the Speaker of the House of Representatives, and to each Senator and Representative from California in the Congress of the United States.''

POM–465. A joint resolution adopted by the Legislature of the State of California; to the Committee on Veterans' Affairs.

''SENATE JOINT RESOLUTION NO. 29

''Whereas, the 1.5 million Americans who served in the ''Forgotten War'' have waited too long to be recognized for their sacrifices; and

''Whereas, the 54,000 soldiers who made the ultimate sacrifice for democracy deserve our thanks and respect; and

''Whereas, the 8,168 Americans who remain missing-in-action should always remain in our memories; and

''Whereas, it is appropriate that the Veterans of the Korean War be commemorated for their heroic efforts in that struggle for democracy; and

''Whereas, in October 1986, Congress passed legislation authorizing the American Battle Monuments Commission to establish a memorial on federal land in or near Washington, D.C. to honor the military personnel who served in the Korean War; and

''Whereas, in October 1986, President Ronald Reagan signed into law a measure authorizing the establishment of the Korean War Memorial in Washington, D.C., and Congress earmarked $1 million, to be repaid to the federal government, to start the project originally estimated to cost $5 million; and

''Whereas, on June 14, 1992, President George Bush broke ground for the Korean War Memorial, on a 2.2-acre plot on the National Mall on a plot of former marshlands at the foot of the Lincoln Memorial; and

''Whereas, on August 17, 1995, the President and South Korean President Kim Young-Sam, joined by ambassadors from the 21 nations that supported the United Nations resolution opposing North Korea's invasion of South Korea, dedicated the Korean War Memorial in Washington, D.C.; and

''Whereas, the memorial consists of 19 seven-foot-tall statues of roughened stainless steel with a dark patina weighing nearly 1,000 pounds each, depicting American soldiers advancing toward the American Flag; and

''Whereas, the memorial represents all of the services that fought in the war: 14 Army infantrymen, three Marines, one Navy medic, and one Air Force forward observer; and

''Whereas, the memorial includes a 164-foot long, eight-foot thick, polished granite wall weighing over 100 tons; and

''Whereas, the wall is made of ''academy black'' granite from California, and contains over 2,500 images representing the land, sea, and air troops; and

''Whereas, the memorial includes a highly reflective black granite reflecting pool; and

''Whereas, Ray Davis, a retired Marine Corps general and Chairman of the Korean War Veterans Memorial Dedication Foundation stated that establishment of the memorial will be ''a positive, uplifting, permanent kind of memorial. It will not age in that visitors see there, in almost perfect form, those that served the cause of freedom''; and

''Whereas, California commends these and other efforts to commemorate and place in a proper place of honor, a memorial to the great sacrifices that were made by those who fought for freedom and democracy during this heretofore ''forgotten war''; Now therefore be it

''*Resolved by the Senate and Assembly of the State of California, jointly,* That the Legislature of the State of California commemorates those who fought in the Korean War, and applauds the President and the Congress of the United States, the Korean War Veterans Memorial Dedication Foundation, and others who supported this effort for their accomplishments in making the Washington, D.C. Korean War Memorial a reality; and be it further

''*Resolved,* That the Legislature of the State of California respectfully memorializes the President and the Congress of the United States to take further action, as appropriate, to ensure that the Korean War does not again become a ''forgotten war''; and be it further

''*Resolved,* That the Secretary of the Senate transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the United States House of Representatives, to each Senator and Representative from California in the Congress of the United States, to the Korean War Veterans Memorial Dedication Foundation, and a suitably prepared copy to the author for distribution, as appropriate.''

REPORTS OF COMMITTEES

The following reports of committees were submitted on October 25, 1995:

By Mr. CHAFEE, from the Committee on Environment and Public Works, without amendment:

S. 1097: A bill to designate the Federal building located at 1550 Dewey Avenue, Baker City, Oregon, as the ''David J. Wheeler Federal Building'', and for other purposes.

The following reports of committees were submitted on October 26, 1995:

By Mr. HATCH, from the Committee on the Judiciary, without amendment:

S. 848. A bill to grant the consent of Congress to an amendment of the Historic Chattahoochee Compact between the States of Alabama and Georgia.

EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of committees were submitted:

By Mr. D'AMATO, from the Committee on Banking, Housing, and Urban Affairs: John A. Knubel, of Maryland, to be Chief Financial Officer, Department of Housing and Urban Development.

Kevin G. Chavers, of Pennsylvania, to be President, Government National Mortgage Association.

Hal C. DeCell III, of Mississippi, to be an Assistant Secretary of Housing and Urban Development.

Norman S. Johnson, of Utah, to be a Member of the Securities and Exchange Commission for the term expiring June 5, 1999.

Albert James Dwoskin, of Virginia, to be a Director of the Securities Investor Protection Corporation for a term expiring December 31, 1995.

Joseph H. Neely, of Mississippi, to be a Member of the Board of Directors of the Federal Deposit Insurance Corporation for a term of six years.

Alicia Haydock Munnell, of Massachusetts, to be a Member of the Council of Economic Advisers.

Dwight P. Robinson, of Michigan, to be Deputy Secretary of Housing and Urban Development.

Isaac C. Hunt, Jr., of Ohio, to be a Member of the Securities and Exchange Commission for the term expiring June 5, 2000.

(The above nominations were reported with the recommendation that they be confirmed, subject to the nominees' commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.)

By Mr. HATCH, from the Committee on the Judiciary:

Juan Abran DeHerrera, of Wyoming, to be United States Marshal for the District of Wyoming for the term of four years.

John R. Tunheim, of Minnesota, to be United States District Judge for the District of Minnesota.

Barry Ted Moskowitz, of California, to be United States District Judge for the Southern District of California vice a new position created by Public Law 101–650, approved December 1, 1990.

Stephen M. Orlofsky, of New Jersey, to be United States District Judge for the District of New Jersey.

Susan J. Dlott, of Ohio, to be United States District Judge for the Southern District of Ohio.

R. Guy Cole, Jr., of Ohio, to be United States Circuit Judge for the Sixth Circuit.

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

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. KEMPTHORNE (for himself, Mr. WARNER, Mr. FAIRCLOTH, Mr. INHOFE, Mr. THOMAS, Mr. MCCONNELL, Mr. CRAIG, Mr. BENNETT, Mr. BURNS, and Mr. COCHRAN):

S. 1364. A bill to reauthorize and amend the Endangered Species Act of 1973, and for other purposes; to the Committee on Environment and Public Works.

S. 1365. A bill to provide Federal tax incentives to owners of environmentally sensitive lands to enter into conservation easements for the protection of endangered species habitat, and for other purposes; to the Committee on Finance.

By Mr. KEMPTHORNE (for himself, Mr. CHAFEE, Mr. WARNER, Mr. FAIRCLOTH, Mr. INHOFE, Mr. THOMAS, Mr. MCCONNELL, Mr. CRAIG, Mr. BENNETT, Mr. BURNS, and Mr. COCHRAN):

S. 1366. A bill to amend the Internal Revenue Code of 1986 to allow a deduction from the gross estate of a decedent in an amount equal to the value of real property subject to an endangered species conservation agreement; to the Committee on Finance.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. KEMPTHORNE (for himself, Mr. WARNER, Mr. FAIRCLOTH, Mr. INHOFE, Mr. THOMAS, Mr. MCCONNELL, Mr. CRAIG, Mr. BENNETT, Mr. BURNS, and Mr. COCHRAN):

S. 1364. A bill to reauthorize and amend the Endangered Species Act of 1973, and for other purposes; to the Committee on Environment and Public Works.

THE ENDANGERED SPECIES CONSERVATION ACT

• Mr. KEMPTHORNE. Mr. President, today I introduced a bill that I believe will restore Americans' faith and confidence in the Government's ability to

protect the environment and our future.

I am talking about reform of the Endangered Species Act, first enacted in 1973. If we do nothing, the act will collapse under the weight of regulation and inefficiencies.

Everyone I speak with considers themselves an environmentalist, and I believe they are right. We all want a future for our children. We only have one planet, and we must do all we can to protect it and the species living on it.

