Mr. MOYNIHAN submitted five amendments intended to be proposed by him to amendment No. 1487 proposed by Mr. DOLE to the bill S. 343, supra; as follows:

AMENDMENT NO. 1714

On page 2, strike lines 15 through 25; on page 3, strike lines 1 through 7 and insert in lieu thereof, the following:

''(a) APPLICABILITY.—This section applies to every rulemaking according to the provisions thereof, except to the extent that there is involved—

''(1) a matter pertaining to an auxiliary or foreign affairs function of the United States;

''(2) a matter relating to the management or personnel practices of an agency;

''(3) an interpretative rule, general statement of policy, guidance, or rule of an agency, organization, procedure, or practice unless such rule, statement, or guidance has general applicability and substantially alters or * * * rights or obligations of persons outside the agency;'' strike ''or;

''(4) a rule relating to the acquisition, arrangements, or disposal by an agency of real or personal property, or of services; these are promulgated in compliance with otherwise applicable criteria and procedures; or

''(5) an interpretative rule involving the internal revenue laws of the United States other than an interpretative regulation.''

AMENDMENT NO. 1715

On page 12, line 9: after ''petition'', insert ''(other than a petition relating to a rule described in section 621(9)(B)(i))''.

AMENDMENT NO. 1716

On page 68, line 18: insert ''(other than a rule described in section 621(9)(B)(i))'' after ''rule''.

AMENDMENT NO. 1717

On page 9, line 5: insert ''Nothing in this section shall be interpreted to limit the application of 26 U.S.C. 7805.''

AMENDMENT NO. 1718

On page 13, line 4: insert ''(or as otherwise provided)'' after ''subchapter''.

On page 16, line 8: insert ''for purposes of this chapter'' after ''(i)''.

PACKWOOD AMENDMENTS NOS. 1719–1723

(Ordered to lie on the table.)

Mr. PACKWOOD submitted five amendments intended to be proposed by him to amendment No. 1487 proposed by Mr. DOLE to the bill S. 343, supra; as follows:

AMEMDMENT NO. 1719

[Amendment No. 1719 was not reproducible for the RECORD. It will appear in a subsequent issue.]

AMENDMENT NO. 1720

On page 13, line 4: insert ''(or as otherwise provided)'' after ''subchapter''.

On page 16, line 8 insert ''for purposes of this chapter'' after ''(i)''.

AMENDMENT NO. 1721

On page 9, line 5, insert ''Nothing in this section shall be interpreted to limit the application of 26 U.S.C. 7805.''

AMENDMENT NO. 1722

On page 68, line 18, insert ''(other than a rule described in section 621(9)(B)(i))'' after ''rule.''

AMENDMENT NO. 1723

On page 12, line 9: after ''petition'', insert: ''(other than a petition relating to a rule described in section 621(9)(B)(i))''.

GLENN (AND LEVIN) AMENDMENTS NO. 1724–1725

(Ordered to lie on the table.)

Mr. GLENN (for himself and Mr. LEVIN) submitted two amendments intended to be proposed by them to amendment No. 1487 proposed by Mr. DOLE to the bill S. 343, supra; as follows:

AMENDMENT NO. 1724

On page 57, at the end of paragraph (1), insert:

''The requirements of this subsection shall not apply to a specific rulemaking where the head of an agency has published a determination, with the concurrence of the Administrator of the Office of Information and Regulatory Affairs, and notified the congress, that the agency is unable to comply fully with the peer review requirements of this subsection and that the rulemaking process followed by that agency provides sufficient opportunity for scientific or technical review of risk assessments required by this subchapter.''

AMENDMENT NO. 1725

On page 21, line 25, insert between ''of'' and ''reasonable'' the following: ''a reasonable number of''.

On page 23, line 11, insert between ''and of'' and ''the'' the following: ''a reasonable number of''.

NOTICE OF HEARING CANCELLATION

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. MURKOWSKI. Mr. President, I would like to announce for the information of the Senate and the public that the hearing on S. 871, the Hanford Land Management Act, previously scheduled before the full Committee on Energy and Natural Resources for Thursday, July 20 at 9:30 a.m. in room SD–366 of the Dirksen Senate Office Building in Washington, DC, has been canceled. For further information, please call Maureen Koetz at 202–224–0765 or David Garman at 202–224–7933.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

Mr. NICKLES. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs be authorized to meet during the session of the Senate on Friday, July 14, 1995, to conduct a hearing on Mexico and the exchange stabilization fund.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADDITIONAL STATEMENTS

B–2 BOMBERS

● Mr. NUNN. Mr. President, I am disappointed that the Senate Armed Services Committee did not include funding for additional B–2 bombers in the National Defense authorization bill that was filed yesterday. In my view, this was a short-sighted decision, one which I hope can be reversed. Today, Mr. President, I want to enter into the RECORD two recent editorials and a letter, all of which, I believe, help Members to understand the importance of continuing the B–2 program.

