number. Commercial navigation is now around 2 million tons per year; in other words, one-sixth of what is assumed in the current master manual.

Navigation supplies only 1 percent of the system's annual economic benefits—$17 million out of $1.3 billion. This compares with $76 million in annual benefits from recreation. Yet, the corps continues to manage the entire system for the benefit of navigation and to the detriment of other functions. Navigation is the only project function managed for 100 percent of its potential—potential—economic output.

In economic terms, does it make any sense for the corps to favor navigation over recreation? Anyone who takes an honest look at the facts would answer ''No.''

Mr. President, the time has come to change this policy. The corps should stop pretending that navigation is king. It is not. It never was. My colleagues may be surprised to hear that the entire Missouri River system would actually generate greater economic benefits if Missouri River navigation were deemphasized. In other words, we would give the taxpayers a better return on their investment if we would place less emphasis on barges on the Missouri.

I believe that a better way to manage the river would be to deemphasize Missouri navigation and keep more water in the upstream reservoirs. Such a move would increase total economic benefits, improve the river ecosystem, and result in more equitable distribution of the benefits. Recreation and hydropower benefits would increase while flood control and water supply functions would be largely unaffected.

In addition, deemphasizing Missouri river navigation would significantly improve the river ecosystem. This approach makes economic sense. It makes environmental sense. I cannot understand how any rational review of the situation could reach any other conclusion.

Mr. President, the public has been fed a good deal of misinformation about the master manual review. I want to address two falsehoods that are being spread by some who are opposed to change.

First, the upstream States are not trying to use up, take away, or sell all of the Missouri River water that would otherwise go downstream. There is no way that North Dakota or any other upstream State could use enough Missouri River water to affect the downstream flows. It simply cannot be done. In addition, North Dakota has, I say, no—and I repeat no—plans to divert to another State, sell, or trade away the rights to Missouri River water.

Second, changes in the Missouri River master manual will not significantly impact navigation and water supply on the Mississippi River. Corps analysis concluded that ''Changes in the Missouri River operations would not''—let me repeat that—''would not affect water supply on the Mississippi River.'' Corps analysis also found there was essentially no difference in Mississippi navigation between the current plan and the corps' proposed change.

Finally, my colleagues should keep in mind that there is a legitimate issue of fairness at work here. The upstream States have sacrificed 1.2 million acres of prime land to house the reservoirs that serve and protect the downstream States. In return, we get a fraction of the benefits and a fraction of the water projects that were promised as compensation some 50 years ago.

Mr. President, let me emphasize, we have given up 1.2 million acres—a permanent flood in our States—in order to save the downstream States from repetitive flooding. So we have the permanent flood to save them from annual flooding. Yet, they get the lion's share of the benefits of the management of the system.

In contrast to what we have experienced upstream, the downstream States have sacrificed nothing but received the lion's share of the benefits, including navigation water supply, and to date $5 billion worth of flood control—not million—$5 billion worth of flood control. This is not what I call equity.

Mr. President, what we need in the Missouri River Basin is balance in fairly meeting the competing interests along the river. By making key changes in the master manual, we can achieve this balance while at the same time increasing economic and environmental benefits.

Mr. DASCHLE. Mr. President, the Corps of Engineers manages the flow of the Missouri River based on assumptions about economic uses of the river that have not been seriously reexamined or revised in 50 years. Impartial observers, including the General Accounting Office, acknowledge that the rules for operating the dams along the river, known as the master manual, are outdated.

Historically, upstream States, including South Dakota, have accepted the burden of flood control on the river. This tradition began with the sacrifice of prime land to the construction of dams to prevent downstream flooding.

Over time, recreation in upstream States has come to play a much more prominent role in producing economic benefits from the river. Yet corps management of the river ignores this development and continues to give recreation lower priority than competing downstream uses.

