United States of America

# Congressional Record

PROCEEDINGS AND DEBATES OF THE 102d CONGRESS, SECOND SESSION

## HOUSE OF REPRESENTATIVES—*Wednesday, July 24, 1991*

The House met at 12 noon.

The Reverend Harry Wood, Visalia United Methodist Church, Visalia, CA, offered the following prayer:

Heavenly Father, we thank You for Your everlasting love.

In a time of declining world powers and rising new nations.

In a time when technology has elevated humanity's place and power, yet left us more vulnerable and less able to feed ourselves than ever before.

In a time when history has destroyed conventional faith and morality but left us hungry for honest values.

We seek Your face O God. Grant us wisdom. Grant us courage.

Bless the President and the Members of Congress that they may be worthy of this hour.

In Jesus' name we pray. Amen.

### THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

### PLEDGE OF ALLEGIANCE

The SPEAKER. The Chair will ask the gentlewoman from California [Mrs. BOXER] if she would kindly come forward and lead the membership in the Pledge of Allegiance.

Mrs. BOXER led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

### MESSAGE FROM THE SENATE

A message from the Senate by Mr. Hallen, one of its clerks, announced that the Senate had passed without amendment a joint resolution of the House of the following title:

H.J. Res. 181. Joint resolution designating the third Sunday of August of 1991 as "National Senior Citizens Day."

The message also announced that the Senate has passed with an amendment in which the concurrence of the House is requested, a bill of the House of the following title:

H.R. 2212. An act regarding the extension of most-favored-nation treatment to the products of the People's Republic of China, and for other purposes.

### PASTOR HARRY WOOD

(Mr. DOOLEY asked and was given permission to address the House for 1 minute.)

Mr. DOOLEY. Mr. Speaker, I have the pleasure today of welcoming my pastor from Visalia, CA, Harry Wood, who delivered our opening prayer.

Pastor Wood has led the Visalia United Methodist Church since 1978. In his time there, he has instilled an unselfish spirit in his congregation and in others in the community whose lives he has touched.

His good work has shown itself in particular in the past 6 months as the people of central California have struggled to cope with the effects of a deep freeze that devastated the region's farm economy.

In that time, as he has many times before, Pastor Wood has brought together his congregation and the entire community to deal with the day-to-day challenges that we face.

On behalf of the community he serves, and as one who has been inspired by him, I would like to thank Pastor Wood for his good works, his friendship, his spirit, and his compassion.

### DEFICIENCIES IN CORPORATE TAX SYSTEM

(Mr. SCHULZE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SCHULZE. Mr. Speaker, recent hearings in the Ways and Means Committee have exposed huge deficiencies in our corporate tax system.

First, foreign corporations operating in America are failing to pay an estimated $30 billion in tax each year; $30 billion that could reduce the deficit or cut taxes on American families.

Second, the Congressional Research Service has found that we impose a negative tax rate on debt. This has led to uneconomic leveraged buyouts and Wall Street shenanigans.

Third, recent studies have found that the tax is so complex that it costs American corporations $1 for each dollar paid, in corporate tax, to the Treasury.

Fourth, America is the only industrialized Nation without a tax on imported goods coming across our border. Every other nation taxes our goods when sold in their markets.

Mr. Speaker, America is now a tax haven for foreign goods and a tax trap for American business.

### MORE, NOT LESS, FUNDING NEEDED FOR EARLY DETECTION OF BREAST CANCER

(Mr. OBERSTAR asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. OBERSTAR. Mr. Speaker, I was astonished to read in a report of the Committee on Energy and Commerce a letter from the Health Secretary objecting, as follows, to a provision in the NIH reauthorization bill, H.R. 2281, "A $50 billion earmark for breast cancer research and the development of a test for early detection of ovarian cancer is unnecessary."

Do not tell this Member, whose wife has fought for 8 years against breast cancer, who is lying in a hospital now, that breast cancer research is unnecessary.

More women this year will die of breast cancer than all people will die of AIDS.

The $50 million is an insignificant amount to deal with the problem of breast cancer. We need more, not fewer, researchers working on this problem. We need more, not fewer, people putting their will, their energy, their creativity to finding something

☐ This symbol represents the time of day during the House proceedings, e.g., ☐ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.



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that will not only detect early on but also deal effectively with the problem, the invasive problem of breast cancer.

## FAMILY PLANNING WITH INTEGRITY

(Mr. STEARNS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. STEARNS. Mr. Speaker, it is time to tell the truth about the title X regulations. Mr. Speaker, these regulations simply echo the beliefs of the overwhelming majority of Americans who do not equate abortion with family planning. Poll after poll reveals American support for keeping family planning true to its name. According to a June 1991, Wirthlin Group poll, 83 percent oppose abortion being used as a method of birth control in tax-funded family planning programs. A 1990 Gallup poll revealed 91 percent of Americans think abortion is an unacceptable means of birth control during the first 3 months of pregnancy and that 94 percent think it is unacceptable as birth control after the first 3 months. A 1989 Boston Globe poll found 88 percent disapproval of abortion as birth control.

Mr. Speaker, no one need wear the label "pro-life" to support these commonsense regulations. One need only join the majority of Americans in making the distinction between abortion and family planning. A vote in support of these regulations is a vote for family planning with integrity.

## SUPPORT AGRICULTURAL DISASTER ASSISTANCE ACT OF 1991

(Mr. DE LA GARZA asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DE LA GARZA. Mr. Speaker, I associate myself with all of the mention that is going to be made today about the $50 million and getting the research for cancer.

Also, I would like to advise my colleagues that the Chaplain, guest chaplain, today did a lot of yeoman work in helping farmworkers during the disaster in California, and we still have a disaster throughout the Nation.

I would like to inform my colleagues that yesterday we considered a bill on suspension trying to give some assistance. The vote will be today after the business is concluded, and I would hope that the Members would help us in the Committee on Agriculture and help all those who are in need.

It is only the authorization, regretfully. The money is yet to come down the line, but I would urge your support of this legislation when it comes later this afternoon.

## WERE REAGAN TAX CUTS FOR THE RICH?

(Mr. BALLENGER asked and was given permission to address the House for 1 minute.)

Mr. BALLENGER. Mr. Speaker, one of the Democrats' main political ploys over the last few years has been to convince the American people the Reagan tax cuts were entirely for the rich and left the middle class and the poor paying more.

The fact is that income taxes paid by the top 10 percent of income earners have risen nearly 70 percent in real terms during this period, while those paid by the group earning less than $30,000 have fallen more than 15 percent in real terms.

The 1987 and 1988 income tax return information from the Internal Revenue Service show the massive concentration of the income tax burden to be on the top taxpayers. Further, the information demonstrates conclusively that virtually all the growth in income tax revenues is now coming from the top 13 percent of the taxpayers, and nearly 77 percent of it is coming from those with incomes over $100,000.

The story that the rich in this country pay very little taxes, and are paying less every year, at the expense of the poor and middle class is simply not true. The facts prove otherwise.

## LAGGING DIAGNOSIS AND TREATMENT FOR WOMEN IS A HUMAN TRAGEDY

(Mrs. LLOYD asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. LLOYD. Mr. Speaker, I am appalled by the lack of compassion and outright insensitivity shown by Secretary Sullivan to the women in our country by his opposition to the women's health research provisions. And no wonder considering the past policy of using men as the standard in medical research. The result of this shortsighted policy has been serious, substandard health care treatment and diagnosis for women.

I have been amazed by the sheer number of women throughout our country who have contacted me recently to share their experiences in light of my recent breast cancer surgery. They have been hurt by this lack of support from their Government. Yet, Secretary Sullivan and others see no reason to change the status quo. Diagnosis and treatment for women lags far behind those for men. The result is human tragedy.

I urge my colleagues who deem the provisions in the bill unnecessary to consider their wives, daughters, and mothers before making this vote. Do they not deserve the benefits and knowledge from the health research performed at our National Institutes of Health?

□ 1210

## THE GLOBAL WARMING ASSESSMENT ACT OF 1991

(Mr. SMITH of Texas asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SMITH of Texas. Mr. Speaker, Congress may be fiddling while the Earth burns.

Steps toward reducing global warming can't wait. We must act now to put conclusive data into the hands of our Nation's scientists and policymakers.

To ensure this happens, today I am introducing the Global Warming Assessment Act.

This bill will appeal to environmentalists and fiscal conservatives, because it does something dramatic for the environment in a common sense, cost effective manner.

It will require the Defense and Energy Departments and NASA to work together on a plan that would begin measuring global warming no later than 1995.

Current proposals are not expected to produce global warming data until the turn of the century.

The National Academy of Sciences in a recent study said our current scientific understanding of greenhouse warming is both incomplete and uncertain.

Mr. Speaker, we must actively work to reduce this uncertainty and organize our Nation's resources to gather conclusive data in time for effective action.

## WOMEN'S HEALTH

(Mr. HOYER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HOYER. Mr. Speaker, "civil rights," "fairness," "level playing field," "freedom of opportunity," and even the "right to life"—each is a phrase we hear often in this Chamber.

Unfortunately, this high flown rhetoric gets buried when we try to resolve the real life problems faced by millions of Americans who are denied housing, jobs, opportunities for advancement, and educational opportunity.

Most disturbing to me is that there are categories of Americans for whom life is lived with more illness, disability, pain, and suffering. There are Americans for whom, ultimately, life is much shorter than it ought to be—minorities and women are chief among them.

Our spouses, our sisters, our mothers and our daughters, those closest to us, have been too long ignored in medical research.

As a member of the Appropriations Subcommittee on Health and Human Services, I've had an opportunity to hear the testimony, and ask the questions of witnesses who admit the inadequacy of our commitment to research on problems that are principally of concern to women.

I reviewed the HHS inspector general's report that concluded that despite the existence of voluntary guidelines for including women in clinical trials, no progress was being made.

H.R. 2707, the health appropriations bill includes significant increases for the Office of Women's Health at NIH, for breast and ovarian cancer, contraceptive, and other women's reproductive health research. I am very proud of that bill, because I was a strong advocate for increasing funds for ovarian cancer, fibroids, endometriosis, and contraceptive research.

With the help of Chairman NATCHER and JOE EARLY, we made genuine progress.

But it is within the NIH reauthorization bill that the Congress should make the most prominent statement of policy enhancing the opportunities for more and better research on women's health.

The NIH revitalization bill includes provisions enhancing the Office of Women's Health, codifying NIH policies promoting the inclusion of women and minorities in clinical trials and in the community of extramural researchers, a well as encouraging research in areas of special concern like breast and ovarian cancer.

If Secretary Sullivan's letter to Chairman DINGELL complaining about the inclusion of some of these provisions in the NIH reauthorization is another example of the President's kinder and gentler leadership, then I suggest that 535 points of light in the U.S. Congress send him a message about "fairness," "freedom," "opportunity," and yes, even the "right to a healthy life" by voting yea on the NIH reauthorization tomorrow.

## NATIONAL INSTITUTES OF HEALTH

(Ms. MOLINARI asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. MOLINARI. Mr. Speaker, tomorrow the House will consider the NIH reauthorization bill. Included in this bill are provisions that will take significant steps in addressing the lack of research that has been done in areas of ovarian cancer, breast cancer, osteoporosis, and infertility. If we're ever going to make advances against these gender-specific illnesses, we need to authorize and fund gender-specific research.

It will take some money. It will take the commitment of a nation. It may label us micromanagers, but it will result in research being targeted specifically to women—a group that until now, has only received 13 percent of NIH dollars when we are 51 percent of the population. Women as a group suffer from many curable diseases that we just do not catch in time.

This is a call for fairness in medical research, which should more clearly reflect the ills of all society not of those in the decisionmaking roles.

We have a unique chance tomorrow to make history. An opportunity to correct the medical injustices that have sent too many of our mothers and daughters to an early grave. I urge my colleagues to support the NIH reauthorization.

## WOMEN DEPRIVED MEDICAL RESEARCH AND TREATMENT

(Ms. DELAURO asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. DELAURO. Mr. Speaker, I rise to address the subject that for me is a very personal subject. It is, in no small way, a matter of life and death. It is a matter of life and death to the 100,000 American women who will contract breast or ovarian cancer, a matter of life and death for over 127 million American women who are neglected by our health care bureaucracy.

Mr. Speaker, I am a survivor of ovarian cancer, and I have a unique appreciation of the need for early detection research for a disease that will kill 12,000 women this year.

The sad fact is that our country, recognized around the world as a leader in medical research and treatment, has systematically deprived women the full benefit of that expertise. Research for diseases specifically affecting women is underfunded, and women are often purposely excluded from the clinical trials investigating disease.

As we consider the NIH authorization we will debate amendments that provide increased funding for research for breast and ovarian cancer, establish basic guidelines to ensure that women are not by design excluded. They would, for the first time, ensure equity to the health research system.

Mr. Speaker, cancer is frightening, painful, and traumatic. It is an ordeal for both the victim and the victim's family.

The President has threatened to veto this bill if the amendments are included. This is a blow to women and their families. It is a blow to victims of this disease. The President should not play politics with this issue. Passage of these amendments is a matter of life and death.

## INTRODUCTION OF LEGISLATION FOR NEW DISTRICT COURT IN CALIFORNIA

(Mr. MCCANDLESS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MCCANDLESS. Mr. Speaker, today I rise to join my colleague from California in introducing a bill to bring a new court to Riverside and San Bernardino Counties.

Over the last 10 years, the population in Riverside and San Bernardino Counties has nearly doubled in size. In the next 15 years, it is predicted that it will double once again. This increase has clogged both the courts with more cases and the freeways with more cars.

Justice should not be dependent upon freeway traffic or population growth. When a court appearance involves a daily 6 hour commute on the freeway, many citizens simply give up pursuing their cases through the Federal courts. Relief for this situation is needed now.

This bill that is being introduced today will divide the central district of California into two halves, providing a court for each. I am pleased to work with my colleague in designing this bill and I hope we can move to enact it and return the courts to the people of Riverside and San Bernardino Counties.

## BUSH ADMINISTRATION OPPOSES WOMEN'S HEALTH PROGRAMS

(Mrs. BOXER asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. BOXER. Mr. Speaker, the Bush administration is fighting against a program for women's health. It is incredible to me that this administration says modest additional funding for osteoporosis is unnecessary. Unnecessary? Ask some of our grandmothers who suffer from breaking bones and intense pain. Twenty-four million Americans get osteoporosis each year. Eighty percent are women.

This administration opposes a modest $50 million initiative for ovarian and breast cancer; 12,400 women will die of ovarian cancer in 1991. There is no screening test. It is a silent killer.

One in nine women will get breast cancer in this country. Moms, sisters, and aunts are taken away in the prime of life because of breast cancer. In 1991, 45,000 women will die, and 175,000 women will be stricken with breast cancer.

This administration attacks our initiatives on contraceptive research. For people who want to outlaw abortion, this action is outrageous. They are against abortion. They are against contraception. I sadly conclude they are against women. I cannot come to any other conclusion.

Let Members vote for the NIH bill tomorrow.

## WOMEN'S HEALTH MEASURES URGENTLY NEEDED

(Ms. SNOWE asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. SNOWE. Mr. Speaker, for years, women in this country have been the missing page in America's medical textbook. Our health needs are chronically unaddressed and unresearched. At the same time, little has been researched about the health of middle-aged white males.

The cost women pay for this institutionalized oversight is a dear one. Some 44,000 American women die each year from breast cancer. Some 12,000 American women die each year from ovarian cancer. Osteoporosis affects half of all women between ages 45 and 90.

Fortunately, some progress has been made in the last couple of years, after the Congressional Caucus for Women's Issues tackled this issue. The NIH authorization bill we are scheduled to consider tomorrow contains many provisions that continue the progress in this fight for life.

How, then, could it be objectionable and unnecessary to try and find a cure for breast cancer? How could it be objectionable and unnecessary to try and find a cure for ovarian cancer? Or seek ways to prevent abortions of unplanned pregnancies?

Mr. Speaker, I would venture to guess that almost everyone in this Chamber knows a woman whose health has been damaged by serious illness. I hope each Member thinks of such women tomorrow when they vote on the NIH authorization.

## IN SUPPORT OF H.R. 2507, THE NATIONAL INSTITUTES OF HEALTH REVITALIZATION AMENDMENTS OF 1991

(Ms. LONG asked and was given permission to address the House for 1 minute and revise and extend her remarks.)

Ms. LONG. Mr. Speaker, this week we will consider a very important piece of legislation, H.R. 2507, the National Institutes of Health [NIH] Revitalization Amendments of 1991.

I am particularly concerned about what the President wants to do to the provisions of this bill which will someday save the lives of millions of American women who are diagnosed with breast and ovarian cancers. The administration and others argue that NIH is already engaged in research on these diseases, but this research is not directed toward finding answers to fundamental questions related to cancers which are unique to women. The funding level authorized in this bill will take us toward knowledge of a cause and cure of these diseases. Without earmarking a funding level for this research, we cannot ensure that it will receive the attention that it deserves.

While I understand the need for fiscal responsibility during these difficult economic times, by supporting research, we will save lives. I urge my colleagues to support H.R. 2507 to ensure that women's health research receives the funding that it merits.

## U.S. TRADE REPRESENTATIVE—SHEER IDIOCY

(Mr. ROTH asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ROTH. Mr. Speaker, as Paul Harvey would say, "Here is the rest of the story."

A proposal, now, by our Trade Ambassador, Carla Hills, has been made public—get this—to relax restrictions on cheese imported from Eastern Europe which in no way meets American health and sanitary standards.

She wants to dump even more unsanitary European cheese on the American market which will even further devastate the hard-hit dairy farmers; a mindless idea like this should be an impeachable offense.

The Department of Agriculture said that this idea, when it is implemented, will result in an additional 136,000 metric tons of cheese annually into the United States.

This idea is crazier than "Animal House."

This idea to increase cheese imports will be presented at the GATT meeting in Europe. Notice, the Europeans are not giving an inch—but our towers of jelly—the U.S. trade negotiators are caving in again—and the dairy farmers are the scapegoats again. Well, we are not going to allow it to happen.

If our Trade Representative cannot speak up for America's interests for a change, then let us get a new Trade Representative.

## WOMEN ARE SICK AND TIRED OF OUR NATION'S FAILURE TO ADDRESS THEIR HEALTH CARE NEEDS

(Mrs. LOWEY of New York asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. LOWEY of New York. Mr. Speaker, tragically, our Nation has failed to adequately address women's health care needs. In 1991, 1 in 9 women will contract breast cancer; 20,500 women will be diagnosed with ovarian cancer this year; and women are the fastest growing population with AIDS.

Yet, NIH spends only 13 percent of its funds on women's health, and women have been excluded from many clinical trials. So what is the response of the administration to this crisis in women's health?

Total inaction, stonewalling, and contempt for the very lives of women. In fact, the administration opposes every one of the key enhancements for women's health in the NIH revitalization bill.

Women are sick and tired—sick because their health concerns are ignored—and tired of inaction by the administration.

## CONGRATULATIONS TO CARLA HILLS ON TRADE NEGOTIATIONS

(Mr. KOLBE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. KOLBE. Mr. Speaker, during the debate on granting fast-track trade authority, some Members of this body alleged that Congress would be shut out of the trade negotiations with Mexico and Canada.

One Member said of fast track, "granting the unique authority * * * effectively removes the Congress from this process and does great damage to the separation of powers and the role of Congress."

Oh, really?

I believe Carla Hills should be congratulated for her Herculean efforts to conduct two major trade negotiations and at the same time bend over backward to meet with Members of Congress.

In the month that NAFTA negotiations have been underway, Ambassador Hills has met with the Speaker, the majority leader, has held two executive sessions each with the Ways and Means and Finance Committees, and plans an additional session with each in the near future.

And the USTR's Office has already been to the Hill to exchange information and input with the House Agriculture Committee, House Foreign Affairs Committee, and the House Energy and Commerce Committee.

Before the August recess, every single relevant committee in Congress—and that means nearly every congressional Committee—will have been paid a visit by the USTR's Office.

Again, I commend Carla Hills and her office for the extraordinary efforts they have taken to interact with Congress on the progress of trade negotiations.

I hope that when the agreement comes back to the Congress next year, Members will take note of this effort, and not claim they were left out of the process.

## WOMEN'S HEALTH EQUITY

(Ms. PELOSI asked and was given permission to address the House for 1

minute and to revise and extend her remarks.)

Ms. PELOSI. Mr. Speaker, tomorrow the House will consider the reauthorization of the National Institutes of Health. The bill includes many provisions from the Women's Health Equity Act which are of critical importance to American women.

Some of our women colleagues in the House of Representatives have taken to the well and showed great courage in sharing with us their own experiences with breast cancer or ovarian cancer, and although we are only 29 women in the House of Representatives I know that this experience is known to many of the men in the House because of the suffering of their own wives. They have shared this experience with us and I want them to know that tomorrow they can make a very big difference and do something about the suffering in their own homes.

Tomorrow we will have the opportunity to vote on this legislation which will make permanent the Office of Women's Health at NIH and expand the responsibilities of the Office to include monitoring the representation of women among senior scientists at NIH. More importantly, the legislation would require the inclusion of women and ethnic minorities in federally funded clinical research studies.

Mr. Speaker, I am very disappointed that the Bush administration has expressed opposition to almost all of the women's health provisions of this legislation. The administration is even opposed to the increased emphasis on research on osteoporosis and breast and ovarian cancer. It is hard to believe.

But, Mr. Speaker, what will we tell the women of America if we do not vote for this legislation? The women of America are watching, and they are watching the men and women in this Chamber. For too long the federally funded research, supported by women's tax dollars, has excluded them from clinical studies. We as a nation must continue the recent progress on women's health issues. I urge my colleagues to reject the terrible views of the administration and support the NIH reauthorization.

## SUPPORT WOMEN'S HEALTH—SUPPORT THE NIH REAUTHORIZATION

(Mrs. MORELLA asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. MORELLA. Mr. Speaker, I join a number of my colleagues today to express my deep concern with the administration's opposition to the women's health research provisions of the National Institutes of Health reauthorization bill.

In a letter to Chairman DINGELL, Dr. Louis Sullivan expressed the view that the NIH bill imposes funding and research directives that "duplicate existing efforts, and are costly and unnecessary." He gives several examples of micromanagement in the bill, including "provisions related to the authorities of the National Cancer Institute * * * and a program for research in osteoporosis * * *."

Mr. Speaker, I find it very disturbing that the administration is opposed to efforts to reverse decades of neglect in the area of women's health. The NIH bill includes vital provisions for women's health research, including: the establishment of an Office of Research on Women's Health within NIH and ADAMHA to identify women's health needs and to ensure that women are adequately represented in health research at NIH; additional funding for breast and ovarian cancer research, and osteoporosis research; the establishment of an intramural and clinical research program in obstetrics and gynecology; funding for contraceptive and infertility research, and provisions to ensure that women and minorities are represented in research.

These provisions are necessary because these needs have been ignored for many years. The NIH reauthorization bill recognizes the failure of federally funded research to adequately include women and to focus on woman-specific diseases. I urge the administration to change their position on this important bill, and I urge my colleagues to support H.R. 2507.

□ 1230

## WE NEED ADDITIONAL RESEARCH INTO BREAST CANCER AND OVARIAN CANCER

(Mrs. MINK asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. MINK. Mr. Speaker, we have taken this opportunity to address the issue of women's health research because of the astounding letter which is in the committee report that we will be debating tomorrow which provides funds for the National Institutes of Health. This astounding letter has been sent by the Secretary of Health and Human Services, Louis Sullivan, in which he says he is going to recommend to the President that the bill be vetoed because it contains unwarranted and unwise intrusions into his authority. The intrusion into his authority, my friends, is a mere $100 million which we are seeking for vital health research, areas that affect women all across this country. The area that I am particularly concerned about is the $50 million which have been earmarked for breast cancer and ovarian cancer. In the area of ovarian cancer, think of it, 20,000, 20,000 women each year are diagnosed as having ovarian cancer. Most of them are found in the terminal stages because there is no detection possible, there is no kind of symptom for which you can look. Doctors are helpless.

This country has come across with all kinds of technology research. Certainly, if we put our emphasis on research, we are going to be able to come up with an early detection method and save the lives of the 12,000 women who die each year unnecessarily because of ovarian cancer.

## THE 1991 HIGHWAY BILL IS OUTRAGEOUS LEGISLATION

(Mr. BOEHNER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BOEHNER. Mr. Speaker, I have only been here 7 months, but during my years of public service I have seen some pretty outrageous activities occur in legislative bodies. But I have never seen anything as outrageous as the 1991 highway bill that proposes to increase taxes on Americans by 5 cents, the so-called nickle for America, and load it up with pork in congressional districts all across this country.

What happened to last year's nickle for America? Well, it was flushed down that toilet that we know as the national debt. And you all know what the pork is. That is the special projects that we hand out in congressional districts around this country so we can buy enough votes to get these types of bills passed. Mr. Speaker, I stand opposed to this legislation because it is another tax on working Americans. I stand opposed to this legislation because spreading pork around to secure enough votes to pass this turkey is wrong.

Mr. Speaker, the American people are fed up with this kind of politics, and we had better wake up before it is too late.

## NIH RESEARCH FUNDS CRUCIAL FOR AMERICAN WOMEN

(Mrs. COLLINS of Michigan asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. COLLINS of Michigan. Mr. Speaker, I rise today in full support of legislation reauthorizing the National Institute of Health—H.R. 2507—which will soon be considered by the House. Included in this bill are several important provisions that American women are counting on. However, it is my understanding that the administration strongly opposes the provisions concerning women's health.

To my surprise the administration is opposed to authorizing an additional $50 million earmarked specifically for basic breast cancer and ovarian cancer research at the National Cancer Institute [NCI]. These are diseases which can strike our mothers, wives, daugh-

ters, and friends. No woman is immune from being hit by such fatal diseases, without research and early intervention. Breast cancer is the second leading cause of cancer death among women, surpassed only by lung cancer. This life-threatening disease is expected to strike an estimated 175,000 women this year. In my home State of Michigan, over 1,500 women died of breast cancer last year. One of the most tragic aspects of this disease is that it is preventable. African-American women are highly susceptible to having this sometimes fatal disease; it is the leading cause of cancer in my community for women.

H.R. 2507 will encourage researchers to include women in their studies. Women know that they have not been part of the clinical research at the National Institutes of Health—and they are demanding a change. This legislation sends a clear signal to the women of America that a change is being made. But the administration appears to be sending a different signal—one which has been sent before and one which will not be tolerated again.

I ask my colleagues to join me in supporting the reauthorization of the National Institutes of Health—H.R. 2507.

## THE CHOP-SHOP KILLER FROM MILWAUKEE

(Mr. TRAFICANT asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. TRAFICANT. Mr. Speaker, there is a new mass murderer in America. This one is called the chop-shop killer of Milwaukee. Parts of 18 different bodies were found dismembered, torsos were stuffed into closets, 11 skulls were found in refrigerators and freezers.

Mr. Speaker, the killing goes on. Over 23,000 murders per year in America. And while Congress continues to kill the death penalty, killers and murderers on the street continue to sentence American victims to death in record numbers, be it drive-by, drive-in, drive-up or mail-order murders—we have them, folks.

I say it is time for Congress to pass the death penalty, start protecting innocent victims in this country, and stop protecting the rights of murderers.

## WE ARE TIRED OF SEEING CRIMINALS BEING AWARDED FEDERAL CONTRACTS

(Mr. DORGAN of North Dakota asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DORGAN of North Dakota. Mr. Speaker, the other day in the newspaper there was a story headlined "Unisys Awarded $612 Million Air Force Computer Contract." Now, this is not about Unisys; I do not know much about that company. But let me read it:

> Unisys Corporation, facing a possible record-setting criminal fine and embarrassing cost overruns in connection with its government business, yesterday got some good news from Washington: An Air Force computer contract potentially worth $612 million.

Further, it says:

> Even while the Air Force was announcing the contract at the Pentagon, federal prosecutors in nearby Alexandria continued in negotiations with the company on a plea bargain to criminal charges growing out of the Pentagon procurement fraud investigation known as Ill Wind.

Again, this is not mainly about Unisys, but it is about a principle.

When might we expect the administration to behave as people on Main Street in this country do? If somebody cheats you once, you do not do business with them again. Could we expect that minimum standard on the part of the administration? Some of us are getting tired of seeing criminals awarded contracts.

Now, I know that a whole lot of the big defense contractors would not be doing work today if you had a standard that says if you were convicted of a criminal act, you could not do any more work. But I wonder if we should not start expecting that standard to be applied to companies doing business with the Federal Government, as is already the case for individuals which do contract work for the Government.

## REPORTS OF UNFAIR TAX BURDEN REINFORCED BY NEW STUDY

(Mr. SANDERS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SANDERS. Mr. Speaker, there are many people in my home State of Vermont who have gotten tired of me saying over and over again that the decade of the eighties was a time in which the rich got richer and the poor got poorer, while at the same time the rich paid less in taxes while the middle class and the working people of our country paid more in taxes.

It is interesting, therefore, to bring to your attention today the results of a recent study by the Center on Budget and Policy Priorities. And what does this report conclude? The rich got richer, the poor got poorer, and the rich are paying significantly less in Federal income tax. What the study tells us is that the wealthiest 1 percent of our population have seen a 122 percent increase in their real income. Meanwhile, their income taxes will decline by 18 percent between 1977 and 1992.

Mr. Speaker, I am delighted to announce that I will be introducing legislation after the August recess which, if adopted, will ask the wealthy to start paying their fair share of taxes so that we can take the tax burden off the middle class and working people.

□ 1240

## MOTOR VOTER BILL'S REJECTION BY THE SENATE LAST WEEK

(Mr. AUCOIN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. AUCOIN. Mr. Speaker, last week the Senate, for the lack of one vote, failed to act on one of the most critical prodemocracy bills considered in this Congress in years, the motor voter registration bill. It is a bill that simply lets people register to vote at a time that they register for their driver's licenses.

Mr. Speaker, this proposal had a patriotic purpose: To make it easier for the citizens of this country to exercise their most basic right, the right to vote.

I am proud that the House of Representatives passed this bill last year by a resounding margin. None of us in this House who did that deserve necessarily a pat on the back. After all, one either believes in democracy, or one does not believe in democracy. I say, "If you do believe in democracy, it would be impossible to oppose the motor voter registration bill and then still be sincere if you did oppose it when you go to your constituents and ask them for their votes."

Forty Members of the U.S. Senate apparently have no such inhibitions, Mr. Speaker, but motor voter registration is coming back to the Senate floor in September. It is building momentum far beyond the beltway around this Capital City. Those 40 Members in the other body had better learn and learn quickly, before they learn the hard way, that they either believe in democracy or they do not and the voters will not believe in them.

## ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. MAZZOLI). The Chair would remind the Member that urging action by or questioning the motivation of Members of the other body is not permitted under House rules.

Mr. AUCOIN. I am very sorry, Mr. Speaker.

## THE AMERICAN DISCOVERY TRAIL

(Mrs. BYRON asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. BYRON. Mr. Speaker, this morning I am introducing legislation calling for a study to determine the feasibility of designating the American

Discovery Trail as a national scenic trail. I appreciate the assistance of my 12 colleagues who have joined me as original cosponsors of this legislation and a companion bill that will be introduced in the Senate by Senator HANK BROWN of Colorado.

I would like to say this morning that I had an opportunity to greet three hikers that have just completed, almost, the American Discovery Trail. Eric Seaborg, Ellen Dudley, and Bill Sprotte have charted a national east to west trail since leaving Point Reyes National Seashore in California on June 2, 1990.

We believe that the American Discovery Trail has the potential to provide the missing element in the National Trails System. Using local trail groups and land managers, the ADT team has pieced together a number of existing trails and public rights-of-way. The 5,500-mile route links a number of wilderness areas, historic trails and urban greenways. This trail is entirely located on public lands, and it uses existing trails wherever possible. It crosses private lands only in a few cases and only in the existing rights-of-way by land agreement. On its way, coast to coast, the trail passes through 12 States and the District of Columbia.

Mr. Speaker, I hope my colleagues will join me in making sure that the enthusiasm that we have seen in this process continues with the reality of the American Discovery Trail.

## HOW TO HELP THE STARVING PEOPLE IN IRAQ

(Mr. APPLEGATE asked and was given permission to address the House for 1 minute.)

Mr. APPLEGATE. Mr. Speaker, President Bush wants to show the world that he is a great humanitarian. He wants to allow Saddam Hussein to sell oil so that Saddam Hussein will take the money and feed all of the starving people in Iraq.

Does President Bush actually think that Saddam Hussein is going to use any kind of money for anybody but himself? Well, if Mr. Bush believes that, I have got an old bridge I would like to sell him.

Mr. Speaker, I do not imagine that the President is that naive. Just check the bank in Switzerland after that first sale. Oh, yes, he might replenish some of his military losses, but to help the starving children, to help the starving people of his country, to help to give them food, clothing and shelter, is absolutely ridiculous because he is not going to do it.

However, Mr. Speaker, I tell my colleagues what he ought to do. The Iraqis have $8 billion invested in the Western world. Let us take that $8 billion of theirs and use it for the people of Iraq. But do not give it to him. Let the Western allies administer the money to make sure it is going to get to where it ought to be going, back to the people he stole it from in the first place.

## MAKING CERTAIN IMPROVEMENTS IN OPERATION OF THE U.S. COURT OF VETERANS APPEALS

Mr. MONTGOMERY. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 153) to amend title 38, United States Code, to make miscellaneous administrative and technical improvements in the operation of the U.S. Court of Veterans Appeals, and for other purposes, with Senate amendments thereto, and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Senate Amendments: Page 1, line 5, strike out "4067" and insert: *7267*.

Page 2, line 9, strike out "4086" and insert: *7286*.

Page 2, line 22, strike out "4085" and insert: *7285*.

Page 2 in the line after line 22, strike out "4086" and insert: *7286*.

Page 2, strike out all after the line under line 22 over to and including line 6 on page 3.

Page 3, line 7, strike out "4" and insert: *3*.

Page 3, line 8, strike out "4053" and insert: *7253*.

Page 3, line 17, strike out "5" and insert: *4*.

Page 3, line 18, strike out "4064" and insert: *7264*.

Page 4, line 1, strike out "6" and insert: *5*.

Page 4, line 20, strike out "4096" and insert: *7296*.

Page 4, line 25, strike out "4096(b)" and insert: *7296(b)*.

Page 5, line 5, strike out "4096(b)" and insert: *7296(b)*.

Page 5, line 19, strike out "4096(f)(2)(A)" and insert: *7296(f)(2)(A)*.

Page 5, line 22, strike out "4097" and insert: *7297(n)*.

Page 6, line 1, strike out "7" and insert: *6*.

Page 6, after line 7, insert:

***SEC. 7. ACCEPTANCE OF VOLUNTARY SERVICES AND GIFTS BY THE UNITED STATES COURT OF VETERANS APPEALS.***

*Section 7281 of title 38, United States Code, is amended by adding at the end the following new subsection:*

*"(i) The Court may accept and utilize voluntary services and uncompensated (gratuitous) services, including services as authorized by section 3102(b) of title 5 and may accept, hold, administer, and utilize gifts and bequests of personal property for the purposes of aiding or facilitating the work of the Court. Gifts or bequests of money to the Court shall be covered into the Treasury.".*

Page 6, line 11, strike out "4067" and insert: *7267*.

Page 6, line 16, strike out "4068(b)(2)" and insert: *7268(b)(2)*.

Page 7, line 2, strike out "4054" and insert: *7254*.

Mr. MONTGOMERY (during the reading). Mr. Speaker, I ask unanimous consent that the Senate amendments be considered as read and printed in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

The SPEAKER pro tempore. Is there objection to the original request of the gentleman from Mississippi [Mr. MONTGOMERY]?

Mr. STUMP. Reserving the right to object, Mr. Speaker, I shall not object, but I will ask the gentleman from Mississippi [Mr. MONTGOMERY] for an explanation of the bill.

Mr. MONTGOMERY. Mr. Speaker, will the gentleman yield?

Mr. STUMP. I yield to the gentleman from Mississippi.

Mr. MONTGOMERY. Mr. Speaker, H.R. 153 passed the House on February 20, 1991.

The bill consists of several provisions affecting the Court of Veterans Appeals which was established by the Congress in 1988 to provide judicial review of decisions made by the Board of Veterans Appeals. The Senate Committee on Veterans' Affairs struck the provision increasing the salaries of the associate judges of the court. The Senate also added a provision which would authorize the court to accept voluntary services. Other than these two changes, the bill is the same as the House-passed bill, and I urge my colleagues to support it.

There follows an explanatory statement concerning the provisions contained in this bill. With the Senate's agreement, this statement contains a number of changes to the statement which appeared in the RECORD of Senate consideration of this measure—S 10176, CONGRESSIONAL RECORD, daily edition July 16, 1991—in order to accurately reflect the provisions contained in the bill considered and passed by the House on February 20, 1991.

EXPLANATORY STATEMENT ON H.R. 153, RELATING TO THE U.S. COURT OF VETERANS APPEALS

H.R. 153 was passed by the House on February 20, 1991. As amended by the Senate Committee on Veterans' Affairs during a Committee meeting on June 6, 1991, and further amended during Senate consideration, it reflects a compromise agreement that the Senate and House of Representatives Committees on Veterans' Affairs have reached on the measure. The Committees note that H.R. 153 contains provisions that are similar or identical to provisions contained in certain measures relating to the United States Court of Veterans Appeals that were considered, or proposed to be offered, in the Senate and the House of Representatives during the 101st Congress but were not enacted. Those measures are H.R. 4557, which the House passed on May 1, 1990; H.R. 5657, which the House passed on May 1, 1990; S. 2100, which the Senate Committee on Veterans' Affairs reported on July 19, 1990, but which did not receive Senate consideration prior to the end of the 101st Congress; and amendments that the Chairman of the Senate Committee was prepared (on behalf of the Senate Committee) to offer to H.R. 5657 in October 1990, but which were not offered because the Senate was unable to consider that bill prior to the end of the 101st Congress.

The Committees on Veterans' Affairs of the Senate and the House of Representatives have prepared the following explanatory statement on H.R. 153. Differences between

the provisions contained in H.R. 153 as amended by the Senate (hereinafter referred to as the "Compromise agreement") and the related provisions in the House-passed versions of H.R. 4557, H.R. 5657, H.R. 153 as passed by the House, S. 2100 as reported by the Senate, and the proposed amendments to S. 2100 are noted in this document, except for clerical corrections, conforming changes made necessary by the compromise agreement, and minor drafting, technical and clarifying changes.

PROCEDURES FOR DECISIONS OF THE COURT OF VETERANS APPEALS

Current law: Under section 7267(b) of title 38, the Court of Veterans Appeals is required to include in each of its decisions a statement of its conclusions of law and determinations as to factual matters.

Section 7267(d)(1) of title 38 provides that, in the case of a decision by a single judge of the court, the decision of the judge becomes the decision of the court unless, before the expiration of the 30-day period beginning on the date of the decision of the judge, the court directs that the decision be reviewed by a panel of the court, in which case the decision of the single judge is not part of the record. Section 7267(d)(2) provides that, in the case of a proceeding determined by a panel of the court, the decision of the panel becomes the decision of the court unless, before the expiration of the 30-day period beginning on the date of the panel's decision, the court directs that the decision be reviewed by an expanded panel of the court (or the court en banc), in which case the decision of the panel initially deciding the case is not part of the record.

House bill: Section 1 of H.R. 153 would repeal subsections (b) and (d) of section 7267.

Senate bill: No provision.

Compromise agreement: Section 1 follows the House bill.

JUDICIAL CONFERENCE

Current law: There is no authority under current law for the chief judge of the Court of Veterans Appeals to convene a judicial conference. Under section 331 of title 28, the Chief Justice of the United States is required to summon annually the chief judge of each judicial circuit, the chief judge of the Court of International Trade, and a district judge from each judicial circuit to a judicial conference.

House bill: Section 2 of H.R. 153 would amend title 38 so as to authorize the chief judge of the Court of Veterans Appeals to summon the judges of the court to an annual judicial conference for the purpose of considering the business of the court and recommending means of improving the court's jurisdiction. The court would be required to provide by its rules for representation at the conference by persons admitted to practice before the court and by other persons active in the legal profession.

Senate bill: No provision.

Compromise agreement: Section 2 follows the House bill.

JUDICIAL DISCIPLINE

Current law: Section 372(c) of title 28 sets forth the procedures to be followed when a complaint alleging conduct "prejudicial to the effective and expeditious administration of the business of the courts" or inability to discharge the duties of office due to mental or physical disability is filed against a Federal circuit, district, or bankruptcy judge, or a magistrate.

Upon completion of an investigation of a complaint, a written report is filed with the judicial council of the circuit concerned. Upon receipt of such a report, the judicial council is authorized to conduct additional investigation and to take action to assure the effective and expeditious administration of the business of the courts within the circuit. A judicial council may also refer a matter to the Judicial Conference of the United States for consideration and appropriate action. Section 372(c) also provides the opportunity for a complainant or a judge or magistrate aggrieved by a decision of the chief judge or of a judicial council to petition the judicial council or the judicial conference, respectively, for review.

Section 372(c)(17) requires that the U.S. Claims Court, the Court of International Trade, and the Court of Appeals for the Federal Circuit prescribe rules consistent with the provisions of section 372(c) establishing procedures for the filing of complaints with respect to the conduct of judges of those courts and for the investigation and resolution of such complaints.

House bill: Section 4 of H.R. 153 would amend section 7253 of title 38 to require the Court of Veterans Appeals to prescribe rules, consistent with the provisions of section 372(c) of title 28, establishing procedures for the filing of complaints with respect to the conduct of any judge of the court and would grant the court the same powers with respect to the disciplining of judges of the court as are granted to a judicial council under section 372(c) with respect to judges of a court covered by that section.

Senate bill: No provision.

Compromise agreement: Section 3 follows the House bill.

The Committees expect that the judges of the court would constitute the judicial council for the court.

RECUSAL OF JUDGES

Current law: Section 455 of title 28, which applies to judges of the U.S. Courts of Appeals, U.S. district courts, the Court of International Trade and any court created by Act of Congress, the judges of which are entitled to hold office during good behavior, sets forth the circumstances under which judges must disqualify themselves from participating in particular cases.

House bill: Section 4 of H.R. 153 would make applicable to the Court of Veterans Appeals the provisions of section 455 of title 28.

Senate bill: Section 705 of S. 2100 is substantively identical to the House provision.

Compromise agreement: Section 4 contains this provision.

PARTICIPATION OF JUDGES IN THE THRIFT SAVINGS PLAN

Current law: No provision in current law authorizes judges of the Court of Veterans Appeals to participate in the Thrift Savings Fund.

House bill: Section 6 of H.R. 153 would amend chapter 84 of title 5 so as to authorize judges of the Court of Veterans Appeals to elect to contribute to the Thrift Savings Fund. Judges would be authorized to contribute to the fund not more than 5 percent of their basic pay, and would be required to make an election to contribute to the fund within 60 days after the date of enactment of this provision.

Senate provision: Section 5 of the proposed amendment to H.R. 5657 is substantively identical to the House provision.

Compromise agreement: Section 5 contains this provision.

DISTRIBUTION OF THE CONGRESSIONAL RECORD TO THE COURT OF VETERANS APPEALS

Current law: Section 906 of title 44 provides for the distribution of gratuitious copies of the Congressional Record to certain offices and individuals, including, among others, virtually all Federal judges and court libraries other than those of the Court of Veterans Appeals.

House bill: Section 7 of H.R. 153 would amend section 906 of title 44 to require the distribution of copies of the Congressional Record to the judges of the Court of Veterans Appeals and to the library of the Court.

Senate provision: Section 7 of the proposed Senate amendment to H.R. 5657 is substantively identical to the House provision.

Compromise agreement: Section 6 contains this provision.

ACCEPTANCE OF VOLUNTARY SERVICES AND GIFTS

Current law: Public Law 100-687, the Veterans' Judicial Review Act, does not provide the Court of Veterans Appeals with statutory authority for the acceptance of voluntary services or gifts. However section 604(a)(17) of title 28, grants to article III courts authority to accept such services and gifts of personal property.

House bill: No provision.

Senate provision: Section 1 of S. 1050, as introduced on May 14, 1991, at the request of the chief judge of the Court of Veterans Appeals, would amend section 7281 of title 38 to allow the court to accept voluntary services and gifts and bequests.

Compromise agreement: Section 7 contains the Senate provision.

□ 1250

Mr. STUMP. Mr. Speaker, I thank the gentleman for his explanation. I support H.R. 152 with the Senate amendments.

Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER pro tempore (Mr. MAZZOLI). Is there objection to the original request of the gentleman from Mississippi?

There was no objection.

A motion to reconsider was laid on the table.

## WAIVING CERTAIN POINTS OF ORDER DURING CONSIDERATION OF H.R. 2942, DEPARTMENT OF TRANSPORTATION AND RELATED AGENCIES APPROPRIATIONS ACT, 1992

Mr. MOAKLEY. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 200 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 200

*Resolved*, That during the consideration of the bill (H.R. 2942) making appropriations for the Department of Transportation and related agencies for the fiscal year ending September 30, 1992, and for other purposes, all points of order against provisions in the bill for failure to comply with the provisions of clauses 2 and 6 of rule XXI are hereby waived. It shall be in order to consider the amendments printed in the report of the Committee on Rules accompanying this resolution, if offered by the Member specified or his

designee, and all points of order against the amendments for failure to comply with the provisions of clause 7 of rule XVI and clause 2 of rule XXI are hereby waived.

The SPEAKER pro tempore. The gentleman from Massachusetts [Mr. MOAKLEY] is recognized for 1 hour.

Mr. MOAKLEY. Mr. Speaker, I yield the customary 30 minutes to the gentleman from Tennessee [Mr. QUILLEN], pending which I yield myself such time as I may consume, and during consideration of this resolution all time yielded is for the purpose of debate only.

Mr. Speaker, House Resolution 200 is the rule waiving points of order against certain provisions of the bill, H.R. 2942, the Department of Transportation and Related Agencies appropriations bill, for fiscal year 1992.

Mr. Speaker, since general appropriations are privileged under the Rules of the House, the rule does not provide for any special guidelines for the consideration of the bill.

Customarily, Mr. Speaker, general debate time is limited by a unanimous-consent request by the chairman of the Appropriations Subcommittee prior to consideration of the bill.

Mr. Speaker, House Resolution 200 waives clause, 2 and 6 of rule XXI, against the entire bill. Clause 2 of rule XXI prohibits unauthorized appropriations and legislative provisions in general appropriations bills. Clause 6 of rule XXI prohibits reappropriation or transfers of unexpended appropriations.

The waivers are necessary because legislation for programs of the Coast Guard and surface transportation programs have not yet been enacted.

As my colleagues are aware, the House passed the Coast Guard authorization for fiscal year 1992, last week and it is anticipated that the House will consider the surface transportation authorization sometime next week.

In addition, Mr. Speaker, the rule makes in order two amendments that are printed in the Rules Committee report accompanying this rule. The first amendment is to be offered by Mr. OBERSTAR of Minnesota or his designee.

The second amendment is to be offered by Mr. SOLOMON of New York or his designee. The rule waives clause 7 of rule XVI, which prohibits nongermane amendments, against the amendments.

Also waived against the amendments is clause 2 of rule XXI, which I stated earlier prohibits unauthorized appropriations and legislation on general appropriation bills.

Mr. Speaker, the Oberstar amendment is identical to H.R. 172, the Aging Aircraft Safety Act of 1991, which passed the House last April.

The Solomon amendment relates to the revocation or suspension of drivers licenses of individuals convicted of drug offenses.

This amendment would simply make technical and conforming changes in current law by striking section 332 from the bill and inserting a corrected version of the Solomon amendment, which was enacted into law last year.

Mr. Speaker, H.R. 2942 appropriates $14.2 billion for the Department of Transportation and for certain related agencies including the Coast Guard, Amtrak, the Federal Aviation Agency, the Urban Mass Transportation Administration, the Federal Highway Administration, and the National Transportation Safety Board.

H.R. 2942 also increases the limit on spending from the highway trust fund to $16.2 billion which is an increase of $1.7 billion from the fiscal year 1991 level.

This increase will provide the necessary funding for the continued construction and repairs of the Nation's Interstate Highway System and secondary roads and bridges.

Mr. Speaker, this bill also increases funding to the Federal Aviation Administration which oversees the operation of the Nation's air control system, the development and modernization of our airports, and aircraft safety technology.

Mr. Speaker, I am not aware of any opposition to this rule and I urge my colleagues to adopt it.

Mr. QUILLEN. Mr. Speaker, I yield myself such time as I may consume. Mr. Speaker, the gentleman from Massachusetts [Mr. MOAKLEY] has fully explained the provisions of this rule. Since general appropriations bills are privileged, this legislation will be considered under the normal legislative process for appropriations bills. The bill will be open to amendment under the 5-minute rule and any amendment which does not violate the rules of the House will be in order.

Mr. Speaker, I would like to commend the chairman and ranking republican member of the Transportation Appropriations Subcommittee, the gentleman from Florida [Mr. LEHMAN] and the gentleman from Pennsylvania [Mr. COUGHLIN] for their hard work in putting this legislation together and their leadership in moving this final regular appropriations bill to the floor.

H.R. 2942 provides appropriations in fiscal year 1992 for the Department of Transportation and certain related agencies. I am personally interested in this appropriation bill because it provides funds for the continued operation of the flight service station in my district. This station has faced possible closure and these funds will ensure safe air travel by keeping it open.

I would like to point out, Mr. Speaker, that the statement of administration policy notes that the administration has concerns with several provisions of this legislation. Under this rule, the House can make improvements to the bill and address the concerns of the administration. I urge adoption of the rule and of the underlying bill.

Mr. Speaker, I have no requests for time, and I yield back the balance of my time.

Mr. MOAKLEY. Mr. Speaker, I have no requests for time. I yield back the balance of my time, and I move the previous question on the resolution.

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

## GENERAL LEAVE

Mr. LEHMAN of Florida. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the bill (H.R. 2942) making appropriations for the Department of Transportation and related agencies for the fiscal year ending September 30, 1992, and that I may be permitted to include tables, charts, and other extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was was no objection.

## DEPARTMENT OF TRANSPORTATION AND RELATED AGENCIES APPROPRIATIONS ACT, 1992

Mr. LEHMAN of Florida. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill—H.R. 2942—making appropriations for the Department of Transportation and related agencies for the fiscal year ending September 30, 1992, and for other purposes; and pending that motion, Mr. Speaker, I ask unanimous consent that general debate be limited to 1 hour, the time to be equally divided and controlled by the gentleman from Pennsylvania [Mr. COUGHLIN] and myself.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Florida [Mr. LEHMAN].

The motion was agreed to.

The SPEAKER pro tempore. The Chair designates the gentleman from Virginia [Mr. BOUCHER] as Chairman of the Committee of the Whole and requests the gentleman from Mississippi [Mr. MONTGOMERY] to assume the chair temporarily.

□ 1259

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 2942)

making appropriations for the Department of Transportation and related agencies for the fiscal year ending September 30, 1992, and for other purposes, with Mr. MONTGOMERY (Chairman pro tempore) in the chair.

The Clerk read the title of the bill.

By unanimous consent, the bill was considered as having been read the first time.

The CHAIRMAN pro tempore. Under the unanimous-consent agreement, the gentleman from Florida [Mr. LEHMAN] will be recognized for 30 minutes, and the gentleman from Pennsylvania [Mr. COUGHLIN] will be recognized for 30 minutes.

The Chair recognizes the gentleman from Florida [Mr. LEHMAN].

□ 1300

Mr. LEHMAN of Florida. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, it is a pleasure to submit for the consideration of the Committee of the Whole House the bill, H.R. 2942, making appropriations for the Department of Transportation and related agencies for fiscal year 1992.

Before I get into the details of this particular bill, let me express my appreciation to the Members who serve on the transportation appropriations subcommittee. The gentleman from Pennsylvania [Mr. GRAY], the gentleman from Michigan [Mr. CARR], the gentleman from Illinois [Mr. DURBIN], the gentleman from Minnesota [Mr. SABO], and the gentleman from North Carolina [Mr. PRICE] all provided valuable insight and perspective during the 5-month in-depth review we gave to Federal transportation programs and policies during our hearing process. Most of us have been together in transportation for a number of years now. It is my privilege and good fortune to serve with them.

The subcommittee minority members are also very special. We will all miss greatly the experience, humor, and talent of the late Silvio Conte of Massachusetts, who served on the subcommittee and represented his constituents well until his death on February 8, 1991. We are pleased to welcome the gentleman from Pennsylvania [Mr. MCDADE] as an ex officio member of the subcommittee. The gentleman from Virginia [Mr. WOLF] and the gentleman from Texas [Mr. DELAY] both have the determination, the spirit, the concern, and the commitment to a safe and effective transportation system for this Nation. We are about as bipartisan as a committee can be, and I certainly appreciate the hard work of every member.

Let me make special mention of our ranking minority member, the gentleman from Pennsylvania [Mr. COUGHLIN], who spent long hours in committee hearings and has such a strong and comprehensive understanding of our transportation programs and policies. I have great admiration for his knowledge, dedication, and character, and I want him to know of my great appreciation for his sound judgment and cooperation. He is a class act, and he is my special friend. The bill before you today is a bipartisan one.

Mr. Chairman, in preparation for this bill the committee reviewed 2,081 pages of budget and grant justification documents and developed a hearing record contained in five published volumes amounting to 5,696 pages. Testimony was received from hundreds of witnesses in over 10 weeks of hearings. Requests were received from a large number of Members of Congress representing all geographic areas of this Nation.

SUMMARY OF THE BILL

Let me take a brief moment in order to summarize the bill. In total, it provides spending for Federal transportation programs of about $34.4 billion, of which approximately $14.1 billion is new budget authority and $20.2 billion is comprised of various limitations on contract authority obligations.

