

7, 1998; to the Committee on Governmental Affairs.

EC-6927. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report of District of Columbia Act 12-421 dated July 7, 1998; to the Committee on Governmental Affairs.

EC-6928. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report of District of Columbia Act 12-422 dated July 7, 1998; to the Committee on Governmental Affairs.

EC-6929. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report of District of Columbia Act 12-426 dated July 7, 1998; to the Committee on Governmental Affairs.

EC-6930. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report of District of Columbia Act 12-434 dated July 7, 1998; to the Committee on Governmental Affairs.

EC-6931. A communication from the Acting Director of the Office of Sustainable Fisheries, National Oceanic and Atmospheric Administration, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska; Pollock in Statistical Area 610 of the Gulf of Alaska" (I.D. 090298A) received on September 10, 1998; to the Committee on Commerce, Science, and Transportation.

EC-6932. A communication from the Acting Director of the Office of Sustainable Fisheries, National Oceanic and Atmospheric Administration, Department of Commerce, transmitting, pursuant to law, the report of a rule regarding the Closure of Ocean Recreational Salmon Fisheries from Cape Alava to Queets River, Washington, and Leadbetter Point, Washington, to Cape Falcon, Oregon (I.D. 081998A) received on September 10, 1998; to the Committee on Commerce, Science, and Transportation.

EC-6933. A communication from the Acting Director of the Office of Sustainable Fisheries, National Oceanic and Atmospheric Administration, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries off West Coast States and in the Western Pacific; Pacific Coast Groundfish Fishery; Cumulative Limit Period Changes" (I.D. 081498B) received on September 10, 1998; to the Committee on Commerce, Science, and Transportation.

EC-6934. A communication from the Assistant Administrator for Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Northeastern United States; Northeast Multispecies Fishery; Cultivator Shoal Whiting Fishery" (I.D. 072098B) received on September 10, 1998; to the Committee on Commerce, Science, and Transportation.

EC-6935. A communication from the Assistant Administrator for Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Northeastern United States; Framework 10 to the Atlantic Sea Scallop Fishery Management Plan" (I.D. 081098A) received on September 10, 1998; to the Committee on Commerce, Science, and Transportation.

EC-6936. A communication from the Director of the National Oceanic and Atmospheric Administration, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "NOAA Climate and Global Change Program, Program Announcement" (RIN0648-ZA39) received on September 10, 1998; to the Committee on Commerce, Science, and Transportation.

EC-6937. A communication from the Director of the Office of Management and Budget, Executive Office of the President, transmitting, pursuant to law, the OMB Sequestration Report to the President and Congress for Fiscal Year 1999; referred jointly, pursuant to the order of January 30, 1975, as modified by the order April 11, 1986, to the Committee on Appropriations, to the Committee on the Budget, to the Committee on Agriculture, Nutrition, and Forestry, to the Committee on Armed Services, to the Committee on Banking, Housing, and Urban Affairs, to the Committee on Commerce, Science, and Transportation, to the Committee on Energy and Natural Resources, to the Committee on Environment and Public Works, to the Committee on Finance, to the Committee on Foreign Relations, to the Committee on Governmental Affairs, to the Committee on the Judiciary, to the Committee on Labor and Human Resources, to the Committee on Small Business, to the Committee on Veterans' Affairs, to the Select Committee on Intelligence, to the Committee on Rules and Administration, and to the Committee on Indian Affairs.

EC-6938. A communication from the Deputy Associate Director for Royalty Management, Minerals Management Service, Department of the Interior, transmitting, pursuant to law, notice of refunds of offshore lease revenues; to the Committee on Energy and Natural Resources.

PETITIONS AND MEMORIALS

The following petitions and memorials were laid before the Senate and were referred or ordered to lie on the table as indicated:

POM-532. A resolution adopted by the New England Governors' Conference relative to the Medicare Interim Payment System; to the Committee on Finance.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. CHAFEE, from the Committee on Environment and Public Works, with amendments:

S. 2361. A bill to amend the Robert T. Stafford Disaster Relief and Emergency Assistance Act to authorize programs for predisaster mitigation, to streamline the administration of disaster relief, to control the Federal costs of disaster assistance, and for other purposes (Rept. No. 105-326).

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:Q

By Mr. MOYNIHAN (for himself and Mr. D'AMATO):

S. 2461. A bill to extend the authorization for the Upper Delaware Citizens Advisory Council and to authorize construction and operation of a visitor center for the Upper Delaware Scenic and Recreational River, New York and Pennsylvania; to the Committee on Energy and Natural Resources.