The first editorial comment was authorized by Paul Wolfowitz, and appeared in the June 12 edition of the Wall Street Journal. Mr. Wolfowitz points out that the DOD–IDA bomber study had assumed enough warning time for over 500 U.S. tactical aircraft and many other assets to arrive before the war started. He notes, and I quote, ''Not surprisingly, the contribution of additional B–2's would not be cost-effective in those hypothetical circumstances.'' Mr. Wolfowitz goes on posit the importance of the B–2 bomber in less favorable scenarios and circumstances, noting its independence from foreign bases; its value in possible East Asian scenarios, where neither land-based nor carrier air have the needed range; and its ability both to deter and to retaliate while placing few Americans in harm's way. After noting the advantages of stealth, Mr. Wolfowitz goes on to note, and I quote:

> With more than 30 wings of traditional fighter aircraft and only one wing of B–2's and two wings of F–117's it could hardly be said that the U.S. is overemphasizing stealthy attack capability.

The second editorial comment is by Charles Krauthammer, and is in today's Washington Post. Mr. Krauthammer notes that, and I quote:

> There are three simple, glaringly obvious facts about this new era: (1) America is coming home; (2) America cannot endure casualties; (3) America's next war will be a surprise. * * *

He goes on to note that the B–2 is not a partisan project, that today it is supported by,

> Seven Secretaries of Defense representing every administration going back to 1969. They support it because it is the perfect weapon for the post-cold war world.

Mr. Krauthammer goes on to note that the so-called Republican cheap hawks, concerned about high costs, hold the future of the program in their hands. He notes, and I quote,

> But the dollar cost of a weapon is too narrow a calculation of its utility. The more important calculation is cost in American lives. The reasons are not sentimental, but practical. Weapons cheap in dollars but costly in lives are, in the current and coming environment, useless. A country that so values the life of every Captain O'Grady is a country that cannot keep blindly relying on nonstealthy aircraft over enemy territory.

My third submission, Mr. President, is a letter to me from recently retired Air Force Gen. Chuck Horner, who was the overall air commander during Operation Desert Storm. He begins by noting that his career was spent in operations and that in his entire career, he had never advocated buying any specific weapons system. Having said that,

General Horner begins by saying, and I quote:

As the former commander of Operation Desert Storm, I feel a duty to put the B–2 debate in perspective, and sound a warning on any recommendation to stop production of this aircraft. To put it bluntly, halting this Nation's B–2 production capability is dangerously short-sighted, and would lead ultimately to the extinction of the long-range bomber force, at the very time when bombers are emerging as America's most critical 21st Century military asset.

General Horner goes on to note that the B–2 program and America's bomber production capability are one and the same, and that starting a new bomber program a few years hence would require 10 to 15 years to field, and cost countless billions to develop. He further notes that even if a new bomber were started a few years hence, most of our nonstealthy bombers would be obsolete. He then writes, and I quote:

The next Desert Storm Air Commander could be sending Americans into war aboard a 70-year-old bomber, an act I find unconscionable.

General Horner goes on to discuss the value of the combination of long-range, large-payload, precision weapons, and stealth, and concludes by stating, and I quote:

It is important to understand the long-term national and international security ramifications of the quantum leap in military capabilities offered by the B–2. If we don't, it may disappear when we need it most, and can buy it most cheaply. Make no mistake about this: the B–2 is designed to extend America's defense capabilities into the next century. Can we afford to do less?

Mr. President, I ask that these three items be printed in the RECORD. I commend the substance of all three of these thoughtful pieces to my colleagues. I yield the floor.

The material follows:

[From the Wall Street Journal, June 12, 1995]

A BOMBER FOR UNCERTAIN TIMES

(By Paul Wolfowitz)

It has been nearly 30 years since Robert McNamara left the Pentagon. Yet, from what has been made public about the systems analysis behind the decision to halt production of the B–2 bomber, one can only conclude that Mr. McNamara's influence lingers.