In terms of new budget authority, the bill is $967 million above the amount provided in the Transportation and Related Agencies Appropriations Act for similar activities in fiscal year 1991. This excludes $318.9 million in other appropriations acts for fiscal year 1991. In terms of the total amount of funding controlled by this bill—new budget authority and obligation limitations—the bill is $3.1 billion or 10 percent over the amounts provided last year. This is the same increase as the committee recommended last year, and which overwhelmingly passed the House.

BUDGET RESOLUTION TARGET

I would direct the Members' attention to page 167 of the committee report, which shows that this bill does not exceed our section 602(b) allocation for discretionary budget authority or outlays. As the Members know, under the Budget Act, the committee is provided a lump sum allocation pursuant to section 602(a), and the Appropriations Committee then subdivides that among its 13 subcommittees. The 602(b) totals are within the limits set forth in last year's budget agreement with the White House.

This is a fiscally responsible bill which meets the requirements of the House-passed resolution in both discretionary budget authority and outlays.

BUDGET REQUEST

Mr. Chairman, I think the administration's fiscal year 1992 transportation budget deserves a comment at this point. Even though we are under our section 602(b) discretionary budget authority allocation, the bill we are considering today is $1 billion over the administration's budget request. That budget request is simply inadequate to handle the serious transportation problems facing the Nation today. Americans spend almost $800 billion each year for transportation products and services. According to the Department of Labor, this represents almost 19 percent of all consumer spending in the United States—a higher percentage than we pay for food, clothing, or health care. These expenses are rising as our highways and airways become increasingly congested. Highway travel delays in urban areas now total more than 2 billion hours each year. Delays at our major airports are now above 20,000 hours a year. These delays cost billions of dollars in lost working hours and economic production, which is ultimately passed on to American consumers in increased prices for goods and services.

Mr. Chairman, the administration's budget proposed large increases in aviation at the expense of the significant increases in funds for surface transportation which are needed to address the growing congestion problems and infrastructure needs of this Nation. Furthermore, the budget proposes a large reduction in Federal support for the national passenger rail system [Amtrak]. The committee recognizes that increases in aviation funding are necessary to reduce delays in our airway system. However, as I have stated in past years, we have the responsibility to provide for a balanced transportation system which adequately addresses the surface infrastructure needs of the Nation. All segments of our transportation system are vital to the prosperity of this country. The bill before you recognizes these needs, particularly in the surface transportation sector.

This was not easy to accomplish. Now I want to thank our full committee chairman, the gentleman from Mississippi [Mr. WHITTEN] for his efforts on our behalf. As he often reminds us, our Nation's public works represent the real and lasting wealth of this country. Our transportation system has served our country well—and we must continue to preserve and enhance it.

SELECTED MAJOR RECOMMENDATIONS

With respect to the major recommendations in this bill, I would call the attention of the Members to pages 2 and 3 of the report. A table comparing the bill to fiscal year 1991 and the President's request appears beginning on page 170 of the report. The major highlights of this bill include:

First, a 13-percent increase in total FAA funding—$992 million more than last year's level. This includes $1.9 billion for grants-in-aid for airports—a 6-percent increase—$4.3 billion for FAA operations—an 8-percent increase—and $2.4 billion for facilities and equipment—an 18-percent increase;

Second, obligations of not to exceed $16.2 billion for Federal-aid highways, an increase of $1.7 billion—12 percent—over fiscal year 1991;

Third, funding for the existing urban mass transportation formula grant program at a level of $2 billion;

Fourth, obligations of not to exceed $1.45 billion for the discretionary grants program of the Urban Mass Transportation Administration, excluding funding for section 9(b) formula grants, an increase of $250 million—21 percent—over last year's level;

Fifth, $503 million for grants to the National Railroad Passenger Corporation [Amtrak], which is $173 million above the level for comparable expenses in the President's budget request;

Sixth, funding of $118 million for operations and research activities of the National Highway Traffic Safety Administration, the same level as provided in fiscal year 1991;

Seventh, a reduction of $117.8 million—3 percent—from the President's budget request for overall Coast Guard funding; and

Eighth, continued funding for the construction of the Washington, DC metrorail system at the level of $124 million.

OFFICE OF THE SECRETARY OF TRANSPORTATION

Mr. Chairman, for salaries and expenses of the Office of the Secretary of Transportation, the bill provides a total of $63.7 million. In addition, office-by-office dollar breakdowns are specified in the bill as has been done in the past. The bill also provides an obligation limitation of $38.6 million, as requested in the budget, for payments to air carriers and $111.9 million for GSA rental payments.

Payments to air carriers: With respect to the payments to air carriers appropriation, the committee has tried to strike a fair balance between the transportation needs of rural America and the need to rid this program of the excess subsidies that have taken place in the past. Last year's budget act requires a funding level of $38.6 million in fiscal year 1992 for passenger facility charges [PFC's] to go into effect, and the committee's bill provides that funding. However, the committee remains concerned over the continuing high levels of subsidy in this program. Therefore, the bill includes a limitation against expanding the program or upgrading service levels.

COAST GUARD

With respect to the Coast Guard, we recommend a total program level of $3.5 billion. Including funds provided in other appropriations acts, this total level is $132 million more than the total Coast Guard program level for fiscal year 1991. The bill includes $603.4 million for drug enforcement operating expenses of the Coast Guard. I invite the Members' attention to pages 28 through 30 of the committee report regarding drug interdiction. The bill specifies that $56.7 million be derived from the oilspill liability trust fund, which was established by the Oil Pollution Act of 1990.

Operating expenses: For Coast Guard operating expenses, the bill provides a program level of $2.4 billion for fiscal year 1992, and assumes no funding from the 1992 DOD appropriations bill. Including funds provided in other appropriations acts, this total amount is $130 million, or 6 percent, more than the amount appropriated for similar activities in fiscal year 1991. It is also $55.8 million below the budget request. The reduction from the budget request is primarily due to transfers of funds to a separate appropriation for GSA rental payments, transfer of landbased aerostat operations to the DOD, and a reduction in Defense Logistics Agency stock charges.

Acquisition, construction, and improvements: For acquisition, construction, and improvements, we are recommending an appropriation of $365 million for fiscal year 1992. The total program level is comprised of $132.7 million for vessels; $62.5 million for shore and aids to navigation facilities; $86.9 million for aircraft; $50.3 million for other equipment; and $32.5 million for personnel. The recommended level includes funding to begin procurement of a new oceangoing buoy tender, continue the 210-foot cutter overhaul, and continue the procurement of essential search and rescue and drug interdiction helicopters. The recommended level provides sufficient funding to allow the highest priority, most well justified projects to proceed.

Alteration of bridges: The bill also includes $11 million to alter or remove bridges that may be unreasonable obstructions to the waterborne commerce of the United States. This sum will support the alteration of three railroad bridges over the Mississippi, Pascagoula, and Brunswick Rivers.

Retired pay: The sum of $487.7 million, as requested in the 1992 budget, would be appropriated for the pay of retired military personnel of the Coast Guard and Coast Guard Reserve. This is based on an average of 26,819 personnel on the retired rolls.

Reserve training: For reserve training, $77 million is recommended. This is a 4-percent increase over fiscal year 1991 and will provide for a ready reserve of 19,500, including a selected reserve of 12,000.

Research, development, test, and evaluation: The bill includes $27.8 million for the applied scientific research, development, test, and evaluation projects necessary to maintain and expand the technology required for the Coast Guard's operational and regulatory missions. This amount is an 11-percent increase over the fiscal year 1991 level. The largest increase would provide additional funding for oil spill response capability.

Boat safety: For the State recreational boating safety program, we have included $35 million, which is the same level as provided for fiscal year 1991.

FEDERAL AVIATION ADMINISTRATION

For the Federal Aviation Administration, we are recommending a total program level of $8.9 billion, including a $1.9-billion limitation on the use of contract authority for fiscal year 1992. This is $792 million—or 10 percent—more than the fiscal year 1991 level. While this is a fairly large increase for these austere budget years, I believe it is absolutely essential to continue the restoration of the air traffic control system, continue modernization of the national airspace system, improve our airports, and continue important safety regulatory and research initiatives.

Aviation trust fund: Mr. Chairman, there has been much discussion in recent years about the adequacy of FAA funding to do its important job. The focus has been on the large balance in the aviation trust fund. I am pleased to tell you that due to last year's repeal of the so-called penalty clause, section 506(c) of the Airport and Airway Improvement Act of 1982, the general fund will no longer be making overpayments of FAA costs. The bill before you specifies that 49 percent of the funding for FAA operations is to be derived from the aviation trust fund. The amounts in the bill are estimated to result in a reduction of approximately $900,000,000 in the aviation trust fund's uncommitted balance. I urge the Members to take the time to read the discussion on pages 45 and 46 of the report, which represents a balanced perspective of FAA funding patterns.

Operations: For FAA operations, we recommend a total program level of $4.3 billion. This represents an increase of $305 million over the fiscal year 1991 program level. This would provide for 52,353 positions including 22,963 controllers, supervisors, and support personnel for air traffic centers and towers, and 4,120 flight service station personnel.

Controller staffing: Under the committee recommendation, actual air traffic controller end-of-year employment would increase to the requested level of 17,945 personnel by September 30, 1992. This is 450 controllers above the level projected for September 30, 1991.

Facilities and equipment: For facilities and equipment, the bill contains $2.4 billion for fiscal year 1992—an increase of $374.1 million—18 percent—over fiscal year 1991. This account finances modernization and improvements to our air traffic control system. I want to stress that, although the FAA's Capital Investment Plan is behind schedule, those delays are due to technology development and contractor deficiencies—not to lack of funding. For example, this year the General Accounting Office reports that 8 of the NAS Plan's 12 largest programs experi-

enced delays ranging from 8 to 32 months in the past year alone. The two largest programs in the fiscal year 1992 budget are among those with the longest delays.

To provide a larger increase, given the state of individual F&E programs and the deficit problems facing the Nation this year, would not be fiscally responsible. However, as the equipment is developed, adequately tested, and ready to purchase, the funds will be provided—and our record proves this. In fiscal year 1987, the amount appropriated for F&E was about $800 million. The bill before you recommends $2.4 billion. That's 300 percent of the level provided just 5 years ago.

Research, engineering, and development: With respect to FAA research, engineering, and development, we recommend $218 million, which is an increase of $8 million over the budget request and $13 million over fiscal year 1991.

Airport improvement program: The bill also includes a $1.9 billion obligation limitation for airport development and planning grants. This is the highest funding level ever provided for this program, and represents an increase of $100 million over the fiscal year 1991 level. It represents no change from the budget request. Both the Office of Technology Assessment and the FAA have indicated that a lack of airport capacity will lead to increasing travel delays if no action is taken. I'm sure many Members have experienced these delays firsthand, as I have.

Aircraft purchase loans: We also recommend continuing the FAA's authority to borrow from the Treasury to pay defaulted aircraft purchase loans at the requested level of $1.3 million.

FEDERAL HIGHWAY ADMINISTRATION

Under the Federal Highway Administration, the bill provides for a total fiscal year 1992 program level of $17.7 billion in highway aid. This includes a limitation on Federal-aid highway contract authority obligations of $16.2 billion. That is $1.7 billion (12 percent) over last year's level and $480 million over the budget estimate.

Mr. Chairman, this is one of the most, if not the most, important transportation programs that we have. Over 90 percent of total interstate passenger-miles and 20 percent of total interstate freight ton-miles move on the Nation's highway system. As I mentioned earlier, congestion delays on our highways are in the billions of hours each year, and are far greater than the amount of airway system delays. I think the administration's proposal, while proposing to increase highway spending, does not go far enough. It is important to our continued economic development and to our national defense to maintain a first class highway system. It's clear that the needs are there, and are not limited by geographic boundaries or political party lines.

Mr. Chairman, because no authorizing legislation for surface transportation had been reported by the House Public Works and Transportation Committee at the time of the committee's markup, the committee recommendations assume a continuation of existing law. The committee recognizes that some adjustments may be required after the enactment of authorizing legislation. We have worked well with Chairman ROE and Chairman MINETA and their committee as a whole this year, and we look forward to a good relationship in the future.

Highway trust fund balance: Under the provisions and assumptions in this bill, we estimate that fiscal year 1992 outlays attributable to the highway account of the trust fund will be about $15.95 billion. This compares to estimated fiscal year 1992 direct user fee income credited to the highway account of approximately $15.86 billion. In addition, the highway account of the trust fund is expected to receive general fund interest payments of $930 million. A comparison and discussion of highway spending versus trust fund revenues is found on pages 93 through 95 of the report.

Federal-aid highways: Mr. Chairman, the most important account in this program is the Federal-aid highway obligation limitation. We are recommending a ceiling of $16.2 billion for this account.

Administrative expenses: Mr. Chairman, the bill also provides a total of $212.2 million of FHWA administrative expenses, $23 million more than the fiscal year 1991 level.

Miscellaneous highway programs: The bill also contains an appropriation of $13.2 million for railroad-highway crossings demonstration projects at four different locations. For highway-related safety grants, an obligation limitation of $10 million is recommended, the same as the fiscal year 1991 funding level. We also recommend a limitation on direct loans for the right-of-way revolving fund of $70 million and appropriations totaling $308.3 million for a number of specific highway projects.

Motor carrier safety: For motor carrier safety, the bill includes $48.4 million to continue the activities of the Office of Motor Carrier Safety. This is an increase of $8.4 million over the fiscal year 1991 level. The bill also provides a $60 million limitation on obligations for the motor carrier safety grant program.

NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION

For the National Highway Traffic Safety Administration, the bill includes a total program level of $253.3 million. This is the same level as provided for fiscal year 1991. The bill specifies that $42.3 million of this amount is to be derived from the highway trust fund, with the balance from the general fund.

Operations and research: Mr. Chairman, the committee's recommendation of $118.3 million pares down the excessive growth requested in some areas of this appropriation in order to eliminate or reduce low priority activities and to fund critical but unbudgeted activities in the areas of safety standard compliance, biomechanics research, and shock trauma research.

State and community highway safety grants: We also recommend a limitation on obligations for the State and community highway safety grant program of $115 million, the same as the budget request.

Alcohol safety grants: For the section 408 alcohol safety incentive grant program, we have established a limitation on obligations of $20 million in fiscal year 1992. The administration proposed to fund similar grants under a new "safety bonus grant" program, which is not yet authorized. The sum of $19.9 million was provided for fiscal year 1991.

FEDERAL RAILROAD ADMINISTRATION

Mr. Chairman, for the Federal Railroad Administration, major recommendations include a program level of $37.1 million for railroad safety, $14.7 million for railroad research and development, $10 million for local rail freight assistance, $145 million for mandatory rail passenger service payments, $36 million for the Northeast Corridor Improvement Program, and $16 million for office of the administrator expenses.

Mandatory rail passenger service payments: Once again this year, the bill recommends funds in a separate appropriation for FRA to make certain payments on behalf of Amtrak to the Railroad Retirement Trust Account and the Railroad Unemployment Insurance Account. Up until fiscal year 1991, these expenses were covered by the appropriation for grants to Amtrak. This practice unfairly inflated Amtrak's true subsidy needs, since these expenses are merely passed on by Amtrak as a subsidy for the freight railroads. Therefore, the Congress last year decided to fund these expenses in a separate FRA appropriation. The committee's recommendation reflects continuation of that account, at the level of $145 million for fiscal year 1992.

Amtrak: We are recommending $328.9 million for Amtrak operating expenses in fiscal year 1992. The President's budget proposed $180 million, and assumed significant savings from legislation which has not been enacted. The committee's recommended level represents a 4 percent decrease from the operating subsidy provided in fiscal year 1991. Mr. Chairman, the Members should know that Amtrak's financial performance continues to improve, and that as a result, its operating subsidy

continues to go down. Amtrak estimates that its revenues will rise by almost 8 percent next year. Passenger miles are estimated at 6.3 billion next year. I would direct the Members' attention to the discussion and graphs on Amtrak's financial performance on pages 129 through 131 of the report.

However, Amtrak's rolling stock and other equipment is old and insufficient to meet the growing demand. Administration officials agree that Amtrak needs additional equipment to increase revenues further and to reduce maintenance costs. The committee's recommendation of $175 million for capital is between the administration's proposed level of $150 million and Amtrak's request of $242 million.

In addition, the bill includes a loan of $3.5 million for track work in Illinois. This will be of direct benefit to Amtrak.

URBAN MASS TRANSPORTATION ADMINISTRATION

For the Urban Mass Transportation Administration, a total program level of $3.8 billion is recommended for fiscal year 1992. This is $518 million more than the budget request, and $588 million more than the fiscal year 1991 program level. As mentioned previously, the bill assumes current law due to lack of enactment of authorizing legislation at this time.

Formula grants: Under the formula grant program, we recommend an appropriation of $1.6 billion. Another $450 million is provided for the section 9(B) program, which allows total formula grant funding of over $2 billion. This is $245 million more than was provided for fiscal year 1991.

Operating assistance: The committee recommends that $802.2 million of the formula grant appropriation be made available for operating assistance. This is the same as the level provided last year and $504.4 million above the budget request.

Discretionary grants: The bill also includes language limiting obligations for transit discretionary grants and section 9(B) formula grants to $1.9 billion. This is $500 million (36 percent) above the fiscal year 1991 limitation. This account is financed from the mass transit account of the highway trust fund. I invite the Members' attention to pages 139 through 146 of the report for a detailed description of how these funds are to be distributed.

Interstate transfer—transit: The bill also includes $160 million for transit projects that have been substituted for interstate highway projects. Of this amount, 50 percent is to be distributed on a formula basis and 50 percent on a discretionary basis. The discretionary funds will be distributed as outlined on page 148 of the report.

R&D/administrative expenses. The bill also provides a total of $63 million for research and administrative expenses of UMTA.

Washington Metro. The bill provides $124 million to continue construction of the Washington, DC Metrorail system. This is $59.9 million above the fiscal year 1991 level.

ST. LAWRENCE SEAWAY DEVELOPMENT CORPORATION

The bill includes an appropriation of $10.6 million from the harbor maintenance trust fund to finance operations and maintenance of the Saint Lawrence Seaway.

RESEARCH AND SPECIAL PROGRAMS ADMINISTRATION

For the Research and Special Programs Administration, the bill contain appropriations of $31 million. This represents a 16 percent increase over the fiscal year 1991 level. Of this amount, $13.4 million is provided for the pipeline safety program, including funding for the State grants-in-aid program at the requested level of $7 million. The recommended level includes $1.1 million for initial implementation of the Sanitary Food Transportation Act and the large majority of funds requested to implement the Hazardous Materials Transportation and Uniform Safety Act, which were both enacted in 1990.

INSPECTOR GENERAL

For the Office of the Inspector General, the bill includes an appropriation of $37 million, a 16 percent increase over the fiscal year 1991 level. Funding for implementation of the Chief Financial Officers Act has not been included. For a discussion of the committee's concerns in this area, I direct the Members' attention to pages 154 and 155 of the report. The committee believes that funds to combat waste, fraud, and abuse within the Department of Transportation would be put to better use by hiring additional audit staff rather than preparing and auditing business-type financial statements.

TITLE II—RELATED AGENCIES

Title II of the bill contains new budget authority for six transportation-related agencies and commissions. Specifically, we recommend $2.9 million for the Architectural and Transportation Barriers Compliance Board, $34.1 million for the National Transportation Safety Board, $40.9 million for the Interstate Commerce Commission, limitations on the Panama Canal Commission of $49.4 million for administrative expenses and $519 million for operating and capital expenses, $10.2 million for the Department of the Treasury to rebate Saint Lawrence Seaway tolls, and $51.6 million for the Federal share of interest payments for the bonded indebtedness of the Washington Metropolitan Area Transit Authority.

TITLE III—GENERAL PROVISIONS

Mr. Chairman, there are a number of general provisions in this bill that will be of interest to the Members, and I direct their attention to pages 162 and 163 of the report for a discussion of these provisions.

Mr. Chairman, the bill before the body is a fiscally responsible one which provides adequate funding for our transportation programs and will significantly improve the infrastructure of this Nation. It restores adequate funding for Amtrak and mass transit operating subsidies, and at the same time provides needed increases for aviation and surface transportation and the Coast Guard. I say again that it does not exceed the Section 602(b) ceiling for discretionary budget authority and outlays. I ask for its favorable consideration and approval.

Mr. COUGHLIN. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, the Gospel appointed for last Sunday—Mark 6:30-44—was the beloved parable of the feeding of the multitudes with five loaves and two fishes. That miracle lives on in today's fiscal year 1992 Transportation appropriations bill. Under the leadership of our distinguished chairman, Congressman BILL LEHMAN from Florida, the apostles on the Transportation Appropriations Subcommittee have worked as a team to keep the country afloat, on the rails, on the roads, and in the air. Balancing the often competing needs of the different transportation modes is a real art. In our wildest imagination, we could not have anticipated being able to accommodate so many of the priorities and requests out of our pot of transportation funds.

I invite my colleagues to take a good look because you may never see such a bill again. H.R. 2942 shows the importance Congress and the committee attach to maintaining infrastructure. It is a bill that everybody can support, as there is something in here for darn near everyone. The fiscal year 1992 Transportation appropriations bill shows what we can do when given adequate funding and fulfills our duty to bring out a bill at the 602(b) level.

While the official position of the Office of Management and Budget is that the bill should be exactly as requested by the administration, OMB acknowledges that the bill is within the section 602(b) allocation and they do not oppose it.

I have said it before, and it is worth saying again: BILL LEHMAN is the most enthusiastic, hard-working, and dedicated chairman I know. The hearings may be long and grueling, but he conducts them at a lively pace. The budget requests may not always include enough funds for every mode of transportation, but he ensures we have a balanced system. The number of requests for projects from individual Members may be great, but he will always offer a compromise instead of turning someone down with a flat "no." It is a great treat to know BILL and see him work.

He was determined to see this bill through personally and here he is—always a gentleman of his word.

I congratulate Chairman LEHMAN and the rest of the members of the sub-

committee on what I believe is a good bill. All subcommittee members, Republican and Democratic, believe in a balanced transportation system for the United States. Despite personal interests and regional needs, subcommittee members have pulled together to produce this bill, I salute the gentleman from Pennsylvania [Mr. McDADE], the gentleman from Virginia [Mr. WOLF], the gentleman from Texas [Mr. DELAY], my next door neighbor, the gentleman from Pennsylvania [Mr. GRAY], the gentleman from Michigan [Mr. CARR], the gentleman from Illinois [Mr. DURBIN], the gentleman from Minnesota [Mr. SABO], and the gentleman from North Carolina [Mr. PRICE].

I also note with great sadness that this is the first transportation appropriations bill to come to the floor since the untimely death of our colleague from Massachusetts, Silvio Conte. In the field of transportation he was a force with which to be reckoned. I like to think he would approve of the bill we bring forth today.

Finally, let me compliment the staff on their good work: Kenny Kraft and Jim Ogsbury for the minority; Tom Kingfield, Rich Efford, Lucy McLelland Hand, Linda Muir, and Zee Latif for the majority.

The bill provides $14.1 billion in new budget authority. This is a decrease of $940 million from the $15.1 billion requested in the budget. When you include limitations on obligations, the bill is $34.4 billion. This is $1 billion more than the budget request and $3 billion more than fiscal year 1991.

Major recommendations are:

First, $2.48 billion in operating expenses for the Coast Guard. This bill does not include the usual $300 million from Defense which we have had for the past several years.

Second, $4.3 billion in Federal Aviation Administration operations. This is a 7.6-percent increase over fiscal year 1991.

Third, $2.4 billion in FAA facilities and equipment. This is an 18-percent increase, instead of the 29-percent increase requested in the budget.

Fourth, $1.9 billion in FAA airport grants [AIP]. This is a 5.5-percent increase over fiscal year 1991.

Fifth, $16.2 billion in highway obligation ceiling. This is approximately a 12-percent increase over fiscal year 1991.

Sixth, $125.7 million to continue work on 16 existing highway demonstration projects.

Seventh, $141.9 million in new highway demonstration projects.

Eighth, $503 million in Amtrak grants. This is a 52.7-percent increase over the budget.

Ninth, $3.5 billion in Urban Mass Transportation Administration grants. This is a 16.5-percent increase over fiscal year 1991.

Tenth, $124 million for Washington Metro.

The one drawback in the list of pluses is report language recommending no funding for implementation of the Chief Financial Officers Act. The Department would have to propose a reprogramming or a transfer to begin this activity. Congress should be enthusiastically supporting this important statute and assisting departments in implementing it.

First, an agency such as DOT, with strong operating components, needs a single individual—the CFO—to be accountable for departmentwide financial management.

Second, DOT has an ambitious plan to integrate 80 divergent administrative and program financial systems into a single, integrated system.

Third, an example of the need for financial data is acknowledged by the committee on page 63 of the report: The "FAA does not have an automated management information system which can track on a monthly basis obligations and expenditures by budget line item, for each appropriation year, for the F&E account. The Committee believes that such a management tool is essential for effective project oversight, both within the Department and within the Congress."

Fourth, the Office of Management and Budget identified DOT financial management and administrative systems, as a high risk area in 1989.

Fifth, the CFO's Act will not lessen the nonfinancial audit activity of the inspector general.

In closing, the bill is within the 602(b) allocations for domestic discretionary budget authority and outlays. The administration does not oppose it and Members should support it.

□ 1310

Mr. LEHMAN of Florida. Mr. Chairman, I yield such time as he may consume to the gentleman from Mississippi [Mr. WHITTEN], the chairman of the full committee.

Mr. WHITTEN. Mr. Chairman, I am very proud indeed of the work of my colleagues on the Subcommittee on Transportation Appropriations and our fine chairman, the gentleman from Florida [Mr. LEHMAN] and the ranking minority member, the gentleman from Pennsylvania [Mr. COUGHLIN].

TRANSPORTATION BILL IS INVESTMENT IN OUR FUTURE

We have again recommended an excellent bill—one which provides over $34 billion in investments for our Nation's future. Money in this bill is indeed an investment in America—in the real wealth of our country. It will produce both immediate and long-term dividends. It will help us to compete in the world marketplace and regain our normal share of domestic and world markets. Transportation is a basic underpinning of our economy, and we cannot afford to continue the decline we have seen in the 1980's.

I am proud to be a member of the subcommittee which recognizes the importance of transportation in a strong nation on which all else depends.

CONSIDERATION OF 13TH APPROPRIATIONS BILL

Mr. Chairman, today also represents an important milestone for this House—for this bill is the last of the 13 regular 1992 apropriations bills to be considered by this body.

Mr. Chairman, we all can take great pride in the work of the 59 members who serve in the Committee on Appropriations. All members of our committee put in extremely long hours and give much time and thought to the difficult decisions we must make. And they do it with little fanfare.

This year, our 13 subcommittees heard more than 5,150 witnesses in 271 hearing days of testimony which totaled over 96,000 printed pages. These hearings are not always glamorous, but they are necessary for making the tough spending choices we must make.

APPROPRIATIONS BILLS HAVE BEEN ON TIME

This was a difficult year. When we started out in February, our staff had identified over $8.7 billion in additional immediate needs for our domestic programs that could not be met under the budget caps.

Even so, our committee rolled up its sleeves and produced bills at a near record pace that will meet America's needs as responsibly and as fairly as possible. In the 29 days between May 29 and June 26, the House passed 12 of the 13 regular appropriations bills—which is on par with the record pace set in 1960. We also passed three supplemental appropriations acts between March and May to support our troops in Saudi Arabia and meet other problems stemming from Operation Desert Storm.

APPROPRIATIONS BILLS ARE UNDER BUDGET LIMITS

The 1992 bills recommended by the committee and passed overwhelmingly by the House by an average vote of 340 to 71 have been under all the spending caps set in last year's budget summit agreement.

The total of these bills has also once again been under the amount requested by the President. Many Members don't know that since 1945, we have held the total of all appropriations bills $180.8 billion below the total requested by the Presidents.

This year, the committee bills coming to the floor have been, in total, $11.7 billion below the cumulative 1992 budget request—for discretionary budget authority—of the President—mainly due to foreign aid and military spending reductions.

APPROPRIATIONS BILLS ARE SETTING NATIONAL PRIORITIES

But more important than meeting a tight budget and a tight schedule, the appropriations bills we have passed continue to implement important legislative priorities for our Nation to keep us a leader into the 21st century.

Over the years, with little fanfare, your Committee on Appropriations has done its best to focus dollars on programs that:

First, enhance America's economic competitiveness into the 21st century; second, improve our quality of life; and third, maintain our national security.

We have continued this year-in and year-out. To do this, we have given priority to programs that add to our Nation's real wealth in areas such as: Lasting capital investments, science and civilian research and development, education, nutrition and health, law enforcement and drug abuse pevention, environmental protection, veterans programs, housing, parks/natural resources and conservation.

1992 APPROPRIATIONS ACCOMPLISHMENTS

Mr. Chairman, although we still must iron out our differences with the Senate, I think the House can be proud of the priorities we have followed in our 1992 appropriations bills.

Unlike plans laid out in Presidents' budgets and budget resolutions which focus on only a few highly publicized areas, the Committee on Appropriations has taken on the hard task of staying under the budget ceilings fairly and responsibly.

These are the programs that built America into a great Nation, and these are the programs that must be supported if we are to remain a great Nation.

Mr. Chairman, at this time I will present a description of some of the important priorities that have been emphasized in the appropriations bills that have passed the House this year.

APPROPRIATIONS BILLS—DOMESTIC PRIORITIES

The "Budget Summit Agreement" limited annual growth in new discretionary budget authority for 1992 to 5.4 percent for domestic programs. It also foreclosed the option of paying for domestic increases with reductions in foreign aid or military spending. Under these constraints, the Committee on Appropriations has identified an immediate 1992 shortfall of at least $8.7 billion in fully justified domestic needs that cannot be met.

Funds available for domestic programs in 1992 were focused on the following priority areas:

LASTING CAPITAL INVESTMENTS:

$17.852 billion (obligational authority) for federal highway capital spending, an increase of $1.586 billion (+$10%) over 1991, and an increase of $1.429 billion over the President's request.

$4.37 billion for FAA aviation capacity expansion and modernization programs, an increase of $475 million (+$12%) over 1991.

$3.847 billion for mass transportation capital programs, an increase of $588 million over 1991, and an increase of $518 million over the President's request.

$3.166 billion for Corps of Engineers water resources development activities, an increase of $228 million over 1991, more than the President's request.

$2.522 billion for Rural Electrification Administration electric and telephone loans, $727.7 million (+40%) more than 1991, and $1.095 billion over the President's request.

$985 million for rural water and sewer loans and grants, $150 million (+18%) more than 1991, and $335 million over the President's request.

$246 million for the Economic Development Administration (in Committee reported bill), $69 million (+39%) more than 1991, and $226 million more than the President's request.

$3.265 billion for Department of Housing and Urban Development's community development grants program, $65 million more than 1991, and $345 million above the President's request.

$812 million for Bureau of Reclamation water resource development and irrigation activities, a decrease of $77.5 million from 1991, but $7 million more than the President's request.

SCIENCE/CIVILIAN RESEARCH AND DEVELOPMENT:

$11.148 billion for National Aeronautics and Space Administration research & development and space flight, control and data communication accounts, the same as provided in 1991, but $1.544 million (+16%) more than the amount provided in 1990.

$2.721 billion for programs of the National Science Foundation, an increase of $405 million (+17%) over 1991. This includes $435 million for science education activities—an increase of $113 million (+35%) above 1991 and $45 million above the President's request.

$238 million for the National Institute of Standards and Technology, $22 million more than 1991.

$1.490 billion for research of the Department of Agriculture, including basic and applied research in the fields of livestock, plant sciences, entomology, soil and water conservation, nutrition, and agricultural engineering. This is an increase of $80 million over 1991, and $33 million over the President's request.

$2.854 billion for energy supply, research and development activities of the Department of Energy, an increase of $327 million (+13%) over FY 1991, and $33 million more than the President's request.

$454 million for fossil energy research and development, an increase of $219 million above the President's request.

$560 million for energy conservation programs, an increase of $64.5 million (+13%) over 1991, and $234 million more than the President's request.

$218 million for Federal Aviation Administration research, engineering and development programs, an increase of $13 million over 1991, and $8 million more than the President's request.

EDUCATION:

$31.342 billion for programs at the Department of Education, an increase of $4.249 billion (+16%) over 1991. This included $23.344 billion for discretionary education programs which is an increase of $2.458 billion over 1991, and an increase of $1.685 billion above the amount requested by the President. The major increases over 1991 include $1 billion for compesnatory education activities under Chapter I; $367 million for vocational education; $203 million for education of the handicapped; and $139 million for student financial assistance. In addition to these increases for existing education programs, $250 million would be appropriated to carry out new education initiatives which may be authorized during 1991. The bill also fully funds the guaranteed student loan program which is expected to provide more than $11 billion in new loans to students in 1992.

$2.214 billion for Head Start, an increase of $262 million (+13%) over 1991, and $162 million over the President's request.

NUTRITION AND HEALTH:

$31.494 billion for domestic food and nutrition programs of the Agriculture Department such as WIC, Food Stamps, Child Nutrition, and emergency food assistance. This is an increase of $2.377 billion (+8%) over 1991.

$8.825 billion for biomedical research at the National Institutes of Health, $548 million (+7%) over 1991 and $50 million more than the President's request. Funds provided will support about 6,000 new grants. This amount includes an increase of $117 million over 1991 for the National Cancer Institute. About $70 million of the NIH increase is targeted to women's health issues, including breast and ovarian cancer, reproductive problems, heart disease, and osteoporosis. The President's budget made no similar request for women's health issues.

$139 million for grants to provide a wide range of pre-natal services in areas where infant mortality rates are very high. This is an increase of $114 million over the 1991 level.

$298 million for childhood immunization, an increase of $80 million (+37%) over 1991 and $40 million over the President's request.

$1.878 million for AIDS research, education, and care, $63 million more than the amount expected to be spent on AIDS in 1991. Included in this total is $247 million for the Ryan White AIDS CARE programs, an increase of $26 million (+12%) over 1991.

$1.7 billion for Indian health needs, an increase of $150 million (+9.5%) over 1991, and $304 million above the President's request.

$762 million for the Food and Drug Administration, an increase of $71 million (10%) over 1991, and $189 million over the President's request.

LAW ENFORCEMENT/DRUG ABUSE PREVENTION:

$11.67 billion for the Justice Department and the Judiciary for law enforcement and administration of justice, an increase of $1.143 billion (+11%) over 1991. This includes over $532 million in program increases for the war on drugs and crime and the administration of justice.

$1.354 billion for the U.S. Customs Service, an increase of $89 million (+7%) over 1991.

$475 million for the U.S. Secret Service, an increase of $64 million (+16%) over 1991.

$6.707 billion for the International Revenue Service, an increase of $600 million (+10%) over 1991.

$332 million for the Bureau of Alcohol, Tobacco and Firearms, an increase of $28 million over 1991, and an increase of $15 million over the President's request.

ENVIRONMENTAL PROTECTION:

$6.541 billion for programs of the Environmental Protection Agency, an increase of $447 million (+7%) over 1991 and $329 million more than the President's request. This includes $2.195 billion for EPA construction grants/state revolving funds, an increase of $295 million above the President's request; $50.75 million for non-point source water pollution grants, $27 million more than the President's request; $47.5 million for asbestos in schools loans and grants, a 100% increase over 1991—the President requested no funds for this program; and $46.9 million for the National Institute of Environmental Health Sciences for hazardous waste research and training, an increase of $25 million above the President's request.

$86 million for the Corps of Engineers regulatory program, an increase of $15 million (+21%) above 1991.

VETERANS PROGRAMS:

$32.604 billion for activities of the Department of Veterans Affairs, a net increase of $331 million over 1991, and $300 more than the President's request. This includes a $1.16 billion (+9%) increase for veterans medical

care, $208 million more than the President's request.

HOUSING:

$9.986 billion for the Department of Housing and Urban Development's annual contributions for assisted housing account, $461 million more than 1991 and $920 million above the President's request. In addition, $861 million is provided for two new housing programs—HOME investment partnerships program ($500 million) and Home ownership and opportunity for people everywhere (HOPE) grants ($361 million).

$2.513 billion for rural housing loans, an increase of $534 million (+27%) over 1991, and $607 million more than the President's request.

PARKS/NATURAL RESOURCES/CONSERVATION:

$1.4 billion for the National Park Service, $116 million more than 1991 and $30 million more than the President's request. This includes $969 million for Park Operations, an increase of 10.5% over 1991.

$691 million for the Fish and Wildlife Service, including a $37 million increase (+8%) above 1991 for operations.

$909 million for the Bureau of Land Management, including an increase of $19 million over 1991 for operations.

$2.747 billion for Soil and Water Conservation programs of the Department of Agriculture, $419 million (+18%) more than 1991.

APPROPRIATIONS BILLS—MILITARY SPENDING PRIORITIES

The "Budget Summit Agreement" specified that up to $291.361 billion in budget authority could be appropriated for military spending programs, an increase of $1.443 billion over the 1991 limit. The agreement also foreclosed the option of paying for domestic increases with reductions in military spending programs.

The 1992 appropriation bills provide a total of $291.227 in new budget authority, $459 million less than the President's request, and $134 million under the "Budget Summit" spending limit. This is keeping with the traditions of the Committee and the Congress which have made a total net reduction of $154.5 billion in Presidential defense budget requests between 1980 and 1991. Military spending appropriations for 1992 were tailored to emphasize morale, readiness, mobility, deployability, and sustainability. Priority was given to keeping the current force ready and supplied with the proper equipment. Major highlights include:

$78.753 billion for military personnel, $508 million over 1991 and $736 million more than requested by the President.

$87.72 billion for operation and maintenance, $2.309 billion over 1991 and $3.983 billion over the President's request.

$37.185 billion for research, development, test and evaluation, $1.21 billion over 1991 but $2.036 billion under the President's request.

$64.646 billion for procurement, $2.530 billion less than 1991 and $1.275 billion more than the President's request.

$3.749 billion for environmental restoration and waste management at the Department of Energy's defense production complex, an increase of $704 million (+23%) over FY 1991, and $44 million more than the President's request.

$8.483 billion for military construction activities, an increase of $121 million over 1991, but $80 million below the President's request. This includes $759 million for two separate Base Closure Accounts.

Reallocation of funds in the President's request to enhance readiness including: Increased funds to avoid involuntary separation, +$300 million; Depot maintenance backlog, +$800 million; Real property maintenance, +$1 billion; Land based and maritime pre-positioning equipment, +$995 million; Sealift, +$1.3 billion; LHD-1 amphibious assault ship, +$972 million; Landing Craft Air Cushion (LCAC) vessels, +$541 million; Spares and repair parts, +$600 million; V-22 Osprey, +$625 million; Upgrade M1 tank, +$266 million; Ammunition, +$99 million.

Rescissions of previously appropriated funds totaling $1.8 billion.

APPROPRIATIONS BILLS—FOREIGN AID PRIORITIES

The "Budget Summit Agreement" specifies that up to $34.025 billion in discretionary budget authority may be appropriated for international programs in 1992, an increase of 69 percent over 1991. The agreement also foreclosed the option of paying for domestic increases with reductions in foreign aid spending.

The 1992 appropriations bills provided a total of $21.404 billion for international programs, $12.522 billion below the President's request. Within this amount, appropriations bills included:

$135 million appropriated directly to the U.S. Treasury for the purpose of deficit reduction. The President made no such request.

No funding for the International Monetary Fund, $12.16 billion below the President's budget request.

$583 million for children's programs for child survival, UNICEF, and others, $114 million (+24%) more than 1991 and $104 million more than the President's request.

A $571 million program level for the P.L. 480 Food for Progress program, $309 million below the 1991 program level, but $107 million above the program level requested by the President.

$1 billion for the Development Fund for Africa, an increase of $200 million over 1991 and $200 million more than the President's request.

$400 million for Eastern Europe bilateral programs, $30 million more than 1991. In addition, $70 million was provided for the paid-in capital of the European Bank for Reconstruction and Development.

$691 million for export and trade related programs, a decrease of $94 million from 1991, but $100 million more than the President's request.

$100 million for the Enterprise for the Americas Initiative for the Multilateral Investment Fund administered by the Inter-American Development Bank.

$260 million for development and economic support programs in the Philippines. This represents a $100 million increase in economic programs and a decrease of $100 million in military programs compared to the President's request.

$690 million for refugee assistance, $160 million (+30%) over 1991, and $180 million above the President's request.

$3.217 billion for security assistance funded through the Economic Support Fund, $790 million less than 1991, and $11.4 million less than the President's request.

$4.504 billion for foreign military financing grants and loans, $159.4 million less than 1991, and $400 million less than the President's request.

The Committee on Appropriations also called on the Administration to prepare a new 5-year foreign aid agenda to respond to the needs of a changing world. Particular Committee recommendations included giving increased priority to economic and environmental support programs over military aid, the development of American export markets, and aid to children.

Mr. Chairman, given the funding constraints we face, this is truly a record of which we can be proud.

Mr. Chairman, these bills have passed the House by large margins after full debate.

Following is a table which shows, by bill, the amendments offered and passed and the final passage vote:

| | Amendments | | Across the board amendment | | Final passage vote |
|---|---|---|---|---|---|
| | Offered | Adopted | Offered | Adopted | |
| Commerce, Justice, State, Judiciary | 5 | 2 | 1 | 0 | 338–80 |
| Defense | 4 | 2 | 0 | 0 | 273–105 |
| District of Columbia | 4 | 2 | 0 | 0 | 300–123 |
| Energy and Water Development | 5 | 2 | 1 | 0 | 392–24 |
| Foreign Operations | 5 | 5 | 1 | 1 | 301–102 |
| Interior | 12 | 5 | 0 | 0 | 345–76 |
| Labor, HHS, and Education | 5 | 2 | 1 | 0 | 353–74 |
| Legislative | 7 | 0 | 1 | 0 | 308–110 |
| Military Construction | 0 | 0 | 0 | 0 | 392–18 |
| Agriculture, Rural Development | 5 | 3 | 0 | 0 | 368–48 |
| Treasury, Postal Service | 13 | [1] 11 | 0 | 0 | 349–48 |
| VA, HUD, and Independent Agencies | 6 | 4 | 0 | 0 | 363–39 |

[1] Six amendments were offered by Mr. Roybal to restore matter deleted by points of order.

Mr. COUGHLIN. Mr. Chairman, I yield such time as he may consume to the gentleman from Montana [Mr. MARLENEE] for a brief colloquy.

Mr. MARLENEE. Mr. Chairman, I rise to engage the chairman, the gentleman from Florida [Mr. LEHMAN], and the distinguished ranking member, my friend, the gentleman from Pennsylvania [Mr. COUGHLIN], in a colloquy on the National Railroad Passenger Corporation service in Montana.

Mr. Chairman, section 11 of the Amtrak Reauthorization Improvement Act of 1990 directs Amtrak to study the economic feasibility of providing new services to areas not presently served. This new service must have the potential for covering the operating costs associated with such service. I understand that, for the purposes of the study, Amtrak intends to analyze economic feasibility of passenger service in various regions of the country not presently included in Amtrak's national rail passenger system. Southern Montana is one such region that I want to ensure that it is included in the study.

Mr. LEHMAN of Florida. Mr. Chairman, will the gentleman yield?

Mr. MARLENEE. I am happy to yield to the distinguished chairman, the gentleman from Florida.

Mr. LEHMAN of Florida. Mr. Chairman, I thank the gentleman for yielding.

Southern Montana is the type of region in which Amtrak should be look-

ing, and I believe should be included in this study, and I hope to be one of the first passengers on the train. I have never been to Montana, but I know the Big Sky Country is beautiful.

Mr. COUGHLIN. Mr. Chairman, will the gentleman yield?

Mr. MARLENEE. I am happy to yield to the gentleman from Pennsylvania.

Mr. COUGHLIN. Mr. Chairman, I thank my friend and distinguished colleague for yielding.

I agree that southern Montana should be included in the Amtrak study. It is a great country.

Mr. MARLENEE. That pleases me greatly. I thank the gentleman.

Mr. LEHMAN of Florida. Mr. Chairman, I yield 2 minutes to the gentleman from Michigan [Mr. CARR], a member of the subcommittee.

Mr. CARR. Mr. Chairman, I would just like to associate myself with the remarks of the chairman and the ranking minority member, the gentleman from Pennsylvania [Mr. COUGHLIN], and in addition, just say that the lion's share of this bill goes to the credit of our able chairman, the gentleman from Florida [Mr. LEHMAN], who labored under very difficult circumstances to nevertheless lead this committee and lead the end product to the floor.

I do not think people out there appreciate the number of hours, the countless phone calls, the number of meetings that the chairman has had with individual Members and their constituents from across the country.

He was able to bring together the diverse parts of this bill into a comprehensive and a cohesive but, nonetheless, balanced product.

While some of us either on or off the subcommittee might have a quibble here or a quibble there, that is basically all it is is a quibble, because, Mr. Chairman, you did a fine job, and we love you, and we are proud of you.

I urge all of our colleagues to support your product.

Mr. COUGHLIN. Mr. Chairman, I yield 2 minutes to the distinguished gentleman from Virginia [Mr. WOLF], a member of the subcommittee.

Mr. WOLF. Mr. Chairman, I rise in support of the fiscal year 1992 transportation appropriations bill and I want to commend the chairman, Mr. LEHMAN, and the ranking member, Mr. COUGHLIN, for their hard work in crafting a fair, balanced bill in tough economic times.

It is a bill that attacks congestion in urban communities by addressing the importance of expanding the capacity of our Nation's highway system, while at the same time recognizing the importance of getting some of the cars off the roads by encouraging the use of mass transportation. It is a bill that also focuses on our Nation's rail system and on aviation safety for the traveling public. It is truly a bill that takes a balanced approach to the intermodal infrastructure system so critical to the economic well-being of our country and the quality of life for our citizens.

This bill provides the necessary funding for an effective national transportation system and I believe the committee has done an outstanding job in balancing competing interests for limited funds. I urge the support of my colleagues for this legislation.

Again, I want to commend Mr. LEHMAN and Mr. COUGHLIN and all the members of the subcommittee for their outstanding work on this bill. Also, I would be remiss if I did not express appreciation to the subcommittee staff, Tom Kingfield, Rich Efford, Linda Muir, and Kenny Kraft for their tireless work.

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Mr. LEHMAN of Florida. Mr. Chairman, I yield 2 minutes to the gentleman from North Carolina [Mr. PRICE], a member of the subcommittee.

Mr. PRICE. Mr. Chairman. I rise today in support of H.R. 2942, the Department of Transportation and Related Agencies appropriations bill for fiscal year 1992.

As a new member of the Appropriations Subcommittee on Transportation, I have been very appreciative of the help and courtesy Chairman LEHMAN has extended to me this year. Despite some personal adversity, he has once again brought a bill to the floor which is a credit to the U.S. House of Representatives. He is a fine chairman, and it has been my pleasure to work closely with him and the ranking Republican, LARRY COUGHLIN, this year.

I also want to thank the staff of this subcommittee. Tom Kingfield, Rich Efford, Linda Muir, and Zee Latif, have displayed a professionalism and expertise that is a model for all committees and subcommittees. I also want to thank Lucy Hand of Chairman LEHMAN'S staff, who is a great help to members of the subcommittee.

To remain economically competitive, we must move goods and people efficiently. This bill responds to the challenge by providing funds to upgrade airports, highways, and public transportation in this country.

The capacity of our Nation's airports will be enhanced through investments in air traffic control and airway facilities and equipment. This investment will be felt daily by every American who flies by ensuring fewer travel delays and safer flying.

Our highways will be less congested and needed safety improvements will be made because of this bill. Our committee also ensures a robust research program, to make certain that we remain competitive with nations like Japan and the European Community that are making large investments in highway technology and research.

In the area of public transportation, the subcommittee responds to the needs of large urban areas and interurban areas like the research triangle area of North Carolina that are growing rapidly and face the challenge of minimizing traffic congestion, meeting clean air standards, and planning intelligently for the future.

At the same time the subcommittee is funding these investments in our economic future, we are also taking steps to ensure that these dollars will be spent wisely. I have been impressed by the high priority this subcommittee places on procurement reform. In recent years, the Federal Aviation Administration and the Coast Guard, in particular, have made major acquisitions under faulty or inadequate procurement procedures. Under the prodding of this subcommittee, progress has been made in this area but more needs to be done by these agencies. In tight budget times, this kind of oversight is critical to making certain that our Federal dollars are not wasted and the large investment of Federal resources in these modernization projects are accomplished efficiently and effectively.

In closing, I urge my colleagues to support this bill. It is a well-crafted and responsible bill and deserving of every Member's support.

Mr. COUGHLIN. Mr. Chairman, I yield 3 minutes to the distinguished gentleman from Iowa [Mr. LIGHTFOOT].

Mr. LIGHTFOOT. Mr. Chairman, I rise in strong support of H.R. 2942, the Department of Transportation and Related Agencies appropriations bill for fiscal year 1992.

I would like to commend the chairman of the subcommittee, the gentleman from Florida [Mr. LEHMAN] the ranking member, the gentleman from Pennsylvania [Mr. COUGHLIN] and the rest of the subcommittee for an excellent bill.

Since joining the committee I have found a new appreciation for the difficult work of the committee which must try to maximize the utility of every Federal dollar.

The bill reflects the excellent work of its members and I urge my colleagues to support the bill.

At this point Mr. Chairman, I would like to engage in a colloquy with the gentleman from Florida [Mr. LEHMAN], chairman of the subcommittee.

Mr. Chairman, as I know the gentleman is well aware, last October Congress enacted legislation requiring the Secretary of Transportation to develop and implement a system of manned auxiliary flight service stations to supplement the service of the 61 automated flight service stations which FAA plans to establish. These stations are to be located in areas of unique weather or operational conditions which are critical to flight safety. The FAA was to report to Congress within 180 days after enactment on the plan and on the schedule for implementa-

tion of these auxiliary flight service stations.

However, this date has been moved to October of this year so the FAA might have sufficient time to thoroughly research the various issues surrounding the establishment of these auxiliary stations.

While I am sure it is the case, I would like to know, Chairman LEHMAN, if there are sufficient funds provided in this legislation to pay for the development and implementation of the auxiliary flight service station program, and to continue operations of existing flight service stations at current levels while the auxiliary program is being established?

Mr. LEHMAN of Florida. Mr. Chairman, will the gentleman yield?

Mr. LIGHTFOOT. I yield to the gentleman from Florida.

Mr. LEHMAN of Florida. Mr. LIGHTFOOT, the Subcommittee on Transportation has provided the necessary funds in this bill to address the planning and implementation needs of the auxiliary flight service station program for fiscal year 1992. The subcommittee has also provided sufficient funds to continue the operation of existing flight service stations at their current level while the auxiliary program is being developed and implemented.

Mr. LIGHTFOOT. I thank the distinguished chairman for his response.

I am concerned, that with the FAA's report to Congress on the auxiliary flight service station program not expected until the end of October—which is close, hopefully, to the end of this session—and considering the FAA's past history of promptly closing stations when Congress is not in session, and remarks by FAA officials having referred to the auxiliary program as pork barrel politics; that again FAA may start closing stations or cut back service before implementation of the auxiliary plan begins. As a pilot myself, and frequent user of the flight service station system, I can say with confidence that such a move would be devastating, as well as potentially dangerous.

It is my hope the subcommittee will continue to closely monitor the FAA's actions in this regard while the auxiliary flight service station program is being planned and implemented.

Mr. LEHMAN of Florida. As I have indicated, this appropriations bill provides sufficient funds to the FAA to both keep existing stations open and operating, and to continue the planning and implementation of the auxiliary program. You can be sure that our committee will monitor FAA to ensure that both of these directives are carried out.

Mr. LIGHTFOOT. I thank the distinguished chairman of the Transportation Appropriations Subcommittee for his encouraging remarks on this matter. My colleagues should know that Mr. LEHMAN and Mr. COUGHLIN have contributed an enormous amount of time and effort to this issue. Their diligent work on behalf of the general aviation community is appreciated.

Mr. Chairman, I would like to thank personally these gentleman for the courtesies they have extended me as a new member of the committee, as well as encouraging remarks on this matter.

Mr. LEHMAN of Florida. Mr. Chairman, I yield 2 minutes to the distinguished chairman of the Committee on the Budget, the gentleman from California [Mr. PANETTA].

Mr. PANETTA. Mr. Chairman, I rise in support of H.R. 2942, which is the Department of Transportation and Related Agencies appropriations bill.

On a personal note, let me say how pleased and proud we are to have the gentleman from Florida [Mr. LEHMAN] back in the saddle handling legislation. He has provided tremendous leadership in this issue, and it is welcome to have him back on in this position.

This provides $13.6 billion in discretionary budget authority, and $31.7 billion in discretionary outlays. I am pleased to report that the bill is $3 million below the level of discretionary budget authority, and $1 million below the outlays as set forth by the subdivision for the subcommittee, so they are well within the allocations provided by the Committee on Appropriations and by the budget resolution.

Now, this is the last, as pointed out by the distinguished chairman of the Committee on Appropriations, this is the last of the appropriation bills to be taken up by the House. I want to take this opportunity to express my gratitude to the chairman of the Committee on Appropriations, the gentleman from Mississippi [Mr. WHITTEN], and to thank his ranking member as well as all the subcommittee chairmen and their ranking members, because every one of these appropriations bills has been within the targets established in the caps established by the budget resolution and the budget agreement.

These subcommittees have had to make tough choices. It is not easy to operate within the limits that are provided here.

I want to commend them for the choices they have had to make in trying to stick within the boundaries established by the resolution. My hope is that the other body does exactly the same thing in terms of adhering to the discipline that was established here, because the subcommittees have not only stayed within the caps and with the caps and within the allocations, but they have also stayed within the walls that were established by the budget agreement.

I have to express my concern about what I read that the Senate, or the other body is attempting to try to break some of those walls when it comes to particular priorities they think are important. We have to stick not only within the caps, but we have to stick within the walls that were established by the resolution.

