By Mr. TORRICELLI (for himself and Mr. LAUTENBERG):

S. 2458. A bill to amend the Act entitled ''An Act to provide for the creation of the Morristown National Historical Park in the State of New Jersey, and for other purposes'' to authorize the acquisition of property known as the ''Warren Property''; to the Committee on Energy and Natural Resources.

By Mr. SPECTER:

S. 2459. A bill for the relief of Paul G. Finnerty and Nancy Finnerty of Scranton, Pennsylvania; to the Committee on Labor and Human Resources.

By Mr. LEVIN (for himself and Mr. DURBIN):

S. 2460. A bill to curb deceptive and misleading games of chance mailings, to provide Federal agencies with additional investigative tools to police such mailings, to establish additional penalties for such mailings, and for other purposes; to the Committee on Governmental Affairs.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

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

By Mr. GRAHAM (for himself, Mr. CRAIG, Mr. CAMPBELL, and Mr. BURNS):

S. Res. 275. A resolution expressing the sense the Senate that October 11, 1998, should be designated as ''National Children's Day''; to the Committee on the Judiciary.

By Mr. SPECTER:

S. Con. Res. 116. A concurrent resolution concerning the New Tribes Mission hostage crisis; to the Committee on Foreign Relations.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. DASCHLE:

S. 2455. A bill to amend the Railroad Retirement Act of 1974 to prevent the canceling of annuities to certain divorced spouses of workers whose widows elect to receive lump sum payments; to the Committee on Labor and Human Resources.

RAILROAD RETIREMENT AMENDMENT ACT OF 1998''

Mr. DASCHLE. Mr. President, today I am introducing legislation on behalf of Valoris Carlson of Aberdeen, SD, and the handful of others like her whose lives have been terribly disrupted. This legislation will right a wrong that was not due to any error or deception on Valoris' part, but due to an administrative error by the Railroad Retirement Board [RRB]. In addition, the majority of the Board supports the amendment.

In 1984 Valoris, as the divorced spouse of a deceased railroad employee, applied for a tier I survivor's annuity. The RRB failed to check if a lump sum withdrawal had previously been made on the account at the time of her former spouse's death—even though Valoris clearly stated on her application that there was a surviving widow. In fact, a lump sum payment had been made, but not identified. The RRB began paying Valoris $587 per month in 1984 and continued to pay her benefits for 11 years. In 1994 the RRB discovered that an error had been made over a decade ago.

Subsequently, Valoris was told she was not eligible for the pension she was awarded in 1984. Had the RRB thoroughly reviewed their records, they would have seen that a lump-sum payment had been made on that account. Valoris, who was married for 26 years, lost her eligibility to the widow of the railroad worker who had been married to him for only 3 years. Valoris made an honest application for benefits. The RRB made an error, resulting in 11 years of ''overpayments'' to Valoris.

These payments affected Valoris' planning for the future. Valoris planned her retirement on that modest sum of $587. Had she been told she was not eligible for benefits, she would have worked longer to build up her own Social Security benefits. Her railroad divorced widow's benefit has been her only steady income. She has picked up a few dollars here and there by renting out rooms in her home, but without her monthly benefit income, Valoris has had a terrible time struggling to make ends meet.

The bill I am introducing today will address the errors made by the RRB that have disrupted the life of Valoris Carlson and others like her. The RRB advises that 15 other widows are similarly situated, and their pensions would also be restored by this bill.

The bill, which was developed with technical assistance from the RRB, would allow the 16 women impacted by the RRB's administrative error to begin receiving their monthly benefits again. It requires them to repay the lump sum, but they are allowed to do so through a modest withholding from their monthly benefit. The RRB could waive the monthly withholding if it would cause excessive hardship for a widow.

According to the RRB, the costs of this legislation would be negligible for scoring purposes.

Mr. President, I will work to enact this legislation as quickly as possible to restore the benefits to those women who are now suffering as a result of the Government's mistakes. It has been four years since these women have lost their retirement income. There is no excuse for further delay in providing these Americans with benefits they were led to expect by the RRB.

Mr. President, I ask that the full 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. 2455

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 ''Railroad Retirement Amendment Act of 1998''.

SEC. 2. PROTECTION OF DIVORCED SPOUSES.

(a) IN GENERAL.—Section 6(c) of the Railroad Retirement Act of 1974 (45 U.S.C. 231e(c)) is amended—

(1) in the last sentence of paragraph (1), by inserting ''(other than to a survivor in the circumstances described in paragraph (3))'' after ''no further benefits shall be paid''; and

(2) by adding at the end the following:

''(3) Notwithstanding the last sentence of paragraph (1), benefits shall be paid to a survivor who—

''(A) is a divorced wife; and

''(B) through administrative error received benefits otherwise precluded by the making of a lump sum payment under this section to a widow;

if that divorced wife makes an election to repay to the Board the lump sum payment. The Board may withhold up to 10 percent of each benefit amount paid after the date of the enactment of this paragraph toward such reimbursement. The Board may waive such repayment to the extent the Board determines it would cause an unjust financial hardship for the beneficiary.''.

(b) APPLICATION OF AMENDMENT.—The amendment made by this section shall apply with respect to any benefits paid before the date of enactment of this Act as well as to benefits payable on or after the date of the enactment of this Act.

By Mr. GORTON (for himself and Mrs. MURRAY):

S. 2457. A bill to make technical correction to the Columbia River Gorge National Scenic Area Act of 1986; to the Committee on Energy and Natural Resources.

COLUMBIA RIVER GORGE BOUNDARY ADJUSTMENT ACT

• Mr. GORTON. Mr. President, it gives me great pleasure today to introduce legislation which will correct a longstanding technical error to the Columbia Gorge National Scenic Area Act of 1986.

As those who were around this body over a decade ago remember, the Columbia Gorge Act was a highly complicated and contentious piece of legislation. A great number of impacted citizens made substantial sacrifices to see that this Act which was intended to protect one of the most pristine and magnificent natural resources anywhere in America could become law. Because of the detailed nature and the sometimes convoluted process established under this Act, it is not surprising that a mistake along the lines of what my bill today intends to correct could happen. My legislation simply makes a technical correction to the Gorge Act by excluding approximately 29 acres of land owned by the Port of Camas-Washougal. This area was inadvertently included within the southwestern boundary of the Columbia River Gorge National Scenic Area 12 years ago.

Mr. President, ever since the establishment of the National Scenic Area, the Port of Camas-Washougal has been diligent in its efforts to prove that a small portion of its property was unintentionally included in the Scenic Area. In fact, even before the Gorge Act became law, the Port was successful in getting legislation passed that established the Steigerwald Lake National Wildlife Refuge and reserved 80 acres of this area for its own purposes.

Unfortunately, two years later, Congress in its infinite wisdom located the