As Congress deliberates the question of whether to halt production of the B–2 bomber, it needs to have a healthy respect for the fundamental uncertainty of the world of the next century.

Just one year before the Iraqi invasion of Kuwait, Adm. William Crowe, the chairman of the Joint Chiefs of Staff, had proposed eliminating the Persian Gulf from U.S. Military planning on the grounds that the Soviet threat to the region had gone away. In the end, Secretary of Defense Richard Cheney and Gen. Colin Powell overruled the Joint Staff and directed the military to begin planning instead for an Iraqi threat to the Arabian Peninsula. Yet no one expected such a threat to materialize as quickly as it did.

In fact, none of the major threats we have faced in this century were foreseen even five years before they appeared. None of the smaller wars we have fought for the past 50 years were foreseen clearly even one year before. Certainly no one would have dreamed of suggesting in 1945 that five years later we would almost be driven off the Korean Peninsula by a third- or fourth-ranked military power.

A MCNAMARA TECHNIQUE

In an old joke, a befuddled drunk searches for his keys under the street light even though he knows he dropped them somewhere else, because ''that's where the light is.'' So it is with the Pentagon's decision to stop production of the B–2, which can deliver precise conventional weapons with great accuracy at extraordinary distances, with surprise, and with unprecedented safety for its crew of two pilots.

In an apparent inability to take account of uncertainty, the Defense Department justifies its decision based on a systems analysis of a hypothetical future war with Iraq. Systems analysis—a technique that Mr. McNamara so proudly introduced to the Pentagon and which I, myself, have had many occasions to use—is a powerful tool for certain limited purposes but useless for others. Sometimes, like a bright light in a murky room, its very power leads analysts to focus on those questions that the technique can illuminate, whether or not they are the right ones.

According to congressional testimony, the Defense Department analysis assumes that there would be enough warning, and sufficient bases made available in the region, to enable the U.S. to deploy 500 tactical aircraft before the war begins and before our bases come under attack. Not surprisingly, the contribution of additional B–2s would not be cost-effective in those hypothetical circumstances.

Not only are the analysts refighting the last war, but they are making assumptions about warning time and the availability of bases that did not apply in the Gulf five years ago and may no longer be valid five years from now. Worst of all, those assumptions may bear little relation to the much broader range of unpredictable circumstances that could confront us in a post-Cold War world—contingencies in which the B–2 would be uniquely valuable:

The B–2's exceptionally long range makes it much less dependent on access to overseas bases. Even after Iraq invaded Kuwait, it took the Saudis several days to decide to permit American use of their bases—and they agreed only because of their high level of confidence in President Bush. A future president may need to act unilaterally. In fact, we are more likely to get multilateral cooperation if we have that ability—a paradox still poorly understood by many in Washington.

The B–2 can attack nuclear and other high-value targets. In an era of nuclear proliferation, this capability appears particularly important. In a letter to President Clinton, seven former secretaries of defense—of both Democratic and Republican administrations—urged the continuation of low-rate production of the B–2, calling it ''the most cost-effective means of rapidly projecting forces over great distances,'' able ''to reach any point on earth'' within hours, ''to destroy numerous time-sensitive targets in a single sortie,'' and do so ''without fear of interception.''

The B–2's range would be invaluable in large regions, such as East Asia, where the potential distances are far greater than the effective range of conventional fighter aircraft. Though it is hard at the moment to envision an Asian scenario (outside of Korea) requiring long-range conventional strike capability, the point is that by the time such requirements become clear, it would almost certainly be too late to acquire the capabilities.

The B–2 is effective for deterrence and retaliation. Forces may be used not only to defend but, for example, to punish or deter acts of state terrorism against the U.S. or its citizens. The B–2's range and stealth characteristics make it a particularly useful instrument of deterrence.

The B–2 can operate from secure bases. Future aggressors may draw a lesson from the Gulf War and attack nearby bases from the outset, perhaps even using ballistic missiles and chemical weapons. In those circumstances, additional B–2 bombers, operating from bases beyond the reach of enemy missiles or aircraft, would be far more valuable than they were in the Pentagon study.

No systems analysis can assess the value of the B–2's enormous flexibility. Nor can a systems analysis assess the importance of the B–2 for maintaining the U.S. lead in a revolutionary new technology. Being the first country to develop stealth technology does not guarantee continued American leadership. In the further development of both tactics and technology, of counter-measures and counter-counter-measures, the U.S. needs to capitalize on its lead in stealth development.

