

Secretary of Agriculture, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

S. 1463. A bill to amend the Trade Act of 1974 to clarify the definitions of domestic industry and like articles in certain investigations involving perishable agricultural products, and for other purposes; to the Committee on Finance.

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

S. 1464. A bill for the relief of certain former employees of the United States whose firefighting functions were transferred from the Department of Energy to Los Alamos County, New Mexico; to the Committee on Governmental Affairs.

By Mr. HELMS (for himself, Mr. DODD, and Mr. KERRY):

S. 1465. A bill to extend au pair programs; to the Committee on Foreign Relations.

By Mr. MCCAIN (for himself, Mr. BIDEN, and Mr. MACK):

S. 1466. A bill to amend title II of the Social Security Act to provide for increases in the amounts of allowable earnings under the social security earnings limit for individuals who have attained retirement age, and for other purposes; to the Committee on Finance.

By Mr. BURNS (for himself and Mr. BAUCUS):

S. 1467. A bill to authorize the construction of the Fort Peck Rural County Water Supply System, to authorize assistance to the Fort Peck Rural County Water District, Inc., a nonprofit corporation, for the planning, design, and construction of the water supply system, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. HELMS (for himself, Mr. THOMAS, and Mr. MACK):

S.J. Res. 43. A joint resolution expressing the sense of Congress regarding Wei Jingsheng; Gedhun Choekyi Nyima, the next Panchen Lama of Tibet; and the human rights practices of the Government of the People's Republic of China; to the Committee on Foreign Relations.

#### STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

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

S. 1464. A bill for the relief of certain former employees of the United States whose firefighting functions were transferred from the Department of Energy to Los Alamos County, NM; to the Committee on Governmental Affairs.

#### LOS ALAMOS FIREFIGHTERS LEGISLATION

Mr. DOMENICI. Mr. President, I introduce legislation that will enable the Federal Government to fulfill an outstanding obligation to a small, dedicated group that has committed years of service in the national interest.

In 1989, firefighting responsibilities in Los Alamos, NM, were transferred from the Department of Energy to Los Alamos County. The transfer was part of a larger, continuing effort to divest the Federal Government of functions normally performed by State and local government that the Federal Government has performed in Los Alamos since the Manhattan Engineering District assumed control of all activities at Los Alamos during World War II.

The transfer affected 43 firefighters who, after years of Federal service that

for many of them began in Viet Nam, became Los Alamos County employees. At the time, the firefighters were told by the Department of Energy that they would be transferred "as whole," meaning they would lose no benefits. Unfortunately, that did not happen largely due to changes in administration at the Department of Energy and Los Alamos County.

Each firefighter received a severance payment, in accordance with normal practice, that included reimbursement for moneys each had contributed to the Federal retirement system. However, that payment was significantly less than the amount required to purchase service time in the retirement program available to Los Alamos County employees equivalent to their time of Federal service.

The result is straightforward; these firefighters, who continue to perform exactly the same work today as when they were Department of Energy employees, have lost the majority of their retirement because the Federal Government has failed to meet its obligation to transfer them "as whole." These are dedicated workers who continue to provide vital firefighting service to Los Alamos County and the Los Alamos National Laboratory. They should be treated fairly.

The legislation I am introducing today would remedy this unfairness. It would direct the Federal Government pay to the firefighters current State retirement program a sum that when combined with the severance payment made to the firefighters upon their transfer would provide the firefighters with a service credit in the State program equivalent to their Federal time of service. The result would be that the firefighters retirement would not be impacted by the change from Federal to county status.

Mr. President, there is some urgency to this matter. A number of these firefighters are approaching retirement age. Without the benefits of this legislation, they will be entitled to almost no retirement benefits when they reach the mandatory retirement age for firefighters.

I hope my colleagues will give prompt and considered attention to this matter.

• Mr. BINGAMAN. Mr. President, I am pleased to join with my friend and colleague, the senior Senator from New Mexico, Senator DOMENICI, in introducing legislation today that will fairly compensate a group of dedicated former Federal employees for the loss of retirement benefits that they experienced as a result of the transfer of their duties from the Department of Energy to the County of Los Alamos, NM.

Mr. President, in 1989, the responsibility for the Los Alamos Fire Department, which jointly serves the Los Alamos National Laboratories and Los Alamos County municipality, was transferred from the Department of Energy to the county. As a result of the trans-

fer, some of these firefighters lost more than \$20,000 in retirement funds that they had accrued with the Federal Government. And, as a result of the transfer, these individuals, who have served an average of 15 years with the Department of Energy, no longer have retirement benefits. Clearly, this is a situation that must be remedied as soon as possible.