I want to commend the Committee on Appropriations, and in particular now, commend the chairman of this subcommittee for the work that has been done here in adhering to the budget resolution and completing all these appropriations bills in time, so that we adhere to an appropriate schedule in the House of Representatives.

Hopefully, the other body will do the same thing.

I rise in support of H.R. 2942, Department of Transportation and related agencies appropriations bill for fiscal year 1992. This is the last of the 13 annual appropriations bills to be considered by the House.

The bill provides $13.627 billion in discretionary budget authority and $31.799 billion in discretionary outlays. I am pleased to note that the bill is $3 million below the level of discretionary budget authority and $1 million below the outlays as set by the subdivision for this subcommittee.

Because this is the last of the appropriations bills to be taken up in the House, I want to pay particular thanks to the chairman of the full committee and the ranking member, and to all of the chairmen and ranking members of the subcommittees for adhering to the cap established by the budget agreement and the budget resolution. The subcommittees have had to make tough choices within the constraints established by the resolution. My hope is that the other body will exhibit similar discipline so that we can conclude all of the appropriations bills by October 1.

I look forward to working with the Appropriations Committee on its other bills.

COMMITTEE ON THE BUDGET,
*Washington, DC, July 22, 1991.*

DEAR COLLEAGUE: Attached is a fact sheet on H.R. 2942, the Department of Transportation and Related Agencies Appropriations bill for Fiscal Year 1992, scheduled to be considered on Wednesday, July 24, subject to a rule being adopted.

This is the thirteenth regular fiscal year 1992 appropriations bill to be considered. The bill is $3 million below the discretionary budget authority 602(b) spending subdivision and $1 million below the outlay subdivision.

I hope this information will be helpful to you.

Sincerely,

LEON E. PANETTA,
*Chairman.*

[Fact Sheet]

H.R. 2942, Department of Transportation and Related Agencies Appropriation Bill, Fiscal Year 1992 (H. Rept. 102-156)

The House Appropriations Committee reported the Department of Transportation and Related Agencies Appropriations Bill for Fiscal Year 1992 on Thursday, July 18, 1991. Floor consideration of this bill is scheduled for Wednesday, July 24, 1991, subject to a rule being adopted.

COMPARISON TO THE 602(b) SUBDIVISION

The bill, as reported, provides $13,627 million of discretionary budget authority, $3 million less than the appropriations subdivision for this subcommittee. The bill is $1 million below the subdivision total for esti-

mated discretionary outlays. A comparison of the bill with the funding subdivision follows:

COMPARISON TO DOMESTIC SPENDING ALLOCATION

[In millions of dollars]

| | Transportation and related agencies appropriations bill | | Appropriations Committee 302(b) subdivision | | Bill over(+)/under(−) committee 302(b) subdivision | |
|---|---|---|---|---|---|---|
| | BA | O | BA | O | BA | O |
| Discretionary | 13,627 | 31,799 | 13,630 | 31,800 | −3 | −1 |
| Mandatory[1] | 537 | 540 | 537 | 540 | | |
| Total | 14,164 | 32,339 | 14,167 | 32,340 | −3 | −1 |

[1] Conforms to the budget resolution estimates for existing law.

Note.—BA—New budget authority; O—Estimated outlays.

The House Appropriations Committee reported the Committee's subdivision of budget authority and outlays in House Report 102-81. These subdivisions are consistent with the allocation of spending responsibility to House Committees in House Report 102-69, the conference report to accompany H. Con. Res. 121, Concurrent Resolution on the Budget for Fiscal Year 1992, as adopted by the Congress on May 22, 1991.

Following are the major program highlights for the Department of Transportation and Related Agencies Appropriations bill for Fiscal Year 1992, as reported:

PROGRAM HIGHLIGHTS

[In millions of dollars]

| Department of Transportation | Budget authority | New outlays |
|---|---|---|
| Coast Guard operations | 2,484 | 1,987 |
| Coast Guard acquisition, construction and improvement | 365 | 40 |
| Federal Aviation Administration: | | |
| Operations | 4,342 | 3,821 |
| Facilities and equipment | 2,470 | 494 |
| Research and engineering | 218 | 131 |
| Airport improvement programs (obligation ceiling) | (1,900) | 304 |
| Amtrak | 649 | 579 |
| Northeast Corridor Improvement Program | 36 | 7 |
| Urban Mass Transportation Administration: | | |
| Formula grants | 1,600 | 521 |
| Interstate transfer grants | 160 | 3 |
| Washington Metro | 124 | 2 |
| Discretionary grants (obligation ceiling) | (1,900) | 49 |
| Federal-aid highways: (obligation ceiling) | (16,200) | 2,950 |

□ 1330

Mr. LEHMAN of Florida. Mr. Chairman, I yield 1 minute to the gentleman from Georgia [Mr. ROWLAND].

Mr. ROWLAND. Mr. Chairman, at this time I wish to engage the chairman of the Transportation Appropriations Subcommittee, my good friend, the gentleman from Florida [Mr. LEHMAN] in a colloquy regarding the W.H. Barron Airport in Dublin, GA.

Mr. Chairman, as we have discussed recently, the W.H. Barron Airport in Dublin, GA, is seeking assistance from the Federal Aviation Administration in order to complete an instrument landing system. Local and State officials have already installed two-thirds of the system; the glide slope is the only component lacking. Unfortunately, the FAA has indicated to airport officials that they will only fund the glide slope if Congress directs them to do so.

Consequently, this project has come to a standstill. We are planning to ask this request to be put into some Senate language, and I would hope that when this comes over in conference, that the gentleman will consider favorably the Senate provision. The completion of ILS would further enhance safety and provide more diverse economic development in our area.

Mr. LEHMAN of Florida. Mr. Chairman, if the gentleman will yield, I appreciate the gentleman bringing this request to our attention. Unfortunately, there was not enough time to consider it in the subcommittee itself. The subcommittee is sensitive to the need to improve safety at smaller general aviation airports.

I will assure the gentleman if this item is presented in conference that it will receive every possible consideration.

Mr. ROWLAND. Mr. Chairman, I thank the gentleman very much and thank him also for the opportunity to bring this to the attention of the body.

Mr. LEHMAN of Florida. Mr. Chairman, I yield such time as he may consume to the gentleman from Massachusetts [Mr. FRANK].

Mr. FRANK of Massachusetts. Mr. Chairman, I thank the committee chairman whom we all admire and respect greatly and I am delighted to have him in his position of leadership once again.

Mr. Chairman, I would hope we could have a colloquy. On pages 123 and 124 of the committee report, the committee explains its rationale for not providing additional funding for improving Amtrak's travel time between New York and Boston. I understand the committee's position and I appreciate especially the fact that the committee withheld funds without prejudice.

Is it the understanding of the chairman that if some of these concerns are addressed, that the committee would consider supporting funds for high-speed rail between Boston and New York?

Mr. LEHMAN of Florida. Mr. Chairman, if the gentleman will yield, although the committee has concerns about this project, the gentleman is correct that if some of those concerns are addressed, the committee will certainly consider future funding for this project, as the gentleman said, without prejudice.

Mr. FRANK of Massachusetts. Well, Mr. Chairman, I appreciate that, because it is my understanding that we are on the way to answering some of the questions. For example, while fiscal year 1991 funds had not been obligated by Amtrak at the time the gentleman had the hearings, they have obligated I believe $140 million now and they are putting out requests for proposals for the remaining funds.

Would the chairman agree that this particular question could be resolved if Amtrak shows it has committed its fiscal year 1991 funds?

Mr. LEHMAN of Florida. Mr. Chairman, if the gentleman will yield further, the gentleman is certainly correct. The concern over the unobligated balance for this project would be resolved if Amtrak shows the funds have been obligated.

Mr. FRANK of Massachusetts. I thank the chairman.

Let me just say finally that I understand also the concern about the hidden costs of lines not owned by Amtrak, and it is my hope those will be resolved shortly. Some of these costs will be required to repair and upgrade lines for any rail traffic, not just high-speed rail. For example, one large repair item, the Peck Bridge in Connecticut, which our colleague, the gentlewoman from Connecticut [Ms. DELAURO], has been working very hard on, might be financed through other funding sources.

Would the chairman agree that this concern could be resolved if we could find some alternative funding sources for the major projects on the non-Amtrak lines?

Mr. LEHMAN of Florida. Mr. Chairman, if the gentleman will yield further, the committee is concerned that the total Federal cost of the project is not well understood at this time. To the extent that non-Federal funds are involved, that concern would be resolved.

Mr. FRANK of Massachusetts. Mr. Chairman, I appreciate that, and I look forward to working with the chairman to resolve these issues so we can move ahead.

Mr. COUGHLIN. Mr. Chairman, I yield 4 minutes to the gentleman from Texas [Mr. DELAY], a member of the subcommittee.

Mr. DELAY. Mr. Chairman, I want to thank my chairman and ranking member, both of whom are a pleasure to work with on this subcommittee, and the staff on the subcommittee on both

the majority and the minority side are also equally pleasurable to work for and work with. They are very open people on the staff who understand the transportation needs of this country and understand it very well and take care of those transportation needs in a very efficient manner.

Because I do not have a whole lot of time, Mr. Chairman, I just want to point out one thing in this bill that some of the Members on my side are very concerned about that have been brought up especially in discussions this morning and the rest of this week, and that is the new intermodal bill that is coming out of the Public Works Committee in the House and soon to come to the floor.

I just want to point out that you do not need a new tax for this Subcommittee on Transportation Appropriations to take care of many of the needs in this bill. We are going to spend in this bill about $16 billion on the transportation needs of this country, and we are only going to take in about $12 billion in receipts to the Treasury from the gas tax. This tells me that if you prioritize spending properly, and our Appropriations Committee tries its best to do that, then a lot of money will be available without having to raise taxes. We need to prioritize our spending in this country, and this bill is an example of prioritizing spending.

I want to just touch on one local issue that is vital to the Houston area. I represent Houston. We have had a tremendous controversy in Houston over its monorail project.

In my nearly 13 years of public service, I have never seen an issue divide a city more than the monorail plan has divided Houston. I have fully researched this monorail plan. I have spent countless hours with the opposition, with proponents, with the staff of Houston Metro. My conclusion is that this particular plan does not fit the needs of Houston. Houston, as many of you know, is a very dispersed and decentralized city. At the present time, it cannot support a huge rail system. It cannot raise the ridership. Indeed, the numbers of Metro show that most of the riders on the rail plan for Houston would come out of buses or walk to the rail system, thereby not relieving congestion.

Houston Metro's own numbers as far as relieving air pollution problems show that this rail system will have less than 1 percent of an effect on clean air in Houston. So therefore we are going to spend a lot of money obligating—and this is the most important part, obligating local taxpayers dollars to operate and maintain a system that will not carry anybody and will not significantly affect congestion in Houston.

Houston is a futuristic city. We have a plan for our future as it pertains to transportation like no other city in this Nation. We have more transit ways being built or on the planning boards than any other city in this Nation. We are the first city and one of the few cities that bring all transportation authorities together participating in the projects. We have ongoing research that ultimately will result in a traffic management system unlike any other city in this country.

We are the cutting edge of technology. The vast majority of Houstonians feel that we do not need monorail technology in Houston, that we need a combined mobility plan, a plan that we have developed in 1989 that included a small rail segment, but overall it is a mobility plan, a plan designed to fit the lifestyle of Houstonians, not designed to force the lifestyle of Houstonians to fit into rail.

Now, we are trying to build a consensus and bring the community back together. We are going to work very hard on that to bring the community back together on a consensus, on a mobility plan for Houston.

In closing, Mr. Chairman, I want to thank the committee, the chairman, and the ranking member, for supporting Houston in the past and look forward to their support in the future.

Mr. LEHMAN of Florida. Mr. Chairman, I yield 1 minute to the gentleman from Arkansas [Mr. THORNTON].

Mr. THORNTON. Mr. Chairman, I thank the gentleman for yielding me this time.

I rise in support of the legislation and want to express my great pleasure and pride in seeing my colleague, when I was first a freshman up here, and he was also a freshman.

Mr. LEHMAN of Florida. Mr. Chairman, will the gentleman yield?

Mr. THORNTON. I yield to the distinguished gentleman from Florida.

Mr. LEHMAN of Florida. There is not much left of the class of 1973.

Mr. THORNTON. I want to congratulate Chairman LEHMAN for his leadership and courtesy, which has been acknowledged.

I would like to enter into a colloquy with the gentleman from Florida.

Mr. Chairman, an idea which I believe to have considerable merit has been advanced which would allow the Administrator of the FAA to make agreement with not more than four aviation magnet secondary schools, chosen at his discretion. These agreements may include funds from which schools could acquire equipment, books, and supplies. In addition the Administrator may make agreements with not more than 25 educational institutions to assist in the operation of affiliated summer camps where aviation training will be carried out.

The cost of these aviation training activities would be modest, as the program would be intended only to provide seed money to help develop aviation training opportunities.

Mr. Chairman, these funds would allow the FAA to assist in the training of workers to help keep our aviation industry competitive in the world marketplace.

The FAA may have the discretion to enter into these agreements already under Public Law 101-516, section 317, however if report language, perhaps from the other body, were to make clear such authority and ensure the Administrator of the appropriateness of this activity would you anticipate any objection from the House conferees?

Mr. LEHMAN of Florida. Mr. Chairman, will the gentleman yield?

Mr. THORNTON. I yield to the gentleman from Florida.

Mr. LEHMAN of Florida. I thank the gentleman for yielding.

Mr. Chairman, I want to assure the gentleman from Arkansas [Mr. THORNTON] that if this item is presented in conference, it will receive every possible consideration.

Mr. THORNTON. I thank the chairman.

Mr. COUGHLIN. Mr. Chairman, I yield 2 minutes to the gentleman from Pennsylvania [Mr. WALKER].

Mr. WALKER. I thank the gentleman for yielding to me.

Mr. Chairman, I am trying to look at the bill in terms of some of the things which were in the jurisdiction of the Committee on Science, Space, and Technology, particularly the authorization cycle. I would note the committee has come in below the fiscal 1992 authorization amount. So from that standpoint we certainly do appreciate it.

I am somewhat concerned, however, that in a couple of areas the committee has exceeded the authorization in particular programs. For example, the committee is $1.951 million above the authorized amounts in the advanced computer area and is $688,000 more than the authorized amounts in the aircraft safety area.

I wonder if the gentleman from Pennsylvania might be able to tell me why the subcommittee exceeded the authorizations in those areas and whether or not something might be able to be done in the future to correct those particular problems?

Mr. COUGHLIN. Mr. Chairman, will the gentleman yield?

Mr. WALKER. I yield to the gentleman from Pennsylvania.

Mr. COUGHLIN. I thank the gentleman for yielding to me.

Mr. Chairman, I do not have the information on those particular items available to me right at the moment. I would be happy to work with the gentleman from Pennsylvania to examine those at a later time.

Mr. WALKER. I thank the gentleman. As I say, the committee had done a commendable job sticking within the authorizations, in the totality;

the amount of funding for FAA R&D is certainly within the authorized amounts. It was in particular programs where there are a couple of problems. I would appreciate an opportunity maybe to try to work that out in the future.

Mr. COUGHLIN. Generally, these reflect the budget requests, so I would want to check that out.

Mr. WALKER. OK. I thank the gentleman.

Mr. LEHMAN of Florida. Mr. Chairman, I yield 3 minutes to the gentleman from Texas [Mr. FROST].

Mr. FROST. I thank the gentleman for yielding.

Mr. Chairman, the subcommittee chaired by the distinguished floor manager, Mr. LEHMAN of Florida, has, for the second consecutive year, provided capital funding in support of the construction of the DART rail project in Dallas. It is important to note, Mr. Chairman, that the federally funded rail line is one of three light rail lines to be constructed simultaneously by DART at a total cost of $803 million, of which only $160 million, or 20 percent, is being requested from the Federal mass transit program. The sales tax which Dallas area voters levied upon themselves for transit improvements will finance the remaining 80 percent of the cost to construct the 20-mile, three-line starter system.

While the light rail system is under construction DART will also be developing a commuter rail line, constructing HOV facilities, and making additional improvements to its bus operations at an additional cost of $518 million, of which 65 percent will be totally funded with local money. Thus, of a total transit improvement program of $1.3 billion, the citizens of the Dallas area will finance 76 percent of the cost while seeking only 24 percent from the Federal transit programs.

In order to maximize the available local resources as well as to minimize the size of its Federal transit funding requests, DART has energetically pursued opportunities to acquire rights-of-way as they become available, and to study, design, and construct fixed guideways and related projects with its own local funds. It would seem to me, Mr. Chairman, that such practices are in keeping with both the initiative of Transportation Secretary Skinner to encourage localities to overmatch the Federal investment in transit improvements in our urban areas, and with the interest by many in Congress to see Federal funds used as an increment of the total financing package for major infrastructure projects.

I would like to ask the gentleman from Florida, is it not the position of the Transportation Appropriations Subcommittee to encourage the practice of overmatching Federal transit funds with local funds in order to encourage the selection of cost-effective projects at the local level, and to increase the availability of limited Federal funds for more projects throughout the country?

Mr. LEHMAN of Florida. Mr. Chairman, will the gentleman yield?

Mr. FROST. I yield to the gentleman from Florida.

Mr. LEHMAN of Florida. I thank the gentleman for yielding.

Mr. Chairman, the gentleman is correct. Local money certainly talks when it comes to allocating Federal funds.

Mr. FROST. Mr. Chairman, I would further like to inquire of the gentleman from Florida: Given the fact that agencies like DART can realize substantial savings in construction time and cost through the timely acquisition of property as well as through the planning, design, construction, and procurement of facilities and equipment for transit improvements with local funds in advance of requesting or receiving any Federal funds, and given the tremendous amount of overmatch funding that DART is providing for its transit projects, is it not the position of his subcommittee that such actions should not be viewed as prejudicial to the process promulgated by the Urban Mass Transportation Administration [UMTA] to evaluate proposed major mass transit capital investments?

Mr. LEHMAN of Florida. The gentleman is properly stating the committee's position.

Mr. FROST. Mr. Chairman, I thank the gentleman for his consideration.

Mr. COUGHLIN. Mr. Chairman, I yield 1 minute to the distinguished gentleman from Florida [Mr. SHAW].

Mr. SHAW. Mr. Chairman, I thank the gentleman for yielding this time to me, and I take this moment to congratulate the gentleman from Pennsylvania [Mr. COUGHLIN] and the gentleman from Florida [Mr. LEHMAN] for the most responsible and well-crafted bill. I particularly want to point out to my colleagues the point on boating safety which is so important particularly to the people of Florida, and also thank the gentlemen for including in their support the tunnel project in the Intracoastal Waterway in my district, which is tremendously important.

I also most specifically want to congratulate the gentleman from Florida, my friend BILL LEHMAN, on his wonderful recovery and tell him he is certainly to be congratulated. BILL, you are showing the same determination in your recovery that you do in crafting legislation, and the Congress is certainly pleased to see you well and back in the saddle.

Mr. Chairman, today I rise in strong support of H.R. 2942, the transportation appropriations bill for fiscal year 1992. This legislation contains many fine provisions, but there are two provisions in the bill which I would like to bring to my colleagues' attention.

The first provision is a $35 million appropriation for the recreational boating safety program as authorized by the Federal Boat Safety Act of 1971. These funds will be used primarily to help enforce boating safety laws and to expand boating education programs. As cochairman of the congressional boating caucus, I endorse this worthy expenditure, and commend the Transportation Appropriations Subcommittee for including it in its bill. Of course, boaters have already paid for this appropriation by paying the tax on motorboat fuel, excise taxes on sport fishing equipment, and import duties on fishing tackle and yachts to the aquatic resources trust fund.

As my colleagues will recall, last year was a dismal year for our American boaters. This particular program went unfunded, Congress imposed a so-called boat user fee for which boaters will receive no additional services from the Coast Guard, and, as well, a new luxury excise tax on boats. I am pleased that our Nation's boaters are finally getting something back through this program, considering the huge amount of taxes they pay.

The second provision is a tunnel that would be constructed under the Intracoastal Waterway in Fort Lauderdale, FL, called the 17th Street tunnel project. I am enthused that the Transportation Appropriations Subcommittee has included $6 million in this bill for this much-needed project.

This is the third year in a row that the House has included funds in its annual transportation bill for the 17th Street tunnel project. I am extremely gratified that this project finally seems to be coming to fruition. Of course, I have not been alone in my efforts to realize this project—many Government officials, as well as private citizens, have been crucial in lending their support and guidance to this project. Florida Department of Transportation District Secretary, Rick Chesser, and the 17th Street Advisory Committee Chairman, Ralph Marrinson, as well as numerous other individuals, have been instrumental in assisting this project. I appreciate their time and hard work.

Most of all, I appreciate the efforts of the distinguished chairman of the Transportation Appropriations Subcommittee, the Honorable BILL LEHMAN of Florida. Congressman LEHMAN has already left his mark on transportation policy in this country, but perhaps nowhere more noticeably than our home State of Florida. I am proud to serve with him in Congress, and look forward to working with him for many years to come.

Mr. Chairman, my colleague from Florida and the subcommittee he chairs has again crafted an excellent piece of legislation, and I urge my colleagues to vote "yea" on H.R. 2942.

Mr. LEHMAN of Florida. Mr. Chairman, I yield 1 minute to the gentleman from Colorado [Mr. SKAGGS].

Mr. SKAGGS. Mr. Chairman, I thank the gentleman for yielding.

Mr. Chairman, I offer my deep thanks to the chairman and ranking member and the members of the Transportation Subcommittee for their excellent work in putting this bill together. If it is not piling on, Mr. Chairman, I want to add my expression of respect and relief for your being back in the harness after going through your recent battle. We are all glad to see you here.

You have been extremely helpful in dealing with the needs of the State of Colorado and the Denver metropolitan area, in particular the continued funding for the construction of the new Denver airport. As you well know, this will be a major factor in relieving pressure on the entire national aviation system. Airport construction is proceeding on schedule, under budget, and I believe will be shown to be an excellent investment of Federal AIP dollars.

The committee has also been most gracious in supporting many important highway projects in the Denver metropolitan area, particularly in unsnarling the intersection of Interstate 25 and Interstate 70, where we are making important safety and efficiency improvements, as well as other major highway projects in the greater Denver area. We certainly appreciate very much the support the committee has shown.

Mr. COUGHLIN. Mr. Chairman, I yield 1 minute to the gentleman from Virginia [Mr. WOLF].

Mr. WOLF. I thank the gentleman for yielding this time to me.

Mr. Chairman, I just wanted to bring to the attention of the body, since the gentleman from Colorado had mentioned the Denver airport, that the General Accounting Office, at the request of several members of Congress, I being one of them, are now investigating whether or not there are serious problems, safety problems, weather problems, financial problems, and other problems.

□ 1350

So, as this bill goes through, let there be no misunderstanding that the body is not sanctioning this airport as the perfect airport. We are waiting for the General Accounting Office to come back with its objective, nonpartisan, bipartisan analysis, and then at that time we will look at it. If they say it is a fine airport, that would be one thing. If they say there are some serious problems, then the body may have to deal with this issue by voting on it and looking at it in a very close way, in a way they have not looked at it before.

Mr. SKAGGS. Mr. Chairman, will the gentleman yield?

Mr. WOLF. I yield to the gentleman from Colorado.

Mr. SKAGGS. Mr. Chairman, I appreciate the gentleman from Virginia [Mr. WOLF] yielding to me.

As the gentleman knows, we have welcomed this inquiry. The issues raised have been subjected to scrutiny before, and we are sure they will stand up to it again.

Mr. WOLF. Mr. Chairman, I thank the gentleman from Colorado.

Mr. LEHMAN of Florida. Mr. Chairman, I yield 1 minute to the gentlewoman from Ohio [Ms. KAPTUR] for the purpose of a colloquy.

Ms. KAPTUR. Mr. Chairman, I would like to engage in a colloquy with the distinguished gentleman from Florida, the chairman of the Transportation Appropriations Subcommittee.

I would first like to commend the gentleman for his excellent leadership on this measure. As the gentleman knows, northwest Ohio is the third largest rail hub area in the United States and has one of the highest traffic density rail segments in the country. Because of these characteristics, the area has been hit hard by a number of rail-related deaths. The State of Ohio ranks second in the number of accidents at railroad crossings. Six railroad corridors in northwest Ohio have been designated to be of high priority for further study, to alleviate the safety problems, and help economic development. Is it the gentleman from Florida's understanding that the railroad corridor studies included in the report accompanying H.R. 2942, are CSX-East Toledo/Oregon; CRC-Airline Junction West; CSX-Perrysburg; NS-Maumee; NS-Oregon; and CRC-Vickers to Stanley Yard-East Toledo/Northwood?

Mr. LEHMAN of Florida. Mr. Chairman, will the gentlewoman yield?

Ms. KAPTUR. I yield to the gentleman from Florida.

Mr. LEHMAN of Florida. Mr. Chairman, the gentlewoman from Ohio [Ms. KAPTUR] is correct.

Ms. KAPTUR. Mr. Chairman, I thank the gentleman from Florida [Mr. LEHMAN] for his assistance and commend him for his efforts on the entire bill.

Mr. COUGHLIN. Mr. Chairman, I yield 2 minutes to the gentleman from Florida [Mr. MCCOLLUM].

Mr. MCCOLLUM. Mr. Chairman, the bill that we have before us today has $1 million for preliminary engineering of an important project in Orlando known as Orlando Streetcar or as OSCAR. The OSCAR downtown trolley project marks the beginning of a new era in transportation in central Florida. Orlando's growth alone will result in a ten-fold increase—from 7,000 to 70,000—in downtown employment by the year 2000, a problem that cannot be realistically addressed with increased bus service alone. The OSCAR project will significantly improve mobility in the city's downtown core, keeping an estimated 1,400 cars off downtown streets, and giving Orlando office workers an attractive alternative to using their cars. It will also promote economic growth downtown, particularly for the retail industry. OSCAR will further demonstrate the vital role of mass transit to the downtown business community.

Mr. Chairman, it is my understanding that the total estimated cost of the project is $27.2 million, with total Federal funding requested to be $15.1 million over the next 4 years. This represents a very high level of local matching funds, including some private sector participation. Additionally, I would like to point out a very unique component of OSCAR in that its operating expenses will be derived solely from revenues generated by city-owned parking facilities, thus requiring no Federal general revenue operating subsidies.

Mr. Chairman, I think this is extremely significant, and, if the gentleman from Florida [Mr. LEHMAN] would let me engage him in a colloquy, I would just like to ask him a question to confirm the fact that his understanding is the same as mine, and that is under this unique Orlando project OSCAR the operating costs will not be incurred by the Federal Government, that the $1 million in the future request the city has made of the gentleman's committee is only for construction costs. The operating costs would come from parking revenues, and it is unique in that regard.

Is that the gentleman's understanding?

Mr. LEHMAN of Florida. Mr. Chairman, will the gentleman yield?

Mr. MCCOLLUM. I yield to the gentleman from Florida.

Mr. LEHMAN of Florida. Mr. Chairman, the gentleman from Florida [Mr. MCCOLLUM] is correct.

Mr. MCCOLLUM. Mr. Chairman, I think that is very important, for us to have a project that does not have the operating costs paid for by the Federal Government.

I also want to ask the gentleman from Florida [Mr. LEHMAN] if it is his understanding currently, in the preliminary stages of the project, that until such time as the project is fulfilled, we are just beginning this process at the present time on construction, as I understand it, with what is in the bill today. We were not coming to the gentleman for additional operating expenses. My understanding is, though, we will be coming back for future building and construction costs.

I ask the gentleman from Florida, "Is that your understanding, Mr. Chairman?"

Mr. LEHMAN of Florida. Mr. Chairman, let me assure my colleague, the gentleman from Florida [Mr. MCCOLLUM], that the subcommittee is aware that this project and several others are still in early stages and that we will be hearing from the gentleman in order to help him in all possible ways.

Mr. MCCOLLUM. Mr. Chairman, I am happy to have the gentleman from Florida [Mr. LEHMAN] back today. He looks in good form, and we appreciate being yielded the time for this very important project in my city.

Mr. LEHMAN of Florida. Mr. Chairman, I yield 2 minutes to the gentleman from North Carolina [Mr. VALENTINE].

Mr. VALENTINE. Mr. Chairman, I support this bill and want to draw attention to the aviation R&D portion of H.R. 2942. I realized that the Transportation Appropriations Subcommittee

had a limited authorization, and I am pleased that they were able to be more generous with this important program than the administration's request. I only wish that we could put more of the earmarked tax dollars that the air traveler pays toward the purpose for which they are intended. That purpose, of courage, is upgrading the national air traffic control system and funding the research that will make the system function more safety and efficiently in the future.

The Federal Aviation Administration is a nonstop high technology business that is allowed no mistakes. Outside of a war, the largest full-time, real-time Government operation in the world is the FAA air traffic control system. Even the U.S. Post Office, which is larger, takes holidays.

The current version of the national air space plan, which provides both for system upgrades and aviation research began in the early 1980's. It has had many critics and supporters. It was intended as a dynamic plan. The resulting flexibility has been the source of its success as well as a source of some difficult stages. It also has suffered from underfunding. Ironically, there was, on May 30 over $15 billion in the airport and airway trust fund, and less than half of that is allocated to the R&D and capital programs for which it was raised. This fund is created by many, and it must be protected if Congress is to keep faith with the airline passenger and the aviation industry. To keep that faith, we really should give the airline passenger the system for which he and she has paid.

The $218 million appropriated through this bill for aviation research and development does fairly well in supporting the short-term R&D needs of our national air traffic control system. It does little, however, to address the long-term problems facing the system. There is a major need for modernization of communications and data systems. This need will only increase as the skies grow more congested. If we provided the funding for an automated airport surface detection system, we could dramatically reduce the risks of repeating the recent tragic ground collisions that occurred at the Los Angeles and Detroit airports.

We are paying a stiff penalty in increased risk by not accelerating safety research for other parts of the system as well. I realize that you can waste money when programs grow too quickly, and the Committee on Science, Space, and Technology carefully considered how much additional funds the system could absorb efficiently. Our conclusion was that an increase of up to $40 million could easily be absorbed during the coming fiscal year.

Therefore, while I give my wholehearted support to this bill and the research program the committee has recommended, I hope that the House conferees on this legislation will remember FAA R&D if any possibility of increased funding presents itself later in the legislative process.

Mr. COUGHLIN. Mr. Chairman, I yield 2 minutes to the distinguished gentleman from Nebraska [Mr. BEREUTER].

Mr. BEREUTER. Mr. Chairman, this Member rises in support of H.R. 2942.

Mr. Chairman, this Member would begin by commending the distinguished gentleman from Florida [Mr. LEHMAN], the chairman of the subcommittee, as well as the distinguished gentleman from Pennsylvania [Mr. COUGHLIN], the ranking member of the subcommittee, for their assistance in expediting this legislation.

This appropriations bill represents a significant and much needed investment in our Nation's transportation system. The bill takes into account the overall needs of the Nation as well as addressing local and regional transportation concerns.

Specifically, this Member would like to thank the committee and subcommittee for recognizing the need for a bridge between Niobrara, NE, and Springfield, SD. Since 1927, numerous attempts have been made to improve this transportation corridor through the construction of a bridge. However, due to a variety of reasons—including the Depression and World War II—this important project has not materialized. This Member would also like to note that contrary to a recent Congressional Quarterly article on the House transportation appropriations bill, this interstate bridge is indeed, formally and actually, the top interstate bridge priority for both Nebraska and South Dakota.

This Member would also like to thank his distinguished colleague from South Dakota, Mr. JOHNSON, for his outstanding assistance to this Member on behalf of this bridge project. The completion of this bridge will play an important role in facilitating an interdependence between communities in Nebraska and South Dakota and Mr. JOHNSON deserves recognition for the important role he has played in bringing this goal closer to reality.

It is important to note that in addition to the obvious economic benefits of this project, the bridge will also help to improve medical care for certain Indian tribes in the area by reducing the driving time to the Indian Health Service facility in Wagner, SD.

This Member also wishes to express his appreciation for the report language which urges priority status for grant applications for a number of airports including Nebraska City and York, NE. This action will help ensure quality air service for these communities.

This Member would like to briefly explain the circumstances which necessitate this indication of priority in the committee report on this legislation. Prior to construction of the airport in York, this Member made the case that the runway should be of such length to handle the larger multiengine and jet aircraft of businesses vital to the economic development of the area. This approach, however, was not approved by Nebraska's Department of Aeronautics or the FAA. Now, year after year, the community's needs are frustrated by the priority system which does not elevate this project high enough to receive approval. Unfortunately, the Nebraska Department of Aeronautics and the FAA have been unresponsive to the community or the congressional delegation on this important matter. This Member very strongly urges and requests that the FAA reevaluate this runway extension request and, if necessary, overrule the rating or rating system of the State agency, thereby beginning the runway extension project with a portion of Nebraska's existing allocation of Federal funds for fiscal year 1992.

Second, this Member would like to point out the need for an increase in the land acquisition grant to facilitate the construction of an adequate airport for Nebraska City. An increase is necessary so that sufficient funds will be available for buying all the FAA-approved parcels, even though appraisals may ultimately be higher than initially planned due to court challenges of the initial land appraisals. When such a supplemental grant is approved, it would be understood that any funds not necessary for land acquisition should be directed toward the airport's runway and other approved construction elements.

Nebraska City does not currently have a city-owned municipal airport. As a result, the city has been leasing an airstrip. However, this airstrip does not meet the city's current needs and the community recognizes the necessity of constructing a municipal airport. Following an elaborate site selection process, a site was selected approximately 4 miles south of Nebraska City.

The Nebraska City Airport Authority is requesting a supplemental grant of an amount not to exceed $200,000. Without a grant increase, the scope of the airport project would be greatly limited and would only allow for a much shorter runway than will eventually be required—a duplication of the problem now experienced at the airport in York, NE, about which this Member commented just a few minutes ago. For this reason, an increase in Nebraska City's grant amount from fiscal year 1992 funding is needed to facilitate the construction of an adequate airport.

In conclusion, Mr. Chairman and my colleagues, H.R. 2942 is a step forward in addressing the current and future transportation needs of the United States; therefore, this Member urges

his colleagues to support the legislation.

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Mr. LEHMAN of Florida. Mr. Chairman, I yield 1 minute to the gentleman from Kentucky [Mr. MAZZOLI].

Mr. MAZZOLI. Mr. Chairman, I thank the gentleman for yielding time to me.

I would like to commend the gentleman from Florida [Mr. LEHMAN] and the gentleman from Pennsylvania [Mr. COUGHLIN] on another job well done. And, to also join with my colleagues in saying to the gentleman from Florida [Mr. LEHMAN], these have not been easy months for him, but we appreciate his fortitude and perseverance.

There are two items in the bill I would like to give some attention. One is the $35.5 million which the committee has appropriated for improved instrument landing systems. Some $1 million of that amount will wind up in Louisville's Standiford Field Airport, which I am proud to represent, and will help with our airport improvement program.

The second item I would like to mention is the $15.1 million in the bill which is the fiscal year 1992 portion of the letter of intent signed by the FAA of $126 million for the full improvement program at Standiford Field.

I want to thank the chairman for having put in those two programs for Standiford Field, but also to thank both of my friends for a job well done for transportation throughout this Nation.

Mr. BACCHUS. Mr. Chairman, I rise today to express my support for this Transportation appropriations bill and my appreciation for the time my colleague from Florida, Mr. LEHMAN, and his subcommittee have devoted to its formation. I recognize the burden that has been placed on my colleague from Florida as the number of requests coming before his subcommittee continues to grow.

Mr. Chairman, the city of Orlando and its downtown business community have developed a new and unique transportation system—the Orlando Streetcar [OSCAR] in downtown Orlando. The subcommittee chaired by Mr. LEHMAN has provided first-time funding in support of preliminary engineering for this project. As you probably know, Central Florida is growing at such a rate that buses and other conventional modes of transportation are gradually becoming ineffective and unreliable. The growth and increasing congestion in Orlando alone make reliable, efficient mass transit a critical necessity. OSCAR, although a small project, is the first step toward developing a vital new mode of public transportation in central Florida, and could well serve as an example for future transit systems in downtown areas across the country. This 1.7-mile light rail system, linking the major activity and employment centers in downtown Orlando, will improve mobility and increase the quality of the downtown area.

OSCAR also will demonstrate how transit systems can work without being a continuing burden on the taxpayer. The entire operating and maintenance costs of the system are covered through parking fees collected in the downtown. This is a responsible approach to financing mass transit that can work well in other urban settings. Also, OSCAR has a considerable overmatch compared to most transit projects, with a 50 percent Federal/50 percent local sharing compared to the 80 percent/20 percent match required in the recently released highway reauthorization bill. OSCAR is clearly an excellent investment.

Mr. McDADE. Mr. Chairman, I rise in strong support of H.R. 2942, a bill making appropriations for the Department of Transportation and related agencies for fiscal year 1992. This is the 13th and final regular appropriations bill to come to the floor this year. The Appropriations Committee has worked with great determination to pass all of the appropriations bills before the August district work period. With passage of the Transportation bill, the committee will accomplish that considerable feat.

Mr. Chairman, I join all of my colleagues in hailing the return of the chairman of the Transportation Subcommittee, the honorable gentleman from Florida [Mr. LEHMAN]. I congratulate Chairman LEHMAN for his outstanding work on this bill under very trying circumstances. BILL LEHMAN has proven the old adage that you can't keep a good man down, and he has come back from illness to produce a bill that is fair, balanced, and good for America. Welcome back, BILL, and congratulations on a job well done.

I would also like to acknowledge the dedicated efforts of my dear and wise friend, the ranking Republican member of the Transportation Committee, the honorable gentleman from Pennsylvania [Mr. COUGHLIN]. LARRY COUGHLIN has worked tirelessly on this legislation, and his contributions have been enormous. I would like to express my gratitude to LARRY and to all members of the subcommittee for their good work.

Mr. Chairman, the Transportation appropriations bill provides for the development of our highways, the safety of our flyways, the protection of our seaways, and the continued strength of our railways. In short, this bill provides the resources necessary to sustain our national transportation system. It protects the free flow of commerce; empowers Americans to exercise their right to travel; and enhances national security.

Mr. Chairman, I am proud to note that the bill as reported is within the subcommittee's 602(b) allocation for both budget authority and outlays. The subcommittee is to be commended for conforming to the terms of last year's budget agreement. This has been a difficult task, but the subcommittee has done its best to maximize the benefits to be derived from a very limited pool of resources.

The bill includes $16.6 billion for programs of the Federal Highway Administration. This amount, $16.3 billion of which represents a limitation on obligations from the highway trust fund, is an important contribution to this country's surface transportation system. The Federal Government has a multibillion dollar investment in our Nation's highways; this appropriation helps protect that investment and further improve roadway systems from coast to coast.

The bill also includes $7 billion for the programs of the Federal Aviation Administration. Because of fiscal constraints, the committee was unable to fully fund the administration's request for FAA facilities and equipment at the full level of the administration's request. Nevertheless, the appropriation of $2.47 billion—$231 million less than requested by the President—does represent an increase of $374 million over the fiscal year 1991 level. The committee looks forward to working with the Department to ensure that these resources are used as efficiently as possible to conduct an orderly acquisition program.

The bill contains funding for many other critical government programs, including: $3.5 billion for the U.S. Coast Guard, $3.8 billion for the Urban Mass Transit Administration, $253 million for the National Highway Traffic Safety Administration, and $794 million for the Federal Railroad Administration. This latter appropriation includes $504 million for grants to the National Railroad Passenger Corp., better known as Amtrak. This funding level compares to an fiscal year 1991 level of $475 million and an fiscal year 1992 budget request of $330 million.

Mr. Chairman, I observe with disappointment that a provision of the report accompanying the bill notes that no funds are provided for the implementation of the Chief Financial Officers Act of 1990. Mr. Chairman, the House has spoken loudly and clearly on the issue of CFO implementation. During consideration of the Treasury-Postal appropriations bill just last month, this body voted 341 to 52 to remove a provision prohibiting implementation of the act. Throughout the Federal Government, there is a need for better and more uniform audit procedures, accounting mechanisms, and budget controls. Congress has enacted the CFO Act to satisfy that need, and we should move with dispatch to provide the resources necessary for its implementation. I trust that this matter will be resolved satisfactorily in conference. But in any event, I wish to clearly state my understanding that nothing contained in the bill or report will operate to prevent the Department from seeking to allocate resources for CFO implementation through ordinary reprogramming procedures.

Again, I wish to commend the subcommittee for its excellent work and encourage my colleagues to support the bill.

Mr. VENTO. Mr. Speaker, I rise in support of H.R. 2942, the Transportation appropriations bill for fiscal year 1992.

The bill appropriates $14.2 billion in fiscal year 1992 for the Department of Transportation and related agencies, including the Coast Guard, the Federal Aviation Administration [FAA], the Federal Highway Administration [FHA], the Federal Railroad Administration [FRA], and the Urban Mass Transit Administration [UMTA]. The total appropriations in this bill are $1.2 billion above the fiscal year 1991 funding level, but $941 million less than the request by the Bush administration.

I want to commend the chairman of the Transportation Appropriations Subcommittee, BILL LEHMAN, and the members of the subcommittee for reporting a measure which responds to our Nation's urgent transportation needs. I am particularly pleased that the bill includes a significant increase over last year's

bill in funding for various mass transit programs administered by UMTA. The mass transit provisions in the bill specifically reject the administration's position of seeking to terminate capital and operating assistance for large urban mass transit systems, such as the Metropolitan Transit Commission [MTC] in Minnesota which serves the Minneapolis-St. Paul metropolitan area. Mass transit operators in our Nation's large urban centers cannot continue to indefinitely absorb operating cost increases due to a reduced national commitment and cannot continue to pass on such costs by raising fares without seriously reducing ridership on public transportation. As ridership decreases, congestion on streets and highways increases along with its associated reductions in air quality. Assisting large public transit systems represents a sound policy choice.

H.R. 2942 also provides $370 million for the Federal Highway Administration [FHA] in fiscal year 1992 and authorizes the release of up to $16.3 billion from the highway trust fund for Federal-aid highway grants, motor safety grants, and highway-related safety grants. In Minnesota, safety grants are used to assist the Minnesota Department of Transportation in improving railroad crossings throughout our State and to improve the safety of highways in the Twin Cities metropolitan area, as well.

I am also pleased that H.R. 2942 provides $8.9 billion for the Federal Aviation Administration [FAA], including authorizing the release of up to $1.9 billion from the $7 billion airport and airway trust fund. Following the last reauthorization of the trust fund when Congress gave local airport operators the authority to levy new passenger facility charges [PFC's] for capital improvements, it is encouraging to see that we will finally begin to spend down some of the large surplus in this trust fund which is meant to be used to finance such capital improvement projects at our Nation's airports. As the Nation's airways become more crowded with aircraft and passengers, the pressure has increased to improve the aviation infrastructure.

H.R 2942 also includes funding for the Department of Transportation's Research and Special Projects Administration [RSPA], which includes the Federal Office of Pipeline Safety. I have had a longstanding interest in the regulatory activities of the Office of Pipeline Safety [OPS], which is responsible for overseeing the administration of the Hazardous Liquid and Natural Gas Pipeline Safety Acts. Both of these laws are currently in the process of being reauthorized in the Energy and Commerce Committee. OPS currently has 16 pipeline safety inspectors and is planning to hire 5 additional safety inspectors before the end of this year. When these new pipeline safety inspectors are hired, the Office of Pipeline Safety will have 21 inspectors along with its 5 regional chiefs. Along with the granting of interstate agency status to State pipeline safety programs, such as Minnesota, this will strengthen the Department's ability to conduct hazardous liquid and natural gas pipeline safety inspections.

Finally, the bill provides $504 million for Amtrak operating and capital grants, a modest increase above the fiscal year 1991 figure. Of significance to Amtrak workers and retirees, the bill also appropriates $145 million for payments on behalf of Amtrak to the railroad retirement trust fund and the railroad unemployment insurance account. The payments reflect mandatory contributions which Amtrak as a rail carrier must make to these funds, but which are in excess of the actual benefits received by current and former Amtrak employees.

I urge my colleagues to vote for final passage of H.R. 2942, which addresses the urgent demands of our national transportation system.

Mr. TAUZIN. Mr. Chairman, I rise today in strong support of the Coast Guard appropriation bill. The honorable chairman, Mr. LEHMAN, and the ranking member, Mr. COUGHLIN, have done an outstanding job of providing the funding for the Coast Guard needs.

OPERATING EXPENSES

This appropriations bill will allow the Coast Guard to:

Sustain the current level of effectiveness in the interdiction of drugs.

Focus operations to protect fisheries resources in the Gulf of Mexico, the Pacific Northwest, and New England.

Improve this Nation's ability to respond to oilspills.

Significantly upgrade our Nation's vessel traffic systems.

Serve its critical role in our Nation's defense, just as it did in Desert Storm.

Most of all, this appropriation will provide for improved housing, better training, basic medical care, and more adequate housing for the men and women of the Coast Guard.

AC&I

I want to work with Chairman LEHMAN to consistently invest in the Coast Guard's future. We must provide the dedicated men and women of the Coast Guard with safe, modern, and efficient ships and aircraft.

I would ask the chairman to take a second look at the Coast Guard's housing needs in Puerto Rico. This project will be funded below the amount the Coast Guard has asked for.

This bill will improve this Nation's transportation infrastructure with new or improved vessel traffic services.

This bill will allow the Coast Guard to begin to build a new fleet of ocean-going buoy tenders. These new ships will replace 50-year-old buoy tenders. This acquisition must move forward without delay.

This bill provides $20 million of the $29 million authorized for the replacement of the Commandant's command and control aircraft. This aircraft played a critical role in responding to the Persian Gulf oilspill. The command control aircraft is over 20 years old, and I can tell you from personal experience, it is imperative that we replace this plane.

ENVIRONMENTAL COMPLIANCE AND RESTORATION

This bill will allow the Coast Guard to continue to clean toxic waste sites in Elizabeth City, NC, Traverse City, MI, and Kodiak, AK, as well as other sites.

RESEACH, DEVELOPMENT, TEST, AND EVALUATION

This appropriation will initiate research and development programs to meet the requirements of the Oil Pollution Act of 1990 and continue development of navigation and communications systems to improve the national transportation infrastructure.

I congratulate the Appropriatons Committee on its outstanding effort to support the Coast Guard.

Mr. CAMPBELL of Colorado. Mr. Chairman, I appreciate the opportunity to speak in support of H.R. 2942, the fiscal year 1992 Transportation appropriations. I support the initiatives included in this legislation and look forward to its passage.

I am particularly excited about one provision in this bill that will provide $10 million for the establishment of an ASR–9 radar at Walker Field Airport in Grand Junction, CO. Walker Field, the third busiest commercial airport in Colorado, had over 85,000 aircraft operations in 1990. As the largest airport between Denver and Salt Lake City, Walker Field is the backup airport for, and receives diverted aircraft over nine regional airports, including Denver's Stapleton and the Salt Lake City airport. The airport has experienced sustained growth of over 6 percent over the past several years.

Mr. Chairman, the Grand Junction ASR–9 radar system has been ranked by the Federal Aviation Administration [FAA] as the highest rated proposal in the Northwest Mountain Region. The FAA has recommended funding for this proposal for the past several years.

I wish to express my appreciation to the committee for its hard work. I look forward to the implementation of this proposal and urge my colleagues to support this carefully crafted bill.

Ms. LOWEY of New York. Mr. Chairman, I rise today to express my appreciation to the gentleman from Florida [Mr. LEHMAN] for his outstanding work in putting together the Transportation appropriations bill for fiscal year 1992.

In the midst of shrinking budget authority and an array of competing demands, the chairman of the Transportation Subcommittee worked hard to set priorities for this Nation's transportation budget that will ensure the effective use of the limited funding available. This era of tight budgets places severe pressures on the Appropriations Committee to make tough decisions and at the same time address vital local needs. During this difficult time, we are indeed blessed to have a chairman with the discipline and vision to meet this challenge.

In particular, I want to thank Chairman LEHMAN for his assistance in addressing an issue of great importance to Westchester County. Residents of Westchester County are being bombarded on almost a daily basis by aircraft noise caused by flights arriving at La Guardia Airport. The chairman agreed to include language that will bring relief to the community by directing the Federal Aviation Administration to upgrade its flight directional equipment at La Guardia and take any other steps necessary to redirect flights over Long Island Sound—instead of Westchester County. The committee report also directs the FAA to expand its study of the noise impacts of the expanded east coast plan to include the entire New York metropolitan region, including Westchester County and Fairfield County in Connecticut.

I also want to compliment the chairman for his sensitivity to the transportation needs of smaller communities. In particular, the chairman's support for the development of intermodel facilities will provide a vital founda-

tion for the economic development of many communities. Chairman LEHMAN recognized the importance of these projects and found the funds necessary to get them off the ground.

In light of Chairman LEHMAN'S work in balancing this Nation's transportation needs with fiscal realities facing this country, H.R. 2942 deserves strong support from this body. I urge my colleagues to support this bill. I thank the Chair.

Mr. ALEXANDER. Mr. Chairman, I rise in support of the bill and want to congratulate Chairman LEHMAN and his excellent staff on this complex and important legislation. At a time when our Nation's infrastructure is critically deteriorated as a result of more than a decade of neglect, this subcommittee faces a daunting challenge. This bill rises to that challenge.

Everyone in this body should know that Chairman LEHMAN has crafted a tight, streamline and effective bill. It allocates limited resources and achieves maximum impact for every dollar spent. The direct appropriations provided by this legislation is $136,000 less than the target established by the Appropriations Committee for discretionary budget authority and $2 million less than the target for discretionary spending.

It is true that the bill authorizes the release of $20.2 billion from the aviation and highway trust funds for certain programs which is more than requested by the President. But the condition of our airports and highways demands that this money be released and used for its intended purpose now and not be permitted to languish in the trust fund accounts.

Last year when this bill was before the House, I emphasized the importance of infrastructure investments for impoverished rural areas, particularly in the Mississippi River Delta which covers much of my congressional district. the poorly maintained and undersized airports serving small communities have been repeatedly cited as an impediment to economic development and prosperity. The report of the federally chartered Lower Mississippi River Delta Development Commission underscored this need.

The absence of adequate airport and air industrial park facilities will continue to hinder the efforts of rural areas to attract growth industries which generate jobs and income. We must have the vision to realize that investments in these projects will invigorate our communities and our economy and—consequently—create taxpayers who will return tax revenues to the Federal Treasury.

Mr. Chairman, I want to point out three important airport projects in my congressional district to which the committee has to assign priority status. Improvement of the Jonesboro, AR, Municipal Airport continues to be a priority for the committee. Within the past few years, the Federal Aviation Administration has commissioned an automated flight service station at the Jonesboro Airport which provides critical weather and navigational aid information to aviators throughout the State.

Another example of the growing importance of the Jonesboro Airport in the northeast quadrant of Arkansas, which has been recognized by the FAA, is the agency's commitment to commission an instrument landing system at this facility. With the growing need for a reliever airport to serve as an alternate landing site for nearby Memphis International, continued upgrading of the runways and equipment at Jonesboro must be pursued.

The committee has, therefore, established the review and consideration of an application for runway extension and strenghening at Jonesboro Airport as a priority.

The committee has also recognized the importance of continued airport development in the cities of Stuttgart and Melbourne in order to facilitate economic expansion and growth. In Melbourne, airport construction now underway is critical to the retention of the McDonnell Douglas facility, a major employer which produces components for the MD–80 commercial aircraft.

An application is also pending to rehabilitate portions of the airport in Stuttgart, AR. Stuttgart is the site of a major food processing industry and a center of agribusiness activity in this region of the delta. Approval of this funding will continue the progress of the Stuttgart area in attracting and serving industrial clients and creating jobs for its citizens.

Mr. Chairman, it has become an unfortunate custom in the Congress to use appropriations bills as scapegoats for the deficit crisis in which the Nation finds itself today. Yet, it is an unassailable fact that the Appropriations Committee has recommended more than $175 billion less than Presidents have requested. Appropriations Committees do not write, nor do they determine fiscal policies which are related to the deficit—and it would be penny wise and pound foolish to attempt to balance the budget on the back of this bill.

Mr. Chairman, if America is to enter the 21st century prepared to continue the economic leadership and preeminence it has enjoyed in the 20th century, we must have the foresight to make the investments required to insure our prosperity in the future. The public policy which is embodied in this measure will carry us forward toward that goal.

I urge passage of the bill.

Mr. GEJDENSON. Mr. Chairman, I rise to raise several points about H.R. 2942, the Department of Transportation appropriations bill for fiscal year 1992.

I would like to take this opportunity to thank the chairman of the subcommittee, Mr. LEHMAN, for his consideration of my request to assist Amtrak and the town of Willimantic, CT, in constructing a train station in Willimantic. Amtrak recently announced that the Montrealer train would stop in the town of Willimantic if a station is constructed there. I would also like to express my concern about the inadequate funding level for the tremendously successful Northeast corridor project and, in particular, the New York to Boston improvement project to reduce the New York to Boston travel time to 3 hours or less.

Mr. Chairman, as many know, Connecticut and the New England States are facing a very serious economic crunch. These two projects not only will provide much needed economic development opportunities for the region, they will each afford much needed public transportation options to people who have no other means of public transportation in eastern Connecticut, New England, and the rest of Amtrak's east coast routes to New York, Boston, and Washington. In addition, these two projects, establishing a station in Willimantic and continued funds for the New York/Boston route are very important to Amtrak. Both will lead to increased ridership and, more importantly they will encourage more people to leave their cars and make public transportation a part of their lives.

With respect to the Willimantic station, Mr. Chairman, I want to give a little history of the effort to establish a train station in Willimantic, CT, for the popular Amtrak Montrealer train.

In 1987, when Amtrak discontinued the Montrealer train from Washington, DC, to Montreal, Quebec, because of poor track conditions in Massachusetts, residents of eastern Connecticut contacted Amtrak encouraging them to reinstate the train on an alternate route through eastern Connecticut with a station stop in New London. We joined those urging Amtrak to establish a station stop in the town of Willimantic.