Today there is general consensus on the need to substantially revise the guidelines by which the Federal Government operates the dams on the Missouri River. After reviewing the management of the Missouri River in 1992, the General Accounting Office concluded that the corps has been managing the river based on ''assumptions about the amount of water needed for navigation and irrigation made in 1944 that are no longer valid.'' According to GAO, ''the plan does not reflect the current economic conditions in the Missouri River Basin.''

As a result, in 1989 the Corps of Engineers initiated a study of the operation of the main stem of the Missouri River, in anticipation of revising the master manual. A number of alternative management plans were developed and, based on the historical behavior of the river—from 1898 to 1994—the economic and environmental impacts of each alternative were evaluated. The goal of this exercise was to identify which alternative would maximize the economic value of the river, considering such factors as flood control, navigation, hydropower, water supply, and recreation.

In May 1994, the corps selected a preferred alternative, which called for shortening the navigation season by 1 month and maintaining a higher permanent pool behind the dams. In July 1994, the draft environmental impact statement [EIS] was released for review. The public comment period ended on March 1.

What has become clear through this 6-year process is that the downstream States will go to great lengths to prevent this reassessment from moving forward. Congressional representatives from downstream States consistently have attempted to block any revision of the Master manual that reflects the changing economics of the river and gives recreation the priority it deserves.

The House Appropriations Committee in 1993—at the behest of downstream members—called on the corps ''to follow the legislative priorities and regulatory guidelines expressed in its current master manual until a new management plan is approved by Congress.'' Now that the corps has selected the preferred alternative, the downstream States have made it clear that they will fight the changes it recommends.

It appears increasingly unlikely that even modest changes in the master manual will be allowed to occur without legislation. That is regrettable.

To focus light on the heart of this issue, today Senator BAUCUS is introducing the Missouri River Water Control Equity Act, which seeks to ensure that the changing economic conditions are acknowledged and reflected in the management of the river. This bill simply states explicitly policy that should be implicit.

This bill reflects the analysis of corps professionals. It would require the agency to maintain a permanent pool of 44 million acre-feet behind most dams, while allowing it to maintain lower levels if necessary to meet downstream needs for flood control, water supply and hydropower. It would also reduce the navigation season and require the corps to develop and implement a plan to mitigate stream bank erosion caused by operation of the dams.

Mr. President, times have changed. Assumptions valid 50 years ago are no longer valid today.

Since 1944, significant economic changes have occurred in the economy of the Missouri River. The downstream users refuse to accept this fact. Instead, they cling to the outdated assumptions that disproportionately reward their States to the detriment of upstream users.

Given the results of the corps' own evaluation, the revisions should have gone much farther. Greater consideration should have been given to increasing the permanent pool from its current level of 18 million acre-feet. The analysis performed by the corps demonstrates significant increases in recreation and wildlife habitat benefits at higher permanent pool levels. Given the immense economic value of recreation in the upstream States—now a $77 million per year industry—as well as the ecological damage that has been suffered over the years due to disruption of wetlands and the flooding of prime crop land—the master manual should be altered to better support these activities.

The bill introduced today would require the corps to make modest changes in the management of the river that their professionals have recommended; changes that are fair and that increase national environmental and economic benefits from the river.

Neither the upstream States nor the Nation as a whole can afford to continue business as usual. It is my hope that Congress will take an objective look at this issue, recognize the merits of this legislation and move swiftly to enact it.

By Mr. GREGG (for himself and Mr. BOND):

S. 526. A bill to amend the Occupational Safety and Health Act of 1970 to make modifications to certain provisions, and for other purposes; to the Committee on Labor and Human Resources.

THE OSHA AMENDMENTS OF 1995

● Mr. GREGG.

Mr. President, when OSHA was enacted it was intended to make the workplace free from ''recognized hazards that are causing, or likely to cause, death or serious physical harm to * * * employees.'' As with many programs established by Congress, however, over the years OSHA has developed a well-earned reputation for overregulation. OSHA has moved from its original purpose of protecting the workers to hindering businesses with excessive mandates.

