

the federal territories, possessions, and protectorates in the Pacific; and

"Whereas United States Representatives Bunn and White of Oregon, Representative Dunn of Washington, and Representative Young of Alaska have introduced H.R. 2935, a bill that would amend Title 28 of the United States Code to divide the Court of Appeals for the Ninth Circuit into two circuits, and that has the short title of the "Ninth Circuit Court of Appeals Reorganization Act of 1996"; and

"Whereas H.R. 2935 proposes to remove the states of Alaska, Arizona, Idaho, Montana, Nevada, Oregon, and Washington from the Court of Appeals for the Ninth Circuit and place them in a new Court of Appeals for the Twelfth Circuit to be headquartered in Portland, Oregon; and

"Whereas H.R. 2935 would make each circuit judge of the Court of Appeals for the Ninth Circuit whose duty station is in Alaska, Arizona, Idaho, Montana, Nevada, Oregon, or Washington a circuit judge of the new Court of Appeals for the Twelfth Circuit; and

"Whereas the membership of the Court of Appeals for the Ninth Circuit is heavily weighted toward the State of California and the court seems to concern itself predominantly with issues arising out of California and the southwestern United States; and

"Whereas the Court of Appeals for the Ninth Circuit's case filings are greater than any other federal circuit; and

"Whereas members of the Court of Appeals for the Ninth Circuit have shown a surprising lack of understanding of Alaska's people and geography that has resulted in decisions that have often caused the people of Alaska unnecessary hardship; and

"Whereas, in the so-called "Katie John" substitute case, which is of tremendous importance to the people of the State of Alaska, even though the Court of Appeals for the Ninth Circuit granted expedited consideration of that case, the court did not issue its decision for over 13 months; this expedited decision is now under reconsideration by the court; and

"Whereas Attorney General Bruce Botelho estimates that there are more than 200 Alaska cases currently pending before the Court of Appeals for the Ninth Circuit; and

"Whereas the Attorneys General of the States of Idaho, Montana, Oregon, and Washington have also found that similar issues of unnecessary delay concerning, lack of understanding of, and lack of consideration for cases and issues by the Court of Appeals for the Ninth Circuit exist in regard to those states; and

"Whereas the Attorneys General of the States of Alaska, Idaho, Montana, Oregon, and Washington have endorsed S. 956, the United States Senate counterpart to H.R. 2935; and

"Whereas the creation of a new Court of Appeals for the Twelfth Circuit encompassing the States of Alaska, Arizona, Idaho, Montana, Nevada, Oregon, and Washington by H.R. 2935 would benefit these similar states by providing speedier and more consistent rulings by jurists who have a greater familiarity with the social, geographical, political, and economic life of the region;

"*Be it Resolved*, That the Alaska State Legislature supports creation of a new Court of Appeals for the Twelfth Circuit for the States of Alaska, Arizona, Idaho, Montana, Nevada, Oregon, and Washington headquartered in the Pacific Northwest; and respectfully requests the United States Congress to act in an expeditious manner."

POM-653. A joint resolution adopted by the Legislature of the State of Rhode Island; to the Committee on Labor and Human Resources.

"JOINT RESOLUTION

"Whereas, Improving patient access to qualify health care is a paramount national goal; and

"Whereas, The key to improved health care, especially for persons with serious unmet medical needs, is the rapid approval of safe and effective new drugs, biological products and medical devices; and

"Whereas, Minimizing the delay between discovery and eventual approval of a new drug, biological produce, or medical device derived from research conducted by innovative pharmaceutical and biotechnology companies could improve the lives of millions of Americans; and

"Whereas, Current limitations on the dissemination of information about pharmaceutical products reduce the availability of information to physicians, other health care professionals and patients, and unfairly limit the right of free speech guaranteed by the First Amendment to the United States Constitution; and

"Whereas, The current rules and practices governing the review of new drugs, biological products, and medical devices by the United States Food and Drug Administration can delay approvals and are unnecessarily expensive; now, therefore, be it

"*Resolved*, That this general assembly of the state of Rhode Island and Providence Plantations hereby respectfully urges the President and the Congress of the United States to address this important issue by enacting comprehensive legislation to facilitate the rapid review and approval of innovative new drugs, biological products, and medical devices, without compromising patient safety or product effectiveness;

"*Resolved*, That the secretary of state be and he hereby is authorized and directed to transmit duly certified copies of this resolution to the President of the United States, the Speaker of the United States House of Representatives, the President of the United States Senate, and the Rhode Island delegation in Congress.

POM-654. A resolution adopted by the Council of the City and County of Honolulu, Hawaii relative to the draft of proposed legislation entitled "Private Storage Facility Authorization Act of 1996"; to the Committee on Energy and Natural Resources.

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. LAUTENBERG:

S. 1950. A bill to amend the Federal Water Pollution Control Act to improve the quality of coastal recreation waters, and for other purposes; to the Committee on Environment and Public Works.

By Mr. FORD (for himself, Mr. HOLLINGS, Mr. HELMS, Mr. WARNER, Mr. BYRD, Mr. HEFLIN, Mr. THURMOND, Mr. SHELBY, and Mr. COHEN):

S. 1951. A bill to ensure the competitiveness of the United States textile and apparel industry; to the Committee on Finance.

By Mr. THOMPSON (for himself and Mr. BIDEN):

S. 1952. A bill to amend the Juvenile Justice and Delinquency Prevention Act of 1974, and for other purposes; to the Committee on the Judiciary.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. LOTT (for himself and Mr. DASCHLE):

S. Res. 278. A resolution to authorize testimony, production of documents, and representation of Senate employee in State of Florida v. Kathleen Bush; considered and agreed to.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. LAUTENBERG:

S. 1950. A bill to amend the Federal Water Pollution Control Act to improve the quality of coastal recreation waters, and for other purposes; to the Committee on Environment and Public Works.

THE BEACHES ENVIRONMENT ASSESSMENT, CLOSURE AND HEALTH ACT OF 1996

Mr. LAUTENBERG. Mr. President, I rise to introduce the Beaches Environmental Assessment, Closure, and Health [BEACH] Act of 1996.

Mr. President, coastal tourism generates billions of dollars every year for local communities nationwide. Moreover, our coastal areas provide immeasurable benefits for millions of Americans who want to build sand castles, cool off in the water, take a walk with that special someone, or just relax. New Jersey's tourism sector is the second largest revenue-producing industry in the State. Without a doubt, the lure of my State's beaches generates most of this revenue—over \$7 billion annually.

Mr. President, alarmingly, this heavily used natural resource can actually pose a threat to human health if it is not properly managed. Studies conducted during the past two decades show a definite relationship between the amount of indicator bacteria in coastal waters and the incidence of swimming-associated illnesses.

Viruses are believed to be the major cause of swimming-associated diseases—gastroenteritis and hepatitis are the most common ones worldwide. And because an individual afflicted with these diseases is contagious to others in his or her household, the risk of sewage-borne illness does not end with the bather. Additional diseases that can be contracted by swimmers include an infection caused by the toxigenic bacteria *E. coli*—the bacteria found in Jack-in-the-Box hamburgers which caused an outbreak of illnesses a few years ago.

Yet many current, EPA approved techniques to measure marine water quality appear to underestimate the true number of viable pathogens that are entering the marine environment. Existing EPA guidelines allow States to decide whether their beach waters are safe for swimming based on monthly averages. Waters may appear safe in the long term, but short-term violations of the public health standard go unrecognized.