In 1989, the Montrealer train was reinstituted on the alternate route through eastern Connecticut with the station stop in New London. This route was intended to be "on a temporary basis" while Amtrak determined whether track repairs could be done on the original route.

In January 1991, Amtrak announced that track work in Massachusetts will not be done and that the eastern Connecticut route will become permanent. Amtrak also indicated that it intended to establish a station stop in Willimantic, CT, if a station is completed.

Since that time, the town of Windham, which includes Willimantic, has been working very closely with Amtrak, the Central Vermont Railroad, which owns the tracks that are to be used, the regional planning agencies, the University of Connecticut, Eastern Connecticut State University, other nearby towns, and private groups to find a suitable site and develop a plan for a station to accommodate the Amtrak Montrealer.

As Amtrak will attest, ridership on the alternate route with the station stop in New London has been very strong, especially considering the short time that the route has been in service.

The construction of a station and a station stop in Willimantic can provide significant additional ridership potential for Amtrak, and will offer considerable benefits to the people of northeastern Connecticut, who have no other public transportation options. The Willimantic stop can serve the college communities of the University of Connecticut, with a student body of more than 20,000, and Eastern Connecticut State University, with a student population of more than 4,500. The Montrealer station in Willimantic can also provide the over 200,000 residents of Windham and Tolland Counties with the only public transportation alternatives to Vermont, Massachusetts, New York, and the remainder of the Montrealer's scheduled stops.

I would like to thank the chairman and the members of the committee for including language in the committee report identifying Willimantic as a priority for the committee. By recommending that Amtrak work closely with State and local officials on this Willimantic station, the committee has set the groundwork for establishing a station stop in Willimantic. As a result of recent meetings, Amtrak, the town of

Windham and others have agreed that the best strategy for this station stop will be to establish a test run and stop for the Montrealer train in Willimantic. By doing this, in a year, Amtrak will be able to evaluate the ridership numbers and determine whether a permanent station stop should be established.

Second, Mr. Chairman, I am very concerned about the future of the Northeast corridor improvement project, particularly the New York to Boston project. As my colleagues know, the Northeast corridor is perhaps the most successful train route in the Nation. Hundreds of thousands of people take the Amtrak passenger trains to New York and Boston and this has become tremendously important to the people of eastern Connecticut. For many, Amtrak is the only public transportation available. The necessity to continue the work on the New York to Boston route is crucial.

As my colleagues also know, Interstate 95 between Boston and New York through New Haven, Bridgeport, New London, and Providence is one of the most heavily traveled stretches of road in the Nation. Improving the Amtrak route could profoundly reduce the volume of cars on this already oversaturated road and could significantly improve the air quality of the region, which because of highway traffic, is out of compliance with the Clean Air Act.

It is clear that increased funding is necessary for this route. In this Nation, we must make a commitment to mass transportation. As most European nations have, we must make a commitment to our passenger rail systems, especially in those areas like the Northeast corridor, where ridership is strong and where passenger rail can make a difference in the economies, the environment, and the quality of life. I urge my colleagues in the committee and the Congress to reevaluate this project and restore the necessary funds to it.

Mr. RAHALL. Mr. Chairman, I strongly support the fiscal year 1992 Transportation appropriations bill.

Just yesterday, the Public Works and Transportation Subcommittee, on which I serve, ordered reported to the full committee H.R. 2950, the highway/transit Federal aid reauthorization bill, covering the next 5 years.

We have nearly completed the Interstate Highway System begun in 1956 and are now in the position of having to redirect our highway dollars into the rebuilding of our entire transportation infrastructure. Our roads and bridges are in a desperate state of disrepair, and many are unsafe at any speed, so to speak.

In the next 2 weeks, we will continue and redouble our efforts to pass new Federal-aid highway/transit legislation that will bring us into the 21st century as a viable, competing nation making a long-deferred investment in public works at the State and local levels. It is our intent to rebuild our Nation's infrastructure, to improve upon it through the use of new technologies, and to revive the economic development potential of the entire country.

While the bill does not include funding for many of the new authorizations about to be enacted by this House for transportation purposes, this bill is still of immense importance to West Virginia and the Nation.

This bill appropriates $14.2 billion in fiscal year 1992 for the Coast Guard, Federal aviation, Federal highways, the Federal Railroad Administration, and the Urban Mass Transit Administration. The total of appropriations reflects an increase of $1.2 billion more than in fiscal year 1991. However, the bill authorizes the release of $20.2 billion from the aviation and highway trust funds which, combined with the bill's direct appropriations, provides a total of $34.4 billion for transportation in fiscal year 1992. This combination brings the new spending to $3.5 billion more than current funding levels for these programs.

The bill provides for major increases over current levels for several important transportation programs, including an 18-percent increase for mass transit, 12 percent for Federal highways, and 12 percent for aviation programs.

For highways alone, the bill contains a total of $16.3 billion released from the highway trust fund for Federal-aid highway grants, motor safety grants, and highway safety related grants, for fiscal year 1992.

For mass transit, a subject of overriding concern to me, the bill appropriates $1.9 billion for mass transit programs under UMTA, and it authorizes the release of $1.9 billion from the mass transit account of the highway trust fund. This is a combined total of $3.8 billion for mass transit in fiscal year 1992.

For Federal aviation programs, this bill appropriates $7 billion for the FAA in fiscal year 1992 and authorizes the release of up to $1.9 billion from the Airport and Airway Trust Fund for airport planning and development grants. This combines to make a total of $8.9 billion available for aviation projects in fiscal year 1992, reflecting a $992 million increase of last year's total.

Essential air services is of great importance to West Virginia and to my congressional district. The bill authorizes the release of up to $39 million from the airport and airway trust fund for essential air services, which go for payments to subsidize airline service to smaller communities. This amounts to $12 million more than last year's funding level. While none of these funds can be used to add new communities or flight destinations under the Essential Air Service Program, or to increase service levels to communities currently participating in the program, it is still of huge importance that EAS not only be continued but that it receive increased funding to assure airline service to and from small communities.

Essential air services came about due to deregulation of the airline industry by Congress several years ago. It was created to ensure that small communities would not lose air service entirely as a result of deregulation. Five communities in West Virginia will benefit under this EAS appropriation, two of which—Beckley and Bluefield—are in my Fourth Congressional District.

As West Virginia continues its struggle toward economic stability by broadening its industrial base and strengthening its tourism industry, EAS subsidies continue to be critical to its success in these efforts.

The increase contained in this bill helps allay my fears that began with previous reductions in EAS payments—and that fear was that the administration would bring enough pressure to bear to totally eliminate EAS from FAA programs. Such action on the part of Congress would constitute a serious setback for West Virginia and other States, made up entirely of small communities, in their continuing efforts to assure access to air transport for their people.

FAA operations overall, in this bill, are funded at increased levels, for air traffic control, safety, and airport expansion efforts.

Last but not least, Mr. Chairman, is funding in the bill for the Federal Railroad Administration, set at $794 million in fiscal year 1992. This reflects a slight decrease from current year funding but not as much a decrease as that requested by the President.

Specifically, the bill funds Amtrak at $504 million, reflecting a small increase of $29 million over last year's level. The bill also appropriates $145 million for payments on behalf of Amtrak to the Railroad Retirement Trust Fund and the Railroad Unemployment Insurance Account.

Mr. Chairman, I urge my colleagues to join me in support of H.R. 2942, the fiscal year 1992 Transportation appropriations bill.

Mr. RITTER. Mr. Chairman, this appropriations measure contains one of the most shortsighted deletions of high-technology funding that I have seen in many a day. As the ranking member of the Transportation and Hazardous Materials Subcommittee of the Committee on Energy and Commerce, I have worked long and hard to assure that emerging transportation technologies, such as magnetic levitation, are given proper attention and support in the Department of Transportation and elsewhere.

After all, mag-lev is one of the most energy efficient and environmentally benign forms of transportation. It can move thousands of people at hundreds of miles per hour with no diminution in air quality. How many other modes of transportation can you name where neither the powerplant nor the fuel supply has to be carried on board the vehicle? Yet that is what mag-lev systems achieve through use of remotely sited electrical generation.

We are supposed to be looking at a balanced and comprehensive transportation policy to take us into the 21st century. And we are also in the midst of implementing the sweeping mandates of last year's clean air legislation. Against that background, who can fathom an appropriations measure that deletes virtually all funding for mag-lev activities?

The Appropriations Committee's report simply dismisses mag-lev as a technology with dim prospects. I suppose that could have been said of the airplane, the internal combustion engine, and many other technological advances. It is especially penny wise and pound foolish to do this when our congested airports and crumbling highways are inflicting a huge competitive handicap on the American economy.

Mag-lev offers the prospect for replacing the most inefficient, short-haul air routes that congest our airports with reliable, all-weather, environmentally benign systems. That prospect alone would be worth the small public investment of $11 million that the administration asked for.

We need to look ahead, not backward, to a balanced, efficient transportation system that enhances—not diminishes—our national competitive posture. That means trains—including

mag-lev trains—and planes, and automobiles. All have a role to play, and this appropriations measure epitomizes the medieval approach to scientific progress: If I don't understand it, I must kill it. Let us hope that the final measure produced in conference will be more worthy of at least the 20th century, and preferably the 21st.

Mr. PAYNE of New Jersey. Mr. Chairman, I rise today in strong support of H.R. 2942, the Transportation Department appropriations for fiscal year 1992. I commend Chairman JAMIE WHITTEN, distinguished chairman of the House Appropriations Committee, for his outstanding work in producing a bill that addresses the needs of this Nation's transportation system.

I would also like to thank my distinguished colleague from New Jersey, Representative BERNARD DWYER, for his work on the Appropriations Committee, and Chairman WILLIAM LEHMAN, the distinguished chairman of the House Subcommittee on Transportation.

This bill appropriates $14.2 billion in fiscal year 1992 for agencies in the Transportation Department that include the Coast Guard, the Federal Aviation Administration, the Federal Highway Administration, and the Urban Mass Transit Administration.

I am especially enthusiastic about H.R. 2942 because of its support of the transportation system in New Jersey. Most of the items of interest that pertain to New Jersey greatly enhance my district, especially my hometown of Newark, NJ. One particular item of interest to my constituents is the New Jersey urban core project.

In this bill, the committee has provided a total of $65 million for a project that will enahance the rail system that connects and serves the New Jersey urban core.

These enhancements include the Secaucus Transfer—Allied Junction rail transfer extension, the Newark-Newark International Airport-Elizabeth rail line, the Hudson Waterfront Connection fixed-guide-way system, and an extension to the Newark city subway.

These particular items are important because they ease the strain on the commuters and the New Jersey residents who utilize the multifaceted public transportation system. The urban core project will provide the elderly and the disabled with a more accessible and more efficient method of travel.

H.R. 2942 will help connect the State of New Jersey by expanding the transportation system to meet with the growing needs of its residents.

Again, Mr. Chairman, the projects outlined in the Transportation Department appropriations bill are of great concern to my constituents in the 10th Congressional District of New Jersey. I urge my colleagues to support it.

Mr. COUGHLIN. Mr. Chairman, I have no further requests for time, and I yield back the balance of my time.

Mr. LEHMAN of Florida. Mr. Chairman, I have no further requests for time, and I yield back the balance of my time.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

H.R. 2942

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Department of Transportation and related agencies for the fiscal year ending September 30, 1992, and for other purposes, namely:

TITLE I—DEPARTMENT OF TRANSPORTATION OFFICE OF THE SECRETARY

IMMEDIATE OFFICE OF THE SECRETARY

For necessary expenses of the Immediate Office of the Secretary, $1,435,000.

AMENDMENTS OFFERED BY MR. PENNY

Mr. PENNY. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. PENNY: Page 2, line 7, strike out "$1,435,000" and insert in lieu thereof "$1,324,000".

Mr. PENNY. Mr. Chairman, I have several similar amendments, all applicable to title I. The amendments deal with the administrative accounts in several executive offices: The immediate Office of the Secretary on page 2, line 7; the immediate Office of the Deputy Secretary, page 2, line 10; the Office of the Assistant Secretary for Budget and Programs, page 2, line 22; the Assistant Secretary for Administration, page 3, line 8; the Assistant Secretary for Public Affairs, page 3, line 13; and the Office of Commercial Space Transportation, page 5, line 1.

I ask unanimous consent that the amendments be considered en bloc.

The CHAIRMAN. Is there objection to the request of the gentleman from Minnesota?

Mr. WALKER. Mr. Chairman, reserving the right to object, there are several of those accounts that I do not have any particular knowledge of, but I do have knowledge of the Office of Commercial Space. The gentleman is taking about half the cut he anticipates out of that particular office. I think that I would want a separate vote on that particular issue and see if the gentleman would take that particular one out of his unanimous-consent request. I would be glad to have him bring up the rest, but I would want a separate issue raised on the Office of Commercial Space.

The CHAIRMAN. Does the gentleman from Minnesota [Mr. PENNY] remove that amendment from the en bloc request?

Mr. PENNY. Mr. Chairman, I do not see any other Member that wants to separate out another item, and if that is the only one that we would separate out, I would accede to that request and ask that the other five amendments be considered en bloc.

The CHAIRMAN. The Clerk will report the remaining amendments.

The Clerk read as follows:

Amendments offered by Mr. PENNY: Page 2, line 10, strike out "$550,000" and insert in lieu thereof "$449,000".

Page 2, line 22, strike out "$2,726,000" and insert in lieu thereof "$2,605,000".

Page 3, line 8, strike out "$30,262,000" and insert in lieu thereof "$29,152,000".

Page 3, line 13, strike out "$1,546,000" and insert in lieu thereof "$1,514,000".

The CHAIRMAN. Is there objection to the request of the gentleman from Minnesota that these five amendments be considered en bloc?

Mr. WALKER. Mr. Chairman, reserving the right to object, since I do not have a copy of the bill or the amendments in front of me, the amendment read by the Clerk included everything that was in the gentleman's presentation except for the commercial space transportation. Is that correct?

The CHAIRMAN. The gentleman is correct in that statement.

Mr. WALKER. Mr. Chairman, I withdraw my reservation of objection.

The CHAIRMAN. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

Mr. PENNY. Mr. Chairman, the amendment en bloc I offer with my friend BYRON DORGAN, would reduce the level of increase for six administrative and management-related accounts within the Transportation Department appropriation bill before us today. The committee-reported bill provides for increases in the range of 11 to 33 percent for these administrative accounts. By limiting the increase in spending in these accounts to 9 percent, which is the level of increase in the overall bill, we save about $2 million.

The measure before us provides for a 33-percent increase for the immediate Office of the Deputy Secretary of Transportation, a 25-percent increase for the Office of Commercial Space Transportation, an 18-percent increase for the immediate Office of the Secretary of Transportation, a 15-percent increase for the Office of the Assistant Secretary for Budget and Programs, a 13-percent increase for the Assistant Secretary for Administration, and an 11-percent increase for the Office of the Assistant Secretary of Transportation for Public Affairs.

These increases are out of line with the level of increase in the overall bill—9 percent, but the increases for these management functions at Transportation are also greater than the increases, already appropriated, for other Government agencies and departments. The Treasury Department is slated to receive a 7.9-percent increase for management, the Labor Department has been appropriated a 9.1-percent increase for next fiscal year, the Education Department will receive a 9.3-percent increase, HHS has been appropriated a 10-percent increase. Interestingly, the Executive Office of the President itself will only receive a 1.3-percent increase and our House-passed legislative branch appropriations bill provided for less than a 4-percent increase for the U.S. House of Representatives.

So what gives? Why does the Secretary of Transportation need big increases in his budget? Maybe it's for travel; the bill before us provides for an

increase of 200 percent in the Secretary's travel budget.

Mr. Chairman, the amendment we offer is fair: It's in keeping with the overall increase in the bill, it is in line with increases for several other departments and agencies, and it is more than enough to accommodate routine and official needs of the Secretary of Transportation and his principal deputies. It also saves the taxpayers over $2 million at a time we are asking Americans to accept cuts in Government programs and services.

I urge support for the Penny-Dorgan en bloc amendment. It's the right thing to do.

Mr. LEHMAN of Florida. Mr. Chairman, I rise in strong opposition to this amendment.

Mr. Chairman, this is the kind of mischievous amendment which is a personal affront to the current Secretary of Transportation. While having the appearance of sending a symbolic message, in fact it would do serious harm to the good relations enjoyed today between the Congress and Secretary Skinner, for no real purpose. Particularly with major transportation-related legislation being considered this year, maintaining those relationships are vital.

Let me point out to the Members that the committee's recommendation for Office of the Secretary salaries and expenses represents a cut of $17.7 million—22 percent—from the budget request. In total, the recommended increase for all 15 offices is only 9 percent—just what the gentleman's amendment assumes is reasonable. The committee has fairly allocated an overall 9-percent increase. Some offices have more than 9 percent, and some have less. The request has been strongly scrubbed already.

These amendments would only reduce $2,029,000 from the bill, which is only a fraction of 1 percent of the amounts included in the bill. If austerity were the objective, the gentleman should support this bill, rather than waste the House's time in this manner. The bill is within the subcommittee's 602(b) allocation.

The committee recommendation is based on extensive hearing data—almost 200 pages of questions and answers in our hearing record which I would invite any Members to review. The gentleman offers no contrary evidence that these funds are not needed. The amendment is arbitrary and unfounded in fact.

As always, if individual Members experience problems in dealing with departmental officials, we are ready to work with you to resolve the problems. But let's not resort to hurting innocent parts of the department for no constructive purpose.

Mr. Chairman, I strongly urge that this amendment be defeated.

□ 1410

Mr. DORGAN of North Dakota. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I have the greatest respect for the chairman of the committee. I think he does wonderful work. I come here today not to challenge him nor his work, but to raise some questions with the gentleman from Minnesota [Mr. PENNY] about the kind of increases that were allowed in this appropriations bill, particularly with respect to the Office of the Secretary. We are talking about an account here that is around $40 million in total, with a number of subparts.

We spend a lot of time here hearing that people on this side of the aisle are always the big spenders. It is alleged that people over here always want to spend more and more and more of the taxpayer's dollars.

Then I take a look at this appropriations bill, and I see that a Cabinet Secretary has an 18-percent increase approved by the Committee on Appropriations for his immediate office, which is about $1,400,000; a 33-percent increase for the immediate Office of the Deputy Secretary; and the Assistant Secretary, with a 14-percent increase; Assistant Secretary of Public Affairs, 11-percent increase.

Well, I think these increases are pretty generous. I do not understand this. It seems to me it is well above what a lot of my friends who say we ought to hold expenses and costs down would generally think is a reasonable yearly increase.

The chairman of the subcommittee surely cannot mean that this is truly a mischievous amendment, as he suggested, or that it is a personal insult. It is not meant to be a personal insult to the Secretary of Transportation. It is, I think, an effort by the gentleman from Minnesota [Mr. PENNY] to say look, let us take a look at the nuts and bolts of some of these, and ask who are the conservatives and who are the liberals.

Are we going to apply the same standards across the board here? Do we want 18-percent increases and 12-percent increases and 14-percent increases?

Mr. Chairman, if I might, let me ask a question of the gentleman from Florida [Mr. LEHMAN]. I noticed in the newspaper a couple of weeks ago that the Secretary of Transportation is taking flying lessons, and it costs more than $40,000, with instructions from Government pilots charged to the Government. When asked about that, the Secretary said that he was one of only 65 Department officials who participate in that program.

The question I raise is, Do we have a program down there at DOT which is supported in these appropriations bills, and by which we are funding flying lessons for a lot of executives of the Department of Transportation?

Mr. LEHMAN of Florida. Mr. Chairman, will the gentleman yield?

Mr. DORGAN of North Dakota. I yield to the gentleman from Florida.

Mr. LEHMAN of Florida. Mr. Chairman, I am not familiar with the specific article to which the gentleman from North Dakota [Mr. DORGAN] refers. There are over 100 pilots in the Department, most of whom are in FAA. They are needed to check out the adequacy of our navigational aids. These personnel are essential to aviation safety.

I do not know about the specific personnel to which the gentleman from North Dakota [Mr. DORGAN] is referring. I might add that, in my opinion, the present Secretary of Transportation is about the best one I have worked with yet. I think he is the best one most Members of Congress have worked with yet. I would not want to hinder the Secretary.

Let us give the Secretary a chance to implement the programs to the best of his ability, and not take away the budget he needs to do it.

Mr. DORGAN of North Dakota. Mr. Chairman, reclaiming my time, I think Secretary Skinner is a fellow who has done a pretty good job in a lot of areas. He has been a little slow on some rules and regulations that I would like to see him work on down there, but, overall, my assessment is that Secretary Skinner is someone who has done a pretty good job. But that does not mean that we have to be offering 18-percent, 33-percent, 14-percent, 13-percent increases in the bureaucracy and in the offices of people that head all these programs.

Mr. Chairman, I think the comments of the gentleman from Minnesota [Mr. PENNY] were right on point. When we talk about holding some of these costs down, it seems to me this is a good place to take a look at holding some of it down. It might be an object lesson for us to take a close look at some of these things in the future.

Mr. WALKER. Mr. Chairman, will the gentleman yield?

Mr. DORGAN of North Dakota. I would be happy to yield to the gentleman from Pennsylvania.

Mr. WALKER. Mr. Chairman, I want to clarify something that was an understanding of mine. Is there someone in the Secretary's office who wrote a letter to the editor you have sought to get fired in that office?

Mr. DORGAN of North Dakota. Mr. Chairman, reclaiming my time, no, that is not true. Does the gentleman from Pennsylvania [Mr. WALKER] have information about that?

Mr. WALKER. Mr. Chairman, I do have some information, that there was a letter written by a young staffer in the Secretary's office that the gentleman called the Department on about

three occasions about, and that on one of those occasions, the gentleman actually suggested that that person be fired, and that the Secretary has refused to do that.

Mr. DORGAN of North Dakota. Mr. Chairman, let me reclaim my time. The gentleman from Pennsylvania [Mr. WALKER] does a tremendous disservice by coming to the floor to talk about something he knows nothing about.

Mr. WALKER. Mr. Chairman, I am asking the question, because that is information I received.

Mr. DORGAN of North Dakota. Mr. Chairman, the time is my own. The gentleman from Pennsylvania is completely misinformed. Let me just say, if the gentleman from Pennsylvania [Mr. WALKER] wants to come to the floor to talk about things he does not know anything about, he ought to do it on somebody else's time.

Mr. COUGHLIN. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in opposition to the amendment. The subcommittee, on a bipartisan basis, has very carefully considered these accounts. It has gone into great length in hearings to look at each one of the requests from the Department of Transportation.

Mr. Chairman, we are dealing with a department that is engaged in a new national transportation plan, developing with the Congress new surface transportation legislation, implementing a national air space plan, and some very, very important activities.

Mr. Chairman, as a result of that, the subcommittee, on a bipartisan basis, unanimously, and without any concern or dispute on the subcommittee, agreed to the funding for these offices.

Mr. Chairman, it would be a gross miscarriage to strap that agency at a time when it is engaged in such important work for the Nation.

Mr. Chairman, it is also important to point out that Secretary Samuel Skinner has indeed been a hands-on Secretary. It is important that Secretary Skinner have the ability to operate in our air system, so that he can have the firsthand knowledge that comes from being a pilot. That is important, because we want the Secretary and the people in our departments to have that kind of knowledge about the system. Certainly this Secretary has been one of the great, active Secretaries we have had at Transportation. I would certainly hope that this amendment would not be adopted and hamstring the Department.

Mr. PENNY. Mr. Chairman, will the gentleman yield?

Mr. COUGHLIN. I would be happy to yield to the gentleman from Minnesota.

Mr. PENNY. Mr. Chairman, I just want confirmation on the percentages that we have used. The ranking member does not dispute that the increase for the immediate Office of the Secretary is 18 percent?

Mr. COUGHLIN. Mr. Chairman, that is not the question. These requests and these figures came before the subcommittee on a bipartisan basis. They were approved on a bipartisan basis, because the Department is engaged in very important activity in the fields of aviation, surface transportation, and safety. Certainly we would not want to jeopardize either the safety of the American traveling public or the ability of this Department to manage our various transportation systems.

Mr. PENNY. Mr. Chairman, if the gentleman will yield further, I appreciate that. Then we are not disputing the numbers here, the percentage increases. The dispute is between the committee's position that these levels of increases are needed to perform these tasks.

Mr. COUGHLIN. Mr. Chairman, if I may reclaim my time, there was a need for these funds. That is why the committee, on a unanimous basis, adopted these figures. The committee felt that these were needed in the interest of a good transportation system, a safe transportation system, and a transportation system important to all of the people of our country.

□ 1420

Mr. OBERSTAR. Mr. Chairman, I move to strike the requisite number of words.

I first want to compliment the chairman of the subcommittee and the ranking member on the splendid job they have done on the aviation portion of the funds included in this appropriation bill. They have kept faith with the authorizing committee and with the agreement that we struck last year on spending levels and investment in the future of aviation, and I greatly appreciate the work the committee has done. They have been very astute and very responsive to the needs of aviation now and in the future.

I rise in opposition to the amendment of the gentleman from Minnesota [Mr. PENNY]. I do think it was inappropriate and unnecessary for the gentleman from Pennsylvania [Mr. WALKER] to raise the point that he did about the gentleman from North Dakota [Mr. DORGAN]. I did not think that contributed beneficially to the debate. There are other reasons; there are substantive reasons to oppose the amendment of the gentleman from Minnesota.

First of all, the Secretary of Transportation has undertaken enormous responsibilities at the direction of Congress in legislation enacted last year in the Aviation Security Act of 1990. They are far reaching, they are of vital importance to Americans who travel abroad by air, and the Secretary has undertaken the responsibilities we have given him in that law with great seriousness of purpose and great dispatch. We in fact today in the Aviation Subcommittee have been holding a hearing since 8 o'clock this morning on the way in which that act is being implemented, and I must say that the Secretary, the Department, the FAA have carried out their far reaching responsibilities with commendable concern and professionalism. And also, if one looks at that act, the number of rulemakings required is very considerable and requires an enormous amount of staff time at the secretarial level as well as at the level of the FAA.

Second, aviation trade has been a matter of very great significance, responsibility for which is vested in the Office of the Secretary. We have had a number of negotiations on aviation bilaterals which are of very serious economic consequence and have required the active participation from the Office of the Secretary which has unique responsibilities under the law for management of our vast and very complex multibillion dollar aviation trade sector.

Third, in the legislation soon to reach the floor, the Surface Transportation Assistance Act, there will be new responsibilities which the Secretary is anticipating in the area of intermodalism. The Committee on Public Works and Transportation will be asking the Secretary to undertake a great deal of coordination among several modes of transportation for the benefit and efficiency of the total U.S. transportation system. That will require additional work in the Office of the Secretary, for which the funding will be needed.

With respect to the matter of the Secretary flying, it was mentioned that there have been flying lessons for the Secretary. In fairness and in accuracy, I must point out that these were flight checks, not training lessons. The Secretary of Transportation is a licensed pilot and frequently pilots FAA or DOT aircraft to various meetings that the Secretary, on official business, undertakes throughout the country. Periodically he, like any other pilot, must undergo a flight check. Those flight checks were conducted in the course of piloting an official aircraft on the way to official business. There should be no misunderstanding or misrepresentation of that responsibility of the Secretary.

While we may question whether there is an appropriate staffing level or appropriate funding level for various activities, it is important to point out that there has been no staff growth in the Secretary's budget, but a very significant increase in staffing responsibilities. I think the level of funding is appropriate, and I oppose the effort to reduce that level of funding.

Mr. LIPINSKI. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in strong opposition to this amendment this afternoon.

First of all, I am from Illinois. Not only am I from Illinois, I am also from the city of Chicago, and so is the Secretary of Transportation. He is an individual whom I have known for a number of years. We have not always seen eye to eye on projects, or programs, or policies, but I have always been very much impressed with him in regards to how involved he is in everything that he undertakes.

I personally believe that he is the most hard-working, most dedicated, most supportive, most cooperative, most visionary member of the George Bush Cabinet. In fact, I have often said to him the only thing that stands between him being the greatest Secretary of Transportation in the history of the United States of America is the fact that he is not serving under a liberal Democratic President. Perhaps in the future we can change that around.

This amendment to me seems to be directly aimed at Sam Skinner and his immediate office in the Department of Transportation, and everything that I have said about him I believe to be true. That is why I strongly oppose this amendment.

I have worked with him, members on the Public Works and Transportation Committee have worked with him, members on the Merchant Marine and Fisheries Committee have worked with him, and I think they would all feel, I believe they all feel the same way about him. This is a man who is always personally involved in what he is doing. His staff is always very cooperative. His staff always responds to requests by Members of the House, and I just really feel personally hurt by an amendment of this nature when it goes after an individual who I think so very highly of. And I would like to have the Members of the House who know Sam Skinner, know the operation of the Department of Transportation, to come down and express themselves to the rest of the Members of the House, and I would like to see them strongly oppose this amendment the same way I am opposing it.

Mr. TAUZIN. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in opposition to the amendment that is before us today. While it looks reasonable at first blush since it would limit growth to 9 percent in this category, let me suggest to Members that it is unfortunately an unreasonable limitation.

First I want to commend the gentleman from Florida [Mr. LEHMAN] and his ranking minority member, the gentleman from Pennsylvania [Mr. COUGHLIN] for I think a fine effort here and an excellent piece of legislation. I suggest that the work of the committee is in fact a good piece of work that we ought to endorse here on the floor.

For those Members who may not be aware of it, the U.S. Coast Guard, the committee of authorization for it which I chair on the Merchant Marine and Fisheries Committee, is within the Department of Transportation, and so I am particularly interested in this Department, and in ensuring that the Department has adequate funds to carry out its responsibilities.

□ 1430

Unlike many of our departments of government which may have large equipment purchase budgets, large procurement budgets in which it can defer some purchases, some acquisitions in order to cover needed salary increases that this Congress has already approved for Members and offices within the executive branches of government, Sam Skinner's Department of Transportation does not have such a large equipment procurement budget. On the contrary, Mr. Skinner, who I think is doing an extraordinary job in his Cabinet position for this country, operates a budget that is extremely short of those kinds of procurement items that might otherwise be deferred.

He is, nevertheless, required, as are other executive agencies, to maintain salary levels for his department personnel commensurate with other salary levels in other Cabinet-level assignments.

When you look at his budget, you find that about half of the increase is, in fact, to cover those pay raises, and the other half is to make up for some areas of shortfall with some areas that are vitally important to the administration of the transportation function in America. For example, the Committee on Appropriations depends on the Office of Budget and Programs in the Transportation Department for sound budget estimates and technical assistance. Not to fund that office would be a mistake in terms of managing this function of our Government for years to come.

The bill provides, for example, a 13-percent increase in the administration. That is primarily to fund the completion of the departmental accounting system which has begun work on other financial management systems needed to ensure the integrity of the Department's programs. In other words, it may be penny wise to cut that function, but it may be, indeed, pound foolish because of savings in financial integrity that are going to be realized in years to come.

For example, the Deputy Secretary's increase is for travel and staff support desperately needed if the Secretary is going to do an effective job of maintaining accountability in the operation of his department across this country.

When it comes to Office of Commercial Space, for example, that office was cut 20 percent in the last budget, so the increase here is simply to make up cuts we made in the past.

So while I suggest to you that a 9-percent reduction, limitation of growth, rather, may sound reasonable, when you look at it in terms of what it does in these various functions, it may be unwise for us to make those kinds of reductions in growth that are necessary in this Department.

Let me say, again, the Department of Transportation is a vitally important function of our Government, not only airlines and trains, but the extraordinary work the Department does in maintenance of the waterways of the country and support for the Coast Guard and its necessary functions in traffic safety on the waterways and in maintenance of some sort of protection against oil spills and what have you. Maintaining a sound and competent Department of Transportation is critical to all of these functions, and I would urge you, while, again, this amendment looks reasonable, look beyond it and see what impact it will have upon the extraordinary operations of this Department.

I would urge you to stay with the committee bill and to reject this amendment as, although well intended, I think unwise in its applications and to consider that, by approving the bill as the committee recommended it, there are savings down the line in financial efficiencies and budget accountabilities that are going to come to us in this Department as well as other Departments.

I would urge rejection of this amendment and for the committee to stay with the committee print.

Ms. SLAUGHTER of New York. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I yield to the gentleman from Minnesota [Mr. PENNY].

Mr. PENNY. Mr. Chairman, I thank the gentlewoman for yielding.

Mr. Chairman, I listened carefully to the several speakers who objected to the amendment on the basis that we were reducing the ability of the Secretary to perform his job. I listened to a long list of functions that fall under the jurisdiction of the Department of Transportation, and the argument that we somehow needed huge increases in the administrative budget of the Secretary and his Assistant Secretaries in order to carry out those functions.

Yet, it is surprising to me that we would need increases in the area of 18 percent or 25 percent or 33 percent in the executive office of this Department when the overall functions of the Department are only being increased by 9 percent.

It is also interesting to me that we would stand here on the floor of the House and argue in support of huge increases in the administrative accounts at this Department when the size of this Department's budget and the breadth of its responsibilities, frankly, do not compare with the budgets and

the responsibilities of the departments like the Department of Health and Human Services and, yet, the increase for the administrative account in that department only runs to 10 percent.

Before we get carried away with rhetoric about how we are going to crimp and restrict the ability of the Secretary of Transportation to perform the duties of his office, let us keep in mind that we have already dealt with a number of appropriations bills on this floor. In no instance have we approved administrative budget increases in the neighborhood of 15, 20, or 30 percent for those other departments and agencies. All of them ranged somewhere between 7 percent and 10 percent.

Personally, I even think in a time of huge budget deficits that those increases are tough to justify, but all we are asking in this amendment is to scale back the size of these administrative budgets to a 9-percent increase, very generous, very generous in these tight budget times.

This Department, really, I do not think, can make the case that its functions and its programs are more pertinent and important to the American public than the functions and programs in the Department of Education or the Department of Health and Human Services or the Executive Office of the President where increases are far smaller than those being slated for the Department Secretary. The increase of 9 percent is more than sufficient.

Our amendment allows for that 9-percent increase. It simply eliminates what we felt were excessive increases.

I would urge strongly that my colleagues give this amendment serious consideration and give it a vote of support.

The CHAIRMAN. The question is on the amendments offered by the gentleman from Minnesota [Mr. PENNY].

The question was taken; and the Chairman announced that the noes appeared to have it.

Mr. PENNY. Mr. Chairman, I demand a recorded vote, and pending that, I make the point of order that a quorum is not present.

The CHAIRMAN. Evidently a quorum is not present. Pursuant to the provisions of clause 2 of rule XXIII, the Chair announces that he will reduce to a minimum of 5 minutes the period of time within which a vote by electronic device, if ordered, will be taken on the pending question following the quorum call. Members will record their presence by electronic device.

The call was taken by electronic device.

The following Members responded to their names:

[Roll No. 219]

Abercrombie
Ackerman
Alexander
Allard
Anderson
Andrews (ME)
Andrews (NJ)
Andrews (TX)
Annunzio
Anthony
Applegate
Armey
Aspin
Atkins
AuCoin
Bacchus
Baker
Ballenger
Barnard
Barrett
Barton
Bateman
Beilenson
Bennett
Bentley
Bereuter
Berman
Bevill
Bilbray
Bilirakis
Bliley
Boehlert
Boehner
Bonior
Borski
Boucher
Boxer
Brewster
Brooks
Broomfield
Browder
Brown
Bruce
Bryant
Bunning
Burton
Bustamante
Byron
Callahan
Camp
Campbell (CA)
Campbell (CO)
Cardin
Carper
Carr
Chandler
Chapman
Clay
Clement
Clinger
Coble
Coleman (MO)
Coleman (TX)
Collins (IL)
Collins (MI)
Combest
Condit
Conyers
Cooper
Costello
Coughlin
Cox (CA)
Cox (IL)
Coyne
Cramer
Crane
Cunningham
Dannemeyer
Darden
Davis
de la Garza
DeFazio
DeLauro
DeLay
Dellums
Derrick
Dickinson
Dicks
Dingell
Dixon
Donnelly
Dooley
Doolittle
Dorgan (ND)
Dornan (CA)
Downey
Dreier
Duncan
Durbin
Dwyer
Dymally
Early
Eckart
Edwards (CA)
Edwards (OK)
Edwards (TX)
Emerson
Engel
English
Erdreich
Espy
Evans
Ewing
Fascell
Fawell
Fazio
Feighan
Fields
Fish
Foglietta
Ford (MI)
Ford (TN)
Franks (CT)
Gallegly
Gallo
Gaydos
Gejdenson
Gekas
Gephardt
Geren
Gibbons
Gilchrest
Gillmor
Gilman
Glickman
Gonzalez
Goodling
Gordon
Goss
Gradison
Grandy
Gray
Green
Guarini
Gunderson
Hall (OH)
Hall (TX)
Hamilton
Hammerschmidt
Hancock
Hansen
Harris
Hastert
Hatcher
Hayes (IL)
Hayes (LA)
Hefley
Hefner
Henry
Herger
Hertel
Hoagland
Hobson
Hochbrueckner
Holloway
Horn
Horton
Houghton
Hoyer
Hubbard
Huckaby
Hughes
Hunter
Hutto
Hyde
Inhofe
Ireland
Jacobs
James
Jefferson
Jenkins
Johnson (CT)
Johnson (SD)
Johnson (TX)
Johnston
Jones (GA)
Jones (NC)
Jontz
Kanjorski
Kaptur
Kasich
Kennedy
Kennelly
Kildee
Kleczka
Klug
Kolbe
Kopetski
Kostmayer
Kyl
LaFalce
Lancaster
Lantos
LaRocco
Laughlin
Leach
Lehman (CA)
Lehman (FL)
Lent
Levin (MI)
Levine (CA)
Lewis (CA)
Lewis (FL)
Lewis (GA)
Lightfoot
Lipinski
Livingston
Lloyd
Long
Lowery (CA)
Lowey (NY)
Luken
Machtley
Manton
Markey
Marlenee
Martin
Martinez
Matsui
Mavroules
Mazzoli
McCandless
McCloskey
McCollum
McCrery
McCurdy
McDade
McDermott
McEwen
McGrath
McHugh
McMillan (NC)
McMillen (MD)
McNulty
Meyers
Mfume
Michel
Miller (CA)
Miller (OH)
Miller (WA)
Mineta
Mink
Moakley
Molinari
Mollohan
Montgomery
Moody
Moorhead
Moran
Morella
Morrison
Murphy
Murtha
Myers
Natcher
Neal (MA)
Nichols
Nowak
Nussle
Oakar
Oberstar
Obey
Olin
Olver
Ortiz
Orton
Owens (NY)
Owens (UT)
Oxley
Packard
Pallone
Panetta
Parker
Patterson
Paxon
Payne (NJ)
Payne (VA)
Pease
Pelosi
Penny
Perkins
Peterson (FL)
Peterson (MN)
Petri
Pickett
Pickle
Porter
Poshard
Price
Pursell
Quillen
Rahall
Ramstad
Rangel
Ravenel
Ray
Reed
Regula
Rhodes
Richardson
Ridge
Riggs
Rinaldo
Ritter
Roberts
Roe
Roemer
Rogers
Rohrabacher
Ros-Lehtinen
Rose
Rostenkowski
Roth
Roukema
Rowland
Roybal
Russo
Sabo
Sanders
Sangmeister
Santorum
Savage
Sawyer
Saxton
Schaefer
Scheuer
Schiff
Schroeder
Schulze
Schumer
Sensenbrenner
Serrano
Shaw
Shays
Shuster
Sikorski
Sisisky
Skaggs
Skeen
Skelton
Slattery
Slaughter (NY)
Slaughter (VA)
Smith (FL)
Smith (IA)
Smith (NJ)
Smith (OR)
Smith (TX)
Snowe
Solarz
Solomon
Spence
Spratt
Staggers
Stallings
Stearns
Stenholm
Studds
Stump
Sundquist
Swett
Swift
Synar
Tanner
Tauzin
Taylor (MS)
Taylor (NC)
Thomas (CA)
Thomas (GA)
Thomas (WY)
Thornton
Torres
Torricelli
Towns
Traficant
Traxler
Unsoeld
Upton
Valentine
Vander Jagt
Vento
Visclosky
Volkmer
Vucanovich
Walker
Walsh
Washington
Waters
Waxman
Weber
Weldon
Wheat
Whitten
Williams
Wilson
Wise
Wolf
Wolpe
Wyden
Wylie
Yates
Young (AK)
Young (FL)
Zeliff
Zimmer

□ 1450

The CHAIRMAN. Four hundred and fifteen Members have answered to their names, a quorum is present, and the Committee will resume its business.

RECORDED VOTE

The CHAIRMAN. The pending business is the demand of the gentleman from Missesota [Mr. PENNY] for a recorded vote.

A recorded vote was ordered.

The CHAIRMAN. The Chair will remind Members this is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 84, noes 339, not voting 10, as follows:

[Roll No. 220]

AYES—84

Andrews (NJ)
Andrews (TX)
Archer
Armey
Bennett
Boehner
Broomfield
Bryant
Byron
Camp
Carper
Chandler
Condit
Cooper
Crane
Dannemeyer
Dorgan (ND)
Duncan
Early
Eckart
Edwards (OK)
Edwards (TX)
English
Fawell
Feighan
Fields
Gunderson
Hall (OH)
Hall (TX)
Hamilton
Hancock
Hansen
Hefley
Herger
Holloway
Huckaby
Hughes
Hutto
Jacobs
Kasich
Klug
Kolbe
LaRocco
Luken
McCandless
McCurdy
Meyers
Miller (WA)
Moody
Panetta
Parker
Patterson
Pease
Penny
Peterson (FL)
Peterson (MN)
Petri
Porter
Ramstad
Ray
Riggs
Roemer
Sanders
Schiff
Schumer
Sensenbrenner
Skelton
Slattery
Snowe
Spence
Staggers
Stallings
Stearns
Stenholm
Stump
Swett
Synar
Taylor (MS)
Thomas (WY)
Upton
Volkmer
Waters
Williams
Zimmer

NOES—339

Abercrombie
Ackerman
Alexander
Allard
Anderson
Andrews (ME)

Annunzio
Anthony
Applegate
Aspin
Atkins
AuCoin
Bacchus
Baker
Ballenger
Barnard
Barrett
Barton
Bateman
Beilenson
Bentley
Bereuter
Berman
Bevill
Bilbray
Bilirakis
Bliley
Boehlert
Bonior
Borski
Boucher
Boxer
Brewster
Brooks
Browder
Brown
Bruce
Bunning
Burton
Bustamante
Callahan
Campbell (CA)
Campbell (CO)
Cardin
Carr
Chapman
Clay
Clement
Clinger
Coble
Coleman (MO)
Coleman (TX)
Collins (IL)
Collins (MI)
Combest
Conyers
Costello
Coughlin
Cox (CA)
Cox (IL)
Coyne
Cramer
Cunningham
Darden
Davis
de la Garza
DeFazio
DeLauro
DeLay
Dellums
Derrick
Dickinson
Dicks
Dingell
Dixon
Donnelly
Dooley
Doolittle
Dornan (CA)
Downey
Dreier
Durbin
Dwyer
Dymally
Edwards (CA)
Emerson
Engel
Erdreich
Espy
Evans
Ewing
Fascell
Fazio
Fish
Foglietta
Ford (MI)
Ford (TN)
Frank (MA)
Franks (CT)
Frost
Gallegly
Gallo
Gaydos
Gejdenson
Gekas
Gephardt
Geren
Gibbons
Gilchrest
Gillmor
Gilman
Gingrich
Glickman
Gonzalez
Goodling
Gordon
Goss
Gradison
Grandy
Gray
Green
Guarini
Hammerschmidt
Harris
Hastert
Hatcher
Hayes (IL)
Hayes (LA)
Hefner
Henry
Hertel
Hoagland
Hobson
Hochbrueckner
Horn
Horton
Houghton
Hoyer
Hubbard
Hunter
Hyde
Inhofe
Ireland
James
Jefferson
Jenkins
Johnson (CT)
Johnson (SD)
Johnson (TX)
Johnston
Jones (GA)
Jones (NC)
Jontz
Kanjorski
Kaptur
Kennedy
Kennelly
Kildee
Kleczka
Kopetski
Kostmayer
Kyl
LaFalce
Lancaster
Lantos
Laughlin
Leach
Lehman (CA)
Lehman (FL)
Lent
Levin (MI)
Levine (CA)
Lewis (CA)
Lewis (FL)
Lewis (GA)
Lightfoot
Lipinski
Livingston
Lloyd
Long
Lowery (CA)
Lowey (NY)
Machtley
Manton
Markey
Marlenee
Martin
Martinez
Matsui
Mavroules
Mazzoli
McCloskey
McCollum
McCrery
McDade
McDermott
McEwen
McGrath
McHugh
McMillan (NC)
McMillen (MD)
McNulty
Mfume
Michel
Miller (CA)
Miller (OH)
Mineta
Mink
Moakley
Molinari
Mollohan
Montgomery
Moorhead
Moran
Morella
Morrison
Mrazek
Murphy
Murtha
Myers
Nagle
Natcher
Neal (MA)
Nichols
Nowak
Nussle
Oakar
Oberstar
Obey
Olin
Olver
Ortiz
Orton
Owens (NY)
Owens (UT)
Oxley
Packard
Pallone
Paxon
Payne (NJ)
Payne (VA)
Pelosi
Perkins
Pickett
Pickle
Poshard
Price
Pursell
Quillen
Rahall
Rangel
Ravenel
Reed
Regula
Rhodes
Richardson
Ridge
Rinaldo
Ritter
Roberts
Roe
Rogers
Rohrabacher
Ros-Lehtinen
Rose
Rostenkowski
Roth
Roukema
Rowland
Roybal
Russo
Sabo
Sangmeister
Santorum
Savage
Sawyer
Saxton
Schaefer
Scheuer
Schroeder
Schulze
Serrano
Shaw
Shays
Shuster
Sikorski
Sisisky
Skaggs
Skeen
Slaughter (NY)
Slaughter (VA)
Smith (FL)
Smith (IA)
Smith (NJ)
Smith (OR)
Smith (TX)
Solarz
Solomon
Spratt
Stark
Studds
Sundquist
Swift
Tallon
Tanner
Tauzin
Taylor (NC)
Thomas (CA)
Thomas (GA)
Thornton
Torres
Torricelli
Towns
Traficant
Traxler
Unsoeld
Valentine
Vander Jagt
Vento
Visclosky
Vucanovich
Walker
Walsh
Washington
Waxman
Weber
Weldon
Wheat
Whitten
Wilson
Wise
Wolf
Wolpe
Wyden
Wylie
Yates
Young (AK)
Young (FL)
Zeliff

NOT VOTING—10

Flake
Hopkins
Kolter
Lagomarsino
Neal (NC)
Sarpalius
Sharp
Stokes
Weiss
Yatron

□ 1505

Mrs. ROUKEMA and Mrs. BENTLEY changed their vote from "aye" to "no."

Mr. HANCOCK changed his vote from "no" to "aye."

So the amendments were rejected.

The result of the vote was announced as above recorded.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

IMMEDIATE OFFICE OF THE DEPUTY SECRETARY

For necessary expenses of the Immediate Office of the Deputy Secretary, $550,000.

OFFICE OF THE GENERAL COUNSEL

For necessary expenses of the Office of the General Counsel, $6,904,000.

OFFICE OF THE ASSISTANT SECRETARY FOR POLICY AND INTERNATIONAL AFFAIRS

For necessary expenses of the Office of the Assistant Secretary for Policy and International Affairs, $8,733,000.

OFFICE OF THE ASSISTANT SECRETARY FOR BUDGET AND PROGRAMS

For necessary expenses of the Office of the Assistant Secretary for Budget and Programs, $2,726,000, including not to exceed $40,000 for allocation within the Department of official reception and representation expenses as the Secretary may determine.

OFFICE OF THE ASSISTANT SECRETARY FOR GOVERNMENTAL AFFAIRS

For necessary expenses of the Office of the Assistant Secretary for Governmental Affairs, $2,320,000.

OFFICE OF THE ASSISTANT SECRETARY FOR ADMINISTRATION

For necessary expenses of the Office of the Assistant Secretary for Administration, $30,262,000, of which $6,323,000 shall remain available until expended.

OFFICE OF THE ASSISTANT SECRETARY FOR PUBLIC AFFAIRS

For necessary expenses of the Office of the Assistant Secretary for Public Affairs, $1,546,000.

EXECUTIVE SECRETARIAT

For necessary expenses of the Executive Secretariat, $965,000.

CONTRACT APPEALS BOARD

For necessary expenses of the Contract Appeals Board, $590,000.

OFFICE OF CIVIL RIGHTS

For necessary expenses of the Office of Civil Rights, $1,462,000.

OFFICE OF ESSENTIAL AIR SERVICE

For necessary expenses of the Office of Essential Air Service, $1,545,000.

OFFICE OF SMALL AND DISADVANTAGED BUSINESS UTILIZATION

For necessary expenses of the Office of Small and Disadvantaged Business Utilization, $3,527,000, of which $2,600,000 shall remain available until expended and shall be available for the purposes of the Minority Business Resource Center as authorized by 49 U.S.C. 332: *Provided*, That, notwithstanding any other provision of law, funds available for the purposes of the Minority Business Resource Center in this or any other Act may be used for business opportunities related to any mode of transportation.

OFFICE OF INTELLIGENCE AND SECURITY

For necessary expenses of the Office of Intelligence and Security, $1,200,000.

TRANSPORTATION PLANNING, RESEARCH, AND DEVELOPMENT

For necessary expenses for conducting transportation planning, research, and development activities, including the collection of national transportation statistics, to remain available until expended, $3,100,000.

OFFICE OF COMMERCIAL SPACE TRANSPORTATION

OPERATIONS AND RESEARCH

For necessary expenses for operations and research activities related to commercial space transportation, $4,245,000, of which $1,400,000 shall remain available until expended: *Provided*, That notwithstanding any other provision of law, there may be credited to this account up to $300,000 received from user fees established for regulatory services.

□ 1510

AMENDMENT OFFERED BY MR. PENNY

Mr. PENNY. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. PENNY: Page 5, line 1, strike out "$4,245,000" and insert in lieu thereof "$3,691,000".

Mr. PENNY. Mr. Chairman, the amendment, as presented, would have reduced from 25 percent to 9 percent the level of increase in this administrative budget. The amendment was prepared to parallel the amendments offered previously en bloc, which also would have limited administrative budget increases to no more than 9 percent in next year's budget for the Department of Transportation.

Mr. Chairman, given the outcome of the previous vote, I am, frankly, tempted to offer to increase this particular budget by 9 percent since that seems to be the mood of the House today, but, rather than eat up the time of the House or my own personal time, which could be used better, I will withdraw the amendment.

Mr. Chairman, I ask unanimous consent to withdraw the amendment.

The CHAIRMAN. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

The CHAIRMAN. The amendment is withdrawn.

Mr. CONYERS. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I appreciate the opportunity to speak for a few moments with the distinguished chairman of the

subcommittee, and the distinguished ranking minority members of the subcommittee and the Government Operations Committee, about this very important topic: The implementation of the Chief Financial Officers Act of 1990 in the Department of Transportation.

As my colleagues recall, on June 18, the House voted overwhelmingly, 341 to 52, to remove language from the Treasury-Postal Service appropriations bill that would have prohibited the expenditure of funds to implement the provisions of the Chief Financial Officers Act of 1990. In that vote of June 18 Congress spoke resoundingly that it wanted the Chief Financial Officers Act to be implemented, not only in the departments and agencies covered by that bill but in all the 23 departments and agencies covered by the act. No appropriations bills passed since that vote have included the prohibitory language.

In light of these events, the Committee on Government Operations is distressed by the language in the Transportation Appropriation Subcommittee's report that recommended that no Department of Transportation funds be spent to implement the CFO's Act. A large bipartisan group of legislators, in fact, have expressed their concern about this language and was even considering offering an amendment today to explicitly state that funds could be used for CFO Act implementation, but because of the assurances of subcommittee Chairman LEHMAN today by telephone that it is not his or the committee's intention, either in the text or report language, to in any way restrict the CFO Act implementation and we will not offer this amendment.

Mr. HORTON. Mr. Chairman, will the gentleman yield?

Mr. CONYERS. I yield to the gentleman from New York [Mr. HORTON], the cosponsor of the Chief Financial Officers Act and the ranking member of the Committee on Government Operations.

Mr. HORTON. Mr. Chairman, I thank the gentleman from Michigan [Mr. CONYERS] for yielding, and I would like to join with the chairman in his colloquy with the ranking member of the subcommittee, the gentleman from Pennsylvania [Mr. COUGHLIN], and then also with the chairman of the subcommittee, the gentleman from Florida [Mr. LEHMAN], two very good friends who, I understand, agree with what we are trying to do here.

Mr. Chairman, the Department of Transportation will benefit greatly from the implementation of the Chief Financial Officers Act. In an agency like DOT, with its strong operating components, the existence of a departmentwide CFO structure is critical to successful accomplishment of financial management improvements. And DOT acknowledges that it needs such improvements—the GAO, Congress, and OMB have identified several areas within DOT in need of financial management reform, such as the FAA's management information system and DOT procurement activities, and the DOT has already worked out the organizational plan of its CFO structure. We want DOT to act with the knowledge that Congress supports its efforts to implement the CFO's Act.

I understand the subcommittee's concern about resources within the DOT's Inspector General Office—I have always strongly supported IG activity, as an author of the 1978 IG Act. Indeed, the IG will have a primary role in the implementation of the CFO Act. I understand the subcommittee's report language to be mostly addressed to the concern that the inspector general in DOT not be swamped with unnecessary work, regardless of the source. However, as I believe Congress recognized in its recent vote, the CFO Act has some specific requirements that are designed to bring about needed change in financial management.