We can all agree with the goals of the act—identify species and habitat in danger of extinction and try to reverse the process for those that we can. Unfortunately, many Americans have come to destruct the act and its bureaucracy. We need to restore a balance in order to allow the act to work.

That is why I am introducing my Endangered Species Conservation Act today. I consider myself a probusiness environmentalist. Some may think that is an oxymoron, but I do not believe so. Here is why: Without a healthy economy, we will not have the resources needed to conserve the rare species among us.

How can we have both?

My Drinking Water, Fisheries, and Wildlife Subcommittee held extensive hearings on the act this spring and summer. We held hearings in Washington, DC, Idaho, Oregon, and Wyoming.

In those hearings, some common themes emerged. First, almost everyone agreed it is time to reform the Endangered Species Act.

We heard that from almost everyone, from the unemployed timber worker in Idaho to the Secretary of the Interior. And I intend with this bill to bring about the meaningful and substantial reform to the act that everyone has asked for.

While all of us agree on the general goals of the Endangered Species Act, the message that we received at our hearings is that the ESA is too much regulation, too much Federal control, and too much Government. That message has come through loud and clear. People who have to live with the ESA are angry with how the Government uses it against them. The ESA relies too often on untested science, bureaucratic delays, and excludes State and local government from decisions that affect their own people, and threatens private property rights.

An example of this is the case in Idaho, where a Federal judge threatened to shut down all activities in six national forests. The loggers, miners, ranchers, businessowners, and the thousands of jobs they provide were at risk because Federal agencies were not talking to each other.

We must bring balance back to the process of saving rare and threatened species. This is not just an issue in my home State of Idaho or elsewhere in the West. Indeed, the Endangered Species Act has implications in the Northeast, where the Atlantic Salmon remains a concern, the Southwest with the Mexican Spotted Owl, the Red Cockaded Woodpecker in the Southeast, and the Midwest's whooping cranes. Nearly every American has a stake in this debate, and I believe, Mr. President, that nearly every American will understand the reasons why my bill will be better for people, species, and the environment.

The said truth is that since 1973, only a handful of species have been successfully removed from the endangered species list. Yet despite our efforts to document the cost, untold millions of dollars have been spent in the effort. We need a bill that works better, more effectively, and actually accomplishes what that original 1973 law intended to do.

I believe this bill will do that by allowing science to take its proper place in the debate. Science, not political science, should determine whether a species is at risk of extinction. Right now, it is the other way around, with a political decision made first on a species and then the necessary data found to justify that decision. Science should provide options for public policymakers. Until we use science to allow us to make the best public policy decisions, and until we openly move into the political arena and discuss the competing concerns facing our country, we never will be able place our society's priorities in balance.

I believe that is where Congress has abdicated its responsibilities. Congress tells Federal agencies to go out and make the ESA work, but often the only tools those agencies have are the blunt instrument of regulation.

Examples like the 29 homes lost to fire in southern California because homeowners couldn't cut fire lines due to ESA regulations have eroded public confidence in the act, and have made them openly skeptical of its goals. I doubt whether many Americans will make the Stephens' Kangaroo Rat a priority over those 29 homes. Under the ESCA we would find a way to protect both the Stephens' Kangaroo Rat and the private property rights of the 29 homeowners.

In this manner this legislation restores the balance to the equation and allows for a healthy economy, vibrant communities, better species protection, and hope for our children's futures. It makes the Endangered Species Act actually work better and stronger and is good reform. If we do nothing, public opposition to how the act has been implemented will cause it to fail altogether. I do not think anyone here wants that to happen.

Let me go over the major provisions of the ESCA: This bill effectively separates science from politics; it is designed to actually conserve species while recognizing the rights of private property owners; the current act's mandate to recover every species regardless of cost or consequence is changed to allow us to prioritize our Nation's needs and to conserve species in the process; the ESCA involves State and local governments in the conservation process and treats them as equals; we remove bureaucratic delays that destroy the relationship between property owners and Government; this bill provides incentives to encourage the protection of endangered and threatened species; it makes all Federal agencies partners, instead of adversaries, in the conservation of species.

