Ironically, that is why women are the strongest supporters of this practice. It is the older women who know best about how an uncircumcised woman in a traditional village will be treated. Girls are taught that with circumcision, they enter womanhood. Mothers encourage the mutilation because they want their daughters to marry—because marriage is the only access to a meal ticket. And men support the custom because a woman who is circumcised is considered chaste. In short, circumcision is a passport into the only role that some societies give women.

As a woman and a mother, I can't imagine leading a child to this kind of torture.

I want to raise awareness of this practice. This is mutilation of otherwise healthy women, pure and simple. We must work together to stop teaching girls that undergoing this kind of butchery is essential to their future.

Mr. President, there are very serious health risks associated with the practice of female genital mutilation that do not exist with male circumcision. This practice is most often performed by midwives or other women elders with little or no medical training. It is performed without anesthetic or sanitary tools. Often, the cut is made with a razor blade or a piece of glass.

The New England Journal of Medicine has examined female genital mutilation as a public health issue. They report that women often hemorrhage after the cutting. Prolonged bleeding may lead to severe anemia. Urinary tract infections and pelvic infections are common. Sometimes, cysts form in the scar tissue. The mutilation can also lead to infertility.

At childbirth, circumcised women have double the risk of maternal death, and the risk of a stillbirth increases several fold. And because the cutting is performed without sanitary tools, female genital mutilation has become a means of spreading the HIV virus. There are no records of how many girls die as a result of this practice.

Mr. President, Sweden, Britain, The Netherlands, and Belgium have outlawed this practice. In France, it is considered child abuse. The United States has an important role to play as well. Two years ago, the world health organization adopted a resolution on maternal child health and family planning for health sponsored by Guinea, Kenya, Nigeria, Togo, Zambia and Lebanon that highlights the importance of eliminating harmful traditional practices, includings female genital mutilation, affecting the health of women, children and adolescents.

Banning this practice in the United States is just the first step toward eradicating it. Girls must be taught that they will have opportunities, both in marriage and outside the home, if they are not mutilated. Mothers must believe that their daughters will have a place in the community if they are not circumcised. And men must be taught that the terrible health risks involved with the procedure far outweigh their belief that a circumcised woman is a more suitable bride.

I want to commend the Inter-African Committee on Traditional Practices Affecting the Health of Women and Children, for their work in Africa over the last 10 years to educate women so that this practice can be abolished. It will take much more than Government statements against the procedure to eradicate the tradition.

Mr. President, no woman, anywhere, should have to undergo this kind of mutilation, not to get a husband, not to put food on the table, not for any reason. Female circumcision is, in the final analysis, about treating women as something less than people. It must be stopped. It has no place in today's world.●

By Mr. THOMAS (for himself, Mr. SIMPSON, Mr. BURNS, Mr. CRAIG, Mr. STEVENS, Mr. KEMPTHORNE and Mr. HELMS):

S. 1031. A bill to transfer the lands administered by the Bureau of Land Management to the State in which the lands are located; to the Committee on Energy and Natural Resources.

BLM LEGISLATION

Mr. THOMAS. Mr. President, I rise to introduce legislation that would transfer the lands managed by the BLM in the various States to State control. This bill is not a new one. We have had it in last year. But it is a commonsense approach that supports the goal of good government, supports the goal of bringing government closer to the people, and a necessary reform in the way that public lands are managed.

Currently, the BLM, the Bureau of Land Management, manages nearly 270 million acres of land in the United States, most of it, of course, in the West. Wyoming, for example—nearly 50 percent of Wyoming is owned by the Federal Government, much of it managed by the BLM. In some other States, it is more—86 percent in Nevada. So when half of your State is managed by the Federal Government, it has a great deal to do with your future. It has a great deal to do with the economy and growth, because these are multiple use lands.

Let me make a point originally that is very important to this bill. We are talking about Bureau of Land Management lands. We are not talking about Forest Service. We are not talking about wilderness. We are not talking about parks—lands that are set aside with particular purpose, lands that had a particular character. BLM lands are residual lands that were left when the homesteaders came in the West and took the land that is along the river and took the winter feed and took the best land. That land that was left was managed by the Federal Government.

Indeed, in the early acts that had to do with managing that land, it said ''manage it pending disposal.'' The notion was never to maintain them. So we are talking about a fundamental change and that is sort of what we are doing in this Congress, looking at some fundamental changes in the way we operate Government. It moves Government closer to the people, and that is what it is all about. It helps to reduce the size and cost of the Federal Government and transfers this function to the State as we are talking about transferring others.