Mr. President, with the support of Senator DOMENICI I am sure that we will finally be able to provide these firefighters with the compensation for lost retirement benefits they have incurred as a result of the transfer of their responsibilities from the Federal Government to the State of New Mexico and I look forward to working for the prompt consideration and passage of this legislation. •

By Mr. BURNS (for himself and Mr. BAUCUS):

S. 1467. A bill to authorize the construction of the Fort Peck Rural County Water Supply System, to authorize assistance to the Fort Peck Rural County Water District, Inc., a nonprofit corporation, for the planning, design, and construction of the water supply system, and for other purposes; to the Committee on Energy and Natural Resources.

#### THE FORT PECK RURAL COUNTY WATER SUPPLY SYSTEM ACT OF 1995

• Mr. BURNS. Mr. President, in July, I introduced S. 1154, a bill to authorize construction of the Fort Peck Rural County Water Supply System in Valley County, MT. Since the introduction of this bill, my staff has been meeting with the Senate Energy Committee staff concerning the bill and its provisions. In addition, I have had discussions with the other members of the Montana congressional delegation about this urgent situation under which hundreds of people must haul their water supplies for miles because of the contamination of the ground water. Based on all of these discussions, the legislation has been redrafted for reintroduction today to reflect the comments of the Energy Committee staff. I want to thank Chairman MURKOWSKI and his staff for their help in streamlining this bill. I am pleased to be joined in the sponsorship of this bill by my colleague, Senator BAUCUS. I appreciated his assistance with this measure. An identical bill will also be introduced in the House of Representatives by Representative PAT WILLIAMS. The Montana delegation is unified in our efforts to obtain congressional authorization for this rural water system to help this depressed area of our State. We look forward to working with Senator MURKOWSKI to move this bill to hearings and a markup.

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

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

S. 1476

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 "Fort Peck Rural County Water Supply System Act of 1995".

**SEC. 2. DEFINITIONS.**

For the purposes of this Act:

(1) **CONSTRUCTION.**—The term "construction" means such activities associated with the actual development or construction of facilities as are initiated on execution of contracts for construction.

(2) **DISTRICT.**—The term "District" means the Fort Peck Rural County Water District, Inc., a non-profit corporation in Montana.

(3) **FEASIBILITY STUDY.**—The term "feasibility study" means the study entitled "Final Engineering Report and Alternative Evaluation for the Fort Peck Rural County Water District", dated September 1994.

(4) **PLANNING.**—The term "planning" means activities such as data collection, evaluation, design, and other associated preconstruction activities required prior to the execution of contracts for construction.

(5) **SECRETARY.**—The term "Secretary" means the Secretary of the Interior.

(6) **WATER SUPPLY SYSTEM.**—The term "water supply system" means the Fort Peck Rural County Water Supply System, to be established and operated substantially in accordance with the feasibility study.

**SEC. 3. FEDERAL ASSISTANCE FOR WATER SUPPLY SYSTEM.**

(a) **IN GENERAL.**—Upon request of the District, the Secretary shall enter into a cooperative agreement with the District for the planning, design, and construction by the District of the water supply system.

(b) **SERVICE AREA.**—The water supply system shall provide for safe and adequate rural water supplies under the jurisdiction of the District in Valley County, northeastern Montana (as described in the feasibility study).

(c) **AMOUNT OF FEDERAL CONTRIBUTION.**—

(1) **IN GENERAL.**—Subject to paragraph (3), under the cooperative agreement, the Secretary shall pay the Federal share of—

(A) costs associated with the planning, design, and construction of the water supply system (as identified in the feasibility study); and

(B) such sums as are necessary to defray increases in the budget.

(2) **FEDERAL SHARE.**—The Federal share referred to in paragraph (a) shall be 80 percent and shall not be reimbursable.

(3) **TOTAL.**—The amount of Federal funds made available under the cooperative agreement shall not exceed the amount of funds authorized to be appropriated under section 4.

(4) **LIMITATIONS.**—Not more than 5 percent of the amount of Federal funds made available to the Secretary under section 4 may be used by the Secretary for activities associated with—

(A) compliance with the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.); and

(B) oversight of the planning, design, and construction by the District of the water supply system.