With more than 30 wings of traditional fighter aircraft and only one wing of B–2s planned (in addition to two wings of the shorter-range, first generation F–117s), it could hardly be said that the U.S. is overemphasizing stealthy attack capability.

It is difficult to imagine any other country, having developed an advanced capability like the B–2, halting production after just 20 aircraft because of an unwillingness to allocate 1% of its defense budget or 5% of its combat aircraft budget for the next few years. It is a system that excels in two dimensions that are hard or impossible to evaluate in a systems analysis, but that are of central importance for defense planning in the post-Cold War world: flexibility to deal with a world that has become even more unpredictable; and innovation to deal with the consequences of revolutionary technological change.

CONGRESSIONAL INTERVENTION

Only through congressional intervention was Adm. Hyman Rickover able to build the nuclear submarine program that eventually became the pride of the Navy. At a later time, when the military was more interested in the development of manned aircraft, congressional pressure kept U.S. conventional cruise missile options from being given away in arms-control negotiations, thus protecting the extraordinary capability for accurate long-range conventional delivery that the Tomahawk cruise missile demonstrated during the Gulf War. And, were it not for the intervention of Sen. Sam Nunn and the House and Senate Armed Service committees, the U.S. would have had only one squadron of F–117 bombers in that war, rather than two.

Let us hope that Congress intervenes again. As the seven former defense secretaries said: ''It is already apparent that the end of the Cold War was neither the end of history nor the end of danger. We hope it will also not be the end of the B–2.''

[From the Washington Post, July 13, 1995]

THE B–2 AND THE ''CHEAP HAWKS''

(By Charles Krauthammer)

We hear endless blather about how new and complicated the post-Cold War world is. Hence the endless confusion about what weapons to build, forces to deploy, contingency to anticipate. But there are three simple, glaringly obvious facts about this new era:

(1) America is coming home. The day of the overseas base is over. In 1960, the United States had 90 major Air Force bases overseas. Today, we have 17. Decolonization is

one reason. Newly emerging countries like the Philippines do not want the kind of Big Brother domination that comes with facilities like Clark Air Base and Subic Bay. The other reason has to do with us: With the Soviets gone, we do not want the huge expense of maintaining a far-flung global military establishment.

(2) America cannot endure casualties. It is inconceivable that the United States, or any other Western country, could ever again fight a war of attrition like Korea or Vietnam. One reason is the CNN effect. TV brings home the reality of battle with a graphic immediacy unprecedented in human history. The other reason, as strategist Edward Luttwak has pointed out, is demographic: Advanced industrial countries have very small families, and small families are less willing than the large families of the past to risk their only children in combat.

(3) America's next war will be a surprise. Nothing new here. Our last one was too. Who expected Saddam to invade Kuwait? And even after he did, who really expected the United States to send a half-million man expeditionary force to roll him back? Then again, who predicted Pearl Harbor, the invasion of South Korea, the Falklands War?

What kind of weapon, then, is needed by a country that is losing its foreign basis, is allergic to casualties and will have little time to mobilize for tomorrow's unexpected provocation?

Answer: A weapon that can be deployed at very long distances from secure American bases, is invaluable to enemy counterattack and is deployable instantly. You would want, in other words, the B–2 stealth bomber.

We have it. Yet, amazingly, Congress may be on the verge of killing it. After more than $20 billion in development costs—costs irrecoverable whether we build another B–2 or not—the B–2 is facing a series of crucial votes in Congress that could dismantle its assembly lines once and for all.

The B–2 is not a partisan project. Its development was begun under Jimmy Carter. And, as an urgent letter to President Clinton makes clear, it is today supported by seven secretaries of defense representing every administration going back to 1969.

They support it because it is the perfect weapon for the post-Cold War world. It has a range of about 7,000 miles. It can be launched instantly—no need to beg foreign dictators for base rights; no need for weeks of advance warning, mobilization and forward deployment of troops. And because it is invisible to enemy detection, its two pilots are virtually invulnerable.

This is especially important in view of the B–2's very high cost, perhaps three-quarters to a billion dollars a copy. The cost is, of course, what has turned swing Republican votes—the so-called ''cheap hawks''—against the B–2.