Mr. CONYERS. Mr. Chairman, I thank the gentleman from New York [Mr. HORTON], my colleague, and I would like to turn to our distinguished chairman of this subcommittee and ask the gentleman from Florida [Mr. LEHMAN] if it is his understanding, particularly in light of the recent 341 to 52 vote on CFO Act implementation in the Treasury and OMB, that nothing in this bill or its accompanying report is in any way intended to restrict the CFO Act implementation?

Mr. LEHMAN of Florida. Mr. Chairman, will the gentleman yield?

Mr. CONYERS. I yield to the gentleman from Florida.

Mr. LEHMAN of Florida. Mr. Chairman, I thank the gentleman from Michigan [Mr. CONYERS] for yielding, and, yes, the gentleman is correct.

Mr. HORTON. Mr. Chairman, will the gentleman yield?

Mr. CONYERS. I yield to the gentleman from New York.

Mr. HORTON. Mr. Chairman, I thank the gentleman from Michigan [Mr. CONYERS] for yielding, and I also thank the gentleman from Florida [Mr. LEHMAN] for his statement.

Mr. Chairman, I would like to address my inquiry to the gentleman from Pennsylvania [Mr. COUGHLIN], the ranking member of the subcommittee.

Mr. Chairman, the gentleman from Pennsylvania [Mr. COUGHLIN] is a longstanding supporter of the CFO's Act. As you know, this bill's appropriations for the Office of Inspector General in DOT will allow especially for implementation of the CFO Act's requirements of audited financial statements, which will produce usable management information for the Agency, OMB, Congress, and the public. That act will, however, create the catalyst for all kinds of needed reforms. What are some of the things that you hope the act would accomplish within the Department of Transportation, if implemented as planned?

The CHAIRMAN. The time of the gentleman from Michigan [Mr. CONYERS] has expired.

(By unanimous consent, Mr. CONYERS was allowed to proceed for 2 additional minutes.)

Mr. COUGHLIN. Mr. Chairman, will the gentleman yield?

Mr. CONYERS. I yield to the gentleman from Pennsylvania.

Mr. COUGHLIN. Mr. Chairman, I thank the gentleman from Michigan [Mr. CONYERS] for yielding.

As was indicated in the general debate, an agency such as DOT, with strong operating components, needs a single individual, the CFO, to be accountable for departmentwide financial management. DOT has an ambitious plan to integrate 80 divergent administrative and program financial systems into a single, integrated system. For example, as you pointed out, Mr. HORTON, the FAA lacks the kind of management information system which can track monthly obligations and expenditures. DOT financial and administrative systems constitute a high risk area, in the opinion of OMB. The act, if implemented, will not lessen the nonfinancial audit activity of the DOT inspector general—it will just allow for newer, deeper improvement in the financial management health of the Department. Like all the 23 departments and agencies covered by the CFO Act, DOT will benefit greatly from the CFO Act.

Mr. CONYERS. Mr. Chairman, I thank the gentleman from New York [Mr. HORTON], the gentleman from Florida [Mr. LEHMAN], and the gentleman from Pennsylvania [Mr. COUGHLIN], my friends.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

WORKING CAPITAL FUND

Necessary expenses for operating costs and capital outlays of the Department of Transportation Working Capital Fund not to exceed $85,509,000 shall be paid, in accordance with law, from appropriations made available by this Act and prior appropriations Acts to the Department of Transportation, together with advances and reimbursements received by the Department of Transportation.

PAYMENTS TO AIR CARRIERS

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(AIRPORT AND AIRWAY TRUST FUND)

For liquidation of obligations incurred for payments to air carriers of so much of the compensation fixed and determined under section 419 of the Federal Aviation Act of 1958, as amended (49 U.S.C. 1389), as is payable by the Department of Transportation, $38,600,000, to remain available until expended and to be derived from the Airport and Airway Trust Fund: *Provided*, That none of the funds in this Act shall be available for the implementation or execution of programs in excess of $38,600,000 for the Payments to Air Carriers program in fiscal year 1992: *Provided further*, That none of the funds

in this Act shall be available for service to communities not receiving such service during fiscal year 1991 or to increase the service levels to communities receiving service.

RENTAL PAYMENTS

For necessary expenses for rental of headquarters and field space and related services assessed by the General Services Administration, $111,970,000: *Provided*, That of this amount, $16,225,000 shall be derived from the Highway Trust Fund, $29,887,000 shall be derived from the Airport and Airway Trust Fund, $481,000 shall be derived from the Pipeline Safety Fund, and $16,000 shall be derived from the Harbor Maintenance Trust Fund.

COAST GUARD

OPERATING EXPENSES

For necessary expenses for the operation and maintenance of the Coast Guard, not otherwise provided for; purchase of not to exceed eight passenger motor vehicles for replacement only; payments pursuant to section 156 of Public Law 97-377, as amended (42 U.S.C. 402 note), and section 229(b) of the Social Security Act (42 U.S.C. 429(b)); and recreation and welfare; $2,483,800,000, of which $30,379,000 shall be derived from the Oil Spill Liability Trust Fund and $35,000,000 shall be expended from the Boat Safety Account: *Provided*, That the number of aircraft on hand at any one time shall not exceed two hundred and twenty-three, exclusive of planes and parts stored to meet future attrition: *Provided further*, That none of the funds appropriated in this or any other Act shall be available for pay or administrative expenses in connection with shipping commissioners in the United States: *Provided further*, That none of the funds provided in this Act shall be available for expenses incurred for yacht documentation under 46 U.S.C. 12109, except to the extent fees are collected from yacht owners and credited to this appropriation.

ACQUISITION, CONSTRUCTION, AND IMPROVEMENTS

For necessary expenses of acquisition, construction, rebuilding, and improvement of aids to navigation, shore facilities, vessels, and aircraft, including equipment related thereto, $365,031,000, of which $26,377,000 shall be derived from the Oil Spill Liability Trust Fund; of which $132,700,000 shall be available to acquire, repair, renovate or improve vessels, small boats and related equipment, to remain available until September 30, 1996; $86,950,000 shall be available to acquire new aircraft and increase aviation capability, to remain available until September 30, 1994; $50,331,000 shall be available for other equipment, to remain available until September 30, 1994; $62,550,000 shall be available for shore facilities and aids to navigation facilities, to remain available until September 30, 1994; and $32,500,000 shall be available for personnel compensation and benefits and related costs, to remain available until September 30, 1992: *Provided*, That the Secretary of Transportation shall issue regulations requiring that written warranties shall be included in all contracts with prime contractors for major systems acquisitions of the Coast Guard: *Provided further*, That any such written warranty shall not apply in the case of any system or component thereof that has been furnished by the Government to a contractor: *Provided further*, That the Secretary of Transportation may provide for a waiver of the requirements for a warranty where: (1) the waiver is necessary in the interest of the national defense or the warranty would not be cost effective; and (2) the Committees on Appropriations of the Senate and the House of Representatives, the Committee on Commerce, Science, and Transportation of the Senate, and the Committee on Merchant Marine and Fisheries of the House of Representatives are notified in writing of the Secretary's intention to waive and reasons for waiving such requirements: *Provided further*, That the requirements for such written warranties shall not cover combat damage: *Provided further*, That none of the funds provided herein for Acquisition, Construction and Improvements shall be made available for personnel compensation and benefits in excess of six hundred and twenty-one full time equivalent staff years: *Provided further*, That of the thirty-five new staff years provided in this appropriation, at least twenty-five shall be filled by civilian personnel.

□ 1520

Mr. KOPETSKI. Mr. Chairman, I move to strike the last word.

Mr. Chairman, thank you for taking the time to engage in this brief colloquy. I rise to draw attention to a problem that all Members have faced or may face some day if Amtrak services their districts. The problem is Amtrak's method of human waste disposal. In my district, on Wednesday, July 17, a northbound Amtrak train discharged a substantial amount of human waste, toilet paper and all, along the railroad tracks in downtown Oregon City, OR. Within hours, the stench was so bad that city crews were called to the scene to address the mess left behind. The press refers to this particular train as the pooh-pooh choo-choo.

Mr. Chairman, Amtrak provides valuable services to my district. However, this is not one of them. The residents of Oregon City deserve better treatment—Amtrak does not even stop in Oregon City. Equally offensive as the mess left by the Amtrak train is the fact that the residents of Oregon City were forced to pay for the cleanup.

In Oregon there are miles and miles of train tracks isolated from populated areas, downtown business centers, and rural agriculture. Clearly, with a little advanced planning, Amtrak could develop a kinder, gentler method of waste disposal.

Mr. LEHMAN of Florida. Mr. Chairman, will the gentleman yield?

Mr. KOPETSKI. I yield to the gentleman from Florida.

Mr. LEHMAN of Florida. Mr. Chairman, I sympathize with the gentleman from Oregon and his constituents. Amtrak has come under increased scrutiny for its waste-disposal practices in the past several years. Amtrak has begun an aggressive research and development program and is currently testing six different systems for waste disposal on transcontinental train travel. The Congress has appropriated funds for this program. Unfortunately, it will be several years before the testing process is complete and changes can be enacted.

Mr. KOPETSKI. Mr. Chairman, I would like to conclude my remarks by urging Amtrak to adopt a policy to avoid, voluntarily, the dumping of human waste within incorporated areas. As you know, I was so upset over this incident that I was prepared to offer an amendment on behalf of my constituents to prohibit, immediately, the practice of discharging human waste in urbanized areas. I understand that Amtrak has apologized to the citizens of Oregon City and I also recognize the fine work of the chairman and the members of his subcommittee in going forward with retrofitting Amtrak cars. Nonetheless, I will be vigilant of Amtrak's waste-disposal practice over the next year and will bring this issue before the committee next year if necessary.

Mr. LEHMAN of Florida. Mr. Chairman, if the gentleman will continue to yield, I agree with the gentleman and join you in asking Amtrak to adopt a voluntary policy of avoiding the disposal of waste within incorporated areas.

Mr. KOPETSKI. Mr. Chairman, I thank the subcommittee Chair and the chairman for their leadership and cooperation on this issue.

Mr. Chairman, I insert two articles on this incident for the RECORD.

CHOO CHOO POOH-POOHS ON O.C.

(By Andrew Oman)

OREGON CITY.—Amtrak doesn't drop off passengers in Oregon City, but it does drop off something else.

As it passed through Oregon City about 3 p.m. Wednesday, a north-bound Amtrak passenger train voided a toilet that discharged waste along the Southern Pacific railroad tracks near 10th Street downtown.

Within an hour, an Oregon City Public Works crew was on the scene picking up solids with a shovel and spraying the area with water.

"It is a common occurrence right now," explained Howard Robertson of the corporation's Washington, D.C. public affairs office. "It happens all across the nation."

Most Amtrak train coaches have one of two types of toilets, Robertson said. Some toilets dump the waste out of the car with each flush. Others save up the waste for 25 flushes and then dump it all at once.

"We try to instruct our passengers not to flush in the station," he said. However, he said, there is no such rule to stop flushing in urban areas.

Congress recently ordered the carrier to equip all of its passenger coaches with storage tanks—by 1996.

Robertson said the requirement was enacted after fishermen in Florida and Burlington Northern workers in Washington and Oregon complained of getting splashed by the toilets. The additionals are being made as the coaches are taken off-line for service.

"It just costs too much to bring all the cars in and fix it," he said. Until 1996, he said, some number of cars will continue to dump as they roll.

"It doesn't create a health hazard—it's not that much at one time," Robertson said.

A state Department of Environmental Quality official contacted for comment Wednesday did not respond by presstime Thursday afternoon.

AMTRAK PROVIDES "CRAPPY" SERVICE

Oregon City offers a variety of things to people who inhabit our fair city. To many of us, it is a place to live and work. For others, it's a place to learn more about the Oregon Territory's heritage.

Apparently Amtrak holds Oregon City in slighty lesser esteem. It considers us a good place to use as a toilet. And not a modern toilet at that, but more like the outhouse variety.

A member of the Enterprise Courier's editorial staff was walking on the tracks Wednesday. The tracks, owned by Southern Pacific Rail Co., run through downtown and just behind the Courier office.

An Amtrak train breezed through about 3 p.m. Our staff member stepped away from the track about 50 feet before the train went by. It was the best decision he made all week.

When he returned to the tracks, the ties were soaking wet and there was soiled toilet paper along the lines. The stench of human feces the train left behind added to the effect.

We realize Oregon City's image regionwide could use some improvement. But this community has never been described as a toilet. And we don't have to take Amtrak's ----. What can we do?

Legally, there appears to be little remedy. It's Southern Pacific's property, and they can defecate on it if they want.

But we could:

Boycott Amtrak. We're not sure how effective that would be and besides, we hate to snub our noses (pun intended) at any kind of mass transit when our highways are filled to capacity as it is.

Buy lots of tickets to Amtrak and defecate in their aisles. We could say "hey, you dump where we work." Amtrak might actually enjoy the increased ridership though. And we wouldn't want to sink to Amtrak's level.

Wait along the side of the rail lines and throw feces at the Amtrak trains as they pass by. Perhaps we're a bit too dignified for that.

Put pressure on our congressional representatives, like 5th District Congressman Mike Kopetski, to reduce Amtrak funding until it can clean up its act. Maybe convince lawmakers to cut personnel salaries and funnel the money into deodorized holding tanks that are big enough to stay closed until the train reaches a station. If all that fails, the federal government runs Amtrak and could make it clear to train operators that dumping their toilets on our cities simply won't be tolerated.

Apparently, there isn't even a company policy in place that prohibits dumping of train passenger sewage within city limits. Amtrak officials are kind enough to ask passengers not to use train toilets while at the station. That's big of them. Apparently they see some value in spreading sewage at 40 miles per hour rather than dumping it when the train is stopped.

Show a little class Amtrak. Oregon City deserves better.

The CHAIRMAN. The clerk will read.

The Clerk read as follows:

ENVIRONMENTAL COMPLIANCE AND RESTORATION

For necessary expenses to carry out the Coast Guard's environmental compliance and restoration functions under chapter 19 of title 14 United States Code, $21,500,000, to remain available until expended.

ALTERATION OF BRIDGES

For necessary expenses for alteration or removal of obstructive bridges, $11,000,000, to remain available until expended.

RETIRED PAY

For retired pay, including the payment of obligations therefor otherwise chargeable to lapsed appropriations for this purpose, and payments under the Retired Serviceman's Family Protection and Survivor Benefits Plans, and for payments for medical care of retired personnel and their dependents under the Dependents Medical Care Act (10 U.S.C. ch. 55), $487,700,000.

RESERVE TRAINING

For all necessary expenses for the Coast Guard Reserve, as authorized by law; maintenance and operation of facilities; and supplies, equipment, and services; $77,000,000.

RESEARCH, DEVELOPMENT, TEST, AND EVALUATION

For necessary expenses, not otherwise provided for, for applied scientific research, development, test, and evaluation; maintenance, rehabilitation, lease and operation of facilities and equipment, as authorized by law, $27,800,000, to remain available until expended: *Provided*, That there may be credited to this appropriation funds received from State and local governments, other public authorities, private sources, and foreign countries, for expenses incurred for research, development, testing, and evaluation.

BOAT SAFETY

(AQUATIC RESOURCES TRUST FUND)

For payment of necessary expenses incurred for recreational boating safety assistance under Public Law 92-75, as amended, $35,000,000, to be derived from the Boat Safety Account and to remain available until expended.

FEDERAL AVIATION ADMINISTRATION

OPERATIONS

For necessary expenses of the Federal Aviation Administration, not otherwise provided for, including administrative expenses for research and development, establishment of air navigation facilities and the operation and maintenance of aircraft, and carrying out the provisions of the Airport and Airway Development Act, as amended, or other provisions of law authorizing the obligation of funds for similar programs of airport and airway development or improvement, lease or purchase of four passenger motor vehicles for replacement only, $4,342,000,000, of which $2,109,625,000 shall be derived from the Airport and Airway Trust Fund: *Provided*, That there may be credited to this appropriation funds received from States, counties, municipalities, other public authorities, and private sources, for expenses incurred in the maintenance and operation of air navigation facilities and for issuance, renewal or modification of certificates, including airman, aircraft, and repair station certificates, or for tests related thereto, or for processing major repair or alteration forms: *Provided further*, That none of these funds shall be available for new applicants for the second career training program: *Provided further*, That, of the funds available under this head, $2,000,000 shall be made available for the Federal Aviation Administration to enter into contractual agreement with the Mid-American Aviation Resource Consortium in Minnesota to operate an air traffic controller training program: *Provided further*, That funds may be used to enter into a grant agreement with a non-profit standard setting organization to assist in the development of aviation safety standards.

FACILITIES AND EQUIPMENT

(AIRPORT AND AIRWAY TRUST FUND)

For necessary expenses, not otherwise provided for, for acquisition, establishment, and improvement by contract or purchase, and hire of air navigation and experimental facilities as authorized by the Federal Aviation Act of 1958, as amended (49 U.S.C. App. 1301 et seq.), including initial acquisition of necessary sites by lease or grant; engineering and service testing including construction of test facilities and acquisition of necessary sites by lease or grant; and construction and furnishing of quarters and related accommodations of officers and employees of the Federal Aviation Administration stationed at remote localities where such accommodations are not available; and the purchase, lease or transfer of aircraft from funds available under this head; to be derived from the Airport and Airway Trust Fund, $2,469,500,000, of which $682,523,000 shall be available for engineering development and related activities, to remain available until September 30, 1993; $1,135,429,000 shall be available for the procurement and modernization of air traffic control facilities and equipment and related activities, to remain available until September 30, 1994; $146,880,000 shall be available for the procurement and modernization of facilities and equipment not directly related to air traffic control, to remain available until September 30, 1994; $476,768,000 shall be available for facilities and equipment mission support activities, to remain available until September 30, 1994; and $27,900,000 shall be available for development, test and evaluation activities, to remain available until September 30, 1993: *Provided*, That there may be credited to this appropriation funds received from States, counties, municipalities, other public authorities, and private sources, for expenses incurred in the establishment and modernization of air navigation facilities: *Provided further*, That with appropriations made for the Airway Science program, as authorized below in this section, the Federal Aviation Administration may hereafter enter into competitive grant agreements with institutions of higher education having airway science curricula, for the Federal share of the allowable direct costs of the following categories of items, to the extent that such items are in support of airway science curricula: (a) the purchase, or lease with option to purchase, of buildings and associated facilities, and (b) instructional materials and equipment. Such funds are hereby authorized to be appropriated and may remain available until expended. The Federal Aviation Administration shall establish guidelines for determining the direct costs allowable under grants to be made pursuant to this section. The maximum Federal share of the allowable cost of any project assisted by such grants shall be 50 percent: *Provided further*, That the $35,000,000 provided under this head for the precision runway monitor program shall be available only for the procurement of not less than five commissionable systems of the electronic scan (E-scan) design: *Provided further*, That for each seven-day period following March 31, 1992, that the E-scan precision runway monitor production contract is not signed, the funds made available for facilities and equipment-related personnel compensation and benefits shall be reduced by 1 per centum.

RESEARCH, ENGINEERING, AND DEVELOPMENT

(AIRPORT AND AIRWAY TRUST FUND)

For necessary expenses, not otherwise provided for, for research, engineering, and development, in accordance with the provisions of the Federal Aviation Act of 1958, as amended (49 U.S.C. App. 1301 et seq.), including construction of experimental facilities and acquisition of necessary sites by lease or

grant, $218,000,000, to be derived from the Airport and Airway Trust Fund and to remain available until expended: *Provided*, That there may be credited to this appropriation funds received from States, counties, municipalities, other public authorities, and private sources, for expenses incurred for research, engineering, and development.

GRANTS-IN-AID FOR AIRPORTS

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(AIRPORT AND AIRWAY TRUST FUND)

For liquidation of obligations incurred for airport planning and development under section 14 of Public Law 91-258, as amended, and under other law authorizing such obligations, and obligations for noise compatibility planning and programs, $1,520,000,000, to be derived from the Airport and Airway Trust Fund and to remain available until expended: *Provided*, That none of the funds in this Act shall be available for the planning or execution of programs the commitments for which are in excess of $1,900,000,000 in fiscal year 1992 for grants-in-aid for airport planning and development, and noise compatibility planning and programs, notwithstanding section 506(e)(4) of the Airport and Airway Improvement Act of 1982, as amended, of which not to exceed $156,564,400 shall be available for letters of intent issued prior to July 31, 1991.

AVIATION INSURANCE REVOLVING FUND

The Secretary of Transportation is hereby authorized to make such expenditures and investments, within the limits of funds available pursuant to section 1306 of the Act of August 23, 1958, as amended (49 U.S.C. 1536), and in accordance with section 104 of the Government Corporation Control Act, as amended (31 U.S.C. 9104), as may be necessary in carrying out the program set forth in the budget for the current fiscal year for aviation insurance activities under said Act.

AIRCRAFT PURCHASE LOAN GUARANTEE PROGRAM

The Secretary of Transportation may hereafter issue notes or other obligations to the Secretary of the Treasury, in such forms and denominations, bearing such maturities, and subject to such terms and conditions as the Secretary of the Treasury may prescribe. Such obligations may be issued to pay any necessary expenses required pursuant to any guarantee issued under the Act of September 7, 1957, Public Law 85-307, as amended (49 U.S.C. 1324 note). None of the funds in this Act shall be available for the implementation or execution of programs under this head the obligations for which are in excess of $9,970,000 during fiscal year 1992. Such obligations shall be redeemed by the Secretary from appropriations authorized by this section. The Secretary of the Treasury shall purchase any such obligations, and for such purpose he may use as a public debt transaction the proceeds from the sale of any securities issued under the Second Liberty Bond Act, as now or hereafter in force. The purposes for which securities may be issued under such Act are extended to include any purchase of notes or other obligations issued under the subsection. The Secretary of the Treasury may sell any such obligations at such times and price and upon such terms and conditions as he shall determine in his discretion. All purchases, redemptions, and sales of such obligations by such Secretary shall be treated as public debt transactions of the United States. For the settlement of promissory notes issued to the Secretary of the Treasury, $1,200,000, to remain available until expended, together with such sums as may be necessary for the payment of interest due under the terms and conditions of such notes.

FEDERAL HIGHWAY ADMINISTRATION

LIMITATION ON GENERAL OPERATING EXPENSES

Necessary expenses for administration, operation, and research of the Federal Highway Administration not to exceed $326,400,000 shall be paid in accordance with law from appropriations made available by this Act to the Federal Highway Administration together with advances and reimbursements received by the Federal Highway Administration: *Provided*, That not to exceed $114,200,000 of the amount provided herein shall remain available until expended: *Provided further*, That, notwithstanding any other provision of law, there may be credited to this account funds received from States, counties, municipalities, other public authorities, and private sources, for training expenses incurred for non-Federal employees.

UNIVERSITY TRANSPORTATION CENTERS

(HIGHWAY TRUST FUND)

For necessary expenses for university transportation centers, as authorized by section 21(i)(2) of the Urban Mass Transportation Act of 1964, as amended, $5,000,000 to be derived from the Highway Trust Fund (other than the Mass Transit Account).

HIGHWAY-RELATED SAFETY GRANTS

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(HIGHWAY TRUST FUND)

(INCLUDING TRANSFER OF FUNDS)

For payment of obligations incurred in carrying out the provisions of title 23, United States Code, section 402 administered by the Federal Highway Administration, to remain available until expended, $10,000,000 to be derived from the Highway Trust Fund: *Provided*, That not to exceed $350,000 of the amount appropriated herein shall be available for "Limitation on general operating expenses": *Provided further*, That none of the funds in this Act shall be available for the planning or execution of programs the obligations for which are in excess of $10,000,000 in fiscal year 1992 for "Highway-Related Safety Grants".

RAILROAD-HIGHWAY CROSSINGS DEMONSTRATION PROJECTS

For necessary expenses of certain railroad-highway crossings demonstration projects as authorized by section 163 of the Federal-Aid Highway Act of 1973, as amended, to remain available until expended, $13,270,000, of which $8,846,667 shall be derived from the Highway Trust Fund.

FEDERAL-AID HIGHWAYS

(LIMITATION ON OBLIGATIONS)

(HIGHWAY TRUST FUND)

None of the funds in this Act shall be available for the implementation or execution of programs the obligations for which are in excess of $16,200,000,000 for Federal-aid highways and highway safety construction programs for fiscal year 1992.

FEDERAL-AID HIGHWAYS

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(HIGHWAY TRUST FUND)

For carrying out the provisions of title 23, United States Code, that are attributable to Federal-aid highways, including the National Scenic and Recreational Highway as authorized by 23 U.S.C. 148, not otherwise provided, including reimbursements for sums expended pursuant to the provisions of 23 U.S.C. 308, $15,100,000,000 or so much thereof as may be available in and derived from the Highway Trust Fund, to remain available until expended.

RIGHT-OF-WAY REVOLVING FUND

(LIMITATION ON DIRECT LOANS AND LIQUIDATION OF CONTRACT AUTHORIZATION)

(HIGHWAY TRUST FUND)

During fiscal year 1992 and with the resources and authority available, gross obligations for the principal amount of direct loans shall not exceed $70,000,000. For payment of obligations incurred in carrying out the provisions of section 107 of title 23, United States Code, $40,000,000 to be derived from the Highway Trust Fund and to remain available until expended.

MOTOR CARRIER SAFETY

For necessary expenses to carry out the motor carrier safety functions of the Secretary as authorized by the Department of Transportation Act (80 Stat. 939-940), $48,417,000, of which $3,579,000 shall remain available until expended.

MOTOR CARRIER SAFETY GRANTS

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(HIGHWAY TRUST FUND)

For payment of obligations incurred in carrying out the provisions of section 402 of Public Law 97-424 $62,000,000, to be derived from the Highway Trust Fund and to remain available until expended: *Provided*, That none of the funds in this Act shall be available for the implementation or execution of programs the obligations for which are in excess of $60,000,000 for "Motor Carrier Safety Grants".

BALTIMORE-WASHINGTON PARKWAY

(HIGHWAY TRUST FUND)

For necessary expenses, not otherwise provided, to carry out the provisions of the Federal-Aid Highway Act of 1970 for the Baltimore-Washington Parkway, to remain available until expended, $22,000,000, to be derived from the Highway Trust Fund and to be withdrawn therefrom at such times and in such amounts as may be necessary.

INTERMODAL URBAN DEMONSTRATION PROJECT

(HIGHWAY TRUST FUND)

For necessary expenses to carry out the provisions of section 124 of the Federal-Aid Highway Amendments of 1974, $10,000,000, to be derived from the Highway Trust Fund and to remain available until expended.

HIGHWAY SAFETY AND ECONOMIC DEVELOPMENT DEMONSTRATION PROJECTS

(HIGHWAY TRUST FUND)

For necessary expenses to carry out construction projects as authorized by Public Law 99-500 and Public Law 99-591, $22,000,000, to be derived from the Highway Trust Fund and to remain available until expended.

HIGHWAY SAFETY IMPROVEMENT DEMONSTRATION PROJECT

For the purpose of carrying out a coordinated project of highway improvements in the vicinity of Pontiac and East Lansing, Michigan, that demonstrates methods of enhancing safety and promoting economic development through widening and resurfacing of highways on the Federal-aid primary system and on roads on the Federal-aid urban system, $18,700,000, to remain available until expended.

HIGHWAY-RAILROAD GRADE CROSSING SAFETY DEMONSTRATION PROJECT

(HIGHWAY TRUST FUND)

For the purpose of carrying out a coordinated project of highway-railroad grade

crossing separations in Mineola, New York, that demonstrates methods of enhancing highway-railroad crossing safety while minimizing surrounding environmental effects, as authorized by Public Law 99-500 and Public Law 99-591, $9,000,000, to be derived from the Highway Trust Fund and to remain available until expended.

AMENDMENTS OFFERED BY MR. FAWELL

Mr. FAWELL. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendments offered by Mr. FAWELL:

Page 22, strike lines 8 through 17.

Page 23, strike line 9 and all that follows through line 5 on page 27.

Mr. FAWELL (during the reading). Mr. Chairman, I ask unanimous consent that the amendments be considered as read and printed in the RECORD.

The CHAIRMAN. Does the gentleman also request unanimous consent that his amendments be considered en bloc?

Mr. FAWELL. Yes, I do, Mr. Chairman.

The CHAIRMAN. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. FAWELL. Mr. Chairman, this amendment is a relatively simple one. It deletes 63 special highway demonstration projects from the appropriation bill, which would amount to a deletion in dollars and cents of $243.3 million.

I would like to point out that the money in support of these special projects comes from the general fund and not from the transportation trust fund, and very important is the fact that there has been no authorization from any substantive committee, now or in the future, as a practical matter, inasmuch as authorizations on projects such as this only come every 4 years when the authorization bill is presented.

Thus, there has been no competitively awarded project here, as well as no authorization and no substantive committee analysis.

I think it is important to point out that many of the States, if not all of the State highway entities, take the same view as Francis B. Francois, who is referred to in a recent edition of the Congressional Quarterly. And I quote, "It," and he refers to these demonstration projects, "has become an art form, most of the projects demonstrating nothing more than the Congressman's ability to get money for his district."

□ 1530

In the pros and cons portion of that article, it says:

As much as State and Federal officials want a highway bill, they are continually frustrated by demonstration projects which allow lawmakers to push a project to the head of the priority list and distort the formulas that Congress uses to fairly distribute highway funding.

It further says, "The selection of projects should be decided by State highway officials," quoting C.D. McGrath, Jr., acting general counsel to the Federal Transportation Department.

Mr. Chairman, I know that this represents a change in the way of doing business, so to speak, and I do not say that lightly. But I do believe that the formula for allocating transportation funds is one in which all of the various States will share, as well as can be equitably set forth. If the formula is not doing that, it certainly should be changed.

I think when we talk about special projects, we should just look at that word "special." It is special in terms of certain of our Members having a greater ability or proclivity to be able to obtain these kinds of special grants. But today, as we look and see the problems we have before us, we realize that we have not balanced a budget for 22 years in a row; that we have a $3.2 trillion national debt; that we spend $500 billion per year just to pay interest on that national debt; and that even after all of the work that was done in regard to the deficit reduction act, which many of us felt was far from perfect, we are still going to see $.5 trillion of new debt per year for the next 3 years, which are the years that count under that deficit reduction law. That is taking into consideration all of the borrowing from the trust funds, which, of course, are added on to the debt of this Nation, though it does not show up as part of the deficit, due to peculiar accounting. We all know that we have in 1991 and 1992 the largest deficits we have ever had.

Well, under those circumstances, and especially as we ask for increases in the gas tax next year, it would seem to me that we could suggest to the people of this Nation to forgo these special projects, which have never had substantive hearings and analysis by the substantive committee. It does not have to be "business as usual." We must recognize we have got a very deep indebtedness problem, that with the best of minds in this Congress, we cannot seem to do anything about.

Mr. Chairman, this is my 7th year. Each year I have wondered when are we ever going to be able to get control? So this is just a very feeble gesture, but an important one.

Mr. LEHMAN of Florida. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, there are basically several categories of highway demonstration projects in this bill:

First, some of the projects are authorized and have been funded in previous years. The total for these projects amounts to $33 million. The gentleman's amendment would not affect these projects.

Second, most of the others are continuations of projects started in previous years—worth $182 million.

Third, the remaining projects involve feasibility studies, preliminary engineering, environmental studies, right-of-way acquisition, and construction of a number of projects that would be started this year—worth $92 million.

Seventy percent of these funds are to continue ongoing demonstration projects. With regard to these continuations, I think most Members would agree that once Congress gives its approval to start a project, it should not turn around the next year and stop it in its tracks unless there are good, sound environmental, or engineering, or cost reasons to do so. No such arguments are being made here.

The new projects represent less than $100 million, which is less than 1 percent of the total recommended highway funding. We have received testimony or correspondence from the Members whose area are affected by these projects. I am sure thay can all discuss the benefits of each of these projects. I believe they are all justified on the basis of safety or economic development. It is easy for a Member to criticize a project in someone else's district as being unjustified. There is no reason why Members should not decide on the allocation of 1 or 2 percent of our Federal highway spending.

Mr. Chairman, we have developed a balanced bill. It is within our 602(b) allocation. These projects have been included within our overall budget allocation—they are not budget busters. The projects are important to the Members and their districts.

I urge defeat of the amendment.

Mr. GAYDOS. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I rise in opposition to the amendment. The maker of the amendment in so many words says that the demonstration projects listed in the bill are unimportant, spurious, and should be eliminated.

Let me tell the gentleman a little about the project which exists in my district. It is known as the Mon Valley Expressway, which is a new limited access highway stretching from Pittsburgh to U.S. Route 48 near Morgantown, WV.

State, regional, and local authorities have identified the Mon Valley Expressway as the single most important undertaking in the area.

The gentleman from Illinois [Mr. FAWELL] also suggested in explaining his amendment that a lot of these demonstration projects should be designated by State and highway officials. I submit to the gentleman that this project specifically has been so designated. The State of Pennsylvania has shown its commitment to this project with an allocation of State and Turnpike Commission resources. Total costs of the project, however, are beyond the Commonwealth's grasp at this time. The requested Federal support will be part of a total cost shared by the Com-

monwealth of Pennsylvania and the Pennsylvania Turnpike Commission.

Mr. Chairman, I want my friend to know that the area that this proposed road and turnpike will traverse is an area that has served this Nation from time immemorial. We lost 35,000 to 40,000 steel workers in the last 8 years. They in turn generated over the last 50 years billions of dollars of revenue.

In my district, this particular project is a very scarce and small project compared to what has been going on throughout the Nation. This region needs this highway and it needs it desperately. West Virginia is an integral part of this highway connection.

Mr. Chairman, again I want to emphasize that, contrary to what the maker of the amendment suggests, this has received State consideration and State commitment. I ask that this amendment be defeated.

Mr. FAWELL. Mr. Chairman, will the gentleman yield?

Mr. GAYDOS. I yield to my friend, the gentleman from Illinois.

Mr. FAWELL. Mr. Chairman, I certainly do not want to imply that the particular project to which the gentleman referred, or any of the particular projects, do or do not have merit. I know that in a number of States the States feel a bit frustrated, and feel once a project comes to them, they certainly are going to try to find the money to meet it.

Mr. Chairman, I am sure if the gentleman has said so, that this is a project that the State would like to have. But my point is, if we do not have authorizations and an analysis by the authorizing and substantive committee on these special projects, we never know, and we never will know, if they could withstand the light of day. I think perhaps that of the gentleman from Pennsylvania [Mr. GAYDOS] could, from what the gentleman has said about it. I think all of us in every district throughout this Nation could think of very important projects which for some reason do not hit the priority list of the States when they take money by formula. And the taking of money, of course, distorts the formula, and that is my argument. But it is not meant to pass judgment or be righteous about the merits of any particular project.

□ 1540

Mr. GAYDOS. These are somewhat exceptional circumstances and do not follow the usual course of events where we have an authorization and a point of order would lie. These are special projects that are proven by their own very nature to be needed, and that was one of the reasons and the purposes of asking for the aid, and we were very grateful in our district in receiving the aid.

I think the gentleman does a grave disservice to me and other Members with meritorious projects by taking the position he takes on the floor of the House at this time.

Mr. FAWELL. Will the gentleman yield further?

Mr. GAYDOS. Yes, I yield to the gentleman from Illinois.

Mr. FAWELL. I would say that the authorization bill will be coming up next week, and I do not think all of the projects have necessarily been filled in, according to the DOT. There are a lot of blanks in there, and it could well be that the gentleman's project would fit, and that is in an authorization bill that would be before us at that point.

I certainly would not have as strong objections, if a project has an authorization, if a hearing has been held, if it had to compete against others in that priority list and things of that sort—although I much prefer to have it funded under the formula. The gentleman would then have an authorization, and I do not think there would be any problem.

But when they waive, as the Rules Committee does, authorization, then there will be no authorization because they only come every 4 years from the authorizing committee.

Mr. GAYDOS. I want to thank my friend for speaking so kindly and nicely about my project, I really do. So I hope he does not mind if I do not support his amendment.

Mr. DURBIN. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in opposition to the amendment offered by my colleague from the State of Illinois.

The gentleman from the State of Illinois has made an impassioned speech on the state of our Nation's deficit. We all share his concern about that deficit. In fact, some of us share it to the point where we joined with President Bush last year in a deficit reduction package, a bipartisan package offered by Democratic and Republican leaders in the House and the Senate, agreed to by the President, which puts this body and the Federal Government on a diet for several years, reducing the deficit by some $500 billion.

The net impact of that agreement affects directly the appropriation bills which we consider on the floor of the House. When the House Appropriations Committee receives its allocations from the Budget Committee as to the amount that can be spent under the budget summit agreement, it will allocate those sums that are allowed under that same agreement to the subcommittees. I serve on the Transportation Subcommittee. We have accepted the guidelines, the instruction of the full House Appropriations Committee, the Budget Committee and the budget summit agreement. The amount of money that is being spent by all of the appropriation committees this year reflects President Bush's agreed-to plan for reducing the Federal deficit.

So for the gentleman to come and suggest that we are not doing our duty I think, frankly, does not tell the whole story. Can we do more? Of course we can. But the fact is we are living up to the terms of that agreement with the allocation that we are using in this subcommittee for the projects that are being funded.

The second point raised by the gentleman suggests that the projects, the so-called special projects, by his nomenclature, have not received thorough review. I would say to the gentleman that each and every project involved here is at least part of some State's highway or transit plan and may even have, as the gentleman from Pennsylvania alluded to before, the support of regional and municipal sources that believe these are worthy projects.

The question the gentleman raises is why did we not go through the authorization bill. The gentleman is fully aware of the fact that the authorization bill has not come to the floor of the House. We are trying to move the appropriation bills in an appropriate manner so that they can be on the President's desk before the beginning of the fiscal year. So we have moved this appropriation bill and we have included in it projects not specifically authorized by the Committee on Public Works and Transportation.

But let me tell the gentleman, these are projects that have been heard by our subcommittee. We sat many hours listening to public witnesses from both sides of the aisle, and the projects affected by the gentleman are from every corner of the United States, Republican, Democratic districts alike. There is no favoritism here. We are trying to help with those projects which are timely, those projects where Members like the gentleman from Pennsylvania come to us and say there is a pressing need for an expenditure at this moment, and we are hoping that these projects can be included as part of the appropriation bill, realizing full well that whatever we put in this bill must be consistent with the budget summit deficit agreement President Bush brought forward for the Members of Congress to live by.

So I would say to the gentleman that the projects in this bill are in fact worthy projects, that they have followed the orderly process, that we have tried to serve the needs of projects which are timely and need our decision quickly. They have in every instance been approved by the State highway departments and other local or regional organs of government that have come forward in support of these projects.

I would say to the gentleman that I believe that we all share his concern about the deficit. The fact is though that this appropriation bill is consistent with our goal of reducing the deficit in an agreement which we have had

with President Bush, and I hope the gentleman will reconsider his amendment.

Mr. WALKER. Mr. Chairman, will the gentleman yield?

Mr. DURBIN. I am happy to yield to the gentleman from Pennsylvania.

Mr. WALKER. Mr. Chairman, is there not a troublesome little rule of the House that suggests we authorize, ought to authorize before we appropriate? And the gentleman I think regularly votes for that rule. None of us on our side that I know have voted for that rules package ever, at least in my tenure in the Congress.

The gentleman, it seems to me, does have a legitimate point when he suggests we ought not be appropriating that which has not been authorized.

Mr. DURBIN. If I can reclaim my time, neither highway or transit programs have been authorized. That is the purpose of the bill we are going to be considering later this week. We are trying to move forward with the transportation needs. We cannot always wait for what has been the historic process. Members of the Public Works and Transportation Committee are on the floor today, and I think they understand it, and I think the gentleman from Pennsylvania understands it.

What we are doing is not underhanded. It is aboveboard. It is printed in the RECORD. It is public information. What we are trying to do is fund projects which need money now. If we are going to sit and wait then we are going to cost people money and we are going to cost lives. Many of these projects represent important safety concerns for Members in their districts, and I think we ought to be responsive. We ought not to sit and wait perhaps for public works action later in the year which could jeopardize important projects which Members all across the Nation have come forward and asked for help on.

The CHAIRMAN. The time of the gentleman from Illinois [Mr. DURBIN] has expired.

(On request of Mr. FAWELL and by unanimous consent, Mr. DURBIN was allowed to proceed for 1 additional minute.)

Mr. FAWELL. Mr. Chairman, will the gentleman yield?

Mr. DURBIN. I yield to the gentleman from Illinois.

Mr. FAWELL. Mr. Chairman, I have paid attention to whether or not any of these projects which are in the appropriation bill are going to be in the authorizing bill. If I thought that they were, I would not have raised them. They are coming up next week, and certainly they can go back into it in conference, if that is the case. I am assured, however, that that is not the case.

Mr. DURBIN. I can tell the gentleman he is mistaken at least as to one project I am familiar with, and it is very difficult for the gentlemen to keep track of the authorizing committee. We just learned this week the projects that were included in that bill. I think the gentleman should be cognizant of the fact that the Appropriations Committee has considered these projects. Some of them are ongoing appropriation projects year in and year out. We have worked with the Committee on Public Works and Transportation. We are meeting our responsibility with projects which have been approved by highway departments in each of the States, and other units of government.

Mr. FAWELL. If the gentleman will yield further, I think it is fairly common knowledge that the authorizing committee has determined what will be in their new 4-year authorization. The fact is that we get authorizations out of the authorizing committee only every 4 years, and these bills simply have never had any scrutiny by the States or by the Congress.

The CHAIRMAN. The time of the gentleman from Illinois [Mr. DURBIN] has again expired.

(On request of Mr. CARR and by unanimous consent, Mr. DURBIN was allowed to proceed for 2 additional minutes.)

Mr. CARR. Mr. Chairman, will the gentleman yield?

Mr. DURBIN. I yield to the gentleman from Michigan.

Mr. CARR. Mr. Chairman, I think what we are getting is basically the old discussion we have had on this House floor for probably decades, and maybe even centuries, and we will have it into the future, and that is whether the authorization committees have inherently better judgment about matters than the Appropriations Committee. I do not think you can make a statement that either has better judgment. The fact of the matter is, I would tell my friend from Illinois, the offeror of the amendment, that a number of the projects that we see in this bill before us today are also included as authorizations in the surface transportation bill which will be coming to the floor in the future. But I dare say that none of those projects have had the kinds of hearings and the kinds of treatments that he is criticizing this committee for having.

Furthermore, I would tell the gentleman from Illinois, the offeror of the amendment, that those projects are good projects too, and the Committee on Public Works and Transportation does a good job of understanding the problems before America on specifics, and in meeting those needs just as this committee does.

I must take some offense by the gentleman from Illinois, the offeror of the amendment, when he said twice in his presentation that somehow or other the Appropriations Committee is not a substantive committee. We are a very substantive committee, and as other gentlemen here on the floor have said, we determine these priorities with a great deal of intellectual bearing, and try to bring as much good judgment in the public interest as we can to these projects.

□ 1550

But I would tell the gentleman that both the authorizing committee and the Appropriations Committee are legitimate in operating in this area, and one committee is not more legitimate than the other, as the gentleman would seem to imply.

The CHAIRMAN. The time of the gentleman from Illinois [Mr. DURBIN] has again expired.

(At the request of Mr. FAWELL and by unanimous consent, Mr. DURBIN was allowed to proceed for 1 additional minute.)

Mr. FAWELL. Mr. Chairman, if the gentleman will yield further, I want to point out that when the authorizing committee does its authorizing in the 4-year authorizations, they have within the law of this land the ability, and they are given the ability, to contractually appropriate. You do not need, believe it or not, an appropriation of a special project that goes through the authorizing committee. So if you are correct that any of these bills which I am referring to is in the authorizing bill, it has an authorization and it has the right to contract under contractual budgeting.

Mr. CARR. If the gentleman will yield further, I understand the gentleman, but now we are really getting to the crux of the matter.

The gentleman is stating that the authorizing committee can, by the device of contracting, actually appropriate money. We do not call it that. We can appropriate money sometimes with the help of the Committee on Rules without the so-called authorizing. Both committees are doing the same thing, and, in fact, the gentleman must concede are doing it in much the same manner.

The CHAIRMAN. The time of the gentleman from Illinois [Mr. DURBIN] has again expired.

(At the request of Mr. CARR and by unanimous consent, Mr. DURBIN was allowed to proceed for 2 additional minutes.)

Mr. CARR. If the gentleman will continue to yield, I would be less offended if he said all committees, authorizing committees and appropriating committees, need to perfect their processes so that not one dime of America's money be spent without a full-blown hearing and analysis by all people who are concerned, but the gentleman clearly does not do that. The gentleman is clearly trying to divide the authorizers from the appropriators, and I think in a purely fictitious way that is terribly unfair.

Mr. FAWELL. I certainly am not trying to do that. I am only suggesting

that when you have 63 special projects bouncing out of the Committee on Appropriations and you never had any action by the authorizing committee which will be enacting some $4.2 billion worth of authorizing special projects, next week which also will give them, and their exclusive authority under the Department of Transportation to go ahead and spend, which I understand nobody else has, I am just suggesting that we ask that we not pass those kinds of appropriations.

Mr. CARR. Let me ask the gentleman a question: Is he going to be on the floor in the weeks ahead offering the same kind of amendment against the Public Works and Transportation surface transportation bill for the projects that they have?

Mr. FAWELL. In regard to any that do not have an authorization.

Mr. CARR. I think we have made the point. I thank the gentleman.

Mr. DURBIN. Reclaiming my time, Mr. Chairman, let me conclude by saying that this amendment has little to do with the deficit. This amendment has to do with the orderly process of this Chamber.

The gentleman should be advised and should note that there are no members of the Committee on Public Works and Transportation joining him in his amendment. It suggests that perhaps the Committee on Public Works and Transportation is aware of what has been done. They do not consider it offensive. In fact, they consider it consistent with the orderly process, and I would urge those who consider this debate to vote against the amendment offered by my colleague from Illinois.

Mr. BURTON of Indiana. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I just love the way we talk about money around this place. You know, we are facing a $350 billion to $400 billion deficit this year, and here are 63 projects that have not been authorized totaling $243.3 million, and yet everybody says there is nothing wrong with that.

Last year we passed the biggest tax increase in American history, and next week we are going to come back under the authorization bill and ask for a 5 cent increase in the gas tax to fund, according to the Washington Post today, $5.7 billion in earmarked transit funds and $6.8 billion in highway demonstration projects. Is there anybody in this place who does not have a demonstration project?

This sign I am going to bring down to the floor quite a bit in the coming months. I do not know if you can see that or not. It is a hog eating the Capitol. It demonstrates what the American people think about what goes on around here.

We are facing a $350 to $400 billion deficit after we were supposed to have solved the problem last year with the largest tax increase in history, and we are going to come back next week and ask for a 5-percent increase in the gas tax.

What do the people of America think about that? I can tell you what I think about it and what I think most of them think about it. We are wasting a hell of a lot of money around here, and we ought to do something about it.

I think the pork, and a lot of these demonstration projects are pork, I think it ought to be cut out of the process. We can no longer go on with business as usual. We are facing a $350 billion to $400 billion deficit this fiscal year, and it is not going to get any better in the foreseeable future.

We have got a $3 trillion national debt, and the interest alone is going to cause us severe problems down the road. We are saddling our children and our grandchildren and every future generation with a terrible liability, because we are not addressing the problem. We are not coming to grips with controlling our appetite for spending.

Sure, everybody has some kind of project they want for their district, but if they are not authorized, if they are not necessary, we should not be doing them.

We have to set priorities around this place, but here we have people coming to the well saying the authorizing committee ought to be able to get what they want, the Committee on Appropriations ought to get what they want, and to heck with what it is costing the American taxpayer.

I say to the Members today that we have got to address the problem of spending. We raised all those taxes last year, and you are talking about raising the gas tax a nickel again this year. When is it going to end? When the people cannot afford to live in this country?

Mr. COUGHLIN. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in opposition to the amendment.

Let us be very clear. This bill is within our 602(b) allocation. If it were not funding these particular items, it would be funding something else still within the 602(b) allocation. This would not be saving any funds.

These are not causing an increase in spending. You know, this is a representative body. That is what the forefathers designed it to be. I suggest the Members in this body know the priorities in their districts as well as any bureaucrat knows the priorities. For the Members to be able to have those priorities expressed in this bill is entirely appropriate.

These projects have been the subject of hearings. They are entirely appropriate. The amendment should be voted down.

We are within our 602(b) allocation. This is not something that is saving the taxpayers money.

Mr. CARR. Mr. Chairman, will the gentleman yield?

Mr. COUGHLIN. I am happy to yield to the gentleman from Michigan.

Mr. CARR. Mr. Chairman, I thank the gentleman for yielding.

Mr. Chairman, I want to respond in part to my good friend from Indiana, the immediate last speaker. That was very interesting art work he showed, and as a lover of art, I can look at it and laugh, but I have to say to people who die on our highways, the people who sit in congestion on our highways, the people, the taxpayers, the constituents whom we represent who are costing great sums of money for repair of their automobiles and their worn-out shocks for the inefficient road systems that we have in places in this country, costing them more fuel and more time, should resent the gentleman calling them pigs and hogs. This is not for our benefit.

In fact, I rarely get to drive on some of the highways that we provide for here. This is not even for the gentleman's benefit, because he probably does not drive on many of these highways. These are for the people of America. They are not hogs. They are not pigs. They do not regard it as pork.

Mr. COUGHLIN. Reclaiming my time, let me just say that these are legitimate transportation projects that are in the best interests of the United States of America. I hope the amendment is defeated and that we support the bill.

Mr. ZIMMER. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in strong support of the Fawell amendment.

I will grant to the proponents of the various projects that they are worthwhile projects, that they are desirable projects, that their constituents want those projects. But I think that there are dozens, probably hundreds, maybe even thousands of transportation projects that would fit that description.

The gentleman from Pennsylvania points out correctly that we are operating under a cap here, and what that means, for every dollar that is spent on one of these projects, it is a dollar less that we can spend on a project that has gone through the process which this House and which this Government has prescribed for identifying those projects which are the top priority for the point of view of State government and Federal Government, and that includes us.

I believe that we have to understand that to govern is to choose. The process of choosing projects that are embodied in this bill is a faulty process.

□ 1600

In that, the gentleman from Illinois is correct. That is why we should support this.

Mr. FAWELL. Mr. Chairman, will the gentleman yield?

Mr. ZIMMER. I yield to the gentleman from Illinois.

Mr. FAWELL. I will try to be very brief. I guess I have not made my intent very clear.

Obviously, the law gives a substantive committee, and usually appropriation committee the right to approve spending. I want to point out that insofar as this particular authorizing committee is concerned, the law, under the Budget Reform Act back in 1974, and I do not know why, not only gave that committee the right to authorize, but it also said the authorization is an implied right to enter into contracts. For what, For special projects. Now, that is the law.

Now, this committee did its authorizing 4 years ago. They did a lot of authorizing of special projects, which I did not come in and object to. What I am saying is that when we have the committee that is supposed to be the expert on the substantive law, and they remain mute here and do nothing, I simply say that the rules of this House are being trivialized to the extent of being kicked around.

In regard to the 302(b) allocation, the 302(b) allocation is going to give everyone a half trillion dollars of new debt. What kind of a defense is that? When are we ever going to recognize that when we are going to blow away $243 million from general fund, not even from the tax that we increased last year? I just think that those points we have to remember. Once in a while we can change our old club rules around here. I think it is time we do that.

(By request of Mr. BURTON and by unanimous consent, Mr. ZIMMER was allowed to proceed for 1 additional minute.)

Mr. ZIMMER. I yield to the gentleman from Indiana [Mr. BURTON].

Mr. BURTON of Indiana. Mr. Chairman, I would like to address my colleague from Michigan.

We certainly do not want to see any American dying on the highways, and we are certainly not talking about people in America being hogs. I am talking about people in the Congress who want pork-barrel projects for their district, that have not been seen as a major priority. We have to set priorities on spending around here. That is the problem.

Demonstration projects and that authorization bill we are going to get next week, are 8 times what the demonstration projects were just 7 years ago. Seven years ago we had 8 times less in demonstration projects. The appetite for special projects in our districts around this country is out of control, and along with it, the deficit.

That is what I am talking about. Not the people of this country, but setting priorities on spending, No. 1; and making sure we get control of this deficit which is going to kill the economy.

(By request of Mr. CARR and by unanimous consent Mr. ZIMMER was allowed to proceed for 2 additional minutes.)

Mr. CARR. Mr. Chairman, will the gentleman yield?

Mr. ZIMMER. I yield to the gentleman from Michigan.

Mr. CARR. Mr. Chariman, I want to respond to my friend, and he is a friend. I did not yield to the gentleman last time because it was not my time. It was the time of the gentleman from Pennsylvania. I hope the gentleman realizes that.

I would say that this committee is a substantive committee, notwithstanding what my good friend from Illinois has tried to imply here. We look at these things carefully. We discuss them, argue them, and make sure they are endorsed as priority projects in the State they come from. I want to assure the gentleman that this is not some circumvention of priorities.

Mr. ARMEY. Mr. Chairman, I move to strike the requisite number of words, and I rise in support of this amendment.

Mr. Chairman, let me begin my remarks by paying my compliments, in particular, to the chairman, the gentleman from Florida [Mr. LEHMAN]. Certainly this House has no finer gentleman among its Members, certainly a man that we all respect and admire.

The same can be true, in general terms if not as enthusiastic terms, for all the members of the subcommittee. It is a good subcommittee. They do fine work. They do stay within their 302(b) allocations. I would also like to pay compliment to the gentleman from Illinois [Mr. FAWELL].

There is no malice intended here with respect to the gentleman from Illinois [Mr. FAWELL] as opposed to the committee or the members of the committee, nor is there malice on the part of the gentleman from Illinois [Mr. FAWELL] with respect to any Member who has had the good fortune to negotiate successfully with the committee regarding a project in their district. Mr. FAWELL is one of the most thoughtful Members of this body. He is acutely aware of the fact that the people of the United States, as they are being asked year after year after year to pony up more taxes to support an evergrowing government, are concerned about pork barrel politics and pork barrel projects.