By Mr. BAUCUS:

S. 2462. A bill entitled "Lisa De Land Financial Protection Act"; to the Committee on Finance.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

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

By Mr. COVERDELL (for himself and Mr. SHELBY):

S. Con. Res. 117. A concurrent resolution expressing the sense of Congress that the Secretary of Transportation should exercise reasonable judgment in promulgating regulations relating to airline flights and should rescind the directive to establish peanut-free zones on airline flights; to the Committee on Commerce, Science, and Transportation.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. MOYNIHAN (for himself and Mr. D'AMATO):

S. 2461. A bill to extend the extend the authorization for the Upper Delaware Citizens Advisory Council and to authorize construction and operation of a visitor center for the Upper Delaware Scenic and Recreational River, New York and Pennsylvania; to the Committee on Energy and Natural Resources.

UPPER DELAWARE SCENIC AND RECREATIONAL RIVER LEGISLATION

● Mr. MOYNIHAN. Mr. President, today I introduce, along with my friend and colleague Senator D'AMATO, a bill that would extend the authorization for the Upper Delaware River Citizens Advisory Committee and authorize the construction of a visitors center. The Upper Delaware is a 73 mile stretch of free flowing water between Hancock and Sparrowbush, New York along the Pennsylvania border. The area is home to the Zane Gray Museum and to Roebing's Delaware Aqueduct, which is believed to be the oldest existing wire cable suspension bridge. The Upper Delaware is an ideal location for canoeing, kayaking, rafting, tubing, sightseeing, and fishing.

In 1987 the Secretary of the Interior approved a management plan for the Upper Delaware Scenic and Recreational River which called for the development of a visitors center at the south end of the river corridor. It would be owned and constructed by the National Park Service. In 1993 New York State authorized a lease with the Park Service for the construction of a visitor center on State-owned land in the town of Deerpark in the vicinity of Mongaup. This bill allows the Secretary to enter into such a lease and to construct and operate the visitor center.

Mr. President, the many thousands of visitors to this wonderful river would benefit greatly from a place to go to find out about the recreational opportunities, the history, and the flora and fauna of the river. This bill would move that process along to its conclusion. It would also continue the Citizens Advisory Council that ensures that the views and concerns of local residents are kept in mind when management decisions are made. My colleague from

New York and I ask for the support of other Senators, and I ask unanimous consent that the 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. 2461

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. EXTENSION OF AUTHORIZATION FOR UPPER DELAWARE CITIZENS ADVISORY COUNCIL.

Section 704(f)(1) of the National Parks and Recreation Act of 1978 (16 U.S.C. 1274 note; Public Law 95-625) is amended in the last sentence by striking "20" and inserting "30".

SEC. 2. VISITOR CENTER FOR UPPER DELAWARE SCENIC AND RECREATIONAL RIVER.

(a) FINDINGS.—Congress finds that—

(1) on September 29, 1987, the Secretary of the Interior approved a management plan for the Upper Delaware Scenic and Recreational River, as required by section 704(c) of the National Parks and Recreation Act of 1978 (16 U.S.C. 1274 note; Public Law 95-625);

(2) the management plan called for the development of a primary visitor contact facility located at the southern end of the river corridor;

(3) the management plan determined that the visitor center would be built and operated by the National Park Service;

(4) section 704 of that Act limits the authority of the Secretary of the Interior to acquire land within the boundary of the river corridor; and

(5) on June 21, 1993, the State of New York authorized a 99-year lease between the New York State Department of Environmental Conservation and the National Park Service for construction and operation of a visitor center by the Federal Government on State-owned land in the town of Deerpark, Orange County, New York, in the vicinity of Mongaup, which is the preferred site for the visitor center.

(b) AUTHORIZATION OF VISITOR CENTER.—Section 704(d) of the National Parks and Recreation Act of 1978 (16 U.S.C. 1274 note; Public Law 95-625) is amended—

(1) by striking "(d) Notwithstanding" and inserting the following:

"(d) ACQUISITION OF LAND.—

"(1) IN GENERAL.—Notwithstanding"; and

(2) by adding at the end the following:

"(2) VISITOR CENTER.—For the purpose of constructing and operating a visitor center for the segment of the Upper Delaware River designated as a scenic and recreational river by section 3(a)(19) of the Wild and Scenic Rivers Act (16 U.S.C. 1274(a)(19)), subject to the availability of appropriations, the Secretary of the Interior may—

"(A) enter into a lease with the State of New York, for a term of 99 years, for State-owned land within the boundaries of the Upper Delaware River located at an area known as 'Mongaup' near the confluence of the Mongaup and Upper Delaware Rivers in the State of New York; and

"(B) construct and operate the visitor center on the land leased under subparagraph (A)."