This bill introduces several innovations and new ideas that I think are crucial to bringing balance to the act. First, we recognize the progress science has made in genetics. Genetics are not even mentioned in the 1973 act. In the ESCA we recognize genetics as a measure of species distinctness. And, as requested by the scientists, we protect the biological species and genetically distinct populations and subspecies.

Whether a species should be listed is measured in human generations, because I believe we must look to our children's future, and how we can provide for them. Is this sound science? I believe so because population biologists tell me they can now make such forecasts within those bounds.

The fact remains we are spending millions of dollars now and putting jobs and communities at risk with no clear policy, priorities, or ability to measure results. We must acknowledge that extinction is a natural phenomenon over which man has limited control. Today we have an opportunity to reform the Endangered Species Act to do a better job of preventing the increasing loss of species. Congress must take a forceful step in this area, because we can't afford to let the courts distort our good intentions.

I do not expect this bill to be embraced by those in our country who view this issue only from the extremes. But extremists get very little accomplished. I contend that extremists probably deserve each other and ought to be on some remote island where they have to help each other. The balance between people and our natural world can only be maintained with a partnership—a partnership brought about by legislation like this.

If we do nothing, and do not work together, and if we continue to rely solely on regulation instead of incentives we will fail. That is something we cannot allow for our present and for our childrens' future.●

● Mr. BURNS. Mr. President, I am pleased to be a cosponsor of the Endangered Species Conservation Act [ESCA] introduced by Senator KEMPTHORNE.

The Endangered Species Act [ESA] has been misused and twisted from its original intent, and I believe the bill we are introducing today puts us back on track.

Montana's largest industry is agriculture. If you asked Montana's farmers and ranchers what law they want Congress to fix, most will say the Endangered Species Act. The wood products industry represents almost half of

western Montana's economy. If you ask the folks who make a living in the woods what law is currently infringing on their ability to make a living for their families, they'll tell you about grizzly bears and road closures—once again coming back to the Endangered Species Act.

There is no doubt that we must reform the ESA. It is the single most restrictive law that Montanans and other American who rely on the land to make a living, must deal with. The communities in Montana lack the economic stability and predictability they deserve. The current law has many communities in Montana and throughout our Nation living on pins and needles. The bottom line is communities are hurting.

We need to change the ESA so that it truly protects and recovers species, won't cost millions of dollars per species, and will protect private propertyowners' rights. The bill we're introducing today accomplishes these goals.

Emphasis must to placed on recovery. The current law emphasizes the listing of species instead of protecting and recovering species. In order to do this, the Endangered Species Conservation Act contains the following principles:

First, as I stated earlier, above all we must concentrate our efforts on recovery plans. If we do so, we would focus on the least costly alternative and we would assess the impacts of decisions made under the act for State and local economics. In addition, this would force priorities to be set and would generate recovery plans which are reasonable and obtainable.

Second, the ESCA bill we've introduced today recognizes that a one-size-fits-all recovery standard is flawed. The ESCA establishes standards for prioritizing where Federal dollars should be spent and what level of conservation will be sought.

Finally, it also ensures decisions are based on better science. Peer review procedures need to be added to improve the overall data collected so that the right decisions are made. We must have three decisions made outside of politics and instead done by objective individuals who have a background in science. The bill establishes an Endangered Species Commission which will ensure sound science, not politics, drives our decisions.

The best decisions are those made at the local level, and I believe we need increased private participation in our conservation efforts. The fact is, local individuals are the best people to support any conservation plan. They work and live in the areas affected, and they have a stake in what happens in their own backyards.

Washington should not forget, these people want to maintain the quality of life they have for their families. The ESCA encourages cooperative management agreements for non-Federal efforts and other incentives for private land owners. These include deferment of estate taxes where conservation easements are in place, technical assistance, and cost sharing.

Without a doubt, compensation must be given to individuals who lose the use of their private property under a Federal Government conservation plan. Our Constitution and property rights need protection on every front. Anything short of that is selling our constitutional rights down the river. I am pleased that the ESCA contains a provision to protect our private property rights.