Now, if there is any Member here that has been to a townhall meeting and not found themselves recently berated by people in their community whom they represent, for pork barrel politics, and pork barrel projects, they certainly must not have spent much time in their district.

The gentleman from Illinois [Mr. FAWELL] quite rightly understands that every project that is funded in a bill is a pork barrel project. There may be a good project in Pennsylvania, as described earlier by one of our Members. The project might be totally justifiable within the context of good government, although I personally believe that we do not justify the construction of a road in your district on the basis of the number of jobs that are created in the construction of the road. That may be a sufficient justification for the gentleman from Pennsylvania.

The fact of the matter is, after this bill is passed, and in fact before the bill has passed, according to Congressional Quarterly, which most people who really want to know what goes in Washington will read to find out particulars, will report, the press in general report, aberrations in the bill that seem to be out of place. Last year, for example, in this bill, we funded a parking garage in Chicago. The idea apparently was intended to demonstrate the effectiveness of construction of parking facilities in relieving on-street parking congestion and unsafe parking practices.

Now, I would be willing to bet that the average American taxpayer would figure out that a parking garage will reduce parking on the street without several hundred thousands of dollars of taxpayers' dollars demonstrating that.

Today we have, in this bill, and in fact it may be demonstrated in Chicago, but not to the satisfaction of the New Yorkers, a similar parking garage in New York. Parking garages are not authorized under the authorizing legislation to which we appropriate today.

The gentleman from Illinois [Mr. FAWELL] quite rightly believes that it is possible that the authorizing committee may have differentiated. We had in Michigan, last year in this bill, appropriated funds for a bicycle path. The State of Michigan has found this bicycle path so low in its priorities that they will not come up with the matching funds. That is according to Congressional Quarterly.

Mr. BONIOR. Mr. Chairman, will the gentleman yield?

Mr. ARMEY. I yield to the gentleman from Michigan.

Mr. BONIOR. Mr. Chairman, I just want to correct the gentleman, because we will get into that debate in a few minutes.

The fact of the matter is that the State of Michigan and all the local communities that you referred to with respect to that bike path, have provided the matching grants of 25 percent from that particular project.

Mr. ARMEY. Mr. Chairman, I thank the gentleman for that update. Unhappily to me, Congressional Quarterly did not get that information.

In any event, I suppose bicycle paths do represent urgent ground transportation.

I recommend that the Members in this Chamber vote yes for this amendment, and I appreciate the gentleman from Illinois [Mr. FAWELL] for having the courage and the thoughtfulness in this matter.

□ 1610

The CHAIRMAN. The question is on the amendments offered by the gentleman from Illinois [Mr. FAWELL].

The question was taken; and the Chairman announced that the noes appeared to have it.

RECORDED VOTE

Mr. FAWELL. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 61, noes 365, not voting 7, as follows:

[Roll No. 221]

AYES—61

Allard
Archer
Armey
Ballenger
Barton
Boehner
Bunning
Burton
Campbell (CA)
Coble
Cox (CA)
Crane
Dannemeyer
Doolittle
Dornan (CA)
Dreier
Duncan
Edwards (OK)
Ewing
Fawell
Fields
Gallegly
Gilchrest
Goodling
Goss
Gradison
Hancock
Hastert
Hefley
Herger
Holloway
Hunter
Hyde
Inhofe
Kasich
Klug
Kyl
Leach
Luken
Michel
Moorhead
Paxon
Penny
Petri
Rhodes
Roberts
Rohrabacher
Roth
Sanders
Saxton
Schiff
Sensenbrenner
Smith (TX)
Solomon
Stearns
Stump
Taylor (NC)
Thomas (WY)
Walker
Zeliff
Zimmer

NOES—365

Abercrombie
Ackerman
Alexander
Anderson
Andrews (ME)
Andrews (NJ)
Andrews (TX)
Annunzio
Anthony
Applegate
Aspin
Atkins
AuCoin
Bacchus
Baker
Barnard
Barrett
Bateman
Beilenson
Bennett
Bentley
Bereuter
Berman
Bevill
Bilbray
Bilirakis
Bliley
Boehlert
Bonior
Borski
Boucher
Boxer
Brewster
Brooks
Broomfield
Browder
Brown
Bruce
Bryant
Bustamante
Byron
Callahan
Camp
Campbell (CO)
Cardin
Carper
Carr
Chandler
Chapman
Clay
Clement
Clinger
Coleman (MO)
Coleman (TX)
Collins (IL)
Collins (MI)
Combest
Condit
Conyers
Cooper
Costello
Coughlin
Cox (IL)
Coyne
Cramer
Cunningham
Darden
Davis
de la Garza
DeFazio
DeLauro
DeLay
Dellums
Derrick
Dickinson
Dicks
Dingell
Dixon
Donnelly
Dooley
Dorgan (ND)
Downey
Durbin
Dwyer
Dymally
Early
Eckart
Edwards (CA)
Edwards (TX)
Engel
English
Erdreich
Espy
Evans
Fascell
Fazio
Feighan
Fish
Flake
Foglietta
Ford (MI)
Ford (TN)
Frank (MA)
Franks (CT)
Frost
Gallo
Gaydos
Gejdenson
Gekas
Gephardt
Geren
Gibbons
Gillmor
Gilman
Gingrich
Glickman
Gonzalez
Gordon
Grandy
Gray
Green
Guarini
Gunderson
Hall (OH)
Hall (TX)
Hamilton
Hammerschmidt
Hansen
Harris
Hatcher
Hayes (IL)
Hayes (LA)
Hefner
Henry
Hertel
Hoagland
Hobson
Hochbrueckner
Horn
Horton
Houghton
Hoyer
Hubbard
Huckaby
Hughes
Hutto
Ireland
Jacobs
James
Jefferson
Jenkins
Johnson (CT)
Johnson (SD)
Johnson (TX)
Johnston
Jones (GA)
Jones (NC)
Jontz
Kanjorski
Kaptur
Kennedy
Kennelly
Kildee
Kleczka
Kolbe
Kolter
Kopetski
Kostmayer
LaFalce
Lancaster
Lantos
LaRocco
Laughlin
Lehman (CA)
Lehman (FL)
Lent
Levin (MI)
Levine (CA)
Lewis (CA)
Lewis (FL)
Lewis (GA)
Lightfoot
Lipinski
Livingston
Lloyd
Long
Lowery (CA)
Lowey (NY)
Machtley
Manton
Markey
Marlenee
Martin
Martinez
Matsui
Mavroules
Mazzoli
McCandless
McCloskey
McCollum
McCrery
McCurdy
McDade
McDermott
McEwen
McGrath
McHugh
McMillan (NC)
McMillen (MD)
McNulty
Meyers
Mfume
Miller (CA)
Miller (OH)
Miller (WA)
Mineta
Mink
Moakley
Molinari
Mollohan
Montgomery
Moody
Moran
Morella
Morrison
Mrazek
Murphy
Murtha
Myers
Nagle
Natcher
Neal (MA)
Neal (NC)
Nichols
Nowak
Nussle
Oakar
Oberstar
Obey
Olin
Olver
Ortiz
Orton
Owens (NY)
Owens (UT)
Oxley
Packard
Pallone
Panetta
Parker
Patterson
Payne (NJ)
Payne (VA)
Pease
Pelosi
Perkins
Peterson (FL)
Peterson (MN)
Pickett
Pickle
Porter
Poshard
Price
Pursell
Quillen
Rahall
Ramstad
Rangel
Ravenel
Ray
Reed
Regula
Richardson
Ridge
Riggs
Rinaldo
Ritter
Roe
Roemer
Rogers
Ros-Lehtinen
Rose
Rostenkowski
Roukema
Rowland
Roybal
Russo
Sabo
Sangmeister
Santorum
Savage
Sawyer
Schaefer
Scheuer
Schroeder
Schulze
Schumer
Serrano
Sharp
Shaw
Shays
Shuster
Sikorski
Sisisky
Skaggs
Skeen
Skelton
Slattery
Slaughter (NY)
Slaughter (VA)
Smith (FL)
Smith (IA)
Smith (NJ)
Smith (OR)
Snowe
Solarz
Spence
Spratt
Staggers
Stallings
Stark
Stenholm
Studds
Sundquist
Swett
Swift
Synar
Tallon
Tanner
Tauzin
Taylor (MS)
Thomas (CA)
Thomas (GA)
Thornton
Torres
Torricelli
Towns
Traficant
Traxler
Unsoeld
Upton
Valentine
Vander Jagt
Vento
Visclosky
Volkmer
Vucanovich
Walsh
Washington
Waters
Waxman
Weber
Weldon
Wheat
Whitten
Williams
Wilson
Wise
Wolf
Wolpe
Wyden
Wylie
Yates
Young (AK)
Young (FL)

NOT VOTING—7

Emerson
Hopkins
Lagomarsino
Sarpalius
Stokes
Weiss
Yatron

□ 1630

Messrs. BROOMFIELD, MOODY, SHAYS, and NICHOLS changed their vote from "aye" to "no."

Mr. ZELIFF changed his vote from "no" to "aye."

So the amendments were rejected.

The result of the vote was announced as above recorded.

The CHAIRMAN. The committee will rise informally in order that the House may receive a message.

## MESSAGE FROM THE PRESIDENT

The SPEAKER pro tempore (Mr. CARDIN) assumed the chair.

The SPEAKER pro tempore. The Chair will receive a message.

## SUNDRY MESSAGES FROM THE PRESIDENT

Sundry messages in writing from the President of the United States were communicated to the House by Mr. McCathran, one of his secretaries.

## DEPARTMENT OF TRANSPORTATION AND RELATED AGENCIES APPROPRIATIONS ACT, 1992

The committee resumed its sitting.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

HIGHWAY-RAILROAD GRADE CROSSING SAFETY DEMONSTRATION PROJECT

(HIGHWAY TRUST FUND)

For the purpose of carrying out a coordinated project of highway-railroad grade crossing separations in Mineola, New York, that demonstrates methods of enhancing highway-railroad crossing safety while minimizing surrounding environmental effects, as authorized by Public Law 99-500 and Public Law 99-591, $9,000,000, to be derived from the Highway Trust Fund and to remain available until expended.

AMENDMENTS OFFERED BY MR. MRAZEK

Mr. MRAZEK. Mr. Chairman, I offer two amendments and I ask unanimous consent that they be considered en bloc.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

There was no objection.

The CHAIRMAN. The Clerk will report the amendments.

The Clerk read as follows:

Amendments offered by Mr. MRAZEK: On page 23, line 1, strike out "$9,000,000" and insert "$5,000,000" and

On page 38, line 9, strike out "$17,582,000," and insert "$21,582,000, of which $4,000,000 shall be available for a comprehensive audit and report by the Presidential Task Force on Trans-Alaska Pipeline System as authorized in Sec. 8103 of Public Law 101-380 and".

Mr. WALKER. Mr. Chairman, I reserve the right to object so I can get an explanation.

Mr. Chairman, we did not have any information on our side, and I would be glad to yield to the gentleman from New York [Mr. MRAZEK].

Mr. MRAZEK. Mr. Chairman, will the gentleman yield?

Mr. WALKER. I yield to the gentleman from New York.

Mr. MRAZEK. Mr. Chairman, I would respond to the gentleman from Pennsylvania [Mr. WALKER] that this is a very simple en bloc amendment. It reduces by $4 million a demonstration grant project that happens to be in my district and instead allocates that same amount of money, $4 million, without affecting any other budget line

or program in this bill and allocates it for spending on the Presidential task force on the trans-Alaska pipeline.

Mr. Chairman, I have letters from both the chairman of the Committee on Interior and Insular Affairs, the gentleman from California [Mr. MILLER], as well as the ranking Republican, the gentleman from Alaska [Mr. YOUNG], who both would like to see that expenditure made n this bill, and it is entirely appropriate within the context of the transportation portion of the pipeline question that this money be expended in this legislation.

So, what I have simply done is transferred the funding in the first amendment, reduced the funding for this demonstration project, added it for use for this study requested by the chairman of the Committee on Interior and Insular Affairs and the ranking Republican on the committee.

Mr. WALKER. Mr. Chairman, further reserving the right to object, is there any indication by those who are going to be forced to do this study as to whether or not this is something that they are wanting to do?

Mr. MILLER of California. Mr. Chairman, will the gentleman yield?

Mr. WALKER. I yield to the gentleman from California.

Mr. MILLER of California. Yes, Mr. Chairman, this would put the money in the program. It would be that the President will have to appoint the oversight committee.

Mr. WALKER. Mr. Chairman, is this something the administration is in favor of doing?

Mr. MILLER of California. I think the indications are that they are moving in that direction. The Senators from Alaska are supporting this provision. Yes, the indications are that they are inclined to do it, if the money is there.

Mr. WALKER. In addition, the gentleman from Alaska [Mr. YOUNG] is in support of this?

Mr. MILLER of California. Correct, and check with the gentleman from Pennsylvania [Mr. COUGHLIN].

Mr. WALKER. Mr. Chairman, I withdraw my reservation of objection.

The CHAIRMAN. The gentleman from New York [Mr. MRAZEK] is recognized for 5 minutes in support of the en bloc amendments.

Mr. MRAZEK. Mr. Chairman, after having explained the amendment, I would simply ask that the House approve this en bloc amendment in support of the transfer.

Mr. LEHMAN of Florida. Mr. Chairman, I rise in support of the amendments offered by the gentleman from New York [Mr. MRAZEK].

Mr. Chairman, I understand the amendments. I have no objection to their adoption.

Mr. WOLF. Mr. Chairman, this has been cleared with the minority, and the minority has no objection to it.

The CHAIRMAN. The question is on the amendments offered by the gentleman from New York [Mr. MRAZEK].

The amendments were agreed to.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

HIGHWAY WIDENING DEMONSTRATION PROJECT

For necessary expenses to carry out a demonstration project to improve U.S. Route 202 in the vicinity of King of Prussia, Pennsylvania, as authorized by Public Law 100-202, $2,000,000, to remain available until expended.

HIGHWAY WIDENING AND IMPROVEMENT DEMONSTRATION PROJECT

For up to 80 percent of the expenses necessary to carry out a highway project between Paintsville and Prestonsburg, Kentucky, that demonstrates the safety and economic benefits of widening and improving highways in mountainous areas, $8,000,000, to remain available until expended.

CLIMBING LANE AND HIGHWAY SAFETY DEMONSTRATION PROJECT

For 80 percent of the expenses necessary to carry out a highway project on U.S. Route 15 in the vicinity of Tioga County, Pennsylvania, for the purpose of demonstrating methods of improved highway and highway safety construction, $7,000,000, to remain available until expended.

INDIANA INDUSTRIAL CORRIDOR SAFETY DEMONSTRATION PROJECT

For 80 percent of the expenses necessary for an improved route between Logansport and Peru, Indiana, for the purpose of demonstrating the safety and economic benefits of widening and improving rural highways, $4,000,000, to remain available until expended.

ALABAMA HIGHWAY BYPASS DEMONSTRATION PROJECT

For 80 percent of the expenses necessary for the construction of a highway bypass project in the vicinity of Jasper, Alabama, for the purpose of demonstrating methods of improved highway and highway safety construction, $10,000,000, to remain available until expended.

KENTUCKY BRIDGE DEMONSTRATION PROJECT

For 80 percent of the expenses necessary to replace the Glover Cary Bridge in Owensboro, Kentucky, for the purpose of demonstrating methods of improved highway and highway safety construction, $5,000,000, to remain available until expended.

VIRGINIA HOV SAFETY DEMONSTRATION PROJECT

For 80 percent of the expenses necessary to construct High Occupancy Vehicle lanes on Interstate Route 66 between U.S. Route 50 and U.S. Route 29 for the purpose of demonstrating methods of increasing highway capacity and safety by the use of highway shoulders to construct HOV lanes, $6,000,000, to remain available until expended.

URBAN HIGHWAY CORRIDOR AND BICYCLE TRANSPORTATION DEMONSTRATION PROJECTS

For 80 percent of the expenses necessary to improve and upgrade the M-59 urban highway corridor in southeast Michigan for the purpose of demonstrating methods of improving congested urban corridors that have been neglected during construction of the Interstate system, $10,700,000, to remain available until expended, together with $1,000,000, to remain available until expended, to provide for 80 percent of the expenses necessary for a bicycle transportation demonstration project in Macomb County, Michigan.

AMENDMENT OFFERED BY MR. BURTON OF INDIANA

Mr. BURTON of Indiana. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. BURTON of Indiana: Page 25, beginning line 10, strike ", together with $1,000,000," and all that follows through line 14 and insert a period.

Mr. BURTON of Indiana. Mr. Chairman, the amendment by the gentleman from Illinois [Mr. FAWELL] just a few moments ago would have cut 63 demonstration projects and saved $243.3 million. This body did not see fit to pass that amendment, but this amendment I am offering right now is a very simple and very direct amendment, and I think it is one that has a lot of merit, and I hope that everybody will listen to it and look upon it with favor. It will only save $1 million, but it will save $1 million. As my colleagues know, I think Everett Dirksen said a million here, a million there, a billion here, a billion there; pretty soon we are talking about real money.

Mr. Chairman, we are facing, as I have said many times on this floor, a $350 to $400 billion deficit this year. They are talking about another tax increase on gasoline. So, we need to address spending and cutting spending wherever we possibly can to get control of this budget.

Mr. Chairman, this project I am talking about is a bicycle path in Macomb County in southeast Michigan. The term "demonstration project" as it is used in the bill describing this project is simply a polite way of describing a pork-barrel project. This project was not a priority of State and local officials. They could have obtained this funding through the regular highway and funding process if this is one of their priorities.

□ 1640

As a matter of fact, according to the July 13 issue of the Congressional Quarterly, Mr. Carlo Santia, the assistant highway engineer for the Macomb County Road Commission, said that this bikeway project was "not on our list of priorities." So the people who deal with priorities up in that county do not even think this is a priority, and yet this body is being asked to appropriate $1 million for a bicycle path when they have got all these budget deficits and all these other very important projects going on.

So I would just like to say, Mr. Chairman, that we are facing a huge deficit this year. We need to look very closely and scrutinize every single demonstration project. This project, in my opinion, is not a worthy project. I cannot see how it is going to help expedite the transportation problems in Michigan or this country. I do not think the people of Indiana in my congressional district want to spend $1 million for a bicycle path in Macomb County, MI.

Mr. Chairman, I think that my colleagues who I know are fiscally prudent should look with favor upon this amendment and vote for it.

Mr. LEHMAN of Florida. Mr. Chairman, I rise in opposition to the amendment. I oppose this amendment for the same reason I opposed the previous amendment by the gentleman from Illinois [Mr. FAWELL], and I urge this amendment be defeated.

The problem with this bill is, there are not enough bicycle paths. I urge the amendment be defeated.

Mr. BONIOR. Mr. Chairman, I move to strike the last word.

Mr. Chairman, this amendment affects Macomb County and it happens to be in my district.

I would like to tell my colleagues a little story. About 10 years ago, we had a baseball game out at Four Mile Run. We were playing the Republicans. I was playing shortstop and the gentleman from Indiana [Mr. BURTON], who is my friend, was on second base. And he was leading off a little bit, and I was trying to pick him off.

Finally, he got a little too far off the bag. I snuck in behind him, the pitcher threw me the ball. I tagged him, and he was out. But in the process, with his steel spikes, he put about a 5-inch scar into my right foot. I ended up going to the hospital, getting it stitched. And for the last 10 years, every morning when I put on my socks, I am reminded of DAN BURTON because I look at that scar.

Well, he is stepping on my toes again, Mr. Chairman. He wants to go after my project.

This is a good project. My friend, the gentleman from California [Mr. MILLER], just reminded me that the bicycle industry is a growing industry, one of the few export-growing industries in this country today. We need to do some new thinking about where we are going with transportation.

When we have the authorization bill on the floor here next week, we are going to talk about trails. We are going to talk about bicycle trails. We are going to talk about hiking and we are going to talk about a lot of things.

Fifty percent of the people in this country live within 5 miles of where they work. They can become healthier. They can relieve congestion. They can deal with the question of foreign oil imports by doing some alternative transportation, and this trail has been an overwhelming success. We have had it funded now for about 3 years.

It has tremendous local support, to the contrary of the gentleman from Indiana. The local communities and the State have come up with the 25-percent match with enthusiasm.

This is a good bill. This is a good project.

The Secretary of Transportation, Mr. Skinner himself, in a memorandum form the Department of Transportation indicated that it is "the policy of the National Transportation Policy Network to promote and increase bicycling, to accommodate bicycle and pedestrian needs in designing transportation facilities for urban and suburban areas."

So I ask my colleagues to stay with me on this one. It is a good project. It is needed. It binds communities together. It is an alternative means to get around.

It is a type of new, innovative thinking which we have got to start doing around here instead of staying with the same thing year after year after year.

Mr. OBERSTAR. Mr. Chairman, will the gentleman yield?

Mr. BONIOR. I yield to the gentleman from Minnesota.

Mr. OBERSTAR. Mr. Chairman, in the Surface Transportation Assistance Act soon to be reported out by the House Committee on Public Works and Transportation there will be considerable authorization funding for bicycle and pedestrian pathways in conjunction with our National Transportation Network, with a focus also on significantly improving commuting to work by bicycle as a means of saving energy, as a means of improving health or for all the other good and valid purposes for which people bicycle, as the gentleman and I frequently and regularly do.

I oppose the gentleman's amendment. It is on the right path of good public policy for the future. This is the kind of transportation initiative that we ought to be supporting because it does have so many public policy benefits.

I commend the gentleman.

Mr. BURTON of Indiana. Mr. Chairman, will the gentleman yield?

Mr. BONIOR. I yield to the gentleman from Indiana.

Mr. BURTON of Indiana. Mr. Chairman, I would just like to say to my colleague, I hope my amendment passes, but I do apologize for spiking him 5 years ago.

Mr. BONIOR. Mr. Chairman, 10 years.

Mr. WALKER. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I do not know whether this is a good amendment or not. I do not know much about the gentleman's project, but the two gentlemen in their discussion piqued my interest because there is a section of the bill to come up next week that I think relates to what the gentlemen were talking about. Is chapter 5 or title V of the bill the intermodal part of the bill? Is that where bike paths are?

I ask the gentleman from Minnesota.

Mr. OBERSTAR. Mr. Chairman, will the gentleman yield?

Mr. WALKER. I yield to the gentleman from Minnesota.

Mr. OBERSTAR. Mr. Chairman, I cannot tell the gentleman which title it is in, but there will be a provision relating to bicycling.

Mr. WALKER. Mr. Chairman, is all of that material when we are talking about the intermodal portion of the bill, the commission and so on, is that what this is aimed at?

Mr. OBERSTAR. Mr. Chairman, if the gentleman would continue to yield, whether this will be included in the intermodal title of the legislation, I cannot tell the gentleman either. I do not know how that portion of the bill is being structured title by title.

I can only say that there is, in the subcommittee version of the bill that will be considered in full committee, language providing for funding and policy direction for bicycling. And there is already authorization in current law for bicycling initiatives.

Mr. WALKER. Mr. Chairman, the reason I raised the question is, I am concerned, having looked at chapter 5, and there are a couple of groups around town, including the Heritage Foundation, that have looked at chapter 5. I think that is where some of this may be.

It is very clear that there is an orientation that is beginning to build in what we are doing in the Congress, which is antiautomobile, which is specifically aimed at forcing the American people to give up their cars for other kinds of transportation.

I will suggest that that is something which the American people need to focus on because there are an awful lot of the American people who are not prepared to give up their automobiles to do bicycling or to take mass transit or to do a whole series of other things that some of the Greens in this country may think are wonderful, but for most of us we think the car has been a pretty wonderful device and something which has contributed a lot to the economy of this country. And we do not particularly want to see it destroyed by policy frameworks that we develop in Washington.

It appears as though chapter 5 of that bill that begins to suggest commissions and all kinds of other alternatives to the automobile is headed in specifically that direction.

I would say to my colleagues that they may want to examine that bill, and they may want to examine some of the projects that we are now funding in the name of transportation in that light as well, because I do not think the American people are prepared to suggest that their cars are the evil of society, that most people still like to get in their car to go to work. Most people still like to take their car on vacation. Most people like the freedom that their car gives them to go to the supermarket and to do a lot of things in their daily lives, and are not prepared to succumb to the policy options that suggest that the car is a bad thing.

So I am just increasingly concerned, and the discussion that we had here a

moment ago, which seemed to indicate that we are moving in directions that would say to people, "The car is bad, give it up for alternative forms of transportation," is something that I think we will want to have some voices of opposition raised as we come along.

Mr. OBERSTAR. Mr. Chairman, will the gentleman yield?

Mr. WALKER. I yield to the gentleman from Minnesota.

Mr. OBERSTAR. Mr. Chairman, I thank the gentleman for yielding. I appreciate the concern he has raised.

First, may I point out that in a bill over a 5-year period of $153 billion in authorization for transportation, of which a few million, literally a few million may be used by States at their discretion for alternative means of transportation, is not an orientation away from the automobile.

□ 1650

Second, for those of us who do pay highway gasoline taxes and would like an alternate means of transportation, I am choosing that my highway user tax dollars can be used for a means of transportation that I would like to use in addition to the automobile. I do not think it is fair to characterize it as an orientation away from or anti- automobile.

Mr. WALKER. Well, except it used to be that the entire amount out of the trust fund was spent only for highways and automobiles. You are now asking automobile drivers to fund other priorities that the gentleman has that are not shared by the vast majority of Americans.

I would also suggest to the gentleman, this is not the only bill we have to be concerned about. The CAFE standards that many Members have suggested in Congress are also aimed the American automobile industry, and aimed specifically at the cars Americans like to drive.

So we have had a series of bills that can be demonstrated to be anti- automobile, to be anticar, and they could have a devastating impact, although I am sure an unintended impact, on the economy. I just warn Members as these issues begin to develop over the next couple of weeks, that we do have at least some in this Congress who have decided that cars are bad things and that the American people ought to be lifted out of them, by force, if necessary, by the force of policy, and many of us may not want to be a part of that effort.

Mr. FORD of Michigan. Mr. Chairman, will the gentleman yield?

Mr. WALKER. I will be glad to yield to the gentleman from Michigan.

Mr. FORD of Michigan. Mr. Chairman, you know, there are some Members who regard the automobile industry as absolutely essential for the survival of our constituents, and I am not ashamed to say that.

The CHAIRMAN. The time of the gentleman from Pennsylvania [Mr. WALKER] has expired.

(By unanimous consent, Mr. WALKER was allowed to proceed for 1 additional minute.)

Mr. WALKER. I yield to the gentleman from Michigan [Mr. FORD].

Mr. FORD of Michigan. Mr. Chairman, the gentleman is making me very nervous appointing himself as the defender of the American automobile industry. We have enough trouble. Please stop.

Mr. WALKER. Mr. Chairman, I thank the gentleman for his contribution. I will be interested to see how the gentleman votes when we get to the bill next week. He claims to be a defender of the automobile industry. It will be interesting to see whether he votes to take people out of cars.

Mr. FAWELL. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I have a tremendous amount of respect for the gentleman from Michigan [Mr. BONIOR]. I know the gentleman is an effective shortstop. I know the gentleman is an effective Congressman, a tremendous Congressman. I know the gentleman will be an outstanding whip. But those statements are not relevant to what we are talking about here.

Mr. Chairman, might I suggest that what is relevant is, first, that this particular $1 million request for a bicycle path will not appear in the 1992 transportation bill, where the authorizing committee has the full authority to authorize and, in effect, bypass the Committee on Appropriations, and commence to spend for that purpose.

Mr. Chairman, it apparently was not felt to be, with all due respect to an immensely talented member, that indeed he can secure from the authorizing committee the $1 million necessary to fund the project.

I think that those are relevant measures. Once again, with all due respect for all Members who at one time or another have been connected with special projects, we are carrying it too far. One of these days the people of this Nation are going to boot us all out when we continue to do these kinds of things.

Mr. HENRY. Mr. Chairman, will the gentleman yield?

Mr. FAWELL. I yield to the gentleman from Michigan.

Mr. HENRY. Mr. Chairman, I agree with the gentleman from Illinois [Mr. FAWELL] that there has been a lot of commentary that has not been particularly relevant nor germane to the nature of this debate. We are dealing with a $34 billion appropriations bill, $34 billion in total in the 4-year plan on this thing. We are getting tied up on $1 million of money that will try to encourage communities and States to see that when we create highway corridors across the Nation and through our cities and urban areas, we do not keep people from walking or bicycling somewhere.

Mr. Chairman, I resent it very much when I get trapped in neighborhoods, as I am here in some parts of Washington where my apartment is, where I cannot get anywhere on foot because everything is cut off with interstates.

Mr. Chairman, I am from Michigan. I want cars. I do not view this as anticar. I don't view this as anticar, to suggest to take $1 million out of this whole bill, and hearing other grumbling saying, "Isn't this terrible? We are taking money on gas taxes from motorists for bicycles."

Then I find out no, it is not the gas tax, it is general funds. Either way, people are going to make the same objections, if they think the only way we ought to be able to locomote in this country is in a four-wheel automobile.

Mr. Chairman, I suggest there is nothing wrong with walking on your feet, whether they are scarred or spiked or not, and there is nothing wrong with riding a bicycle. Maybe our communities will be a little better off if we took this kind of planning more broadly, not just in the gentleman's district, but across the Nation.

Mr. FAWELL. Mr. Chairman, reclaiming my time, my only point is, I agree, I like bicycles, I ride bicycles. They are healthy and all that. I am all for bicycles.

I am only trying to point out that in the authorization bill which will be coming up next week, you will not see this as high enough a priority to be there. That is what I am trying to say. One million here, one million there, and pretty soon you are talking about big money.

Mr. Chairman, I talked about $243 million in special highway demonstration projects a short time ago. That did not move us. I do not think this will move us. I did want to put these relevancies into the argument.

Mr. BURTON of Indiana. Mr. Chairman, will the gentleman yield?

Mr. FAWELL. I yield to the gentleman from Indiana.

Mr. BURTON of Indiana. Mr. Chairman, the assistant engineer for this country in charge of transportation said this was not one of their priorities. Now, if this county in Michigan wants a bicycle path, I think they should have it, but they should pay for it. Not the people in California, not the people in Indiana, and not the people in New York. It is a bicycle path in Michigan. It should be paid for in Michigan.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Indiana [Mr. BURTON].

The question was taken; and the Chairman announced that the noes appeared to have it.

Mr. BURTON of Indiana. Mr. Chairman, I demand a recorded vote, and pending that I make the point of order that a quorum is not present.

The CHAIRMAN. The Chair will count. There are 102 Members present, a quorum.

Mr. BURTON of Indiana. Mr. Chairman, I demand a recorded vote.

A recorded vote was refused.

So the amendment was rejected.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

URBAN AIRPORT ACCESS SAFETY DEMONSTRATION PROJECT

For 80 percent of the expenses necessary to improve and upgrade access to Detroit Metropolitan Airport in southeast Michigan, $10,000,000, to remain available until expended, for the purpose of demonstrating methods of improving access to major urban airports.

PENNSYLVANIA RECONSTRUCTION DEMONSTRATION PROJECT

For 80 percent of the expenses necessary to upgrade, widen, and reconstruct the sections of Pennsylvania Route 56 known as Haws Pike and the Windber By-Pass, for the purpose of demonstrating methods of promoting economic development and highway safety, $9,000,000, to remain available until expended.

PENNSYLVANIA TOLL ROAD DEMONSTRATION PROJECT

For necessary expenses for the Monongahela Valley Expressway, $2,000,000, to remain available until expended: *Provided*, That these funds, together with funds made available from the Highway Trust Fund, for Federal participation in the toll highway project being carried out under section 129(j) of title 23, United States Code, in the State of Pennsylvania shall be subject to section 129(j) of such title, relating to Federal share limitation.

HIGHWAY BYPASS DEMONSTRATION PROJECT

For 80 percent of the expenses necessary to carry out a highway project in the vicinity of Prunedale, California, that demonstrates methods of accelerating right-of-way acquisition and construction of a highway bypass, $10,000,000, to remain available until expended.

HIGHWAY DEMONSTRATION PROJECTS

(INCLUDING TRANSFER OF FUNDS)

For up to 80 percent of the expenses necessary for certain highway and bicycle transportation projects and parking facilities, including feasibility and environmental studies, that demonstrate methods of improving safety, reducing congestion, or promoting economic development, $141,908,000, of which $4,628,000 shall be derived by transfer from the "Nuclear Waste Transportation Safety Demonstration project", to remain available until expended.

NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION

OPERATIONS AND RESEARCH

For expenses necessary to discharge the functions of the Secretary with respect to traffic and highway safety under the Motor Vehicle Information and Cost Savings Act (Public Law 92-513, as amended) and the National Traffic and Motor Vehicle Safety Act, $75,995,000, to remain available until September 30, 1994.

OPERATIONS AND RESEARCH

(HIGHWAY TRUST FUND)

For expenses necessary to discharge the functions of the Secretary with respect to traffic and highway safety under chapter 4, title 23, United States Code, to be derived from the Highway Trust Fund, $42,367,000, to remain available until September 30, 1994.

HIGHWAY TRAFFIC SAFETY GRANTS

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(HIGHWAY TRUST FUND)

For payment of obligations incurred carrying out the provisions of 23 U.S.C. 402, 406, and 408, and section 209 of Public Law 95-599, as amended, to remain available until expended, $130,000,000, to be derived from the Highway Trust Fund: *Provided*, That none of the funds in this Act shall be available for the planning or execution of programs the total obligations for which are in excess of $115,000,000 in fiscal year 1992 for "State and community highway safety grants" authorized under 23 U.S.C. 402: *Provided further*, That none of these funds shall be used for construction, rehabilitation or remodeling costs, or for office furnishings and fixtures for State, local, or private buildings or structures: *Provided further*, That none of the funds in this Act shall be available for the planning or execution of programs the total obligations for which are in excess of $20,000,000 for "Alcohol safety incentive grants" authorized under 23 U.S.C. 408: *Provided further*, That not to exceed $5,353,000 may be available for administering the provisions of 23 U.S.C. 402: *Provided further*, That notwithstanding any other provision of law, none of the funds in this Act shall be available for the planning or execution of programs authorized under section 209 of Public Law 95-599, as amended, the total obligations for which are in excess of $4,750,000 in fiscal years 1982 through 1992.

FEDERAL RAILROAD ADMINISTRATION

OFFICE OF THE ADMINISTRATOR

For necessary expenses of the Federal Railroad Administration, not otherwise provided for, $16,077,000, of which $2,168,000 shall remain available until expended: *Provided*, That none of the funds in this Act shall be available for the planning or execution of a program making commitments to guarantee new loans under the Emergency Rail Services Act of 1970, as amended, and that no new commitments to guarantee loans under section 211(a) or 211(h) of the Regional Rail Reorganization Act of 1973, as amended, shall be made: *Provided further*, That, as part of the Washington Union Station transaction in which the Secretary assumed the first deed of trust on the property and, where the Union Station Redevelopment Corporation or any successor is obligated to make payments on such deed of trust on the Secretary's behalf, including payments on and after September 30, 1988, the Secretary is authorized to receive such payments directly from the Union Station Redevelopment Corporation, credit them to the appropriation charged for the first deed of trust, and make payments on the first deed of trust with those funds: *Provided further*, That such additional sums as may be necessary for payment on the first deed of trust may be advanced by the Administrator from unobligated balances available to the Federal Railroad Administration, to be reimbursed from payments received from the Union Station Redevelopment Corporation.

LOCAL RAIL FREIGHT ASSISTANCE

For necessary expenses for rail assistance under section 5(q) of the Department of Transportation Act, as amended, $10,000,000, to remain available until expended.

RAILROAD SAFETY

For necessary expenses in connection with railroad safety, not otherwise provided for, $37,136,000, of which $1,220,000 shall remain available until expended: *Provided*, That there may be credited to this appropriation funds received from non-Federal sources for expenses incurred in training safety employees of private industry, State and local authorities, or other public authorities other than State rail safety inspectors participating in training pursuant to section 206 of the Federal Railroad Safety Act of 1970.

RAILROAD RESEARCH AND DEVELOPMENT

For necessary expenses for railroad research and development, $14,713,000, to remain available until expended: *Provided*, That up to $500,000 of the funds made available in fiscal year 1991 shall be made available to support, by financial assistance agreement, railroad-highway grade crossing safety programs, including Operation Lifesaver.

NORTHEAST CORRIDOR IMPROVEMENT PROGRAM

For necessary expenses related to Northeast Corridor improvements authorized by title VII of the Railroad Revitalization and Regulatory Reform Act of 1976, as amended (45 U.S.C. 851 et seq.) and the Rail Safety Improvement Act of 1988, $36,000,000, to remain available until expended.

GRANTS TO THE NATIONAL RAILROAD PASSENGER CORPORATION

To enable the Secretary of Transportation to make grants to the National Railroad Passenger Corporation for operating losses incurred by the Corporation, capital improvements, and labor protection costs authorized by 45 U.S.C. 601, to remain available until expended, $503,900,000, of which $328,900,000 shall be available for operating losses incurred by the Corporation and for labor protection costs, and of which $175,000,000 shall be available for capital improvements: *Provided*, That none of the funds herein appropriated shall be used for lease or purchase of passenger motor vehicles or for the hire of vehicle operators for any officer or employee, other than the president of the Corporation, excluding the lease of passenger motor vehicles for those officers or employees while in official travel status: *Provided further*, That the Secretary shall make no commitments to guarantee new loans or loans for new purposes under 45 U.S.C. 602 in fiscal year 1992: *Provided further*, That no funds are required to be expended or reserved for expenditure pursuant to 45 U.S.C. 601(e): *Provided further*, That, notwithstanding any other provision of law, the National Railroad Passenger Corporation shall not operate rail passenger service between Atlantic City, New Jersey, and the Northeast Corridor main line unless the Corporation's Board of Directors determines that revenues from such service have covered or exceeded 80 per centum of the short-term avoidable costs of operating such service in the third year of operation and 100 per centum of the short-term avoidable operating costs for each year thereafter.

MANDATORY PASSENGER RAIL SERVICE PAYMENTS

To enable the Secretary of Transportation to pay obligations and liabilities of the National Railroad Passenger Corporation, $145,000,000, to remain available until expended: *Provided*, That this amount is available only for the payment of: (1) tax liabilities under section 3221 of the Internal Revenue Code of 1986 due in fiscal year 1992 in excess of amounts needed to fund benefits for individuals who retired from the National Railroad Passenger Corporation and for their beneficiaries; (2) obligations of the National Railroad Passenger Corporation under sec-

tion 358(a) of title 45, United States Code, due in fiscal year 1992 in excess of its obligations calculated on an experience-rated basis; and (3) obligations of the National Railroad Passenger Corporation due under section 3321 of the Internal Revenue Code of 1986.

RAILROAD REHABILITATION AND IMPROVEMENT FINANCING FUNDS

The Secretary of Transportation is authorized to issue to the Secretary of the Treasury notes or other obligations pursuant to section 512 of the Railroad Revitalization and Regulatory Reform Act of 1976 (Public Law 94-210), as amended, in such amounts and at such times as may be necessary to pay any amounts required pursuant to the guarantee of the principal amount of obligations under sections 511 through 513 of such Act, such authority to exist as long as any such guaranteed obligation is outstanding: *Provided*, That no new loan guarantee commitments shall be made during fiscal year 1992: *Provided further*, That, notwithstanding any other provision of law, for fiscal year 1989 and each fiscal year thereafter all amounts realized from the sale of notes or securities sold under authority of this section shall be considered as current year domestic discretionary outlay offsets and not as "asset sales" or "loan prepayments" as defined by section 257(12) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended: *Provided further*, That any underwriting fees and related expenses shall be derived solely from the proceeds of the sales.

CONRAIL COMMUTER TRANSITION ASSISTANCE

For necessary capital expenses of Conrail commuter transition assistance, not otherwise provided for, $27,200,000, to remain available until expended.

AMTRAK CORRIDOR IMPROVEMENT LOANS

For loans to the Chicago, Missouri and Western Railroad, or its successors, to replace existing jointed rail with continuous welded rail between Joliet and Granite City, Illinois, $3,500,000: *Provided*, That any loan authorized under this section shall be structured with a maximum 20-year payment at an annual interest rate of 4 per centum: *Provided further*, That the Federal Government shall hold a first and prior purchase money security interest with respect to any materials to be acquired with Federal funds: *Provided further*, That any such loan shall be matched on a dollar for dollar basis by the State of Illinois: *Provided further*, That any such loan shall be made available no later than thirty days after enactment of this Act.

URBAN MASS TRANSPORTATION ADMINISTRATION

ADMINISTRATIVE EXPENSES

For necessary administrative expenses of the urban mass transportation program authorized by the Urban Mass Transportation Act of 1964, as amended (49 U.S.C. 1601 et seq.), and 23 U.S.C. chapter 1 in connection with these activities, including hire of passenger motor vehicles and services as authorized by 5 U.S.C. 3109, $37,000,000.

RESEARCH, TRAINING, AND HUMAN RESOURCES

For necessary expenses for research, training, and human resources as authorized by the Urban Mass Transportation Act of 1964, as amended (49 U.S.C. 1601 et seq.), to remain available until expended, $26,000,000, of which $5,000,000 shall be available to carry out the provisions of section 18(h) of the Urban Mass Transportation Act of 1964, as amended: *Provided*, That there may be credited to this appropriation funds received from States, counties, municipalities, other public authorities, and private sources, for expenses incurred for training.

FORMULA GRANTS

For necessary expenses to carry out the provisions of sections 9 and 18 of the Urban Mass Transportation Act of 1964, as amended (49 U.S.C. 1601 et seq.), $1,600,000,000, to remain available until expended: *Provided*, That, notwithstanding any other provision of law, of the funds provided under this head for formula grants no more than $802,278,000 may be used for operating assistance under section 9(k)(2) of the Urban Mass Transportation Act of 1964, as amended.

DISCRETIONARY GRANTS

(LIMITATION ON OBLIGATIONS)

(HIGHWAY TRUST FUND)

None of the funds in this Act shall be available for the implementation or execution of programs in excess of $1,900,000,000 in fiscal year 1992 for grants under the contract authority authorized in section 21 (a)(2) and (b) of the Urban Mass Transportation Act of 1964, as amended (49 U.S.C. 1601 et seq.).

MASS TRANSIT CAPITAL FUND

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(HIGHWAY TRUST FUND)

For payment of obligations incurred in carrying out section 21 (a)(2) and (b) of the Urban Mass Transportation Act of 1964, as amended (49 U.S.C. 1601 et seq.), administered by the Urban Mass Transportation Administration, $1,400,000,000, to be derived from the Highway Trust Fund and to remain available until expended.

INTERSTATE TRANSFER GRANTS—TRANSIT

For necessary expenses to carry out the provisions of 23 U.S.C. 103(e)(4) related to transit projects, $160,000,000, to remain available until expended.

WASHINGTON METRO

For necessary expenses to carry out the provisions of section 14 of Public Law 96-184 and Public Law 101-551, $124,000,000, to remain available until expended.

SAINT LAWRENCE SEAWAY DEVELOPMENT CORPORATION

The Saint Lawrence Seaway Development Corporation is hereby authorized to make such expenditures, within the limits of funds and borrowing authority available to the Corporation, and in accord with law, and to make such contracts and commitments without regard to fiscal year limitations as provided by section 104 of the Government Corporation Control Act, as amended, as may be necessary in carrying out the programs set forth in the Corporation's budget for the current fiscal year.

OPERATIONS AND MAINTENANCE

(HARBOR MAINTENANCE TRUST FUND)

For necessary expenses for operation and maintenance of those portions of the Saint Lawrence Seaway operated and maintained by the Saint Lawrence Seaway Development Corporation, $10,600,000, to be derived from the Harbor Maintenance Trust Fund, pursuant to Public Law 99-662.

RESEARCH AND SPECIAL PROGRAMS ADMINISTRATION

RESEARCH AND SPECIAL PROGRAMS

For expenses necessary to discharge the functions of the Research and Special Programs Administration, and for expenses for conducting research and development, $17,582,000, of which $1,592,000 shall remain available until expended: *Provided*, That there may be credited to this appropriation funds received from States, counties, municipalities, other public authorities, and private sources for expenses incurred for training, for reports publication and dissemination, and for aviation information management: *Provided further*, That, notwithstanding any other provision of law, there may be credited to this appropriation up to $1,000,000 in funds received from user fees established to support the electronic tariff filing system.

PIPELINE SAFETY

(PIPELINE SAFETY FUND)

For expenses necessary to conduct the functions of the pipeline safety program and for grants-in-aid to carry out a pipeline safety program, as authorized by section 5 of the Natural Gas Pipeline Safety Act of 1968 and the Hazardous Liquid Pipeline Safety Act of 1979, $13,472,000, to be derived from the Pipeline Safety Fund, of which $7,850,000 shall remain available until expended.

OFFICE OF THE INSPECTOR GENERAL

SALARIES AND EXPENSES

For necessary expenses of the Office of the Inspector General to carry out the provisions of the Inspector General Act of 1978, as amended, $37,005,000.

Mr. LEHMAN of Florida (during the reading). Mr. Chairman, I ask unanimous consent that the remainder of title I of the bill be considered as read, printed in the RECORD, and open to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from Florida?

There was no objection.

The CHAIRMAN. Are there amendments to the remainder of the title?

AMENDMENT OFFERED BY MR. ZELIFF

Mr. ZELIFF. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. ZELIFF: On page 39, after line 7, insert the following:

Notwithstanding any provision of this title, each amount appropriated or otherwise made available by this title is hereby reduced by 9.89 percent.

□ 1700

Mr. ZELIFF. Mr. Chairman, this amendment is the balanced budget amendment. Now, I do not mean to suggest that this amendment alone will balance the budget, but it is a first step.

Since 1985, Federal spending has increased by nearly 50 percent. Federal spending is projected to increase by over 10 percent in this fiscal year alone.

That is what my amendment today does. It imposes restraint on the rate of increase in spending. Notice I did not say a reduction in spending. This amendment will allow overall spending to rise by 0.36 percent. Why 0.36 percent?

Based on the Office of Management and Budget's midsession review, Congress can balance the budget without cutting spending or raising taxes.

All Congress has to do is hold the growth in Federal spending to 0.36 percent in fiscal year 1992, and for the

next 3 fiscal years. As a result, the budget can be brought into balance by fiscal year 1995. This projection assumes full funding of Social Security, S&L's and net interest.

Getting to a balanced budget is an attainable goal. My amendment is one small part of achieving that goal.

Remember, just a few weeks ago we talked about 2.4 percent. Now we are at midyear and we are talking about 0.36 percent.

Time is running out, Mr. Chairman, and if we do not wake up soon we will not be talking about increases, we will be talking about decreases.

Mr. LEHMAN of Florida. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, as I said before, the bill before us today is below the subcommittee's allocation for discretionary budget authority and outlays. In addition, I am not aware of any opposition from OMB to the overall funding level we have recommended.

But let's set-aside for a moment the issue of whether we are within our budget allocations. Let's look at the impact of this cut. This is not a small or insignificant reduction. It would cut approximately $3.1 billion and would have a dramatic affect on our Nation's transportation system.

Let me explain what that means to important individual programs. This reduction would cut $245 million from Coast Guard operating expenses, which would lessen their ability to conduct search and rescue, drug interdiction, and oil spill response activities. For the FAA, this reduction would cut $429 million from the operations account, resulting in a less efficient air traffic control system.

It would also result in major reductions to our surface transportation programs. Under this amendment we would be able to spend little, if any, of the revenue resulting from last year's gas tax increase.

The Members should know that a large number of the programs in this bill provide for safety activities—aviation safety and security inspections, investigations by the National Transportation Safety Board, the National Highway Traffic Safety Administration, hazardous materials inspectors, and so forth. This bill is different from some others in that respect. Does this House really want to cut transportation safety.

Mr. Chairman, many of us in the past have criticized Gramm-Rudman's automatic sequestration as being an abdication of the Congress' responsibility to review and provide adequately for individual Federal programs. It invokes mindless reductions without any regard for the needs of individual programs or the efficient operation of our transportation system. This amendment follows the same approach.

Mr. Chairman, I want to reiterate that the committee has done its job. We have reported a bill which meets our allocation for discretionary budget authority and outlays. This is a good, fiscally responsible bill. I strongly urge that the amended be defeated.

Mr. WOLF. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I rise in strong opposition to the amendment. Let me just give a couple of reasons why.

One, this bill that we are now on is within the 602(b) allocation. Second, for those who are concerned, the Office of Management and Budget does not, let me just state again, does not object to the bill, and if they did, the chairman and Mr. Darman and others would have a letter up here in opposition.

Third, to talk to the substantive issues, this would be a 10-percent cut across the board in title I, which is the lion's share, the bulk of the bill. It would severely and negatively impact, it would almost be a killer amendment for the FAA. For anyone who files and cares about air safety, this would be one of the worst things we could do.

Second, it would have a very negative impact on the Coast Guard search and rescue, I would say, for those who are concerned with regard to that.

Last, there are so many other reasons, but the other main one is for drug interdiction. This would be a severe cut with regard to drug interdiction.

So again, I am sure the gentleman had good faith in offering this amendment, but I would urge Members to oppose it because I do not believe that the Department of Transportation could adequately operate with it. It would clearly be a killer amendment for the FAA and a killer amendment for the Coast Guard.

Mr. ZELIFF. Mr. Chairman, will the gentleman yield?

Mr. WOLF. I yield to the gentleman from New Hampshire.

Mr. ZELIFF. Mr. Chairman, we are talking about a revision of priorities here. We are talking about living within our means. If we spend no more than 0.036 percent, we live within our means. If we spend more than that, we do not.

All of the things the gentleman talked about are good projects, so I think it is a reallocation of priorities that we need. And we have to start someplace. We have to start living within our means, and all this amendment is doing is recognizing the fact that we cannot continue to spend more money than we take in.

Mr. WOLF. Let me just answer the gentleman. I respect his position.

I have voted for as many cuts on this floor as perhaps most Members. I received the award from the Taxpayers Alliance last year with regard to cuts. I am a strong supporter of the balanced budget amendment.

There can be reallocations. This is not the place to do it.

You cannot bring an ax to the Coast Guard and then say you are for strong drug interdiction and you want to stop drugs coming into the country and then vote for this. You cannot really be for airline safety. You want to reallocate in different areas, but you cannot take a meat ax of 10 percent to the FAA and then say you are for airline safety.

Although I sympathize with the gentleman on many of these budget cuts, we cannot take 10 percent out.

Mr. ZELIFF. With all due respect, I agree with the gentleman's priorities, but if we do not start cutting across the board, and we are not taking a meat ax, we are talking about taking some fiscal restraint in spending, and we are talking about living within our means. But I think the gentleman's point is well taken, and I respect it.

Mr. WOLF. I understand, and would just urge Members on my side of the body to vote no.

Mr. WALKER. Mr. Chairman, I rise in support of the amendment.

The gentleman from New Hampshire described this as a balanced budget amendment, and indeed it is. And the gentleman from Virginia, in opposing him, has pointed out exactly why most Members should want to support this amendment if they are really in favor of a balanced budget.

The gentleman indicates this is within the 602(b), and it is. He indicates that the administration is not opposed to this bill, and indeed that is true. The point being, however, that the administration is living within the budget agreement from last year, and the committee is taking us down the road of the budget agreement of last year too, both of which are taking us down the road to budget deficits, not to a balanced budget.

The gentleman from New Hampshire is offering us a unique opportunity. He says we need to go further than what we committed to in last year's budget agreement. We actually ought to move toward a balanced budget.

That is considered a terrible thing to do on the House floor. I mean, just raising programs a little bit is regarded as a killer cut, that somehow this undermines the entire program.

The gentleman from New Hampshire is not talking about a cut in any program. His amendment would allow an across-the-board increase in all programs relative to this year's spending. How you can increase spending and have it be a killer kind of amendment is beyond my imagination. In fact, most companies in this country faced with the kind of recessionary pressures we have imposed upon them because of the budget deal last year are having to cut way back, they are having to make real cuts. They know what the killer type of economic decisions are really all about. We do not know here.

Instead, we go along our merry way continuing to pile up debt and continuing to do the kinds of things that move

us further away from a balanced budget, not toward it.

The gentleman's amendment is particularly important in light of what the OMB told us this week. Just this week they indicated that last year's budget deal is unraveling in terms of the deficit, that in fact the deficit is getting worse, not better, that revenues are down as a result of the economic recession, that in fact they miscalculated in some instances in the bill and that, in fact, we are overspending, over and above what the budget deal thought we would.

So all of those things together is in fact increasing the deficit and moving us further away from a balanced budget. The gentleman from New Hampshire with his amendment gives us a chance to get back on track, because he has lowered his amendment to a figure to reflect what the OMB told us this week is necessary in order to get to a balanced budget.

I think he should be congratulated, and I think that this House, if it really is concerned about balanced budgets for the future, ought to vote with the gentleman from New Hampshire.

Mr. DURBIN. Mr. Chairman, I move to strike the requisite number of words and I rise in opposition to this amendment. And I hope the people have been following this debate. It is amazing the twist and turns it has taken.

My friend from Pennsylvania, who stood up just a few moments ago in defense of American automobiles, is now standing up in support of an amendment which cuts $1.6 billion in highway spending, which I believe in most cases will be used for automobiles. I think it is an antiautomobile amendment, and I hope the gentleman is sensitive to that fact.

The Members may also be interested in knowing that this amendment cuts $420 million from the Federal Aviation Administration. Have you flown into an airport lately?

□ 1710

Have you relied on an air traffic controller? Are you worried about the glut of traffic over major airports? Are you concerned, as we are, about having professional men and women serving as air traffic controllers? Do you want to promote those who are professional and skilled in this?