While I feel that a major problem within OSHA is of a cultural nature, the bill will concentrate on five areas that will relieve the oppressive and burdensome regulations. My bill, the OSHA Amendments of 1995, addresses the need for employee participation, risk assessment in standard making, consultation services, reduced penalties for nonserious violations, and warnings in lieu of citations.

This balanced approach will remove a feeling among the American employers and employees that OSHA is the bad cop, and institute an awareness of a partnership in assuring safety and health in the workplace. The limitation of burdensome and repetitious paper work, compiled with risk assessment and a reduced threat of large fines, will make for a more business-like approach.

As Chairman of the Labor Subgroup of the Regulatory Relief Task Force, I have received numerous requests for the reform of OSHA. This past month I held a roundtable on regulatory reform in my State of New Hampshire and, although there were many issues raised, the one that was unanimously supported was OSHA reform. Businesses across America share New Hampshire's exasperation with what OSHA has become, as well as their demands for relief. This bill begins to answer that call to action.●

By Mr. LOTT:

S. 527. A bill to authorize the Secretary of Transportation to issue a certificate of documentation with appropriate endorsement for employment in the coastwise trade for the vessel *Empress;* to the Committee on Commerce, Science, and Transportation.

CERTIFICATE OF DOCUMENTATION LEGISLATION

Mr. LOTT. Mr. President, I am introducing a bill today to direct the vessel *Empress,* Official Number 975018, be accorded coastwise trading privileges.

The *Empress* was constructed in 1925 in the United States. It is 75 feet in length, 16 feet in width, 5.5 feet in depth, and is self-propelled. The vessel was owned by the United States until 1960. The vessel has been used as a corporate business vessel, private residence, and charter vessel. It has also been used by nonprofit groups such as the Special Olympics, March of Dimes, and the Ronald McDonald House.

The current owner obtained the boat from his father. The owner has all ownership records except for the years 1960 to 1965, when the vessel was being used by the Boy Scouts of America.

The owner of the vessel is seeking a waiver of the existing law so that the vessel can be used as a charter vessel.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 527

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That notwithstanding section 12106, 12107, and 12108 of title 46, United States Code, and section 27 of the Merchant Marine Act, 1920 (46 App. U.S.C. 883), as applicable on the date of enactment of this Act, the Secretary of Transportation may issue a certificate of documentation with appropriate endorsement for employment in the coastwise trade for the vessel EMPRESS (United States official number 975018).

By Mr. LOTT:

S. 528. A bill to authorize the Secretary of Transportation to issue a certificate of documentation and coastwise trade endorsement for three vessels; to the Committee on Commerce, Science, and Transportation.

CERTIFICATE OF DOCUMENTATION LEGISLATION

Mr. LOTT. Mr. President, today I am introducing legislation which seeks to temporarily authorize the operation of three vessels in the coastwise trade. Ordinarily, I do not support any legislative relief from section 27 of the Merchant Marine Act of 1920 to allow operation of vessels not constructed in the United States. In this particular instance, however, temporary relief from the Merchant Marine Act will increase jobs in the shipbuilding industry, support the addition of maritime jobs and expand the maritime transportation base.

I want to point out that the bill I am introducing today protects the U.S.-build requirements of the Jones Act by stipulating that these three vessels are authorized to operate in the coastwise trade if, and only if, three criteria are met. These criteria are:

The owner of these vessels must execute a binding contract for construction of replacement vessels within 9 months of enactment of this provision;

All necessary repairs required to operate these vessels in the coastwise trade must be performed in shipyards in the United States; and

Each of these vessels must be manned by U.S. citizens.

If this legislation is adopted, jobs in the U.S. maritime industry will be increased and new opportunities for maritime passenger transportation in high demand areas will be created. Without this authorization, these opportunities—including the addition of over 100 new shipyard jobs—will not occur.

I appreciate the attention of my colleagues and yield the floor.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 528

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. COASTWISE TRADE AUTHORIZATION FOR HOVERCRAFT.