But the dollar cost of a weapon is too narrow a calculation of its utility. The more important calculation is cost in American lives. The reasons are not sentimental but practical. Weapons cheap in dollars but costly in lives are, in the current and coming environment, literally useless: We will not use them. A country that so values the life of every Capt. O'Grady is a country that cannot keep blindly relying on non-stealthy aircraft over enemy territory.

Stealth planes are not just invulnerable themselves. Because they do not need escort, they spare the lives of the pilots of the fighters and radar suppression planes that ordinarily accommodate bombers. Moreover, if the B–2 is killed, we are stuck with our fleet of B–52s of 1950s origin. According to the undersecretary of defense for acquisition, the Clinton administration assumes the United States will rely on B–52s until the year 2030—when they will be 65 years old.

In the Persian Gulf War, the stealthy F–117 fighter flew only 2 percent of the missions but hit 40 percent of the targets. It was, in effect, about 30 times as productive as non-stealthy planes. The F–117, however, has a short range and thus must be deployed from forward bases. The B–2 can take off from home. Moreover, the B–2 carries about eight times the payload of the F–117. Which means that one B–2 can strike, without escort and with impunity, as many targets as vast fleets of conventional aircraft. Factor in these costs, and the B–2 becomes cost-effective even in dollar terms.

The final truth of the post-Cold War world is that someday someone is going to attack some safe haven we feel compelled to defend, or invade a country whose security is important to us, or build an underground nuclear bomb factory that threatens to kill millions of Americans. We are going to want a way to attack instantly, massively and invisibly. We have the weapon to do it, a weapon that no one else has and that no one can stop. Except a ''cheap hawk,'' shortsighted Republican Congress.

SHALIMAR, FL, *June 22, 1995.*

Hon. SAM NUNN,
U.S. Senate, Dirksen Senate Office Building, Washington, DC.

DEAR SENATOR NUNN: Earlier this month I wrote to your colleagues in the House of Representatives about the need to continue the B–2 program. The debate has now shifted to the Senate and my concern with our future security compels me to share the same thoughts with you. This is a difficult letter for me to write as in more than thirty years of service in the Air Force, I have always concentrated on military operations, and refrained from commenting on issues such as whether or not to purchase a specific aircraft. However, the Pentagon recently released a study based on assumptions, constraints, and methodology that can lead to the conclusion that the United States can safely terminate B–2 stealth bomber production at 20 aircraft. As the former Air Commander of the Desert Shield/Desert Storm Air Forces. I feel a duty to put the B–2 debate in perspective, and sound a warning on any recommendation to stop production of this aircraft. To put it bluntly, halting this nation's B–2 production capability is dangerously short-sighted and would lead ultimately to the extinction of the long-range bomber force, at the very time when bombers are emerging as America's most critical 21st Century military asset.

Since the B–2 is the only bomber in production or development, and the Pentagon has no plans for a new bomber program in the future, the B–2 program and America's bomber production capability are one and the same. If this sole remaining bomber capability is lost, replacing our aging bombers will become unaffordable. Inevitably, the nation may lose its manned bomber force, and the unique capabilities it provides. A new bomber would take from 15–20 years to go from the drawing board to the battlefield and cost tens of billions of dollars just to design. With the current administration balking at spending a fraction of this amount on a finished, proven product, there is little likelihood of a future government sinking many times that amount into a new program. Even if a new program was initiated in the near term, most of our existing bombers would be obsolete before the first ''B–3'' entered service. The next Desert Storm Air Commander could be sending Americans into war aboard a 70-year old bomber, an act I find unconscionable.

In my opinion, the B–2 is now more important than ever. Heavy bombers have always possessed two capabilities—long range and large payload—not found in other elements of our military forces. As we base more and more of our forces in our homeland, the bomber's inter-continental range enables us to respond immediately to regional aggression with a rapid, conclusive military capability. Just as important, this capability may deter aggressors even as the bombers sit on the air base parking ramps in the United States. In war, the large bomber payloads provide a critical punch throughout the conflict—just ask General Schwarzkopf what he wanted from the Air Force when he was under attack in Vietnam, or whenever our ground forces faced danger during Desert Storm.

What the B–2 adds to this equation are two revolutionary capabilities not available in any other long-range bomber—precision and stealth. The Gulf War showed how precision weapons delivery from stealthy platforms provides a devastating military capability. The F–117 stealth fighter proved its effectiveness on the first day of the war when 36 aircraft flew just 2.5% of the sorties, but attacked almost 31% of the targets.