It would have to do with the budget. It would, indeed, save money for the budget of the United States. There will be less money going to the Department of Interior. That is just the way it is. So the priorities will have to be established. We heard a lot about not being able to finance national parks, and that is actually going to be the case. So what it does is set some priorities as to where that money ought to be.

There is a fairness doctrine here. The States east of the Missouri River do not have half of their lands belong to the Federal Government. So there is a fairness question. Why should the State not have these lands? There is a question of States rights. Many maintain the Constitution does not provide the authority for the Federal Government to maintain those lands that have no specific use. I do not argue that. Others say we ought to get control by having the counties do zoning. They do that some in Arizona. That is an idea. I say, let us move them back to the States and let the States manage them as public lands. These will be multiple use lands, for hunting, for fishing, for grazing, for mineral development.

If you have ever seen a map of the West, you will see a strange ownership pattern. There are lands spread around over the whole State. One of the most unusual is the checkerboard, what we call the checkerboard, that runs all the way through Wyoming and through much of the West, when every other section was given to the railroads early on, 20 miles on either side of the railroad. So those checkerboards still belong to the Federal Government with deeded lands in between.

These are low production lands. These are not national parks. These are very low rainfall, low moisture content areas, so they are very unproductive. It takes a great deal of land to support one cow-calf unit.

Along with the House—there will be an identical bill in the House that will be introduced to transfer these lands to the State. Actually, in order to have time to accommodate that, in order to do something with the budgeting, that would be a 10-year period before they would be transferred. But we almost constantly have a conflict between the States, between the users —whatever they are, whether they are commodity users or recreational users—and the Federal land managers. And these folks do a good job. I have no quarrel with the managers. I just think, as many

others do, the closer you are, with Government, to the people who are governed, the more likely it is to be a successful effort.

So I urge my colleagues to support this legislation. It will help reduce the Federal budget. It will certainly increase individual States rights. It will keep the BLM lands in public lands so they are available for access for everyone. Finally, and perhaps most important of all, it provides fairness and equity for Western States, each of whom would have the option.

The time has come for the Federal Government to release the stranglehold on the Western States and let us manage our own affairs.

I join my colleagues in the effort to reform the way public lands are managed.

● Mr. CRAIG. Mr. President, I would like to compliment Senator THOMAS for bringing this bill forward and opening what I hope will be an enlightening discussion.

The subject matter of this bill is of great consequence in the Western States. The sheer size and proportion of Federal ownership in the West not only contrasts dramatically with the situation in Eastern States, but it is the source of much of the conflict in this country over the use of public lands. A quick look at a U.S. map of government lands dramatically illustrates the differences. Sixty to 80 percent of many Western States are federally owned, while the comparison east of the 100th meridian is typically less than 5 percent. Westerners feel this is inequitable, and some claim it is unconstitutional. They feel burdened by Federal regulation in their daily lives. They feel burdened by Federal regulation in their daily lives. Such sentiment is poorly understood in nonpublic land States.

This bill would improve the balance of State and Federal lands in the West and dissolve some of the source of discontent. It would give citizens more control over their lives through State government. For example, in Idaho BLM controls 12 million acres, or 22 percent of the State. Other Federal agencies control an additional 41 percent. Transfer of BLM ownership to the State would dramatically change the ownership equation to one of much fairer balance.

Nationwide, the Bureau of Land Management oversees 272 million acres, or 41 percent of the total Federal ownership. Nearly all of this is in the West, and it consists largely of those lands remaining in the public domain after the national parks, national wildlife refuges and national forests were set apart and placed under management of other Federal agencies.

The concept of State management or ownership of Federal lands, in this case the lands of the Bureau of Land Management, has surfaced before. But there has never been a better time to seriously examine the issue.

Congress has agreed to balance the Federal budget by 2002. That goal demands that we investigate new ways of doing business throughout the Federal Government. It may be that the States can own and manage the BLM lands and the underlying mineral estate at much less cost, while protecting the environment and maintaining public access and the many uses of these lands and waters.

I see no reason why that can't be done, and if it can, it would be desirable in several ways: Management costs would decrease, placing less burden on the taxpayers in the long run; management decisions would be made instate with more opportunity for residents to have their voices heard; existing State programs for recreation, grazing, wildfire suppression and environmental protections, such as water quality standards, could be integrated with similar BLM programs for economies of scale and consistency.

I am cosponsoring Senator THOMAS' bill to encourage debate on these issues. This bill is a starting point. The considerations in each State will differ, of course, and there are a number of amendments which would be needed to address the situation in the State of Idaho. The bill already protects designated wilderness, but we would need to provide for State consideration of more than 900,000 acres recommended for wilderness additions. Our national historic trails, wild and scenic rivers, the Snake River Birds of Prey Area, and other areas of special concern must be maintained.

