

I believe that it is fair and just for the community of Flint that Heartland Manor be treated as a new provider. Providing Heartland Manor with the ability to apply as a new provider will allow the nursing home to receive a fair shot at Medicare certification which is all I am asking for.●

THE DUNGENESS CRAB CONSERVATION AND MANAGEMENT ACT

● Mr. WYDEN. Mr. President, today Congress passed a version of the Dungeness Crab Conservation and Management Act, a bipartisan bill which I cosponsored along with Senators MURRAY, GORTON, and SMITH. I would like to particularly commend Senator MURRAY for her strong leadership on this issue. She introduced the bill earlier this year and worked hard to secure its passage in this Congress.

Dungeness crab is integral to the economies of Oregon's coastal communities. The fishery is successfully managed, from both an environmental and an economic standpoint, by the States of Oregon, Washington, and California. Under existing law, the Federal government would have taken control of the management of Dungeness crab next year, costing taxpayers hundreds of thousands of dollars. Our legislation prevents this from happening. This is a common sense approach: it extends the existing authority for the States to manage Dungeness crab in Federal waters and eliminates the need to develop a costly Federal fishery management plan.

The Magnuson-Stevens Fishery Conservation and Management Act, enacted in 1976, established regional Fishery Management Councils to develop Federal management plans for fisheries in need of conservation and management in Federal waters. However, in order to meet regional needs, the interpretation of this provision has traditionally been flexible, allowing states to manage some fisheries in Federal waters. An example of this flexibility is state management of the West Coast Dungeness crab fishery.

Since the 1960's, the States of Oregon, Washington and California have managed the Dungeness crab fishery in Federal waters. The three states and the concerned Indian tribes have worked together to make sure fishermen from each state are treated fairly and the fishery remains biologically sound. West Coast fishermen, scientists, fishery managers, and conservation groups all agree that state management has been a success story.

From a conservation standpoint, state management of Dungeness crab is effective. The crabs are harvested in a way that ensures healthy populations for the future. In addition, the problem of bycatch, or incidental catch of other fish species, is almost non-existent in the crab fishery.

Under the Magnuson Act, the authority for state management of Dungeness crab expires next year. The expiration

of state authority would have required the Pacific Fishery Management Council to develop a Federal fishery management plan in 1999. Developing this plan would have consumed scant Council resources and staff time.

As many folks in Oregon know, management of West Coast groundfish and salmon species presents huge challenges to fishery managers. The Council shouldn't be forced to divert critical resources from groundfish and salmon in order to manage a species like crab, which is doing fine under the existing states' plan. With the passage of this legislation today, the Council can continue to focus its resources on the fisheries that need special attention.

This bill makes common sense by taking advantage of the unique situation presented by the Dungeness crab fishery. Essentially, Congress is agreeing with what many folks have said of this fishery: "if it's not broken, don't fix it." I am glad Congress could work together in a bipartisan fashion to pass this common-sense legislation.●

THE SALTON SEA RECLAMATION ACT OF 1998

● Mrs. BOXER. Mr. President, I am so pleased that the 105th Congress has approved H.R. 3267, the Salton Sea Reclamation Act of 1998. This legislation is an important step toward an efficient and responsible restoration of the unique Salton Sea ecosystem.

Earlier this year, I introduced S. 1716, the Senate version of the Salton Sea restoration legislation. H.R. 3267 includes portions of my legislation. Although it does not authorize all of the steps necessary to complete the recovery of the Salton Sea as my bill would have done, it is a necessary step toward that goal.

Over the years, scientists, communities and politicians alike have been trying to draw national attention to the decline of the Salton Sea. Our late friend and colleague, Representative Sonny Bono, who died in a tragic skiing accident in January, worked tirelessly to make this issue an environmental priority for this Congress.

The Salton Sea is a unique natural resource in Southern California. Created in 1905 by a breach in a levee along the Colorado River, the Salton Sea is California's largest inland body of water. It is one of the most important habitats for migratory birds along the Pacific Flyway.

For 16 months after the breach, the Colorado River flowed into a dry lakebed, filling it to a depth of 80 feet. For a time following the closure of the levee, the water levels declined rapidly as evaporation greatly exceeded inflow. A minimum level was reached in the 1920s, after which the sea once again began to rise, due largely to the importation of water into the basin for agricultural purposes from the New and Alamo Rivers.

Since there is no natural outlet for the sea at its current level, evapo-

ration is the only way water leaves the basin. All the salts carried with water that flows into the sea have remained there, along with salts re-suspended from prehistoric/historic times by the new inundation. Salinity is currently more than 25 percent higher than ocean water, and rising.

This extreme salinity, along with agricultural and wastewater in the sea, are rapidly deteriorating the entire ecosystem. The existing Salton Sea ecosystem is under severe stress and nearing collapse, with millions of fish and thousands of bird die-offs in recent years. Birds and fish that once thrived here are now threatened with death and disease as the tons of salts and toxic contaminants that are constantly dumped into the Salton Sea become more and more concentrated and deadly over time. The local economy is also being affected by the disaster at the Salton Sea by the loss of recreational opportunities, decrease in tourism, and the impact on agriculture.

We all now agree that we must take the necessary long-term and short-term steps to stabilize salinity and contaminant levels to protect the dwindling fishery resources and to reduce the threats to migratory birds. However, there is no consensus on how that should be done.

The Salton Sea Reclamation Act should answer those questions. It requires the Interior Department to report to Congress within two years on the options for restoring the Salton Sea, including a recommendation for a preferred option. Interior will review ways to reduce and stabilize salinity, stabilize surface elevation, restore the health of fish and wildlife resources and their habitats, enhance recreational use and economic development, and continue the use the Salton Sea for irrigation drainage.

When this report is submitted to Congress, we will then have the information necessary to act swiftly to authorize construction of a restoration project.

It has taken the hard work and dedication of many individuals to make this legislation a success. I would like to thank members of the Salton Sea Authority, including the Imperial County Board of Supervisors, the Riverside County Board of Supervisors, the Imperial Irrigation District, and the Coachella Valley Water District, the National Audubon Society, the Department of the Interior, Congresswoman MARY BONO, Congressman GEORGE BROWN, Congressman HUNTER, and the entire Salton Sea Task Force, Senator KYL and Senator CHAFEE.

Scientists have warned that the Salton Sea will be a dead sea within fifteen years. This legislation is an integral step to ensure that we avoid such a disaster.

I am pleased that my House and Senate colleagues have agreed to this necessary and important legislation that will not only benefit Californians and our natural heritage, but will also