Notwithstanding section 27 of the Merchant Marine Act, 1920 (46 U.S.C. App. 883), the Act of June 19, 1886 (46 U.S.C. App. 289), and sections 12106 and 12107 of title 46, United States Code, the Secretary of Transportation may issue a certificate of documentation with a coastwise endorsement for each of the vessels IDUN VIKING (Danish Registration number A433), LIV VIKING (Danish Registration number A394), and FREJA VIKING (Danish Registration number A395) if—

(1) all repair and alteration work on the vessels necessary to their operation under this section is performed in the United States;

(2) a binding contract for the construction in the United States of at least 3 similar vessels for the coastwise trade is executed by the owner of the vessels within 6 months after the date of enactment of this Act; and

(3) the vessels constructed under the contract entered into under paragraph (1) are to be delivered within 3 years after the date of entering into that contract.

ADDITIONAL COSPONSORS

S. 4

At the request of Mr. MCCAIN, the name of the Senator from Mississippi [Mr. LOTT] was added as a cosponsor of S. 4, a bill to grant the power to the President to reduce budget authority.

S. 50

At the request of Mr. LOTT, the names of the Senator from Utah [Mr. HATCH], and the Senator from Idaho [Mr. CRAIG] were added as cosponsors of S. 50, a bill to repeal the increase in tax on social security benefits.

S. 88

At the request of Mr. HATFIELD, the name of the Senator from Oklahoma [Mr. INHOFE] was added as a cosponsor of S. 88, a bill to increase the overall economy and efficiency of Government operations and enable more efficient use of Federal funding, by enabling local governments and private, nonprofit organizations to use amounts available under certain Federal assistance programs in accordance with approved local flexibility plans.

S. 90

At the request of Mr. HATFIELD, the name of the Senator from Oregon [Mr. PACKWOOD] was added as a cosponsor of S. 90, a bill to amend the Job Training Partnership Act to improve the employment and training assistance programs for dislocated workers, and for other purposes.

S. 145

At the request of Mr. GRAMM, the name of the Senator from South Dakota [Mr. PRESSLER] was added as a cosponsor of S. 145, a bill to provide appropriate protection for the constitutional guarantee of private property rights, and for other purposes.

S. 191

At the request of Mrs. HUTCHISON, the names of the Senator from Missouri [Mr. BOND], and the Senator from Wyoming [Mr. THOMAS] were added as cosponsors of S. 191, a bill to amend the Endangered Species Act of 1973 to ensure that constitutionally protected private property rights are not infringed until adequate protection is afforded by reauthorization of the Act, to protect against economic losses from critical habitat designation, and for other purposes.

S. 240

At the request of Mr. DOMENICI, the name of the Senator from Wyoming [Mr. SIMPSON] was added as a cosponsor of S. 240, a bill to amend the Securities Exchange Act of 1934 to establish a filing deadline and to provide certain safeguards to ensure that the interests of investors are well protected under the implied private action provisions of the Act.

S. 267

At the request of Mr. STEVENS, the name of the Senator from Louisiana [Mr. BREAUX] was added as a cosponsor of S. 267, a bill to establish a system of licensing, reporting, and regulation for vessels of the United States fishing on the high seas, and for other purposes.

S. 327

At the request of Mr. HATCH, the name of the Senator from Arizona [Mr. KYL] was added as a cosponsor of S. 327, a bill to amend the Internal Revenue Code of 1986 to provide clarification for the deductibility of expenses incurred by a taxpayer in connection with the business use of the home.

S. 348

At the request of Mr. NICKLES, the name of the Senator from Arizona [Mr. KYL] was added as a cosponsor of S. 348, a bill to provide for a review by the Congress of rules promulgated by agencies, and for other purposes.

S. 351

At the request of Mr. HATCH, the names of the Senator from New York [Mr. D'AMATO], and the Senator from Oklahoma [Mr. INHOFE] were added as cosponsors of S. 351, a bill to amend the Internal Revenue Code of 1986 to make permanent the credit for increasing research activities.

S. 478

At the request of Mr. BREAUX, the names of the Senator from Connecticut [Mr. DODD], and the Senator from