**SEC. 4. AUTHORIZATION OF APPROPRIATIONS.**

There are authorized to be appropriated to carry out this Act \$5,800,000, to remain available until expended. The funds authorized to be appropriated may be increased or decreased by such amounts as are justified by reason of ordinary fluctuations in development costs incurred after October 1, 1994, as indicated by engineering cost indices applicable to the type of construction project authorized under this Act. ●

● Mr. BAUCUS. Mr. President, today, I am pleased to join Senator BURNS in introducing legislation to ensure that the over 500 people who live near Fort Peck Reservoir have a safe, dependable domestic water supply. Currently those who live adjacent to one of the largest bodies of water ever developed by the Federal Government in the West, the Fort Peck Reservoir, are forced to travel many miles several times a week to fill tanks and barrels for their domestic water use.

This bill will authorize the development of a rural municipal water system for the residents of the Fort Peck Rural Water District in northeastern Montana. The project will tap into Fort Peck Reservoir to construct a safe and reliable drinking system for both municipal and agricultural purposes. It will also enable this scenic area of Montana to attract economic development which has been stifled due to the lack of water.

I propose that this project be a partnership between the Federal Government, the State of Montana, and local interests. The State and local groups will contribute 20 percent of the cost of the project's completion. A needs assessment and feasibility study conducted by the Bureau of Reclamation [BOR] has completed a needs assessment and feasibility study that estimates the total Federal expenditure will be less than \$6 million.

If we can afford to spend millions of dollars developing domestic water supplies in other nations around the world, we can and should be able to do the same for Montanans.

I urge the committee to take prompt action on this critical measure and will work toward expeditious passage through the full Senate. ●

**ADDITIONAL COSPONSORS**

S. 413

At the request of Mr. DASCHLE, the name of the Senator from Michigan [Mr. LEVIN] was added as a cosponsor of S. 413, a bill to amend the Fair Labor Standards Act of 1938 to increase the minimum wage rate under such Act, and for other purposes.

S. 704

At the request of Mr. SIMON, the names of the Senator from North Dakota [Mr. DORGAN] and the Senator from New Mexico [Mr. BINGAMAN] were added as cosponsors of S. 704, a bill to establish the Gambling Impact Study Commission.

S. 1028

At the request of Mrs. KASSEBAUM, the names of the Senator from Mississippi [Mr. COCHRAN] and the Senator from South Carolina [Mr. HOLLINGS] were added as cosponsors of S. 1028, a bill to provide increased access to health care benefits, to provide increased portability of health care benefits, to provide increased security of health care benefits, to increase the purchasing power of individuals and

small employers, and for other purposes.

S. 1200

At the request of Ms. SNOWE, the name of the Senator from Wisconsin [Mr. KOHL] was added as a cosponsor of S. 1200, a bill to establish and implement efforts to eliminate restrictions on the enclaved people of Cyprus.

S. 1224

At the request of Mr. GRASSLEY, the name of the Senator from Maine [Mr. COHEN] was added as a cosponsor of S. 1224, a bill to amend subchapter IV of chapter 5 of title 5, United States Code, relating to alternative means of dispute resolution in the administrative process, and for other purposes.

S. 1228

At the request of Mr. D'AMATO, the names of the Senator from Illinois [Ms. MOSELEY-BRAUN] and the Senator from Washington [Mrs. MURRAY] were added as cosponsors of S. 1228, a bill to impose sanctions on foreign persons exporting petroleum products, natural gas, or related technology to Iran.

S. 1296

At the request of Mr. HATCH, the name of the Senator from Nebraska [Mr. EXON] was added as a cosponsor of S. 1296, a bill to amend the Employee Retirement Income Security Act of 1974 to clarify the treatment of a qualified football coaches plan.

**SENATE CONCURRENT RESOLUTION 11**

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

**AMENDMENTS SUBMITTED****THE AMERICAN FLAG CONSTITUTIONAL AMENDMENT OF 1995****BIDEN AMENDMENT NO. 3093**

Mr. BIDEN proposed an amendment to the joint resolution (S.J. Res. 31) proposing an amendment to the Constitution of the United States to grant Congress and the States the power to prohibit the physical desecration of the flag of the United States; as follows:

Strike all after the resolving clause and insert the following: That the following article is proposed as an amendment to the Constitution of the United States, which shall be valid to all intents and purposes as part of the Constitution if ratified by the legislatures of three-fourths of the several States within seven years after its submission to the States for ratification:

"ARTICLE —

"SECTION 1. The Congress shall have power to enact the following law:

"It shall be unlawful to burn, mutilate, or trample upon any flag of the United States.

"This law does not prohibit any conduct consisting of the disposal of the flag when it has become worn or soiled."

"SECTION 2. As used in this article, the term 'flag of the United States' means any