I should emphasize this bill would not require State ownership. It would offer the opportunity for States to accept ownership and management, only if they elect to do so. Governor Batt, the State legislature, and Idaho interest groups would have 2 years to consider whether to accept the 11 million acres of BLM lands in the State. That seems sufficient time for a thorough airing of the pros and cons. Governor Batt has indicated his willingness to explore the possibilities.

I am sensitive to the fact that mere consideration of this legislation will cause some anxiety among BLM employees, and that concerns me. I will guarantee that employee options will be thoroughly discussed, and resolution on a fair transition reached, as this bill moves through the legislative process. The bill already provides a 10-year transition period from the time of acceptance by a State to actual transfer of ownership.

Some interest groups will immediately attack this legislation as a threat to environmental protections. They should stop and think. These same groups have shown their obvious dissatisfaction with Federal ownership through appeals and court challenges of management decisions. They have complained to me that the short tenure of Federal managers weakens decisionmaking and discourages accountability in the long run. They have argued that the citizens of Idaho support environmental programs and want a greater voice in their management. Potentially, this bill could satisfy all those concerns, and at far less cost to the taxpayers.

For all these reasons, I am an original cosponsor of this legislation.●

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

S. 1032. A bill to amend the Internal Revenue Code of 1986 to provide nonrecognition treatment for certain transfers by common trust funds to regulated investment companies; to the Committee on Finance.

COMMON TRUST FUND LEGISLATION

● Mr. ROTH. Mr. President, today together with Senator BAUCUS, I am introducing the Common Trust Fund Improvement Act of 1995—In short, this legislation would allow banks to move assets of their common trust funds to one or more mutual funds without gain or loss being recognized by the trust funds or their participants.

Bank common trust funds have been used by banks since World War II to collectively invest pools of monies in their capacities as trustees, executors, administrators, or guardians of certain customer accounts for which they have a fiduciary responsibility. At present, there are more than $120 billion in assets residing in bank common trust funds, but little if any new money is flowing into these common trust funds. By allowing the conversions under this legislation, banks can reduce investment risk and, in some cases, increase total investment return for their customer accounts by using larger, more diversified and efficient investment pools for asset allocation.

Mutual funds are the pooling vehicle of choice because they can grow into much larger investment pools than can common trust funds. By law, the participants in a bank's common trust fund are limited to that bank's fiduciary customers. Mutual funds can be offered to all types of investors. Thus, the conversion of bank common trust fund assets into mutual funds is really a transitional issue, permitting financial institutions the ability to provide their existing trust customers with the same efficient and safe investment vehicles that they are providing to their new customers. The conversion of their common trust funds into one or more mutual funds would also benefit banks by providing them with one set of investment pools to manage.

This legislation is necessary because it appears that the conversion of common trust fund assets into one or more mutual funds would, under current law, trigger tax to the participants of the common trust fund, an event that could be viewed under State laws as a breach of a bank's fiduciary responsibilites. Thus, at present, banks generally are finding it prohibitive to convert their common trust funds into more economically efficient mutal funds.

Permitting tax-free conversions of a common trust fund's assets to more

than one mutual fund would allow the more diverse common trust assets to be allocated to several mutual funds according to the appropriate investment and other objectives of the mutual funds. While the multiple conversion feature will benefit all banking institutions, it is particularly significant for small and medium-size banks with smaller common trust funds; these institutions generally find it far too costly to create their own mutual funds, and they are not likely to find a single third party mutual fund for each common trust fund able to accept substantially all the assets of the common trust fund.

While this legislation has been estimated to cost less than $100 million over five years, I am very mindful of the need to ensure that tax-law changes, no matter how appropriate and essential, do not add to the federal deficit that we are all trying so hard to eliminate. Therefore, it may be necessary to modify this proposal in order to reduce its revenue cost to a negligible level. Unfortunately, as is the case with many tax policy changes, modifications to the legislation that address revenue concerns may make the proposal more complex to administer, however, I am willing to make this trade off if it becomes absolutely necessary in order to include this legislation in a revenue bill later this year. In addition, I intend to introduce legislation soon—also related to financial institutions—to create financial securitization investment trusts [FASITs] that should provide the necessary revenue offset to pay for this proposal.

My legislation addresses an important business issue for large and small banks, and an important investment issue for their customers. Versions of this legislation have passed the Congress on two separate occasions with my strong support in the Senate. Given its modest cost, its noncontroversial nature and its widespread support, I am hopeful that this much needed legislation will be enacted this year.

Let me make a few short comments to summarize why I believe this legislation to permit conversions of common trust funds into mutual funds without the recognition of gain or loss should be enacted:

It will permit all bank customers, not just trust customers, more options for investing their savings.