In the past, employing bombers for critical missions against modern air defenses required large, costly packages of air escort and defense suppression aircraft. The B–2's unmatched survivability reduces the need for escorts and defense suppression aircraft. As we found in the Gulf War with the F–117, stealth allows the U.S. to strike any target with both surprise and near impunity. Analysis of the Gulf War air campaign reveals that each F–117 sortie was worth approximately eight non-stealth sorties. To put B–2 capabilities into perspective, consider that the B–2 carries eight times the precision payload of the F–117, has up to six times the range, and will be able to accurately deliver its weapons through clouds or smoke. What does all of this mean? It means that a single B–2 can accomplish missions that required dozens of non-stealthy aircraft in the past.

Many may wonder why the Department of Defense would advocate terminating the most advanced weapon system ever developed. The B–2 program was cut by the Bush Administration for budget-related political reasons, and some concern that the program would not meet expectations. Since then, delivered aircraft have demonstrated, without qualification, that the B–2 is a superb weapon system—performing even better than expected.

Yet, defense spending has declined, bomber expertise has been funded out of the Air Force, and people's careers have been vested in other programs. Unfortunately, some in the Army and Navy believe the B–2's revolutionary capability is a threat to their own services' continuing relevancy. Just the opposite is true, long-range, survivable bombers will contribute to the effectiveness of the shorter range carrier air by striking those targets which pose the greatest threat to our ships. The troops on the ground have long recognized the value of air support, especially the tremendous impact that large bomb loads have on enemy soldiers. This was again demonstrated by the B–52 strikes used to demoralize the Iraqi Army. If anyone needs B–2s, it's our soldiers and sailors. Some people harp on the issue of the B–2's cost. The Air Force, at times, seems at odds about asking for this much needed aircraft because they fear it could endanger their number one priority program, the F–22. All miss the point. True the B–2 has a high initial cost, but its capabilities allow it to accomplish mission objectives at a lower total cost than other alternatives. And keep in mind, the true cost of any weapons system is how many or how few lives of our service personnel are lost. The B–2 lowers the risk to our men and women. The B–2 will allow us to

accept lower levels of overall military spending without compromising our security.

As we approach this year's critical defense budget decisions, it is important that we understand the long-term national and international security ramifications of the quantum leap in military capabilities offered by the B–2. If we don't, it may disappear when we need it most, and can buy it most cheaply. Make no mistake about this: the B–2 is designed to extend America's defense capabilities into the next Century. Can we afford to do less?

Sincerely,

CHARLES A. HORNER,
General, USAF (Ret.).●

(At the request of Mr. DOLE, the following statement was ordered to be printed in the RECORD.)

JAMES SMITH

● Mr. LUGAR. Mr. President, on this Friday morning, many of my close friends and fellow members of Saint Luke's United Methodist Church are gathering in Indianapolis, IN, to honor the life of a very special public servant and leader in our State.

The untimely loss of James Smith on July 10, 1995, will be felt throughout Indiana, just as his personal energy impacted so many people during his remarkable life.

I enjoyed working with Jim during his early years of service to our State, when he worked as an assistant to Gov. Otis Bowen. His effective leadership in several roles in Indiana's State government throughout the 1970's earned the praise and support of both Governor Bowen and his successor, Governor Robert Orr.

He won respect from all who followed his activities, both before and after he left State government. I was not surprised to see the law firm he helped found quickly develop into one of the largest firms in Indiana.

I was proud to count Jim Smith as a friend ever since our early association. I will miss the enrichment I received from our visits together.

My thoughts this morning, especially, are with his wife Susan, who not only served as Jim's partner professionally in Governor Bowen's administration and in their law firm, but also in their home raising five beautiful children. My prayers are for her renewed strength and courage as she faces most difficult times ahead.●

75th BIRTHDAY OF EDWIN ZEHNDER

● Mr. LEVIN. Mr. President, I rise today to honor one of the leaders of the community of Frankenmuth, MI. Edwin Zehnder is owner of Zehnder's of Frankenmuth restaurant, one of the top ten independent restaurants in total sales in the United States. July 25, 1995 will mark Edwin's 75th birthday. The city of Frankenmuth will be honoring Edwin on his birthday by naming a park located near his restaurant in his honor. This event is especially significant because 1995 also marks the 150th anniversary of the city of Frankenmuth. It is only fitting that this great citizen's 75th birthday happens to coincide with the 150th anniversary of the community to which he has given so much.