The Endangered Species Act has a good goal. However, since it became law, it has been twisted and misused for other purposes. We need some common sense put back into recovering species. Starting from a new view point, and crafting an act which truly reflects what we want to do—conserve and recover species—has to be the focus. We can't let the existing law and regulations run multiple use off our lands.

Reforming the Endangered Species Act is essential to Montana's economy. Our four largest industries—agriculture, timber, mining, and oil and gas rely on the use of land. And it's these industries which supply the jobs and the tax base for Montana. Changing the laws on conserving and recovering endangered species is important for jobs for Montanans, and it is important for sound land management activities.

The Endangered Species Conservation Act is a good bill and I hope the Senate will act quickly in considering this important issue.●

ADDITIONAL COSPONSORS

S. 228

At the request of Mr. BRYAN, the name of the Senator from Iowa [Mr. HARKIN] was added as a cosponsor of S. 228, a bill to amend certain provisions of title 5, United States Code, relating to the treatment of Members of Congress and Congressional employees for retirement purposes.

S. 650

At the request of Mr. SHELBY, the name of the Senator from Virginia [Mr. WARNER] was added as a cosponsor of S. 650, a bill to increase the amount of credit available to fuel local, regional, and national economic growth by reducing the regulatory burden imposed upon financial institutions, and for other purposes.

S. 678

At the request of Mr. AKAKA, the names of the Senator from North Carolina [Mr. HELMS] and the Senator from Illinois [Ms. MOSELEY-BRAUN] were added as cosponsors of S. 678, a bill to provide for the coordination and implementation of a national aquaculture policy for the private sector by the Secretary of Agriculture, to establish an aquaculture development and research program, and for other purposes.

S. 690

At the request of Mr. AKAKA, the name of the Senator from Washington [Mrs. MURRAY] was added as a cosponsor of S. 690, a bill to amend the Federal Noxious Weed Act of 1974 and the Terminal Inspection Act to improve the exclusion, eradication, and control of noxious weeds and plants, plant products, plant pests, animals, and other organisms within and into the United States, and for other purposes.

S. 878

At the request of Mr. COCHRAN, the name of the Senator from Ohio [Mr. DEWINE] was withdrawn as a cosponsor of S. 878, a bill to amend the Internal Revenue Code of 1986 to reduce mandatory premiums to the United Mine Workers of America Combined Benefit Fund by certain surplus amounts in the Fund, and for other purposes.

S. 881

At the request of Mr. PRYOR, the name of the Senator from Rhode Island [Mr. PELL] was added as a cosponsor of S. 881, a bill to amend the Internal Revenue Code of 1986 to clarify provisions relating to church pension benefit plans, to modify certain provisions relating to participants in such plans, to reduce the complexity of and to bring workable consistency to the applicable rules, to promote retirement savings and benefits, and for other purposes.

S. 968

At the request of Mr. MCCONNELL, the name of the Senator from Arkansas [Mr. BUMPERS] was added as a cosponsor of S. 968, a bill to require the Secretary of the Interior to prohibit the import, export, sale, purchase, and possession of bear viscera or products that contain or claim to contain bear viscera, and for other purposes.

S. 978

At the request of Mrs. HUTCHISON, the names of the Senator from Hawaii [Mr. INOUYE], the Senator from Oklahoma [Mr. INHOFE], and the Senator from Illinois [Mr. SIMON] were added as cosponsors of S. 978, a bill to facilitate contributions to charitable organizations by codifying certain exemptions from the Federal securities laws, to clarify the inapplicability of antitrust laws to charitable gift annuities, and for other purposes.

S. 1200

At the request of Ms. SNOWE, the names of the Senator from Alabama [Mr. HEFLIN] and the Senator from Pennsylvania [Mr. SPECTER] were added as cosponsors of S. 1200, a bill to establish and implement efforts to eliminate restrictions on the enclaved people of Cyprus.

SENATE CONCURRENT RESOLUTION 11

At the request of Ms. SNOWE, the name of the Senator from Alabama [Mr. HEFLIN] was added as a cosponsor of Senate Concurrent Resolution 11, a concurrent resolution supporting a resolution to the long-standing dispute regarding Cyprus.