It will make banks more competitive. Many savers are abandoning bank certificates of deposit for the competition, and banks are unable to offer their customers an option.

Customers are unfamiliar with common trust funds, but do understand mutual funds. Therefore, mutual funds are more attractive to them.

The conversion is like a merger of two existing registered funds which allows securities to move intact from one fund to another with no tax consequences, so there is no ''sale''. The participant's underlying investment is unchanged. As a result, we also believe that there should not be a revenue loss associated with this proposal. No revenue would be gained under current law, because banks have a fiduciary duty to their customers and they would not incur a capital gains tax in order to make the conversion unless this law is changed. Therefore, the idea that retaining current law will somehow result in more revenue is misplaced.

PROPOSAL TO PERMIT TAX-FREE CONVERSION OF COMMON TRUST FUND ASSETS TO ONE OR MORE MUTUAL FUNDS

CURRENT LAW

Banks historically have established common trust funds in order to maintain pooled funds of small fiduciary accounts. Under section 584, common trust funds must be maintained by banks exclusively for the collective investment of monies in the banks' capacity as trustee, executor administrator, or guardian of certain accounts, in conformity with rules established by the Federal Reserve and the Comptroller of the Currency. Common trust funds are not subject to income tax, and they are not treated as corporations. They are a conduit, with income ''passed through'' to fund participants for tax purposes.

Mutual funds are also considered conduits under the Tax Code. Unlike common trust funds, however, mutual funds are treated as corporations. As a result of this differing tax treatment, it is unclear whether a mutual fund may merge with or acquire the assets of a common trust fund in a transaction that is tax-free to the common trust fund and its participants.

REASONS FOR CHANGE

The economic efficiencies, diversification, and liquidity of mutual funds are key reasons for their popularity and growth in recent years. These are attributes that are not generally found in common trust funds. It would be desirable for banks to convert their existing common trust funds into mutual funds so that bank customers, including trust participants, may take advantage of the benefits of mutual funds. The conversion of its common trust funds into one or more mutual funds would also benefit banks by providing them with one set of investment pools to manage.

Permitting tax-free conversions of a common trust fund to more than one mutual fund would allow the more diverse common trust fund assets to be allocated to several mutual funds according to the appropriate investment and other objectives of the mutual funds. The multiple conversions feature is particularly significant for banks with small common trust funds, which probably would not be able to find a single mutual fund with the same investment objectives of a common trust fund.

However, until current law is clarified, it appears that the conversion of common trust fund assets into one or more mutual funds would trigger tax to the participants of the common trust fund, an event that could be viewed under State laws as a breach of a bank's fiduciary responsibilities. Thus, at present, banks generally are finding it prohibitive to convert their common trust funds into more economically efficient mutual funds.

PROPOSAL

This proposal would allow a common trust fund to transfer substantially all of its assets to one or more mutual funds without gain or loss being recognized by the trust fund or its participants.

The common trust fund would transfer it assets to the mutual funds solely in exchange for shares of the mutual funds, and the common trust fund would then distribute the mutual fund shares to its participants in exchange for the participants' interests in the common trust fund. The basis of any asset received by the mutual fund would be the basis of the asset in the hands of the common trust fund prior to the conversion. In a conversion to more than one mutual fund, the basis in each mutual fund would be determined by allocating the basis in the common trust fund units among the mutual funds in proportion to the fair market value of the transferred assets.

This proposal has been designed to have a minimal cost to the Federal Treasury, and versions of this proposal have been passed by the Congress on two previous occasions. The benefits of such a change would be felt by customers of large and small banking institutions throughout the country, and has the support of both the mutual funds and banking industries.●

ADDITIONAL COSPONSORS

S. 131

At the request of Mr. LIEBERMAN, the name of the Senator from Nevada [Mr. REID] was added as a cosponsor of S. 131, a bill to specifically exclude certain programs from provisions of the Electronic Funds Transfer Act.

S. 247

At the request of Mr. GREGG, the name of the Senator from Minnesota [Mr. GRAMS] was added as a cosponsor of S. 247, a bill to improve senior citizen housing safety.

S. 457

At the request of Mr. SIMON, the name of the Senator from Alaska [Mr. STEVENS] was added as a cosponsor of S. 457, a bill to amend the Immigration and Nationality Act to update references in the classification of children for purposes of United States immigration laws.

S. 470

At the request of Mr. HOLLINGS, the name of the Senator from South Carolina [Mr. THURMOND] was added as a cosponsor of S. 470, a bill to amend the Communications Act of 1934 to prohibit the distribution to the public of violent video programming during hours when children are reasonably likely to comprise a substantial portion of the audience.