Frankenmuth is a unique community and one of Michigan's largest tourist attractions. It is a quaint Bavarian village which maintains a festival atmosphere year-round. Everything from its authentic architecture to the popular Frankenmuth Bavarian and Oktoberfest celebrations make this community a special place to live in and visit. At the center of it all is Zehnder's of Frankenmuth restaurant. The restaurant serves traditional Bavarian cuisine as well as American fare. However, most visitors come to Zehnder's for its famous Frankenmuth-style chicken dinners.

Edwin and his wife Marion have four children—L. Susan, Albert, Catherine, and Martha. Family has always been an important part of this gentleman's life. The family business was started in 1927, when Edwin's father, William, bought the circa 1856 Exchange Hotel. The Zehnder family then began work on building the restaurant into the institution it is today. Edwin and his wife Marion assumed ownership of the family business in 1965. The couple were able to cater to the growing numbers of tourists visiting the city by continually expanding the restaurant. They added a retail gift store, retail food store, and a coffee shop in 1977. In 1983, the family broke ground for a 5,000-square-foot addition which now houses a bakery. Zehnder's of Frankenmuth today is a 84,000 square-foot, 1,500 seat establishment.

Edwin Zehnder graduated from Valparaiso University in 1942, and later went on to do graduate work at the University of Chicago and the University of Michigan. Edwin served his country in World War II with the U.S. Navy. Edwin was stationed in the Marshall Islands in the South Pacific.

Edwin maintained his commitment to service after the war by becoming a vital member of the community. He is a member of St. Lorenz Lutheran Church and sits as a member of the board of Concordia Theological Seminary in Fort Wayne, IN. He was also director of the Michigan State Chamber of Commerce and has served as president and director of the Frankenmuth Chamber of Commerce. In 1982, he received the 4–H Friend Award, which is the highest award given by the organization for support of its many causes.

On the basis of his expertise in restaurant management, he was elected director of the Michigan Restaurant Association and the National Restaurant Association. He has also served as a circuit speaker for the Michigan and National Restaurant Associations. In 1975, he received the Excellency Award of the restaurant association.

I know thousands of people in Michigan and around the Nation join me in congratulating Edwin Zehnder for the fine work he has done and also in wishing him a happy 75th birthday.●

REGULATORY REFORM DISTORTIONS

Mr. DOLE. Mr. President, in their ongoing efforts to frighten the American people, the opponents of regulatory reform continue to spread their distortions through the media.

Last night, in a report on ABC's ''World News Tonight,'' President Clinton's EPA Administrator, Carol Browner, made the following outrageous statement about our regulatory reform bill. That is the one we are considering right now.

> If these provisions had been in place over the last 10 years, EPA would not have been able to ban lead in gasoline, and a whole generation of children would have suffered real and permanent brain damage.

Now, that is a catchy sound bite, but it is flatly false, and it went unchallenged in the report.

Here are the facts viewers did not get last night. When a rule on lead phaseout was being considered in 1982, EPA resisted doing a cost-benefit analysis. However, when a cost-benefit analysis was performed, it demonstrated the benefits outweighed the costs of eliminating lead from gasoline. Only then did EPA issue a rule providing for quick phaseout of lead. And in fact, as a result of that analysis, EPA issued a tougher standard than it would have previously. So getting lead out of gasoline occurred precisely because a cost-benefit analysis supported doing so.

Rather than undermining our reform effort, as Ms. Browner suggests, this example actually validates it.

This is not the first time we have heard this phony story from the administration. Even though we have set the record straight on that point during this debate, the EPA and some folks in the media do not seem to notice.

Mr. President, I am hardly the only one who has been disappointed by the spread of distortions about this bill.

I ask unanimous consent to have printed in the RECORD a letter I received from the Governor of Ohio, George Voinovich, and the Governor of Iowa, Terry Branstad, taking exception to another ABC report last night that framed the debate on environmental regulations in Washington-knows-best terms.

Mr. President, this is certainly a complicated piece of legislation, but sometimes the facts are very simple. And dealing in facts is not too much to ask even for the media.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

JULY 14, 1995.

Hon. BOB DOLE,
Senate Majority Leader, U.S. Senate, Washington, DC.

DEAR SENATOR DOLE: As strong supporters of your efforts to pass regulatory reform legislation, we were very disappointed with an ABC News report last night on environmental regulation.