By Mr. BAUCUS:

S. 2462. A bill entitled "Lisa De Land Financial Protection Act"; to the Committee on Finance.

THE LISA DE LAND FINANCIAL PROTECTION ACT

• Mr. BAUCUS. Mr. President, today I introduce the Lisa De Land Financial Protection Act. The bill that I am in-

roducing would allow the families of disabled persons to keep the money that they put in trust funds to care for their family members. Individual states would have the option of whether or not to recover those funds.

Recently, Virginia De Land, a concerned Montanan contacted me regarding a problem that her family was facing. The De Land family is from Missoula, Montana. Their daughter, Lisa suffers from a genetic disease that has affected her since birth. It is called Williams Syndrome. Williams Syndrome is a rare genetic disorder that affects about 1 in 20,000 births. Those who suffer from the syndrome are missing genetic material on their seventh chromosome. They are excessively social people. They have low to normal IQ's, however they are often gifted musically and have great social interactions skills. People who suffer from Williams Syndrome are almost always extroverts.

From the time that Lisa was small, her parents wanted to be able to assume some responsibility for her healthcare. At one point the family tried to buy an annuity. In order for Lisa to qualify for programs such as medicaid and SSI, the family's lawyer advised them to disinherit Lisa. If Lisa had other money set aside for her, she would have access to medicaid. For middle income families, it is virtually impossible to support a child with a disability on their finances alone.

Self Sufficiency trust funds allow families to use money in a variety of ways. The money can be used for reasons as varied as the disabilities that individuals have. For example, if an individual has to live in a group home, money can be used to provide that person with a separate telephone in his or her room. In Montana, these trusts are great mechanisms that allow families help support loved ones. These trusts let families provide support without disinheriting a child and allow them to have ongoing participation in the healthcare process. For example, if Lisa had a self-sufficiency trust, she would still qualify for medicaid and her family would still be able to provide some assistance for her.

With the implementation of the Medicaid Recovery Act, any trust that was set up would be recovered by the federal government when the medicaid recipient turned 55, or when that person passed away. Lisa's parent's had hoped that when she no longer needed the money from the trust fund, that money would go to the rest of their children. Current law requires the Government to recover that money, denying the other children access to it. Many people with disabilities have a short life expectancy. In this case, these families would not be affected by this law. However, Lisa has a normal life expectancy and with this law, the money that is set aside for her health care will be recovered by the government.

It is important for individual states to have the option to choose whether

or not these funds are recovered. Families across the country and in my home state of Montana are seriously affected by this problem. It is time to make a change in the system that will help out average families in extreme circumstances.

Mr. President, I ask unanimous consent that the 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. 2462

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 "Lisa De Land Financial Protection Act".

SEC. 2. STATE OPTION TO EXEMPT CERTAIN TRUSTS FROM THE ESTATE RECOVERY PROVISIONS OF THE MEDICAID PROGRAM.

Section 1917(b)(1)(B) of the Social Security Act (42 U.S.C. 1396p(b)(1)(B)) is amended—

(1) by redesignating clauses (i) and (ii) as subclauses (I) and (II), respectively;

(2) by striking "In" and inserting "(i) In"; and

(3) by adding at the end the following:

"(ii) At the option of a State, clause (i) shall not apply in the case of an individual who, at the time the individual received medical assistance under the State plan—

"(I) was disabled, mentally ill, or physically handicapped, as determined by the State; and

"(II) was the beneficiary of a trust established under the law of the State where the individual resided by the beneficiary, a parent, grandparent, legal guardian, or at the direction of a court for the purpose of providing or supplementing the cost of the care and treatment for the individual (including the cost of medical assistance provided under the State plan).

but only if State law provides that, upon the death of the individual, not more than 90 percent of the value of the trust may be conveyed to the heirs of the individual and that the remainder shall be donated to a charitable trust approved by the State."

ADDITIONAL COSPONSORS

S. 374

At the request of Mr. ROBB, the names of the Senator from South Dakota (Mr. JOHNSON) and the Senator from Wyoming (Mr. ENZI) were added as cosponsors of S. 374, a bill to amend title 38, United States Code, to extend eligibility for hospital care and medical services under chapter 17 of that title to veterans who have been awarded the Purple Heart, and for other purposes.

S. 1021

At the request of Mr. HAGEL, the name of the Senator from Maine (Ms. SNOWE) was added as a cosponsor of S. 1021, a bill to amend title 5, United States Code, to provide that consideration may not be denied to preference eligibles applying for certain positions in the competitive service, and for other purposes.

S. 1459

At the request of Mr. GRASSLEY, the name of the Senator from Oregon (Mr.