I am afraid you will not be able to if the gentleman from New Hampshire should prevail, because he cut $420 million out of the FAA, money for air traffic controllers, money for air safety, and now let me tell you something else he does.

You are going to hear a lot of speeches around here, and we hear them every day, about law and order and crime. Every Member, Republican and Democrat alike, takes the floor saying, "We are the party; we are the people who want to fight crime. We want to do something about the drug crisis in America."

Congress made a decision several years ago to enlist the services of the Coast Guard in fighting the drug crisis in America. "Let us stop the importation of these narcotic substances into America which are, in fact, debilitating and destroying our society." We made that commitment. We said to the Coast Guard, "You know what, we are going to give you the resources to do it, to get out and fight this battle. It is not just empty rhetoric. You are going to have the money, the personnel, the boats necessary to help us fight the drug crisis," and then along comes my friend from New Hampshire. He wants to take $245 million from the Coast Guard, money that can be used to fight the drug crisis.

Mr. Chairman, now, I am sure he will give a speech soon, if he has not already, in Congress about his devotion to law and order and fighting crime.

I would tell the gentleman that when you take this across-the-board meat-ax approach to cutting spending, you end up cutting money for highways that is going to try to be used to eliminate the problems that we have, the congestion, and you are going to cut money for air traffic controllers so that families flying into airports across America will not be certain of the safety of their landings and takeoffs, and you are going to cut money from the Coast Guard that is being used to fight crime and the drug crisis. That is what it is all about.

Mr. ZELIFF. Mr. Chairman, will the gentleman yield?

Mr. DURBIN. I am happy to yield to the gentleman from New Hampshire.

Mr. ZELIFF. What we are talking about is holding the level of increase to 3.6 percent. We are not talking about a meat ax. We are talking about holding the level within affordable levels, staying within our ability to pay. That is all we are saying.

Mr. DURBIN. I concede the gentleman is absolutely right, and the gentleman will have to concede to me that it cost $1.6 billion in highway spending, $245 million in Coast Guard expenditures, and $420 million for the FAA and air traffic controllers.

I ask everyone to oppose the amendment.

Mr. BURTON of Indiana. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, it really gets me when people talk about taking a meat ax to a spending bill like this. They say this meat-ax approach is the wrong approach.

Well, we just had an amendment approach a few minutes ago where we tried to cut out 63 demonstration projects that are going to cost $243.3 million. We had an amendment that would cut $1 million for a bicycle path in Michigan that the people in the rest of the country are going to have to pay for with their tax dollars, and we could not even get a vote, and now you are complaining that we are taking a meat-ax approach because the gentleman wants to make a percentage cut in the spending which is still an increase over last year.

The fact of the matter is those who are interested in pork in this place want their pork. They want to take it back home and, as a result, we are going to have a $350 billion to $400 billion deficit this year. We have a $3 trillion national debt. The interest is going to be about 15 percent of the total budget, and we sit around here and do not do a darn thing about it. We are spending ourselves into oblivion.

You say we cannot do it through amendments. You will not give votes on that. We cannot do it through the meat-ax approach. You say we cannot do that. How are you going to cut spending, When are we going to cut spending? When are we going to live within our means like a businessman or businesswoman has to? The answer is never, never.

As a result, this economy is going to be a continual problem in the years to come until we realize we have got to live within our means.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New Hampshire [Mr. ZELIFF].

The question was taken; and the Chairman announced that the noes appeared to have it.

Mr. ZELIFF. Mr. Chairman, I demand a recorded vote, and pending that, I make the point of order that a quorum is not present.

The CHAIRMAN. Evidently a quorum is not present. Pursuant to the provisions of clause 2 of rule XXIII, the Chair announces that he will reduce to a minimum of 5 minutes the period of time within which a vote by electronic device, if ordered, will be taken on the pending question following the quorum call. Members will record their presence by electronic device.

The call was taken by electronic device.

The following Members responded to their names:

[Roll No. 222]

| | | |
|---|---|---|
| Abercrombie | Barton | Broomfield |
| Ackerman | Bateman | Browder |
| Alexander | Beilenson | Brown |
| Allard | Bennett | Bruce |
| Anderson | Bentley | Bryant |
| Andrews (ME) | Bereuter | Bunning |
| Andrews (NJ) | Berman | Burton |
| Andrews (TX) | Bevill | Bustamante |
| Annunzio | Bilbray | Byron |
| Anthony | Bilirakis | Callahan |
| Applegate | Bliley | Camp |
| Armey | Boehlert | Campbell (CA) |
| Aspin | Boehner | Campbell (CO) |
| Atkins | Bonior | Cardin |
| AuCoin | Borski | Carper |
| Bacchus | Boucher | Carr |
| Baker | Boxer | Chandler |
| Barnard | Brewster | Chapman |
| Barrett | Brooks | Clay |

Clement
Clinger
Coble
Coleman (MO)
Coleman (TX)
Collins (IL)
Collins (MI)
Combest
Condit
Conyers
Cooper
Costello
Coughlin
Cox (CA)
Cox (IL)
Coyne
Cramer
Crane
Cunningham
Dannemeyer
Darden
Davis
de la Garza
DeFazio
DeLauro
DeLay
Dellums
Derrick
Dickinson
Dicks
Dixon
Donnelly
Dooley
Doolittle
Dorgan (ND)
Dornan (CA)
Downey
Dreier
Duncan
Durbin
Dwyer
Early
Eckart
Edwards (CA)
Edwards (OK)
Edwards (TX)
Emerson
Engel
English
Erdreich
Espy
Evans
Ewing
Fascell
Fawell
Fazio
Feighan
Fields
Fish
Flake
Foglietta
Ford (MI)
Ford (TN)
Franks (CT)
Frost
Gallegly
Gallo
Gaydos
Gejdenson
Gekas
Gephardt
Geren
Gibbons
Gilchrest
Gillmor
Gilman
Gingrich
Glickman
Gonzalez
Goodling
Gordon
Goss
Gradison
Grandy
Gray
Green
Guarini
Gunderson
Hall (OH)
Hall (TX)
Hamilton
Hammerschmidt
Hancock
Hansen
Harris
Hastert
Hatcher
Hayes (IL)
Hayes (LA)
Hefley
Hefner
Henry
Herger
Hertel
Hoagland
Hobson
Hochbrueckner
Holloway
Horn
Horton
Houghton
Hoyer
Hubbard
Huckaby
Hughes
Hunter
Hutto
Hyde
Inhofe
Ireland
Jacobs
James
Jefferson
Jenkins
Johnson (CT)
Johnson (SD)
Johnson (TX)
Johnston
Jones (GA)
Jones (NC)
Jontz
Kanjorski
Kaptur
Kasich
Kennedy
Kennelly
Kildee
Kleczka
Klug
Kolbe
Kolter
Kopetski
Kostmayer
Kyl
LaFalce
Lancaster
Lantos
LaRocco
Laughlin
Leach
Lehman (CA)
Lehman (FL)
Lent
Levin (MI)
Levine (CA)
Lewis (CA)
Lewis (FL)
Lewis (GA)
Lightfoot
Lipinski
Livingston
Long
Lowery (CA)
Lowey (NY)
Luken
Machtley
Manton
Markey
Marlenee
Martin
Martinez
Matsui
Mavroules
Mazzoli
McCandless
McCloskey
McCollum
McCrery
McCurdy
McDade
McDermott
McEwen
McGrath
McHugh
McMillan (NC)
McMillen (MD)
McNulty
Meyers
Mfume
Michel
Miller (CA)
Miller (OH)
Miller (WA)
Mineta
Mink
Moakley
Molinari
Mollohan
Moody
Moorhead
Moran
Morella
Morrison
Mrazek
Murphy
Myers
Nagle
Natcher
Neal (MA)
Neal (NC)
Nichols
Nowak
Nussle
Oakar
Oberstar
Obey
Olin
Olver
Ortiz
Orton
Owens (NY)
Owens (UT)
Oxley
Packard
Pallone
Panetta
Patterson
Paxon
Payne (NJ)
Payne (VA)
Pease
Pelosi
Penny
Perkins
Peterson (FL)
Peterson (MN)
Petri
Pickett
Pickle
Porter
Poshard
Price
Pursell
Quillen
Rahall
Ramstad
Rangel
Ravenel
Ray
Reed
Regula
Rhodes
Richardson
Ridge
Rinaldo
Ritter
Roberts
Roe
Roemer
Rogers
Rohrabacher
Ros-Lehtinen
Rose
Rostenkowski
Roth
Roukema
Rowland
Roybal
Russo
Sabo
Sanders
Sangmeister
Santorum
Savage
Sawyer
Saxton
Schaefer
Scheuer
Schiff
Schroeder
Schulze
Schumer
Sensenbrenner
Serrano
Sharp
Shaw
Shays
Shuster
Sikorski
Sisisky
Skaggs
Skeen
Skelton
Slattery
Slaughter (NY)
Slaughter (VA)
Smith (FL)
Smith (IA)
Smith (NJ)
Smith (OR)
Smith (TX)
Snowe
Solarz
Solomon
Spence
Spratt
Staggers
Stallings
Stearns
Stenholm
Stokes
Studds
Stump
Sundquist
Swett
Swift
Synar
Tallon
Tanner
Tauzin
Taylor (MS)
Taylor (NC)
Thomas (CA)
Thomas (GA)
Thomas (WY)
Thornton
Torres
Torricelli
Towns
Traficant
Traxler
Unsoeld
Upton
Valentine
Vander Jagt
Vento
Visclosky
Volkmer
Vucanovich
Walker
Walsh
Waters
Waxman
Weber
Weldon
Whitten
Wilson
Wise
Wolf
Wolpe
Wyden
Wylie
Yates
Young (AK)
Young (FL)
Zeliff
Zimmer

□ 1736

The CHAIRMAN. Four hundred and fourteen Members have answered to their names, a quorum is present, and the Committee will resume its business.

RECORDED VOTE

The CHAIRMAN. The pending business is the demand of the gentleman from New Hampshire [Mr. ZELIFF] for a recorded vote.

A recorded vote was ordered.

The CHAIRMAN. The Chair would remind Members this is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 64, noes 362, not voting 7, as follows:

[Roll No. 223]

AYES—64

Allard
Archer
Armey
Barrett
Barton
Boehner
Bunning
Burton
Campbell (CA)
Coble
Condit
Cox (CA)
Crane
Cunningham
Dannemeyer
Doolittle
Dreier
Duncan
Ewing
Fawell
Fields
Gallegly
Gilchrest
Goodling
Gradison
Grandy
Hancock
Hastert
Hefley
Herger
Holloway
Hunter
Hyde
Jacobs
Johnson (TX)
Kasich
Klug
Kolbe
Kyl
Luken
Machtley
Miller (OH)
Nussle
Penny
Petri
Porter
Ramstad
Rhodes
Roberts
Rohrabacher
Sensenbrenner
Shays
Solomon
Stearns
Stump
Sundquist
Swett
Taylor (NC)
Thomas (WY)
Walker
Weber
Weldon
Zeliff
Zimmer

NOES—362

Abercrombie
Ackerman
Alexander
Anderson
Andrews (ME)
Andrews (NJ)
Andrews (TX)
Annunzio
Anthony
Applegate
Aspin
Atkins
AuCoin
Bacchus
Baker
Ballenger
Barnard
Bateman
Beilenson
Bennett
Bentley
Bereuter
Berman
Bevill
Bilbray
Bilirakis
Bliley
Boehlert
Bonior
Borski
Boucher
Boxer
Brewster
Brooks
Broomfield
Browder
Brown
Bruce
Bryant
Bustamante
Byron
Callahan
Camp
Campbell (CO)
Cardin
Carper
Carr
Chandler
Chapman
Clay
Clement
Clinger
Coleman (MO)
Coleman (TX)
Collins (IL)
Collins (MI)
Combest
Conyers
Cooper
Costello
Coughlin
Cox (IL)
Coyne
Cramer
Darden
Davis
de la Garza
DeFazio
DeLauro
DeLay
Dellums
Derrick
Dickinson
Dicks
Dingell
Dixon
Donnelly
Dooley
Dorgan (ND)
Dornan (CA)
Downey
Durbin
Dwyer
Dymally
Early
Eckart
Edwards (CA)
Edwards (OK)
Edwards (TX)
Emerson
Engel
English
Erdreich
Espy
Evans
Fascell
Fazio
Feighan
Fish
Flake
Foglietta
Ford (MI)
Ford (TN)
Frank (MA)
Franks (CT)
Frost
Gallo
Gaydos
Gejdenson
Gekas
Gephardt
Geren
Gibbons
Gillmor
Gilman
Gingrich
Glickman
Gonzalez
Gordon
Goss
Gray
Green
Guarini
Gunderson
Hall (OH)
Hall (TX)
Hamilton
Hammerschmidt
Hansen
Harris
Hatcher
Hayes (IL)
Hayes (LA)
Hefner
Henry
Hertel
Hoagland
Hobson
Hochbrueckner
Horn
Horton
Houghton
Hoyer
Hubbard
Huckaby
Hughes
Hutto
Inhofe
Ireland
James
Jefferson
Jenkins
Johnson (CT)
Johnson (SD)
Johnston
Jones (GA)
Jones (NC)
Jontz
Kanjorski
Kaptur
Kennedy
Kennelly
Kildee
Kleczka
Kolter
Kopetski
Kostmayer
LaFalce
Lancaster
Lantos
LaRocco
Laughlin
Leach
Lehman (CA)
Lehman (FL)
Lent
Levin (MI)
Levine (CA)
Lewis (CA)
Lewis (FL)
Lewis (GA)
Lightfoot
Lipinski
Livingston
Long
Lowery (CA)
Lowey (NY)
Manton
Markey
Marlenee
Martin
Martinez
Matsui
Mavroules
Mazzoli
McCandless
McCloskey
McCollum
McCrery
McCurdy
McDade
McDermott
McEwen
McGrath
McHugh
McMillan (NC)
McMillen (MD)
McNulty
Meyers
Mfume
Michel
Miller (CA)
Miller (WA)
Mineta
Mink
Moakley
Molinari
Mollohan
Montgomery
Moody
Moorhead
Moran
Morella
Morrison
Mrazek
Murphy
Murtha
Myers
Nagle
Natcher
Neal (MA)
Neal (NC)
Nichols
Nowak
Oakar
Oberstar
Obey
Olin
Olver
Ortiz
Orton
Owens (NY)
Owens (UT)
Oxley
Packard
Pallone
Panetta
Parker
Patterson
Paxon
Payne (NJ)
Payne (VA)
Pease
Pelosi
Perkins
Peterson (FL)
Peterson (MN)
Pickett
Pickle
Poshard
Price
Pursell
Quillen
Rahall
Rangel
Ravenel
Ray
Reed
Regula
Richardson
Ridge
Riggs
Rinaldo
Ritter
Roe
Roemer
Rogers
Ros-Lehtinen
Rose
Rostenkowski
Roth
Roukema
Rowland
Roybal
Russo
Sabo
Sanders
Sangmeister
Santorum
Savage
Sawyer
Saxton
Schaefer
Scheuer
Schiff
Schroeder
Schulze
Schumer
Serrano
Sharp
Shaw
Shuster
Sikorski
Sisisky
Skaggs
Skeen
Skelton
Slattery
Slaughter (NY)
Slaughter (VA)
Smith (FL)
Smith (IA)
Smith (NJ)
Smith (OR)
Smith (TX)
Snowe
Solarz
Spence
Spratt
Staggers
Stallings
Stark
Stenholm
Stokes
Studds
Swift
Synar
Tallon
Tanner
Tauzin
Taylor (MS)
Thomas (CA)
Thomas (GA)
Thornton
Torres
Torricelli
Towns
Traficant
Traxler
Unsoeld
Upton
Valentine
Vander Jagt
Vento
Visclosky
Volkmer
Vucanovich
Walsh
Washington
Waters
Waxman
Wheat
Whitten
Wilson

| | | |
|---|---|---|
| Wise | Wyden | Young (AK) |
| Wolf | Wylie | Young (FL) |
| Wolpe | Yates | |

NOT VOTING—7

| | | |
|---|---|---|
| Hopkins | Sarpalius | Yatron |
| Lagomarsino | Weiss | |
| Lloyd | Williams | |

□ 1743

Mr. SIKORSKI and Mr. PEASE changed their vote from "aye" to "no."

So the amendment was rejected.

The result of the vote was announced as above recorded.

The CHAIRMAN. The Clerk will read.

Mr. LEHMAN of Florida. Mr. Chairman, I ask unanimous consent that the remainder of the bill be considered as read, printed in the RECORD, and open to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from Florida?

There was no objection.

The text of the remainder of the bill is as follows:

TITLE II—RELATED AGENCIES

ARCHITECTURAL AND TRANSPORTATION BARRIERS COMPLIANCE BOARD

SALARIES AND EXPENSES

For expenses necessary for the Architectural and Transportation Barriers Compliance Board, as authorized by section 502 of the Rehabilitation Act of 1973, as amended, $2,900,000: *Provided*, That, notwithstanding any other provision of law, there may be credited to this appropriation funds received for training expenses.

NATIONAL TRANSPORTATION SAFETY BOARD

SALARIES AND EXPENSES

For necessary expenses of the National Transportation Safety Board, including hire of passenger motor vehicles and aircraft; services as authorized by 5 U.S.C. 3109, but at rates for individuals not to exceed the per diem rate equivalent to the rate for a GS-18; uniforms, or allowances therefor, as authorized by law (5 U.S.C. 5901-5902), $34,176,000, of which not to exceed $1,000 may be used for official reception and representation expenses.

INTERSTATE COMMERCE COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the Interstate Commerce Commission, including services as authorized by 5 U.S.C. 3109, hire of passenger motor vehicles as authorized by 31 U.S.C. 1343(b), and not to exceed $1,500 for official reception and representation expenses, $40,923,000: *Provided*, That joint board members and cooperating State commissioners may use Government transportation requests when traveling in connection with their official duties as such: *Provided further*, That fees collected in fiscal year 1992 by the Interstate Commerce Commission pursuant to 31 U.S.C. 9701 shall be made available to this appropriation in fiscal year 1992.

PAYMENTS FOR DIRECTED RAIL SERVICE

(LIMITATION ON OBLIGATIONS)

None of the funds provided in this Act shall be available for the execution of programs the obligations for which can reasonably be expected to exceed $475,000 for directed rail service authorized under 49 U.S.C. 11125 or any other Act.

PANAMA CANAL COMMISSION

PANAMA CANAL REVOLVING FUND

For administrative expenses of the Panama Canal Commission, including not to exceed $11,000 for official reception and representation expenses of the Board; not to exceed $5,000 for official reception and representation expenses of the Secretary; and not to exceed $30,000 for official reception and representation expenses of the Administrator, $49,497,000, to be derived from the Panama Canal Revolving Fund: *Provided*, That none of these funds may be used for the planning or execution of non-administrative and capital programs the obligations for which are in excess of $519,000,000 in fiscal year 1992: *Provided further*, That funds available to the Panama Canal Commission shall be available for the purchase of not to exceed forty-four passenger motor vehicles for replacement only (including large heavy-duty vehicles used to transport Commission personnel across the Isthmus of Panama) the purchase price of which shall not exceed $16,500 per vehicle.

DEPARTMENT OF THE TREASURY

REBATE OF SAINT LAWRENCE SEAWAY TOLLS

(HARBOR MAINTENANCE TRUST FUND)

For rebate of the United States portion of tolls paid for use of the Saint Lawrence Seaway, pursuant to Public Law 99-662, $10,250,000, to remain available until expended and to be derived from the Harbor Maintenance Trust Fund, of which not to exceed $170,000 shall be available for expenses of administering the rebates.

WASHINGTON METROPOLITAN AREA TRANSIT AUTHORITY

INTEREST PAYMENTS

For necessary expenses for interest payments, to remain available until expended, $51,663,569: *Provided*, That these funds shall be disbursed pursuant to terms and conditions established by Public Law 96-184 and the Initial Bond Repayment Participation Agreement.

TITLE III—GENERAL PROVISIONS

(INCLUDING TRANSFERS OF FUNDS)

SEC. 301. During the current fiscal year applicable appropriations to the Department of Transportation shall be available for maintenance and operation of aircraft; hire of passenger motor vehicles and aircraft; purchase of liability insurance for motor vehicles operating in foreign countries on official department business; and uniforms, or allowances therefor, as authorized by law (5 U.S.C. 5901-5902).

SEC. 302. Funds for the Panama Canal Commission may be apportioned notwithstanding 31 U.S.C. 1341 to the extent necessary to permit payment of such pay increases for officers or employees as may be authorized by administrative action pursuant to law that are not in excess of statutory increases granted for the same period in corresponding rates of compensation for other employees of the Government in comparable positions.

SEC. 303. Funds appropriated under this Act for expenditures by the Federal Aviation Administration shall be available (1) except as otherwise authorized by the Act of September 30, 1950 (20 U.S.C. 236-244), for expenses of primary and secondary schooling for dependents of Federal Aviation Administration personnel stationed outside the continental United States at costs for any given area not in excess of those of the Department of Defense for the same area, when it is determined by the Secretary that the schools, if any, available in the locality are unable to provide adequately for the education of such dependents, and (2) for transportation of said dependents between schools serving the area that they attend and their places of residence when the Secretary, under such regulations as may be prescribed, determines that such schools are not accessible by public means of transportation on a regular basis.

SEC. 304. Appropriations contained in this Act for the Department of Transportation shall be available for services as authorized by 5 U.S.C. 3109, but at rates for individuals not to exceed the per diem rate equivalent to the rate for a GS-18.

SEC. 305. None of the funds for the Panama Canal Commission may be expended unless in conformance with the Panama Canal Treaties of 1977 and any law implementing those treaties.

SEC. 306. None of the funds in this Act shall be used for the planning or execution of any program to pay the expenses of, or otherwise compensate, non-Federal parties intervening in regulatory or adjudicatory proceedings funded in this Act.

SEC. 307. None of the funds appropriated in this Act shall remain available for obligation beyond the current fiscal year, nor may any be transferred to other appropriations, unless expressly so provided herein.

SEC. 308. None of the funds in this or any previous or subsequent Act shall be available for the planning or implementation of any change in the current Federal status of the Volpe National Transportation Systems Center, and none of the funds in this Act shall be available for the implementation of any change in the current Federal status of the Turner-Fairbank Highway Research Center: *Provided*, That the Secretary may plan for further development of the Volpe National Transportation Systems Center and for other compatible uses of the Center's real property: *Provided*, That any such planning does not alter the Federal status of the Center's research and development operation.

SEC. 309. The expenditure of any appropriation under this Act for any consulting service through procurement contract pursuant to section 3109 of title 5, United States Code, shall be limited to those contracts where such expenditures are a matter of public record and available for public inspection, except where otherwise provided under existing law, or under existing executive order issued pursuant to existing law.

SEC. 310. (a) For fiscal year 1992 the Secretary of Transportation shall distribute the obligation limitation for Federal-aid highways by allocation in the ratio which sums authorized to be appropriated for Federal-aid highways and highway safety construction that are apportioned or allocated to each State for such fiscal year bear to the total of the sums authorized to be appropriated for Federal-aid highways and highway safety construction that are apportioned or allocated to all the States for such fiscal year.

(b) During the period October 1 through December 31, 1991, no State shall obligate more than 35 per centum of the amount distributed to such State under subsection (a), and the total of all State obligations during such period shall not exceed 25 per centum of the total amount distributed to all States under such subsection: *Provided*, That this subsection shall not apply to funds obligated for the Kennedy Expressway rehabilitation project in Chicago, Illinois.

(c) Notwithstanding subsections (a) and (b), the Secretary shall—

(1) provide all States with authority sufficient to prevent lapses of sums authorized to

be appropriated for Federal-aid highways and highway safety construction that have been apportioned to a State, except in those instances in which a State indicates its intention to lapse sums apportioned under section 104(b)(5)(A) of title 23, United States Code;

(2) after August 1, 1992, revise a distribution of the funds made available under subsection (a) if a State will not obligate the amount distributed during that fiscal year and redistribute sufficient amounts to those States able to obligate amounts in addition to those previously distributed during that fiscal year giving priority to those States having large unobligated balances of funds apportioned under section 104 of title 23, United States Code, and giving priority to those States which, because of statutory changes made by the Surface Transportation Assistance Act of 1982 and the Federal-Aid Highway Act of 1981, have experienced substantial proportional reductions in their apportionments and allocations; and

(3) not distribute amounts authorized for administrative expenses, the Federal lands highway program, the strategic highway research program and amounts made available under sections 149(d), 158, 159, 164, 165, and 167 of Public Law 100-17.

(d) The limitation on obligations for Federal-aid highways and highway safety construction programs for fiscal year 1992 shall not apply to obligations for emergency relief under section 125 of title 23, United States Code; obligations under section 157 of title 23, United States Code; projects covered under section 147 of the Surface Transportation Assistance Act of 1978, section 9 of the Federal-Aid Highway Act of 1981, subsections 131 (b) and (j) of Public Law 97-424, section 118 of the National Visitors Center Facilities Act of 1968, or section 320 of title 23, United States Code; projects authorized by Public Law 99-500, Public Law 99-591 and Public Law 100-202; or projects covered under subsections 149 (b) and (c) of Public Law 100-17.

(e) Subject to paragraph (c)(2) of this General Provision, a State which after August 1 and on or before September 30 of fiscal year 1992 obligates the amount distributed to such State in that fiscal year under paragraphs (a) and (c) of this General Provision may obligate for Federal-aid highways and highway safety construction on or before September 30, 1992, an additional amount not to exceed 5 percent of the aggregate amount of funds apportioned or allocated to such State—

(1) under sections 104, 130, 144, and 152 of title 23, United States Code, and

(2) for highway assistance projects under section 103(e)(4) of such title,

which are not obligated on the date such State completes obligation of the amount so distributed.

(f) During the period August 2 through September 30, 1992, the aggregate amount which may be obligated by all States pursuant to paragraph (e) shall not exceed 2.5 percent of the aggregate amount of funds apportioned or allocated to all States—

(1) under sections 104, 130, 144, and 152 of title 23, United States Code, and

(2) for highway assistance projects under section 103(e)(4) of such title,

which would not be obligated in fiscal year 1992 if the total amount of the obligation limitation provided for such fiscal year in this Act were utilized.

(g) Paragraph (e) shall not apply to any State which on or after August 1, 1992, has the amount distributed to such State under paragraph (a) for fiscal year 1992 reduced under paragraph (c)(2).

SEC. 311. None of the funds in this Act shall be available for salaries and expenses of more than one hundred and twenty political and Presidential appointees in the Department of Transportation.

SEC. 312. Not to exceed $800,000 of the funds provided in this Act for the Department of Transportation shall be available for the necessary expenses of advisory committees.

SEC. 313. The limitation on obligations for the Discretionary Grants program of the Urban Mass Transportation Administration shall not apply to any authority under sections 21(a) (2) and (b) of the Urban Mass Transportation Act of 1964, as amended, previously made available for obligation.

SEC. 314. Notwithstanding any other provision of law, none of the funds in this Act shall be available for the construction of, or any other costs related to, the Central Automated Transit System (Downtown People Mover) in Detroit, Michigan.

SEC. 315. None of the funds in this Act shall be used to implement section 404 of title 23, United States Code.

SEC. 316. Every 30 days, the Urban Mass Transportation Administration shall publish in the Federal Register an announcement of each grant obligated pursuant to sections 3 and 9 of the Urban Mass Transportation Act of 1964, as amended, including the grant number, the grant amount, and the transit property receiving each grant.

SEC. 317. Notwithstanding any other provision of law, funds appropriated in this or any other Act intended for studies, reports, training, salaries, or research, and related costs thereof including necessary capital expenses, including site acquisition, construction and equipment, are available for such purposes to be conducted through contracts, grants, or financial assistance agreements with the educational institutions that are specified in such Acts or in any report accompanying such Acts.

SEC. 318. The Secretary of Transportation shall permit the obligation of not to exceed $4,000,000, apportioned under title 23, United States Code, section 104(b)(5)(B) for the State of Florida for operating expenses of the Tri-County Commuter Rail Project in the area of Dade, Broward, and Palm Beach Counties, Florida, during each year that Interstate 95 is under reconstruction in such area.

SEC. 319. ESSENTIAL AIR SERVICE COMPENSATION.—Notwithstanding any other provision of law, the Secretary of Transportation shall make payment of compensation under subsection 419 of the Federal Aviation Act of 1958, as amended, only to the extent and in the manner provided in appropriations Acts, at times and in a manner determined by the Secretary to be appropriate, and claims for such compensation shall not arise except in accordance with this provision.

SEC. 320. The authority conferred by section 513(d) of the Airport and Airway Improvement Act of 1982, as amended, to issue letters of intent shall remain in effect subsequent to September 30, 1992. Letters of intent may be issued under such subsection to applicants determined to be qualified under such Act: *Provided*, That, notwithstanding any other provision of law, all such letters of intent in excess of $10,000,000 shall be submitted for approval to the Committees on Appropriations of the Senate and the House of Representatives; the Committee on Commerce, Science, and Transportation of the Senate; and the Committee on Public Works and Transportation of the House of Representatives.

SEC. 321. The Secretary of Transportation is authorized to transfer funds appropriated for any office of the Office of the Secretary to any other office of the Office of the Secretary: *Provided*, That no appropriation shall be increased or decreased by more than 5 per centum by all such transfers: *Provided further*, That any such transfer shall be submitted for approval to the House and Senate Committees on Appropriations.

SEC. 322. Such sums as may be necessary for fiscal year 1992 pay raises for programs funded in this Act shall be absorbed within the levels appropriated in this Act.

SEC. 323. VESSEL TRAFFIC SAFETY FAIRWAY.—None of the funds in this Act shall be available to plan, finalize, or implement regulations that would establish a vessel traffic safety fairway less than five miles wide between the Santa Barbara Traffic Separation Scheme and the San Francisco Traffic Separation Scheme.

SEC. 324. Notwithstanding any other provision of law, airports may transfer, without consideration, to the Federal Aviation Administration instrument landing systems (along with associated approach lighting equipment and runway visual range equipment) which conform to Federal Aviation Administration performance specifications, the purchase of which was assisted by a Federal airport aid program, airport development aid program or airport improvement program grant. The Federal Aviation Administration shall accept such equipment, which shall thereafter be operated and maintained by the Federal Aviation Administration in accordance with agency criteria.

SEC. 325. WESTSIDE LIGHT RAIL.—Notwithstanding any other provision of law, the Secretary shall, with regard to the Discretionary Grants program of the Urban Mass Transportation Administration, by September 30, 1992, issue a letter of intent and enter into a full funding agreement for the Westside Light Rail extension, including systems related costs, between downtown Portland, Oregon, and S.W. 185th Avenue. That full funding agreement shall provide for a future amendment under the same terms and conditions set forth above, for the extension known as the Hillsboro project which extends from S.W. 185th Avenue to the Transit Center in the City of Hillsboro, Oregon. Subject to a regional decision documented in the Hillsboro project's preferred alternatives report, the Secretary shall enter into an agreement with the Tri-County Metropolitan Transportation District in Portland, Oregon, to initiate preliminary engineering on the Hillsboro project, which shall proceed independent of and concurrent with the project between downtown Portland, Oregon, and S.W. 185th Avenue.

SEC. 326. NATIONAL WEATHER GRAPHICS SYSTEM.—None of the funds made available in this Act may be used by the Federal Aviation Administration for a new National Weather Graphics System.

SEC. 327. None of the funds in this Act shall be available to award a multiyear contract for production end items that (1) includes economic order quantity or long lead time material procurement in excess of $10,000,000 in any one year of the contract or (2) includes a cancellation charge greater than $10,000,000 which at the time of obligation has not been appropriated to the limits of the government's liability or (3) includes a requirement that permits performance under the contract during the second and subsequent years of the contract without conditioning such performance upon the appropriation of funds: *Provided*, That this limitation does not apply to a contract in which the Federal Government incurs no financial liability from not buying additional systems,

subsystems, or components beyond the basic contract requirements.

SEC. 328. From funds appropriated to the Department of Transportation or made available by this Act or any other Act, the Secretary of Transportation shall, notwithstanding any other provision of this Act or any other Act, make available not to exceed $2,000,000 for the planning of a multimodal transportation center in St. Louis, Missouri.

SEC. 329. None of the funds in this Act shall be available to close the Federal Aviation Administration's airport facilities equipment office in Little Rock, Arkansas, or to transfer or reduce personnel therefrom.

SEC. 330. SOUTH BOSTON PIERS TRANSITWAY.—Notwithstanding any other provision of law, the Secretary shall, with regard to the Discretionary Grants program of the Urban Mass Transportation Administration—

(a) issue a letter of no prejudice by October 1, 1991, and enter into a full funding agreement, including system related costs, by June 1, 1992, for the portion of the South Boston Piers Transitway project between South Station and the portal at D Street in South Boston, Massachusetts. That full funding agreement shall provide for a future amendment under the same terms and conditions set forth above, for the extension of the Transitway from South Station to Boylston Station; and

(b) issue a letter of intent by September 30, 1992, for the extension of the Transitway from South Station to Boylston Station.

SEC. 331. NATIONAL 55 MPH SPEED LIMIT ENFORCEMENT PENALTIES.—Notwithstanding sections 141(a) and 154 of title 23, United States Code, none of the funds in this or any previous or subsequent Act shall be used for the purpose of reducing or reserving any portion of a State's apportionment of Federal-aid highway funds as required by section 154(f) of title 23, United States Code, for reason of noncompliance with the criteria of that subsection during fiscal year 1990. The Secretary shall promptly restore any apportionments which, prior to enactment of this Act, were reduced or reserved from obligation for reason of noncompliance under section 154(f) during said fiscal year.

SEC. 332. The Secretary of Transportation shall withhold 5 per centum of the amount required to be apportioned to any State under each of paragraphs (1), (2), (5), and (6) of section 104(b) of title 23, United States Code, on the first day of fiscal years 1994 and 1995 if the State does not meet the requirements of section 104(a) (3) of title 23, United States Code, on such dates.

This Act may be cited as the "Department of Transportation and Related Agencies Appropriations Act, 1992".

The CHAIRMAN. Are there amendments to the remainder of the bill?

AMENDMENT OFFERED BY MR. SOLOMON

Mr. SOLOMON. Mr. Chairman, I offer a noncontroversial technical amendment.

The Clerk read as follows:

Amendment offered by Mr. SOLOMON: Strike section 332 and insert in lieu thereof:

**SEC. . REVOCATION OR SUSPENSION OF DRIVERS' LICENSES OF INDIVIDUALS CONVICTED OF DRUG OFFENSES.**

(a) IN GENERAL—Chapter 1 of title 23, United States Code, is amended by adding at the end the following new section:

**"§ 159. Revocation or suspension of drivers' licenses of individuals convicted of drug offenses**

"(a) WITHHOLDING OF APPORTIONMENTS FOR NONCOMPLIANCE.—

"(1) AFTER SECOND CALENDAR YEAR.—For each fiscal year the Secretary shall withhold 5 percent of the amount required to be apportioned to any State under each of paragraphs (1), (2), (5), and (6) of section 104(b) on the first day of each fiscal year which begins after the second calendar year following the effective date of this section if the State does not meet the requirements of paragraph (3) on such date.

"(2) AFTER FOURTH CALENDAR YEAR.—The Secretary shall withhold 10 percent (including any amounts withheld under paragraph (1)) of the amount required to be apportioned to any State under each of paragraphs (1), (2), (5), and (6) of section 104(b) on the first day of each fiscal year which begins after the fourth calendar year following the effective date of this section if the State does not meet the requirements of paragraph (3) on the first day of such fiscal year.

"(3) REQUIREMENTS.—A State meets the requirements of this paragraph if—

"(A) the State has enacted and is enforcing a law that requires in all circumstances, or requires in the absence of compelling circumstances warranting an exception—

"(i) the revocation, or suspension for at least 6 months, of the driver's license of any individual who is convicted, after the enactment of such law, of—

"(I) any violation of the Controlled Substances Act, or

"(II) any drug offense, and

"(ii) a delay in the issuance or reinstatement of a driver's license to such an individual for at least 6 months after the individual applies for the issuance or reinstatement of a driver's license if the individual does not have a driver's license, or the driver's license of the individual is suspended, at the time the individual is so convicted; or

"(B) the Governor of the State—

"(i) submits to the Secretary no earlier than the adjournment sine die of the first regularly scheduled session of the State's legislature which begins after the effective date of this section a written certification stating that the Governor is opposed to the enactment or enforcement in the State of a law described in subparagraph (A), relating to the revocation, suspension, issuance, or reinstatement of driver's licenses to convicted drug offenders; and

"(ii) submits to the Secretary a written certification that the legislature (including both Houses where applicable) has adopted a resolution expressing its opposition to a law described in clause (i).

"(b) PERIOD OF AVAILABILITY; EFFECT OF COMPLIANCE AND NONCOMPLIANCE—

"(1) PERIOD OF AVAILABILITY OF WITHHELD FUNDS.—

"(A) FUNDS WITHHELD ON OR BEFORE SEPTEMBER 30, 1995.—Any funds withheld under subsection (a) from apportionment to any State on or before September 30, 1995, shall remain available for apportionment to such State as follows:

"(i) If such finds would have been apportioned under section 104(b)(5)(A) but for this section, such funds shall remain available until the end of the fiscal year for which such funds are authorized to be appropriated.

"(ii) If such funds would have been apportioned under section 104(b)(5)(B) but for this section, such funds shall remain available until the end of the second fiscal year following the fiscal year for which such funds are authorized to be appropriated.

"(iii) If such funds would have been apportioned under paragraph (1), (2), or (6) of section 104(b) but for this section, such funds shall remain available until the end of the third fiscal year following the fiscal year for which such funds are authorized to be appropriated.

"(B) FUNDS WITHHELD AFTER SEPTEMBER 30, 1995.—No funds withheld under this section from apportionment to any State after September 30, 1995, shall be available for apportionment to such State.

"(2) APPORTIONMENT OF WITHHELD FUNDS AFTER COMPLIANCE.—If, before the last day of the period for which funds withheld under subsection (a) from apportionment are to remain available for apportionment to a State under paragraph (1), the State meets the requirements of subsection (a)(3), the Secretary shall, on the first day on which the State meets the requirements of subsection (a)(3), apportion to the State the funds withheld under subsection (a) that remain available for apportionment to the State.

"(3) PERIOD OF AVAILABILITY OF SUBSEQUENTLY APPORTIONED FUNDS.—Any funds apportioned pursuant to paragraph (2) shall remain available for expenditure as follows:

"(A) Funds which would have been originally apportioned under section 104(b)(5)(A) shall remain available until the end of the fiscal year succeeding the fiscal year in which such funds are apportioned under paragraph (2).

"(B) Funds which would have been originally apportioned under paragraph (1), (2), (5)(B), or (6) of section 104(b) shall remain available until the end of the third fiscal year succeeding the fiscal year in which such funds are so apportioned.

Sums not obligated at the end of such period shall lapse or, in the case of funds apportioned under section 104(b)(5), shall lapse and be made available by the Secretary for projects in accordance with section 118(b).

"(4) EFFECT OF NONCOMPLIANCE.—If, at the end of the period for which funds withheld under subsection (a) from apportionment are available for apportionment to a State under paragraph (1), the State does not meet the requirements of subsection (a)(3), such funds shall lapse or, in the case of funds withheld from apportionment under section 104(b)(5), such funds shall lapse and be made available by the Secretary for projects in accordance with section 118(b).

"(c) DEFINITIONS.—For purposes of this section—

"(1) DRIVER'S LICENSE.—The term 'driver's license' means a license issued by a State to any individual that authorizes the individual to operate a motor vehicle on highways.

"(2) DRUG OFFENSE.—The term 'drug offense' means any criminal offense which proscribes—

"(A) the possession, distribution, manufacture, cultivation, sale, transfer, or the attempt or conspiracy to possess, distribute, manufacture, cultivate, sell, or transfer any substance the possession of which is prohibited under the Controlled Substances Act; or

"(B) the operation of a motor vehicle under the influence of such a substance.

"(3) CONVICTED.—The term 'convicted' includes adjudicated under juvenile proceedings.".

(b) CONFORMING AMENDMENT TO CHAPTER ANALYSIS.—The analysis for chapter 1 of such title is amended by striking the item relating to section 159 and inserting the following:

"159. Revocation or suspension of drivers' licenses of individuals convicted of drug offenses.".

(c) REPEAL OF FORMER PROVISION.—Section 333 of the Department of Transportation and Related Agencies Appropriations Act, 1991 (104 Stat. 2184–2186) is repealed.

(d) TREATMENT OF AMENDMENTS MADE BY FORMER PROVISION.—The amendments made by section 333 of the Department of Transportation and Related Agencies Appropriations Act, 1991 (104 Stat. 2184-2186) shall be treated as having not been enacted into law.

(e) EFFECTIVE DATE.—The amendments made by subsection (a) of this section shall take effect November 5, 1990.

Mr. SOLOMON. Mr. Chairman, last year the Committee on Appropriations was good enough to accept my amendment that withholds Federal funds from States that fail to enact legislation that suspends drivers licenses of convicted drug felons. That amendment became law last year.

Mr. Chairman, the amendment I am offering today is a clarifying technical amendment to change the language in the DOT bill of fiscal year 1991 so that we can carry out the program without having to revisit the enactment provision year after year.

It was our original intent to set in motion a program implemented through the DOT that would reduce the Federal highway funds to any State that did not put into effect and enforce a program to suspend the driver's licenses of an individual convicted of any drug offense.

Unfortunately, due to drafting errors, unless we change the language included in the DOT fiscal year 1991 bill the provision allowing enactment would need to be included in every appropriations bill throughout the course of the program. This was never our original intent.

We agreed that suspending driver's licenses of individuals convicted of any drug offense was a good idea. An idea that the American public wholeheartedly supported and has had great results in the States or Oregon and New Jersey. Conditioning the privilege of driving to the responsibility of remaining drug free has a positive effect in the war against drugs. It makes people, especially our Nation's youth, think before using illegal drugs because the privilege of driving is so very important to everyone.

I strongly feel that if we condition the privilege of driving to the responsibility of remaining drug free, it will send a meaningful message to our youth at a time in their lives when they are yearning for that great rite of passage into adulthood, obtaining their driver's license. The message is that we are not going to tolerate illegal drug use, so think hard about it before you make your decision.

The States of Oregon and New Jersey have implemented this idea with great success. In 1989, New Jersey alone suspended the licenses of over 17,000 individuals convicted of drug offenses and a survey of their high school students showed that 41 percent were strongly influenced by this legislation and do not use illegal drugs.

Money and rhetoric aren't going to win the war against drugs. And as long as casual drug users go unpunished, they are going to continue to finance the illegal drug trade. But this approach which costs the Government little, will effectively reduce illegal drug use.

If we change the language now, the program we agreed to can run its course uninterrupted as we intended.

Mr. LEHMAN of Florida. I move to strike the last word.

Mr. Chairman, we have no objection to the amendment and congratulate the gentleman from New York for bringing it to our attention.

Mr. COUGHLIN. Mr. Chairman, if the gentleman will yield, we have no objection to the amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York [Mr. SOLOMON].

The amendment was agreed to.

The CHAIRMAN. Are there further amendments to the bill?

AMENDMENT OFFERED BY MR. OBERSTAR

Mr. OBERSTAR. Mr. Chairman, I offer an amendment. The Clerk read as follows:

Amendment offered by Mr. OBERSTAR.

At the end of the bill, add the following new title:

TITLE IV—AGING AIRCRAFT SAFETY

**SEC. 401. SHORT TITLE.**

This title may be cited as the "Aging Aircraft Safety Act of 1991".

**SEC. 402. AGING AIRCRAFT RULEMAKING PROCEEDING.**

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this title, the Administrator shall initiate a rulemaking proceeding for the purpose of issuing a rule to assure the continuing airworthiness of aging aircraft.

(b) INSPECTIONS AND RECORD REVIEWS.—

(1) GENERAL REQUIREMENT.—The rule issued pursuant to this section shall, at a minimum, require the Administrator to make such inspections, and conduct such reviews of maintenance and other records, of each aircraft used by an air carrier to provide air transportation as may be necessary to enable the Administrator to determine that such aircraft is in safe condition and is properly maintained for operation in air transportation.

(2) PART OF HEAVY MAINTENANCE CHECKS.—The inspections and reviews required under paragraph (1) shall be carried out as part of each heavy maintenance check of the aircraft conducted on or after the first day of the 15th year in which the aircraft is in service.

(3) APPLICABILITY OF FEDERAL AVIATION ACT.—The inspections required under paragraph (1) shall be conducted as provided in section 601(a)(3)(C) of the Federal Aviation Act of 1958.

(c) DEMONSTRATION OF STRUCTURAL AND PARTS MAINTENANCE.—The rule issued pursuant to this section shall, at a minimum, require the air carrier to demonstrate to the Administrator, as part of the inspection required by the rule, that maintenance of the aircraft's structure, skin, and other age-sensitive parts and components has been adequate and timely enough to ensure the highest degree of safety.

(d) PROCEDURES.—The rule issued pursuant to this section shall establish procedures to be followed in carrying out the inspections required by the rule.

(e) AVAILABILITY OF AIRCRAFT.—The rule issued pursuant to this section shall require the air carrier to make available to the Administrator the aircraft and such inspection, maintenance, and other records pertaining to the aircraft as the Administrator may require for carrying out reviews required by the rule.

**SEC. 403. AIRCRAFT MAINTENANCE SAFETY PROGRAMS.**

Not later than 180 days after the date of the enactment of this title, the Administrator shall establish—

(1) a program to verify that air carriers are maintaining their aircraft in accordance with maintenance programs approved by the Federal Aviation Administration;

(2) a program—

(A) to provide inspectors and engineers of the Federal Aviation Administration with training necessary for conducting auditing inspections of aircraft operated by air carriers for corrosion and metal fatigue; and

(B) to enhance participation of such inspectors and engineers in such inspections; and

(3) a program to ensure that air carriers demonstrate to the Administrator their commitment and technical competence to assure the airworthiness of aircraft operated by such carriers.

**SEC. 404. FOREIGN AIR TRANSPORTATION.**

(a) GENERAL RULE.—The Administrator shall take all possible steps to encourage foreign governments and relevant international organizations to develop standards and requirements for inspections and reviews which will ensure the continuing airworthiness of aging aircraft used by foreign air carriers to provide foreign air transportation to and from the United States and which will afford passengers of such foreign air carriers the same level of safety as will be afforded passengers of air carriers by implementation of this title.

(b) REPORT.—Not later than the last day of the second fiscal year beginning after the date of the enactment of this title, the Administrator shall report to Congress on implementation of this section.

**SEC. 405. ADMINISTRATOR DEFINED.**

As used in this title, the term "Administrator" means the Administrator of the Federal Aviation Administration.

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Mr. OBERSTAR. Mr. Chairman, I offer this amendment and urge its adoption. The amendment is identical to H.R. 172, the Aging Aircraft Safety Act of 1991, which was passed by the House in April by a voice vote without opposition. Similar legislation passed the House 1 year ago.

Ever since the Aloha Airlines accident 2 years ago, the issues surrounding the aging of the world's airline fleet have been of major concern to the flying public, the Government, and the aviation industry. The Government and industry have undertaken a number of very deliberate and beneficial actions on the problems of aging aircraft. Very quickly after the Aloha accident, the FAA, the manufacturers, and the airlines moved to change the assumptions upon which the regulatory approach to aging aircraft was based.

Before Aloha, a key assumption was that inspections for cracks and other damage could be discovered through routine, periodic inspections, and after

discovered, the cracks could be repaired. The Achilles heel of this approach was the reliance and dependence on inspections to detect cracks. The Aloha accident revealed that placing so much reliance on inspections did not serve the highest degree of safety, because cracks could be missed even under optimum inspection conditions.

Given the difficulty of these sorts of inspections to detect all potentially dangerous cracks, that assumption has been scrapped and we now have a new and improved approach. The approach now is to establish life limits to various structures and parts so that replacement of parts comes at certain intervals even if no crack reveals itself through inspections.

H.R. 172 builds on this new approach by requiring the FAA to make a special aircraft-by-aircraft inspection and assessment focused specifically on aging aircraft issues.

While I generally expect the industry and the FAA to do what is expected on the aging aircraft problem, I believe we need to develop a special regulatory and safety assurance system to ensure that all of the aging aircraft maintenance work now being required is actually accomplished.

This is necessary for three reasons. First, relatively few aircraft in the fleet will be retired over the next several years which means the average age of the fleet will significantly increase. Maintenance on aging aircraft will become an increasingly important aspect of air carriers' maintenance programs. Also, aircraft are increasingly being operated longer than was anticipated at the time of their manufacture. Prudence dictates that our legal and regulatory philosophy and framework recognize this, so that we are not simply relying upon the ordinary airworthiness compliance process for addressing this critical problem of increasing significance.

Second, when it comes to ownership of aircraft, the airline industry today is a web of complex ownership and leasing relationships and financial transactions. The specter of maintenance work being deferred to the next owner or lessee in order to save money is very real. This bill will ensure that from an FAA perspective that necessary work is accomplished and not deferred from owner to owner.

Third, for all the industry and the FAA have done to address the aging aircraft problem—and they are to be strongly commended—I have a sense most of it has been lost on the traveling public. The public should not be expected to sort out airworthiness directives, service bulletins, economic design life, and other arcane terms in determining their comfort level with flying. The public is very concerned about older aircraft. Let's develop a system of safety assurance that the public does not have to struggle and grapple with in order to feel assured. Under this bill, the question asked is straightforward: "Is this old airplane safe?" And under this bill, the answer will be equally as straightforward: "Yes" or "no."

The reason for adding it to the fiscal year 1992 Transportation appropriations bill is that the other body has made it clear that it will not move this legislation separately and will only deal with it as part of a larger package.

The House has passed this legislation on two separate occasions before. It enjoys bipartisan support. I urge the House to act again on this important safety initiative.

Mr. LEHMAN of Florida. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I strongly agree with the amendment offered by the gentleman from Minnesota [Mr. OBERSTAR] and urge its adoption.

Mr. COUGHLIN. Mr. Chairman, I move to strike the penultimate word.

Mr. Chairman, we support the amendment and welcome its inclusion in the bill.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Minnesota [Mr. OBERSTAR].

The amendment was agreed to.

Mr. LEHMAN of Florida. Mr. Chairman, I move that the Committee do now rise and report the bill back to the House with sundry amendments, with the recommendation that the amendments be agreed to and that the bill, as amended, do pass.

The motion was agreed to.

□ 1750

Accordingly the Committee rose; and the Speaker pro tempore [Mr. BARNARD] having assuming the chair, Mr. BOUCHER, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 2942) making appropriations for the Department of Transportation and related agencies for the fiscal year ending September 30, 1992, and for other purposes, had directed him to report the bill back to the House with sundry amendments, with the recommendation that the amendments be agreed to and that the bill, as amended, do pass.

The SPEAKER pro tempore (Mr. BARNARD). Without objection, the previous question is ordered.

There was no objection.

The SPEAKER pro tempore. Is a separate vote demanded on any amendment? If not, the Chair will put them en gros.

The amendments were agreed to.

