

flooding diminishes the value of downstream homeowners' properties. Under the Homeowners' Protection and Empowerment Act, any affected homeowner whose property value declined by at least \$10,000 because of the developer's wetland filling would have the right to sue the developer for compensation.

The legislation also requires anyone conducting an activity that both requires a permit or other authorization under Federal law and generates pollution or has other property damaging impacts to give written notice about the activity and its potential impact to each homeowner living within a quarter mile of the activity.

I want to thank Senator WARNER for working with me on this legislation and for helping to clarify that the intent of the legislation is to protect typical homeowners. I look forward to working with him to move the legislation forward.●

By Mr. KERRY:

S. 2071. A bill to amend title VII of the Civil Rights Act of 1964 to establish provisions with respect to religious accommodation in employment, and for other purposes; to the Committee on Labor and Human Resources.

THE WORKPLACE RELIGIOUS FREEDOM ACT

● Mr. KERRY. Mr. President, I am proud today to introduce the Workplace Religious Freedom Act of 1996. This bill would protect workers from on-the-job discrimination. It represents a milestone in the protection of religious liberty, assuring that all workers have equal employment opportunities.

In 1972, Congress amended the Civil Rights Act of 1964 to require employers to reasonably accommodate an employee's religious practice or observance unless doing so would impose an undue hardship on the employer. This 1972 amendment, although completely appropriate, has been interpreted by the courts so narrowly as to place little restraint on an employer's refusal to provide religious accommodation. The Workplace Religious Freedom Act will restore to the religious accommodation provision the weight that Congress originally intended and help assure that employers have a meaningful obligation to reasonably accommodate their employees' religious practices.

The restoration of this protection is no small matter. For many religiously observant Americans the greatest peril to their ability to carry out their religious faiths on a day-to-day basis may come from employers. I have heard examples from around the country about a small minority of employers who will not make reasonable accommodation for observance of the Sabbath and other holy days; for employees who must wear religiously required garb, such as a yarmulke; or for clothing that meets modesty requirements.

The refusal of an employer, absent undue hardship, to provide reasonable accommodation of a religious practice

should be seen as a form of religious discrimination, as originally intended by Congress in 1972. And religious discrimination should be treated fully as seriously as any other form of discrimination that stands between Americans and equal employment opportunities. Enactment of the Workplace Religious Freedom Act will constitute an important step toward ensuring that all members of society, whatever their religious beliefs and practices, will be protected from an invidious form of discrimination.

It is important to recognize that, in addition to protecting the religious freedom of employees, this legislation protects employers from an undue burden. Employees would be allowed to take time off only if their doing so does not pose a significant difficulty or expense for the employer. This commonsense definition of undue hardship is used in the Americans with Disabilities Act and has worked well in that context.

I believe this bill should receive bipartisan support. It has been endorsed by a wide range of organizations including the American Jewish Committee, the Baptist Joint Committee, the Christian Legal Society, and the Jewish Community Relations Council of Greater Boston.

As the Jewish high holidays and eventually Christmas approach, I feel strongly that workers should not have to worry that they will be prohibited from choosing to take time off from work to observe a religious holiday. I urge this body to pass this legislation so that all workers can have equal employment opportunities and practice their religion.●

ADDITIONAL COSPONSORS

S. 863

At the request of Mr. GRASSLEY, the name of the Senator from Utah [Mr. HATCH] was added as a cosponsor of S. 863, a bill to amend title XVIII of the Social Security Act to provide for increased medicare reimbursement for physician assistants, to increase the delivery of health services in health professional shortage areas, and for other purposes.

S. 905

At the request of Mr. AKAKA, the name of the Senator from Tennessee [Mr. FRIST] was added as a cosponsor of S. 905, a bill to provide for the management of the airplane over units of the National Park System, and for other purposes.

S. 1129

At the request of Mr. ASHCROFT, the name of the Senator from Ohio [Mr. DEWINE] was added as a cosponsor of S. 1129, a bill to amend the Fair Labor Standards Act of 1938 to permit employers to provide for flexible and compressed schedules, to permit employers to give priority treatment in hiring decisions to former employees after periods of family care responsibility, to

maintain the minimum wage and overtime exemption for employees subject to certain leave policies, and for other purposes.

S. 1963

At the request of Mr. ROCKEFELLER, the names of the Senator from South Carolina [Mr. HOLLINGS], the Senator from Texas [Mrs. HUTCHISON], the Senator from Vermont [Mr. LEAHY], the Senator from Maryland [Ms. MIKULSKI], and the Senator from California [Mrs. BOXER] were added as cosponsors of S. 1963, a bill to establish a demonstration project to study and provide coverage of routine patient care costs for Medicare beneficiaries with cancer who are enrolled in an approved clinical trial program.

S. 1967

At the request of Mr. BROWN, the name of the Senator from Oklahoma [Mr. INHOFE] was added as a cosponsor of S. 1967, a bill to provide that members of the Armed Forces who performed services for the peacekeeping efforts in Somalia shall be entitled to tax benefits in the same manner as if such services were performed in a combat zone, and for other purposes.

S. 1968

At the request of Mr. FAIRCLOTH, the name of the Senator from Oklahoma [Mr. INHOFE] was added as a cosponsor of S. 1968, a bill to reorder United States budget priorities with respect to United States assistance to foreign countries and international organizations.

S. 1969

At the request of Mr. BRADLEY, the names of the Senator from Iowa [Mr. GRASSLEY], the Senator from Connecticut [Mr. LIEBERMAN], the Senator from Virginia [Mr. ROBB], and the Senator from Wyoming [Mr. SIMPSON] were added as cosponsors of S. 1969, a bill to establish a Commission on Retirement Income Policy.

S. 2018

At the request of Mr. GORTON, the name of the Senator from Washington [Mrs. MURRAY] was added as a cosponsor of S. 2018, a bill to approve a settlement agreement between the Bureau of Reclamation and the Oroville-Tonasket Irrigation District.

AMENDMENT NO. 5244

At the request of Mr. KOHL, the name of the Senator from Delaware [Mr. BIDEN] was added as a cosponsor of amendment No. 5244 proposed to H.R. 3756, a bill making appropriations for the Treasury Department, the United States Postal Service, the Executive Office of the President, and certain Independent Agencies, for the fiscal year ending September 30, 1997, and for other purposes.

At the request of Mr. ROBB, his name was added as a cosponsor of amendment No. 5244 proposed to H.R. 3756, supra.