The SPEAKER pro tempore. The question is on the engrossment and thrid reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER pro tempore. The question is on the passage of the bill.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Mr. DANNEMEYER. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 379, noes 47, not voting 7, as follows:

[Roll No. 224]

AYES—379

| | | |
|---|---|---|
| Abercrombie | Downey | Jones (GA) |
| Ackerman | Durbin | Jones (NC) |
| Alexander | Dwyer | Jontz |
| Anderson | Dymally | Kanjorski |
| Andrews (ME) | Early | Kaptur |
| Andrews (NJ) | Eckart | Kasich |
| Andrews (TX) | Edwards (CA) | Kennedy |
| Annunzio | Edwards (OK) | Kennelly |
| Anthony | Edwards (TX) | Kildee |
| Applegate | Emerson | Kleczka |
| Aspin | Engel | Klug |
| Atkins | English | Kolbe |
| AuCoin | Erdreich | Kolter |
| Bacchus | Espy | Kopetski |
| Barnard | Evans | Kostmayer |
| Barrett | Ewing | LaFalce |
| Bateman | Fascell | Lancaster |
| Beilenson | Fazio | Lantos |
| Bennett | Feighan | LaRocco |
| Bentley | Fields | Laughlin |
| Bereuter | Flake | Leach |
| Berman | Foglietta | Lehman (CA) |
| Bevill | Ford (MI) | Lehman (FL) |
| Bilbray | Ford (TN) | Lent |
| Bilirakis | Frank (MA) | Levin (MI) |
| Bliley | Franks (CT) | Levine (CA) |
| Boehlert | Frost | Lewis (CA) |
| Bonior | Gallegly | Lewis (FL) |
| Borski | Gallo | Lewis (GA) |
| Boucher | Gaydos | Lightfoot |
| Boxer | Gejdenson | Lipinski |
| Brewster | Gephardt | Livingston |
| Brooks | Geren | Lloyd |
| Broomfield | Gibbons | Long |
| Browder | Gilchrest | Lowery (CA) |
| Brown | Gillmor | Lowey (NY) |
| Bruce | Gilman | Machtley |
| Bryant | Gingrich | Manton |
| Bustamante | Glickman | Markey |
| Byron | Gonzalez | Marlenee |
| Callahan | Goodling | Martin |
| Camp | Gordon | Martinez |
| Campbell (CO) | Gradison | Matsui |
| Cardin | Grandy | Mavroules |
| Carper | Gray | Mazzoli |
| Carr | Green | McCandless |
| Chandler | Guarini | McCloskey |
| Chapman | Gunderson | McCollum |
| Clay | Hall (OH) | McCrery |
| Clement | Hall (TX) | McCurdy |
| Clinger | Hamilton | McDade |
| Coleman (MO) | Hammerschmidt | McDermott |
| Coleman (TX) | Hansen | McEwen |
| Collins (IL) | Harris | McGrath |
| Collins (MI) | Hastert | McHugh |
| Condit | Hatcher | McMillan (NC) |
| Conyers | Hayes (IL) | McMillen (MD) |
| Cooper | Hayes (LA) | McNulty |
| Costello | Hefner | Meyers |
| Coughlin | Hoagland | Mfume |
| Cox (CA) | Hobson | Michel |
| Cox (IL) | Hochbrueckner | Miller (CA) |
| Coyne | Horn | Miller (OH) |
| Cramer | Horton | Miller (WA) |
| Darden | Houghton | Mineta |
| Davis | Hoyer | Mink |
| de la Garza | Hubbard | Moakley |
| DeFazio | Huckaby | Molinari |
| DeLauro | Hughes | Mollohan |
| DeLay | Hutto | Montgomery |
| Dellums | Inhofe | Moody |
| Derrick | Ireland | Moran |
| Dickinson | James | Morella |
| Dicks | Jefferson | Morrison |
| Dingell | Jenkins | Mrazek |
| Dixon | Johnson (CT) | Murphy |
| Donnelly | Johnson (SD) | Murtha |
| Dooley | Johnson (TX) | Myers |
| Dornan (CA) | Johnston | Nagle |

Natcher
Neal (MA)
Neal (NC)
Nichols
Nowak
Oakar
Oberstar
Obey
Olin
Olver
Ortiz
Orton
Owens (NY)
Owens (UT)
Oxley
Packard
Pallone
Panetta
Parker
Patterson
Paxon
Payne (NJ)
Payne (VA)
Pease
Pelosi
Perkins
Peterson (FL)
Peterson (MN)
Pickett
Pickle
Porter
Poshard
Price
Pursell
Quillen
Rahall
Ramstad
Rangel
Ravenel
Ray
Reed
Regula
Richardson
Ridge
Riggs
Rinaldo
Ritter
Roe
Roemer
Rogers
Ros-Lehtinen
Rose
Rostenkowski
Roth
Roukema
Rowland
Roybal
Russo
Sabo
Sanders
Sangmeister
Santorum
Savage
Sawyer
Saxton
Schaefer
Scheuer
Schiff
Schroeder
Schulze
Schumer
Serrano
Sharp
Shaw
Shays
Shuster
Sikorski
Sisisky
Skaggs
Skeen
Skelton
Slattery
Slaughter (NY)
Slaughter (VA)
Smith (FL)
Smith (IA)
Smith (NJ)
Smith (OR)
Smith (TX)
Snowe
Solarz
Spence
Spratt
Staggers
Stallings
Stark
Stenholm
Stokes
Studds
Sundquist
Swett
Swift
Synar
Tallon
Tanner
Tauzin
Taylor (MS)
Thomas (CA)
Thomas (GA)
Thomas (WY)
Thornton
Torres
Torricelli
Towns
Traficant
Traxler
Unsoeld
Upton
Valentine
Vander Jagt
Vento
Visclosky
Volkmer
Vucanovich
Walsh
Washington
Waters
Waxman
Weber
Weldon
Wheat
Whitten
Williams
Wilson
Wise
Wolf
Wolpe
Wyden
Wylie
Yates
Young (AK)
Young (FL)

NOES—47

Allard
Archer
Armey
Baker
Ballenger
Barton
Boehner
Bunning
Burton
Campbell (CA)
Coble
Combest
Crane
Cunningham
Dannemeyer
Doolittle
Dorgan (ND)
Dreier
Duncan
Fawell
Gekas
Goss
Hancock
Hefley
Henry
Herger
Hertel
Holloway
Hunter
Hyde
Jacobs
Kyl
Luken
Moorhead
Nussle
Penny
Petri
Rhodes
Roberts
Rohrabacher
Sensenbrenner
Stearns
Stump
Taylor (NC)
Walker
Zeliff
Zimmer

NOT VOTING—7

Fish
Hopkins
Lagomarsino
Sarpalius
Solomon
Weiss
Yatron

□ 1810

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

## ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. ENGEL). Pursuant to clause 5, rule I, the Chair announces that further proceedings on the question of suspending the rules and passing the bill, H.R. 2893, as amended, will be postponed further until tomorrow.

## ADMINISTRATION GUTTING BILL TO TARGET RESEARCH FOR WOMEN'S DISEASES

(Ms. OAKAR asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. OAKAR. Mr. Speaker, I was not able to join Members this morning when they talked about the effort to defeat the women's health provisions in the National Institutes of Health legislation that will come up tomorrow.

Mr. Speaker, I applaud the administration's quest for peace, but I sure do not applaud what they are trying to do in gutting a bill that finally, finally targets research for women's diseases.

Mr. Speaker, let me quote Secretary Sullivan, who says, "The $50 million earmarked for breast cancer research and the development of a test for early detection of breast cancer is unnecessary."

Mr. Speaker, I want Secretary Sullivan to travel throughout this country and tell the 1 out of 9 women and their families who get breast cancer every year, the 45,000 women who will die this year of breast cancer, their children, their husbands, their daughters, their sons, their grandchildren, that we do not have to find a cure for breast cancer.

Mr. Speaker, let me tell you, we only give $18 million in basic research for breast cancer with this absolutely catastrophic disease. We give billions for star wars, and $1.7 billion for AIDS. I think it is about time we focused on this disease as well.

## REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 2507, NATIONAL INSTITUTES OF HEALTH AMENDMENTS OF 1991

Mr. MOAKLEY, from the Committee on Rules submitted a privileged report (Rept. No. 102-160) on the resolution (H. Res. 202) providing for the consideration of the bill (H.R. 2507) to amend the Public Health Service Act to revise and extend the programs of the National Institutes of Health, and for other purposes, which was referred to the House Calendar and ordered to be printed.

## REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 14, FLIGHT ATTENDANT DUTY TIME ACT

Mr. MOAKLEY, from the Committee on Rules, submitted a privileged report (Rept. No. 102-161) on the resolution (H. Res. 203) providing for the consideration of the bill (H.R. 14) to amend the Federal Aviation Act of 1958 to provide for the establishment of limitations on the duty time for flight attendants, which was referred to the House Calendar and ordered to be printed.

## PERSONAL EXPLANATION

Mr. MORAN. Mr. Speaker, I was unavoidably detained on Thursday, July 18, 1991. I was unable to cast the first two out of three votes on the Coast Guard authorization, inasmuch as my wife was giving birth to our baby daughter.

Mr. Speaker, had I been able to vote, I would have voted aye on Rollcall No. 214, which was to lift the fees on recreational boaters, and would have voted no on Rollcall No. 215, which was to require drug testing of Coast Guard employees.

## NATIONAL DARE DAY

Mr. SAWYER. Mr. Speaker, I ask unanimous consent that the Committee on Post Office and Civil Service be discharged from further consideration of the Senate joint resolution (S.J. Res. 121) designating September 12, 1991, as "National DARE Day," and ask for its immediate consideration.

The Clerk read the title of the Senate joint resolution.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Ohio?

Mr. RIDGE. Mr. Speaker, reserving the right to object, I do so to recognize the work of the sponsor of this resolution, the gentleman from California [Mr. LEVINE].

Mr. Speaker, continuing my reservation, I yield to my friend, the gentleman from New York [Mr. GILMAN].

Mr. GILMAN. Mr. Speaker, I rise today in support of Senate Joint Resolution 121, which will designate September 12, 1991, as National DARE Day. I would also like to commend the distinguished gentleman from California [Mr. LEVINE] for his efforts in cosponsoring the companion measure in the House.

Drugs are a deadly poison infecting our society. As of 1990, nearly 56 percent of our youth had tried some illicit drug by the age of 25. Approximately 52 percent have tried marijuana and nearly 20 percent have experimented with cocaine. In addition, there are foreboding projections of a heroin use explosion. There are daily battles between our drug enforcement agents and the suppliers of these deadly chemicals. It is incumbent upon all of us to provide assistance by steering our youth away from drugs.

The Drug Abuse Resistance Education [DARE] Program provides an outstanding service to educate our children about the hazards of drug use. Initially developed in Los Angeles, DARE has been very successful in training police officers to educate our Nation's youths about drugs. Since 1983, DARE and similiar programs have

spread across our Nation. DARE equips students with drug information and methods to enhance one's self-esteem. The program starts with elementary education, continues with junior high and high school students, and even performing in the community.

The DARE Program involves the entire community in its efforts to end the scourge of drug abuse, and has proven to be effective in our fight against drugs. Mr. Speaker, I urge my colleagues to join in supporting this measure to focus attention on the DARE programs which so effectively have been helping to save our Nation from the poison destroying our young people.

Mr. RIDGE. Mr. Speaker, I thank the gentleman from New York [Mr. GILMAN] for his comments. I encourage Members to seek out within their own communities and congressional districts whether or not the DARE Program has been deployed to help fight the war against drugs. It is a wonderful program. It can potentially be a very, very successful program.

Mr. Speaker, I certainly encourage Members to see to it that somewhere in their district the program is used.

Mr. LEVINE of California. Mr. Speaker, I rise in support of Senate Joint Resolution 121, legislation designating September 12, 1991, National Drug Abuse Resistance Education Day. There is no greater threat to our children than drug abuse and the violence which is an integral part of the drug culture. This plague has infected young people from all ethnic and income groups throughout the Nation. It must be brought under control. The best way to do that is to get tough with the criminals who peddle drugs and educate our children about the dangers of drug abuse.

I introduce legislation identical to Senate Joint Resolution 121 with my distinguished colleague, FRANK WOLF, from Virginia. Ths resolution recognizes DARE as a time-tested, successful Drug Abuse Education and Prevention Program.

DARE goes far beyond traditional drug abuse programs. In addition to identifying drugs and explaining their harmful effects, DARE's unique approach lies in its emphasis on resistance. DARE gives young people skills to recognize and resist the subtle and overt pressures that too often lead to experimentation drugs and alcohol.

It prevents substance abuse among school age children by teaching assertive response styles, resistance techniques, and how to evaluate risk-taking behavior and the consequences of their choices. By building their self-esteem, learning how to manage stress and to resist prodrug media messages, students learn how to say "no".

The program is designed with four levels that target children at various ages throughout their schooling. In kindergarten to fourth grade, the groundwork is laid for the core classes taught to fifth and sixth graders. In junior high, lessons are reinforced, and at the high school level, students are taught skills which will help them remain drug free into adulthood. By having the DARE messages continually reinforced, students become equipped to protect themselves from the onslaught of peer pressure.

DARE classes are taught by veteran police officers who see every day the carnage which results from drug abuse. Each officer undergoes special training in child development, classroom management, teaching techniques, and communication skills before entering the classroom. Cops offer their professional perspective on what happens on the street and give students practical lessons in how to stay clean. DARE provides a rare opportunity for law enforcement, teachers, and school administrators to fight the drug crisis together.

Independent research corroborates what 3,500 communities in 50 States, Australia, New Zealand, American Samoa, Canada, and Puerto Rico already know; that not only has the DARE Program helped students resist drugs, it has also contributed to improved study habits, better grades, decreased truancy, vandalism, and gang activity, improved relations between ethnic groups, and fostered a more positive outlook on the part of students toward police and school.

By realistically approaching drug prevention and education, DARE has uniquely and effectively addressed the drug problem in this country. I commend law enforcement for its willingness to sponsor and participate in innovative programs like DARE and I urge my colleagues to support this resolution.

Mr. RIDGE. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

The Clerk read the Senate joint resolution, as follows:

S.J. RES. 121

Whereas D.A.R.E. (Drug Abuse Resistance Education) is the largest and most effective drug-use prevention education program in the United States, and is now taught to 20 million youths in grades K–12;

Whereas D.A.R.E. is taught in more than 150,000 classrooms, reaching more than 3,500 communities in all Department of Defense Dependent Schools worldwide;

Whereas the D.A.R.E. program has become a model drug prevention program for other countries and is now taught in Australia, New Zealand, American Samoa, Canada, Costa Rica and Mexico;

Whereas the D.A.R.E. core curriculum, developed by the Los Angeles Police Department and the Los Angeles Unified School District, helps prevent substance abuse among school-age children by providing students with accurate information about alcohol and drugs, by teaching students decision-making skills and the consequences of their behavior and by building students' self-esteem while teaching them how to resist peer pressure;

Whereas D.A.R.E. provides parents with information and guidance to further their children's development and to reinforce their decisions to lead drug-free lives;

Whereas the D.A.R.E. program is taught by veteran police officers who come straight from the streets with years of direct experience with ruined lives caused by substance abuse, giving them a credibility unmatched by teachers, celebrities, or professional athletes;

Whereas each police officer who teaches the D.A.R.E. Program completes 80 hours of specialized training in areas such as child development, classroom management, teaching techniques, and communication skills; and

Whereas D.A.R.E., according to independent research, substantially impacts students' attitudes toward substance use and contributes to improved study habits, higher grades, decrease vandalism and gang activity, and generates greater respect for police officers: Now, therefore, be it

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled*, That September 12, 1991 is designated as "National D.A.R.E. Day", and the President of the United States is authorized and requested to issue a proclamation calling upon the people of the United States to observe that day with appropriate ceremonies and activities.

The Senate joint resolution was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

□ 1820

## NATIONAL HISTORICALLY BLACK COLLEGES WEEK

Mr. SAWYER. Mr. Speaker, I ask unanimous consent that the Committee on Post Office and Civil Service be discharged from further consideration of the Senate joint resolution (S.J. Res. 40) to designate the period commencing September 8, 1991, and ending on September 14, 1991, as "National Historically Black Colleges Week," and ask for its immediate consideration.

The Clerk read the title of the Senate joint resolution.

The SPEAKER pro tempore (Mr. ENGEL). Is there objection to the request of the gentleman from Ohio?

Mr. RIDGE. Mr. Speaker, reserving the right to object, I do so in order to yield to my friend and colleague who is the chief sponsor of this Senate joint resolution, the gentleman from South Carolina [Mr. SPENCE].

Mr. SPENCE. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, I rise today in support of Senate Joint Resolution 40, a resolution to designate the week, September 8 through September 14, as "National Historically Black Colleges Week." I have introduced the House companion bill, House Joint Resolution 102.

For the past few years, I have been privileged to sponsor legislation commemorating National Historically Black Colleges Week, and it is certainly an honor to do so again. There is no doubt that these schools are deserving of recognition for the many years of invaluable service that they have provided to our great Nation. The 107 historically black colleges and universities, which are located in 20 States plus the District of Columbia and the Virgin Islands, have long provided thousands of economically disadvantaged young people with the opportunity to obtain a college education. I am well aware of the importance of

these institutions since there are six of them in my district, all of which play a most important role in the higher education system of South Carolina.

Mr. Speaker, the impact of these institutions is immeasurable. They have produced leaders in practically every profession and continue to provide the training necessary to help lead our country into the 21st century. Recent statistics show that historically black colleges and universities have graduated a majority of the black pharmacists, attorneys, and engineers in the United States as well as 75 percent of our black military officers and 80 percent of the black members of our judiciary. It is evident that throughout their existence, these schools have provided, and continue to provide, the quality education that is vital in enabling individuals to improve their lives and the livelihoods of their families.

Mr. Speaker, it is appropriate that we honor historically black colleges and universities in this way.

At this time, I would like to express appreciation to those who have been so helpful in bringing this resolution before the House today; namely, the 220 cosponsors; the chairman of the full committee, the gentleman from Missouri [Mr. CLAY]; the ranking member, the gentleman from New York [Mr. GILMAN]; the chairman of the subcommittee, the gentleman from Ohio [Mr. SAWYER]; and the ranking member, the gentleman from Pennsylvania [Mr. RIDGE]. I would also like to thank the staffs of these Members and the committee staffs.

Mr. Speaker, again I would like to thank my colleagues for their support in the consideration of this resolution.

Mr. RIDGE. Mr. Speaker, I thank the gentleman for his words.

Mr. Speaker, I withdraw my reservation of objection.

Mr. SPEAKER pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

The Clerk read the Senate joint resolution, as follows:

S.J. RES. 40

Whereas there are 107 Historically Black Colleges and Universities in the United States;

Whereas such colleges and universities provide the quality education so essential to full participation in a complex, highly technological society;

Whereas black colleges and universities have a rich heritage and have played a prominent role in American history;

Whereas such institutions have allowed many underprivileged students to attain their full potential through higher education; and

Whereas the achievements and goals of the Historically Black Colleges are deserving of national recognition: Now, therefore, be it

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,* That the period commencing September 8, 1991, and ending on September 14, 1991, is designated as "National Historically Black Colleges Week" and the President of the United States is authorized and requested to issue a proclamation calling upon the people of the United States and interested groups to observe such week with appropriate ceremonies, activities, and programs, thereby demonstrating support for Historically Black Colleges and Universities in the United States.

AMENDMENT OFFERED BY MR. SAWYER

Mr. SAWYER. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. SAWYER: Page 2, beginning on line 3, strike "period commencing September 8, 1991, and ending on September 14, 1991, is" and insert "week beginning September 8, 1991, and the week beginning September 6, 1992, are each".

Page 2, line 8, insert "each" after "observe".

The SPEAKER pro tempore. The question is on the amendment offered by the gentleman from Ohio [Mr. SAWYER].

The amendment was agreed to.

The Senate joint resolution was ordered to be read a third time, was read the third time, and passed.

TITLE AMENDMENT OFFERED BY MR. SAWYER

Mr. SAWYER. Mr. Speaker, I offer an amendment to the title.

The Clerk read as follows:

Title amendment offered by Mr. SAWYER: Amend the title so as to read: "Joint Resolution designating the week beginning September 8, 1991, and the week beginning September 6, 1992, each as 'National Historically Black Colleges Week'.".

The title amendment was agreed to.

A motion to reconsider was laid on the table.

## NATIONAL JUVENILE ARTHRITIS AWARENESS WEEK

Mr. SAWYER. Mr. Speaker, I ask unanimous consent that the Committee on Post Office and Civil Service be discharged from further consideration of the Senate joint resolution (S.J. Res. 142) to designate the week beginning July 28, 1991, as "National Juvenile Arthritis Awareness Week," and asked for its immediate consideration.

The Clerk read the title of the Senate joint resolution.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Ohio?

Mr. RIDGE. Mr. Speaker, reserving the right to object, I do so again, of course, to acknowledge the work of our colleague, the gentleman from Florida [Mr. YOUNG], the chief sponsor of the resolution.

Mr. Speaker, further reserving the right to object, I yield to the gentleman from Florida [Mr. YOUNG].

Mr. YOUNG of Florida. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, I certainly would like to thank the chairman of the Post Office and Civil Service Subcommittee on Census and Population, Mr. SAWYER, and the ranking minority member, Mr. RIDGE, for their support and cooperation in bringing this resolution before the House floor.

As you may know, the resolution I introduced, House Joint Resolution 252, is identical to Senate Joint Resolution 142 which was sponsored in the Senate by my friend Senator SHELBY of Alabama, to designate the week of July 28 as "National Juvenile Arthritis Awareness Week" in order to encourage an awareness of the estimated 250,000 children in the United States who suffer from one of the many forms of the crippling disease.

Arthritis is an inflammation or swelling and heating of the joints which can make even simple tasks such as tying a shoe or getting out of a chair seem very difficult and frustrating. Many arthritic children miss up to 50 days a year of school because of the severity of the discomfort. Few people are aware that, in addition to joints, the disease can attack major organs including the liver, spleen, heart, lungs, and eyes causing serious, sometimes fatal, health complications.

Arthritis will effect the child through adulthood as, unfortunately, there is no known cure for the disease at this time. Treatment can relieve or prevent discomfort for some children while others live in constant pain.

In addition to the child, arthritis has an impact upon the entire family. Coupled with the emotional stress of watching their child struggle and cope with the disease, parents have to adjust the family lifestyle to accommodate for the constant needs and sensitivities of the child.

This resolution is an expression of admiration for the courage of children who suffer from arthritis, their families, and the many doctors, hospitals, clinics, and health organizations across the country who are dedicated to treating and finding a cure for this physically and emotionally debilitating disease.

Mr. RIDGE. Mr. Speaker, will the gentleman yield?

Mr. RIDGE. Further reserving the right to object, I am more than happy to yield to the gentleman from Ohio.

Mr. SAWYER. Mr. Speaker, I thank my friend the gentleman from Florida. I just want to take this moment to express the gratitude of everyone who is regularly involved in this kind of resolution to the gentleman from Florida [Mr. YOUNG] for the effort he has made to engage the support not only of those of us who serve in this body to bring recognition and national awareness to this debilitating disease, but to engage constituents around the country in support of this. It is an important means of communication, and one kind of opportunity that is too often not taken by Members in trying to share the importance of the resolutions they bring before us. The effort of the gentleman to do that is important on this

occasion, and I wanted to take this opportunity to thank him for that.

Mr. YOUNG of Florida. Mr. Speaker, if the gentleman will yield, I thank him very much for his generous comments and also his consideration of this resolution.

Mr. RIDGE. Mr. Speaker, I thank the gentleman from Florida for his contribution.

Mr. RIDGE. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

The Clerk read the Senate joint resolution, as follows:

S.J. RES. 142

Whereas over 250,000 children in the United States are affected by the debilitating disease known as Juvenile Arthritis;

Whereas this crippling condition attacks the joints and major organs of the human body—heart, liver, spleen, and even eyes;

Whereas this disease is often lifelong, affecting children into their adulthood, making even simple tasks difficult and frustrating, affecting the quality of life for our future citizens and leaders;

Whereas Juvenile Arthritris can be controlled reasonably well in most people, but it can prove fatal in some instances; and

Whereas the commitment to research and education efforts to develop a greater understanding about Juvenile Arthritis should be encouraged and continued: Now, therefore, be it

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled*, That the week beginning July 28, 1991, is designated as "National Juvenile Arthritis Awareness Week". The President is authorized and requested to issue a proclamation calling upon the people of the United States to observe the week with appropriate programs, ceremonies, and activities.

The Senate joint resolution was ordered to be read a third time, was read the third time, and passed and a motion to reconsider was laid on the table.

## GENERAL LEAVE

Mr. SAWYER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks cn the several joint resolutions just considered and passed.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

## REPORT RELATING TO UNITS OF READY RESERVE OF ARMED FORCES REMAINING ON ACTIVE DUTY—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES

The SPEAKER pro tempore laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, without objection, referred to the Committee on Armed Services.

(For message, see proceedings of the Senate of today, Wednesday, July 24, 1991.)

## RESCISSION AND DEFERRAL OF BUDGET AUTHORITY UNDER IMPOUNDMENT CONTROL ACT OF 1974—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. Doc. No. 102-117)

The SPEAKER pro tempore laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, without objection, referred to the Committee on Appropriations and ordered to be printed.

(For message, see proceedings of the Senate of today, Wednesday, July 24, 1991.)

## COLUMBUS SOCIAL SECURITY OFFICE

(Mr. RAY asked and was given permission to address the House for 1 minute and to revise and extend his remarks and to include extraneous material.)

Mr. RAY. Mr. Speaker, we in most cases do not realize that thousands of silent public servants are quietly working their hearts out for our citizens in local, State, and National Government agencies.

I want to pay tribute today to one overworked group—the Social Security Administrations' employees—who receive little recognition for the important jobs that they perform.

There are more than 40 million recipients of Social Security and it's a massive organization.

In particular, I want to recognize a special group today in a special office in Columbus, GA. Under the leadership of District Manager Ida Ford and Assistant District Manager Margaret Reydel, this office serves 10 counties in Georgia and 1 in Alabama, with a total population of about 250,000 persons.

Many Georgians are proud of the work of U.S. Senator Walter F. George of Vienna, GA, who was instrumental in strengthening the Social Security system. The Social Security Act became law in 1935, during the first term of President Franklin D. Roosevelt. The first Social Security taxes were withheld in January 1937 and the first benefits were paid out for the month of January 1940.

The first cost-of-living allowance came in October 1950. It was a 70 percent COLA. Other COLA's occurred off-and-on until an automatic COLA began in 1975.

This office is directly responsible for 44,000 persons. It pays out over $212,500 every month. In addition is its Supplemental Security Income Program, paying approximately 8,800 persons a total of over $20,500 a month.

I visited this office during this year's employee appreciation week and today I wish to pay tribute to Ida Ford, Margaret Reydel and their 33 hard-working, caring staff members. This office is one of nearly 1,300 district offices, along with over 130 hearing offices in the United States, which are staffed by more than 62,000 employees of the Social Security Administration.

In commending the good people in the Columbus, GA office let me note that Social Security helps everyone. Over 24 percent of those receiving Social Security earned under $10,000 a year while they were working. Forty-eight percent of those receiving Social Security benefits earned between $10,000 and $30,000. That means that over 72 percent earned under $30,000 a year.

Mr. Speaker, the Social Security law is now in its 56th year. It works. And one of the reasons it works so well is the dedicated people it has attracted, such as the ones who work in the Columbus, GA office.

Good, conscientious, caring employees are always valuable, whether in private business or in government service. I would like to include in these remarks, all of the persons who are part of the Social Security Administration's Columbus, GA, office. The list begins, as I noted earlier, with District Manager Ida Ford and Assistant District Manager Margaret Reydel. The others who work here are the following, in alphabetical order: Arlene Adams, Dianne Akin, Willie Mae Austin, Mary Frances Brown, Faye Carles, Nancy Carpenter, Sally Chadwick, Florence Champion, Rebecca Commander, Anna Cummings, Linda Gibson, Geneva Hall, Ronald Harper, Sandra Harris, Annice Johnson, Barbara Kakaualua, Carole Kubik, Brenda Lewis, Debra Long, Annie Manuel, Julia Mead, Paula Middleton, Benise Mincey, Edith Mooney, Gloria Morrison, Archie Payne, Janet Perry, Karen Rhea, Ann Shaw, Donna Smith, Thomas Stafford, Betty Wargo, and Dorothy Womack.

□ 1830

## A NICKEL FOR THE POLITICIANS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Pennsylvania [Mr. WALKER] is recognized for 5 minutes.

Mr. WALKER. Mr. Speaker, I would like to make a few comments this evening to the so-called highway bill that we may have up sometime next week. It is a bill of great concern for both Congress and the country, and I think deserves to be examined closely by all Members. It should be examined closely, because it is a bill which is

being called in some quarters a transportation bill, in other quarters a tax bill.

It is being called a tax bill because part of the provisions of this bill are to raise gasoline taxes by a nickel a gallon. Some people in this House have come up with a slogan that that gas tax is a nickel for America. I would contend that that is not the reality of the bill, that, instead, the gas tax is going to be a nickel for the politicians.

Why do I say a nickel for the politicians? Well, in this bill there is $6.8 billion in so-called demonstration projects, special projects allocated to the individual Members of Congress, $6.8 billion in spending for special projects over a 5-year period.

The first year of the gas tax, the additional nickel-a-gallon gas tax will raise a total of about $6 billion, so that means that all of America will end up paying a gas tax for an entire year simply to fund the projects that Members of Congress put into this bill. That does not sound like a nickel for America to me. It sounds like a nickel being taken away from America to pay the politicians. It is, in fact, a nickel for the politicians.

Now, it is interesting who is going to pay that tax, because we have heard a lot of talk in this particular Congress about the fact that we are going to tax the rich, that any taxes we impose should be on the rich. Well, this is a tax which comes 72 percent out of the pockets of low- and middle-income America. It is a tax specifically aimed at middle-income and low-income Americans. It does not affect the rich. It is not something which devastates the pocketbook of the rich. It comes out of the pockets of low- and middle-income America to the tune of 72 percent of all the taxes paid.

It is also a tax which is inflationary, recessionary, and regressive. You do not have to believe me on this. You can believe some of the people who helped author this particular bill. I have here a letter sent in 1989 to the President of the United States. It was sent by the leadership of the Committee on Public Works and Transportation, and it was sent by Mr. ANDERSON of California, Mr. MINETA of California, Mr. HAMMERSCHMIDT of Arkansas, and Mr. SHUSTER, and they say about the gas tax at that time, "We are also concerned that a motor-fuel-tax increase of this kind would be regressive, geographically inequitable; it would hurt our economy by the loss of jobs, increased inflation, and a reduction in the GNP." In other words, they say themselves in that letter to the President that gas taxes are inflationary, recessionary, and regressive, all at the same time. That is a pretty bad kind of taxation.

I would suggest also to the American people that this is a bill which they should be suspicious of if they kind of like getting out and getting in their car and going to work or going to the grocery store or maybe even going on vacation, because this is a bill aimed at taking Americans out of their cars. Why do I say that? Well, I have here a copy of the summary of the bill.

It is not called the Highway Act. It is called something called the Intermodal Surface Transportation Infrastructure Act of 1991. I went to the dictionary to find the word "intermodal." We have a dictionary right up here in the front of the Chamber. I went there a few minutes ago to try to find this word. This word does not exist in that dictionary. Maybe it exists in some other dictionary. It does not exist in that dictionary. I wonder what it means. I went to the bill. I tried to find out what it might mean.

I will tell you what it means. It means, "Get Americans out of their cars and into some other kind of transportation; make Americans walk instead of taking their cars; make Americans ride a bicycle instead of driving their car; make Americans take mass transit instead of driving their cars; make Americans ride a bus on vacation rather than getting in their car and driving on vacation." That is what intermodal means.

They have an entire title of this bill devoted to intermodal transportation. In fact, when you look at this bill, you find out that we are setting a national goal to promote intermodal transportation. In other words, we are setting a national goal to get Americans out of their cars and into something else.

It is also interesting to note that we are setting up a whole office under the Department. They set up new duties for the Secretary of the Office of Intermodalism. That is a big, big title here, but we are going to have a Secretary now of Intermodalism. We are going to have a Secretary whose job it is to get Americans out of their private automobiles and get them into some other kind of transportation.

Then we set up a modal, I am sorry, it is a model, a model intermodal transportation plan, so we are going to have a whole plan that is aimed at trying to get Americans out of their cars into some other kind of transportation, and then to top it off, what we have in this bill is a National Commission on Intermodal Transportation, and this national commission has about nine things that it is going to be doing in order to take Americans out of their private automobiles and put them into some other kind of transportation.

I would suggest that most of the American people kind of like their car and would like to keep it. This bill ought to at least be stripped of the title that suggests to them that their cars are obsolete and that they ought to put them away.

## ORDER OF BUSINESS

Mr. HALL of Ohio. Mr. Speaker, I ask unanimous consent today that my special order for 60 minutes be vacated and that I be granted a 5-minute special order.

The SPEAKER pro tempore (Mr. ENGEL). Is there objection to the request of the gentleman from Ohio?

There was no objection.

## CHILDHOOD HUNGER AND POVERTY

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Ohio [Mr. HALL] is recognized for 5 minutes.

Mr. HALL of Ohio. Mr. Speaker, yesterday, the Food Research and Action Center launched its Campaign to End Childhood Hunger. This effort is designed to educate the Congress and the public that hunger is a solvable problem. But, that we must exercise our political will if we are going to see an end to it. I applaud the work of this organization in bringing a new focus on our domestic hunger problems and have invited all of my colleagues in joining me today to make our commitment to ending childhood hunger a statement of public record.

On Monday, I was in the Appalachian region of Ohio. The Select Committee on Hunger, which I have the privilege of chairing, held a hearing there. We went to look at how well antihunger and antipoverty programs are working in rural America. We also wanted to find out how we might improve opportunities for poor people in isolated rural communities to move from the cycle of poverty and gain economic independence.

While we were there, we visited the Clemons family. They had a 3-year-old daugther named Crystal—cute as a button. Crystal lives in a house that has no insulation. Last fall, the family replaced the cast iron woodburning stove in the living room. Mrs. Clemons told us that the outside of that stove used to get too hot and Crystal's 4-year-old brother, Matthew, kept burning himself on it. Luckily, they found another second-hand stove that was safer for the kids to be around before the weather turned cold. You see, this stove heats the entire two-story house. They are praying to get some help weatherizing the house this year so it will be warmer during the winter, but until then, they just have to make do.

The little community where Crystal lives does not have a water system. There is an old well about 150 feet from the house from which Crystal's mom and dad draw water to flush the toilet. They travel to the next town to haul water from an underground stream that flows from the side of a hill to get water for drinking and bathing.

Her father has tried for a number of years to find a job in construction, but

there are not any. So, in order to keep the family eligible for their monthly ADC check, he works off the benefits at the local food bank.

The family is living in what I would say are pretty deplorable conditions. But, many would say that Crystal is still one of the lucky ones. She participates in Head Start. In fact, she has learned to count to 10 and say her ABC's all the way up to "F." Unfortunately, there are over 2 million other kids Crystal's age who are not enrolled in the program because it does not get enough funding to serve them all.

When Mrs. Clemons was pregnant with Crystal, she participated in WIC. She got prenatal care, a monthly food package, and nutrition education classes. These services all helped to assure that Crystal wasn't one of the 40,000 babies born in this country each year who don't live to celebrate their first birthday. She was born at a normal weight, so she escaped some of the lifelong disabilities that are linked to low birthweight. She is not mentally retarded. She does not suffer from vision or hearing impairments. Millions of mothers and babies are not so lucky. The Congressional Budget Office estimates that 8.7 million people will be eligible for WIC in fiscal year 1991. But, only 4.5 million will be served. You see, funding this program at a level adequate to serve all who are eligible to get benefits has not yet become a national priority.

The family participates in the Food Stamp Program. In fact, food stamp benefits account for almost 42 percent of their income. With so little money for other expenses such as the $225 each month that they pay for rent, they are unable to add any other resources to the purchase of food. But, at least they get food stamps. The program currently serves fewer than 60 percent of the people that are actually eligible for benefits.

Last year, when Crystal was 2, she was up to date on all of her shots. Nationwide, in 1990, only 70 percent of all 2-year-olds had been immunized against measles, mumps and rubella.

And, even though the house Crystal lives in should probably be condemned, she has it better than the 220,000 kids reported by the Department of Education to be homeless. After all, she does have a roof over her head.

Mr. Speaker, today 1 in 5 children in this Nation lives in poverty. For black children the rate is even more catastrophic, close to 40 percent are poor. The community childhood hunger identification survey conducted by the Food Research and Action Center reports that 11 million children under the age of 12 are at risk of hunger. Research indicates that by the year 2000, nearly 50 percent of all children born in this country will have spent some portion of their lives in poverty. How many of them will suffer from hunger?

Children constitute our most vital resource. They hold in their hands the future of this Nation. In short, they are the leaders of tomorrow. We have got to do a far better job preparing them to meet this challenge. What are we going to do about this?

In May, I introduced the Freedom From Want Act. This bill seeks to combat hunger and poverty among our children by: calling for a 5-year program of full participation in WIC; creating demonstration projects for community-based education and targeted health and social services to reduce infant mortality; and creating innovative self-employment and savings programs so that parents have access to better opportunities to provide for their kids.

Our esteemed colleague, Representative LEON PANETTA, has introduced the Mickey Leland Childhood Hunger Relief Act. This is a bipartisan bill that would provide the greatest expansion of the Food Stamp Program since 1977. More than 90 percent of the benefits increases proposed in this bill are targeted to help families provide enough food for their children. I encourage the House Agriculture Committee to expedite action on this critically needed legislation.

Right now, Crystal's future does not look so good. The unemployment rate in her county is about 4 percent, but the poverty rate is almost 24 percent. At the rate things are going, when Crystal grows up, she will become one of the working poor in America, earning just enough to keep her in poverty for the rest of her life, and trapping her children in a cycle of poverty.

We have got to do more for the Crystals of this country. We have got to ensure that low-income mothers participate in the WIC Program, and deliver healthy babies. We have got to make sure that families get the food stamp benefits they need, so that children don't go hungry. We have got to offer hope to people. If America means anything, it means hope for a better life. If we are not offering that hope to Crystal and millions of kids just like her, then we're not doing our jobs.

Ending childhood hunger means that kids like Crystal Clemons will have a fair chance at life. America will be making a sound investment in its future by investing in Crystal's future.

□ 1840

Mr. GILMAN. Mr. Speaker, will the gentleman yield?

Mr. HALL of Ohio. I yield to the gentleman from New York.

Mr. GILMAN. Mr. Speaker, I am pleased to join the gentleman from Ohio [Mr. HALL], the distinguished chairman of our House Select Committee on Hunger, for this special order on childhood hunger and poverty. It is extremely important that all our colleagues join in stressing the importance of this urgent issue.

Some 13.4 million American children, 1 in every 5, live in poverty. Mr. Speaker, in a nation as prosperous as our own, we simply cannot allow this to continue. It is our duty both as elected representatives and as concerned and decent people to see to it that our children are properly cared for and given a chance to grow up in a healthy environment.

It's not just a matter of compassion. It's a matter of common sense. The children of today will be our leaders of tomorrow. How can we expect to compete in the 21st century when such a substantial portion of our future generations are now suffering from a lack of food and proper care?

As members of the Select Committee on Hunger, we have taken it upon ourselves to help our youth escape the hardships of hunger and poverty. In a nation where 11 million children under the age of 12 are at risk of hunger, we cannot afford to stand by and do nothing.

Mr. Speaker, our children are an invaluable resource. As parents and grandparents, we all know the joy that a happy, healthy child can bring to a family—to the world. We also know of the limitless potential that each child possesses. It would be shameful for this resource to remain untapped.

We can ensure a bright future for our youth by confronting the issue, and doing whatever we can to give young people the chance they deserve.

Let us join in supporting the Mickey Leland Childhood Hunger Support Act and the other hunger and nutrition issues before this Congress.

Mr. ROSTENKOWSKI. Mr. Speaker, will the gentleman yield?

Mr. HALL of Ohio. I am happy to yield to the chairman, the gentleman from Illinois [Mr. ROSTENKOWSKI].

Mr. ROSTENKOWSKI. Mr. Speaker, I rise in support of the Leland hunger bill with a combination of pride and trepidation.

Pride because this bill will make a difference for millions of Americans—particularly American children—who are hungry tonight. Their plight is embarrassing, given that American agriculture is the envy of the world. We can grow more than enough food to feed every American well, but hunger remains a painful problem for the poorest of our citizens.

It is especially painful during the summer months. When I was young, I used to look forward to summer vacation. But hundreds of thousands of today's children have a very different attitude. For them, summer is a sad time because the school feeding program shuts down. Kids who are used to getting breakfast and lunch in school are left to fend for themselves.

There's no excuse for failing to feed our people. So I am proud to join with the supporters of this legislation to work for its enactment. My pride, how-

ever, is tempered by doubt. I don't know how many of those who join me tonight in saying we should solve this critical problem will also join me later when the Ways and Means Committee is asked to raise the revenues to fund this needed program.

I fear that this bill will turn into nothing more than legislative junk food, despite our good intentions, unless we are ready to back up our rhetoric with votes for a proper funding mechanism. I worry that we may be misleading the hungry and creating even deeper voter cynicism by overpromising—and then failing to deliver.

Some years ago a muckraking journalist wrote a book about the imbalance between such promises and reality. It was called, "Let Them Eat Promises." Our hungry children deserve better than that.

I have two goals today. The first is to join with my colleagues in responding to a very real problem. And the second, equally important, is to express a sincere hope that my colleagues will join me later in raising the revenues needed to fund this initiative.

These two commitments must go together. Making the first, but ducking the second will confirm the fears of critics who are already saying that we're part of the problem rather than the solution.

But those who make both commitments will do more than help the hungry. They will also be taking an important step toward restoring confidence in our Government by delivering on our promises.

□ 1850

Mr. HALL of Ohio. Mr. Speaker, I thank the very distinguished chairman of the Committee on Ways and Means for his support and his most important comments.

Mr. Speaker, I yield to the gentleman from Florida [Mr. BACCHUS].

Mr. BACCHUS. Mr. Speaker, my district in Florida is known as a place where children smile. We have Disney World, Sea World, Space Center USA, Universal Studios, nearly 100 miles of beaches are all places that make children smile; but beyond the glamour and the glimmer, behind all the bright lights is a world in central Florida where many children never smile and many are hungry. More than 40 percent of the people who live and work in my congressional district in central Florida live in poverty. Many of them are children. Their plight is not unlike that of children throughout Florida.

The Center for the Study of Social Policy ranks Florida 45th among the 50 States in protecting, nurturing, and educating children.

I have seen this world of hungry children on my Citizens Saturdays when I go out with groups of people to try to make our community a little better and brighter. I have seen the hungry children when I worked as a volunteer at the large Schering Center in Cocoa. I have seem them at the Daily Bread in Orlando. I have seen them at Our Lord's Table in Vero Beach.

Our Citizens Saturdays can help as we bring volunteers out to help our children to build children's playgrounds, to take children who have never seen a beach to the beaches, to work with those who have Down's syndrome. We can help these hungry children as volunteers, but we must do more. These children need a government that cares, a government that is responsive, a government that is on their side.

I have a little girl myself, a baby daughter. She is 8 weeks old. The other day she smiled for the first time. My hope is that in my service here in the Congress, working with my colleagues on both sides of the aisle, we can make a world and especially an America in which all children will always have reasons to smile.

Mr. HALL of Ohio. Mr. Speaker, I want to thank the gentleman from Florida [Mr. BACCHUS] for his excellent statement.

Mr. WILLIAMS. Mr. Speaker, it is a sad day in America when 13.5 million children live in poverty and 11 million under the age of 12 are at risk of hunger. Our Nation needs to seriously reconsider its priorities when our children go hungry and live in poverty.

Can you imagine for a moment a household where very capable, caring parents offer their compassion and financial assistance to the neighbors when their own children sit at a table where there is no food? Imagine parents who live in wealth but do not provide basic health care to their own children. We, as a society, would think that those parents were irresponsible and force them to fully account for their actions. But that is exactly the way America is behaving toward its own children. This Nation is the richest in the world, yet does not take proper care of its own children.

I don't have to tell you that hungry children do not fair well in school. If we don't take care of our children because it's the right thing to do we should do it to enhance our economic well-being in the future. Teachers, scientists, doctors, and astronauts are not career paths that hungry, poverty-stricken children could even consider. The children are not the only losers—in the long run we all lose.

Mr. EMERSON. Mr. Speaker, I am pleased to join in the special order taken out by the gentlemen from Ohio.

Few issues come before this body which touch us more deeply than those affecting our children and their welfare. So often my colleagues on the House Select Committee on Hunger and within the House as a whole come together to legislate programs enhancing our Nation's commitment to America's most precious resource—our children. As mothers, fathers, grandmothers, and grandfathers we look for Federal means of improving the nurturing of our children and for methods of equalizing the starting points of our Nation's youngsters. We attempt to promote what Americans have always tried to offer their children—compassion, hope, and promise.

To be sure Congress has been well intended. We have set significant objectives and we have reached many of our youth in meaningful ways. But today's percentages of homeless children, the death rates among our infants, the effects of malnutrition bequeathed by an impoverished mother to her unborn child, and the numbers of children living below poverty level all demand that we find the ways and means of providing enhanced benefits to America's youth.

Money alone is not sufficient to improve assistance to our young. And reality shows us our purse strings have only so much give within them. I urge this Congress and those following to consistently give emphasis to reviewing, to simplifying, coordinating, and integrating our already existing assistance programs, and to enriching the assistance partnership between our private and governmental sectors.

We already have 125 public assistance programs. Some of them originated more than 50 years ago. We must realize programs also need continual reviewing before they can provide maximum effectiveness for America's families and their children. We cannot expect programs which met the conditions of previous decades to be fully relevant and effective today. True enough, we have from time to time amended, patched, created, and eliminated within our assistance apparatus. But it has left us with a monstrous and costly structure we all too often seem afraid to discipline. It will be difficult, but conditions are demanding we now meet the challenge of comprehensively coordinating and integrating our assistance framework so it can impact on lives with enough power to keep our people off welfare. Presently we all too often entrap people into a welfare dependency and almost prevent their reaching self-sufficiency—and self-esteem.

Today's conditions require us to realize we have been unable to pull enough of our needy families onto their own two feet and off the subsistence standards of welfare dependency. And too often the quality of life our working poor has to tolerate is also responsible for the unacceptable conditions of our children. The impact of these realities is tragically evident in those families who are second or third generation welfare dependent.

Yes, the effectiveness of our welfare programs must be increased and must reach more of our needy children. I urge the country and Congress to realize the time has come to get on to the tough job of overhauling our public assistance programs into an integrated and powerful package. Surely this is our most powerful approach to improving our childrens' chances of becoming productive citizens—it is the best insurance we can give to our greatest national resource.

Mr. GILCHREST. Mr. Speaker, I rise to add my support for helping poor and hungry children in America. We have heard the statistics; we have seen the reports. Half of all food stamp recipients are children; 83 percent of food stamp benefits go to families with children. In my home State of Maryland, 110,000 women, infants and children are eligible for WIC. Yet only about half of them are receiving benefits because WIC is not yet fully funded.

Who will speak for these poor and hungry children? Who will protect their interests and provide for their needs? When will the rights of children be the No. 1 priority, in word and deed? Each day we delay, another child goes hungry and starts school unprepared to learn.

Our food assistance policies, our tax and economic policies, our education policies, our health policies, and our housing policies must be coordinated and streamlined to meet the needs of the whole family. To help American children we need to redesign our poverty programs and strengthen our food assistance programs. We must help working parents. When the average family of 4 pays 24 percent of its income in Federal income tax, compared to 2 percent in 1948, when we have 31 million people with inadequate or no health insurance, it is time to reexamine our policies and their impact. Our Government's policies must be two-fold: First, programs must help our most vulnerable citizens gain independence in their time of need; second, programs must address the root causes of poverty and strengthen American families. Whenever possible we must empower the parents and provide them with the training and skills to care for their families.

This body will soon have another opportunity, I hope, to improve the condition of poor and hungry children. I, too, am a cosponsor of H.R. 1202, the Mickey Leland Childhood Hunger Relief Act, and I support my colleagues who have spoken in its favor. This bill would go a long way toward helping families that are struggling to get off welfare. For example, H.R. 1202 raises the food stamp benefits in stages to a level more closely reflecting the actual current cost of purchasing the Thrifty Food Plan. It gives families with children the same shelter deduction as the elderly and disabled. It relaxes the household definition to apply to families or relatives who live and eat together. And it strengthens the food stamp employment and training programs by providing higher reimbursement to recipients for child care and work-related costs.

My constituents urged me to support the Mickey Leland bill. Groups like RESULTS, Inc., which is fighting to make child survival the burning issue in Maryland public policy supports the Mickey Leland bill, and the Freedom from Want Act. Also volunteer and nonprofit groups in my district who care for poor and hungry children support H.R. 1202: Delmarva Rural Ministries, the Maryland Food Committee, St. Martin's Barn in Cecil County.

Our programs designed to address their needs are making an impact, and must be expanded. The U.S. Department of Agriculture reports that we save anywhere from $1.71 to $3.13 in Medicaid costs, for each dollar invested in prenatal WIC participation. Programs with this type of savings, and programs like Smart Start and Head Start that prepare children for school are the types of investment my constituents support.

Finally, most important, I believe, is the attitude we must adopt. Last week, during a joint hearing of the Budget and Hunger Committees the former regional director of the Appalachian Regional Development Program emphasized again and again that the key difference between communities that prospered and failed, assuming the same resources for development were available, was the attitude of the community and its leadership. Vision and entrepreneurial spirit are the necessary ingredients. We must take this lesson to heart, and pursue relentlessly the means to end childhood hunger and poverty. A child will best learn self-esteem and dignity when treated with respect—and ending childhood hunger and poverty are essential to this goal. I commend those who lead and continue this fight, and I urge the rest of my colleagues to join these efforts.

Mr. DE LA GARZA. Mr. Speaker, today over 23 million Americans are participating in the Nation's primary feeding program—the Food Stamp Program.

More than half of the participants in the Food Stamp Program are children, and these children and their families receive over 82 percent of all benefits paid.

The Food Stamp Program makes a real and important difference for them. Without it, millions of children would be growing up in acute hunger.

I am proud to be a sponsor of H.R. 1202, the Mickey Leland Childhood Hunger Relief Act—the Freedom From Want Act, H.R. 2258, contains similar food stamp provisions—which targets over 90 percent of its benefits to families with children. I am proud that the Committee on Agriculture, which I chair, led the effort for similar legislation last year which won overwhelming support as part of the 1990 farm bill.

Passage of this legislation is a priority of the committee, and our Subcommittee on Domestic Marketing, Consumer Relations and Nutrition intends to begin consideration of the bill next week.

Hunger is a continuing problem in our Nation for a whole host of reasons. Fortunately, it is not the fault of our farmers who consistently produce an abundant and affordable supply of food. Whatever the cause, we must rededicate our efforts to help the less fortunate in our society who cannot afford an adequate diet. As a father and grandfather, I believe we cannot rest until we have fed the last hungry child in America. As chairman of the Committee on Agriculture, I will do my best to ensure passage of necessary legislation to reach that goal, and I am pleased that many of my colleagues today have pledged their support toward this very worthwhile endeavor.

Mr. PANETTA. Mr. Speaker, I see no better time, as this country attempts to refocus its priorities from a foreign front to a domestic front, than to speak to the question of childhood hunger and poverty that is rampant in our Nation. However, this is a question for which an answer has long been overdue. There is simply no excuse for the fact that 11 million children under the age of 12 are at risk of hunger. This is a fact outweighed in atrocity only by the lack of inaction of this institution to collectively address the situation.

Over the past decade there have been several attempts made to right these wrongs, whether it was through the Food Stamp Program or other nutrition programs. With each successive victory has come an equally negative defeat. During the early 1980's, the Reagan administration was successful in initiating some of the most devastating cuts of nutrition programs. We have still not fully recovered from the tremendous impact of these cuts from those years.

I have fought, and will continue to fight, for support for these programs to help our most vulnerable and our greatest resource in society, our children. My good friend and colleague, Mickey Leland, with whom I had the distinct privilege of serving on the Select Committee on Hunger, was dedicated to this cause, and it is in his spirit and sense of determination that this fight against hunger has been raised to a higher ground. Ridding this country of hunger is a moral imperative, and Mickey raised the issue to a new consciousness as a result of his zeal and tireless efforts. It is in his honor that my legislation, the Mickey Leland Childhood Hunger Relief Act, serves as a memorial to him.

The major themes of this bill include protecting the homeless and near homeless, reducing childhood hunger and promoting selfsufficiency. This bill will improve access to and benefits from the Food Stamp Programs. The Food Stamp Program is so very vital as 51 percent of all food stamp recipients are children, and 83 percent of all food stamp benefits go to families with children.

We must also ensure that all eligible, low-income women, infants, and children can receive assistance through the WIC Program. I worked to make sure that in the budget resolution this would be the case by 1996. In fact, at a budget hearing that I conducted, we had five major CEO's from some of the top corporate businesses in America testifying to the importance of child nutrition programs such as WIC. It is hopeful to know that the hunger and nutrition issue has encompassed supporters from a wide spectrum. Society is realizing that we must make sure our children grow up healthy, physically and mentally, with a sound education, in order to be prepared to lead the next generation into the future.

These are very basic issues, yet issues of great urgency as the recent recession has unfortunately highlighted. We cannot sit by and let this problem continue to fester. The Congress must take action. Passing the Mickey Leland Childhood Hunger Relief Act would be an important step in easing the hunger problem in America. Let us end childhood hunger now.

Mrs. KENNELLY. Mr. Speaker, I cannot stress enough that in a land of plenty, it is simply inexcusable to let children go to bed hungry. Approximately 50,000 familes in Connecticut live below the poverty line of $13,400 for a family of 4, and 78 percent of them have at least one child under age 6.

This situation must be addressed promptly and comprehensively. A study completed by the Community Childhood Hunger Identification Project concluded that 41 percent of low-income families with children in Hartford are chronically hungry. Three out of every 4 children in this city which I represent are hungry or at risk of hunger.

This is the scenario which we are facing. The immediate need for assistance is frightening. Currently we do not assure food security in our country. Monthly food stamps do not last all month. Children are forced to take turns eating breakfast.

There are pieces of legislation like the Freedom from Want Act and the Mickey Leland Childhood Hunger Relief Act, which address the existing hunger and poverty problems. Mr.

Speaker, we must do all we can to ensure their passage.

To paraphrase the motto of Connecticut's Foodshare, we won't stop our efforts to alleviate hunger until the hunger stops.

Mr. PENNY. Mr. Speaker, I want to thank my Hunger Committee colleagues, Mr. HALL, Mr. EMERSON, Mr. ESPY, and Mr. GILCHREST for requesting this special order today to call attention to the issue of childhood hunger and poverty.

Just 2 months ago the National Commission on Children issued its final report in a volume entitled, "Beyond Rhetoric: A New American Agenda for Children and Families." If Members haven't read this report, I suggest that they—not just staff—take the time to seriously reflect on the problems and the recommendations contained in the report.

I call on this Congress to go beyond our own rhetoric to meet the needs of those who are America's future. Chilean poet Gabriela Mistral said it more eloquently than I: "Many things we need can wait, the child cannot. Now is the time his bones are being formed, his blood is being made, his mind is being developed. To him we cannot say tomorrow; his name is today."

What's happening to America's children today? Dr. T. Berry Brazelton, professor of pediatrics at Harvard and a member of the National Commission on Children, highlighted a few of the problems in a New York Times Magazine article late last year. Dr. Brazelton wrote:

Children are the poorest group in society, with more than one in five living in a household whose income is below the poverty level, $12,700 for a family of four. Despite medical advances, the United States infant mortality rate is worse than in some Third World countries, and every day more than 100 American babies die before their first birthday. About one million teen-agers become pregnant each year, and as many as 18 percent of newborns in some city hospitals are born exposed to alcohol, crack, and other hard drugs.

On hearing all this, the press asked, "So what's new?" The panel could only reply, alas, that nothing is new. Americans have become numb to reports of the hopelessness of their children.

Are we really so cynical or are we afraid to face the problem? As the Commission has noted, the figures are widely reported but too rarely followed up by action. Taxpayers and legislators are not yet determined to insure that every child has the opportunity to grow up healthy and whole, to be secure, and to become literate and economically productive.

Certainly, the uneven face of American poverty is a factor. Although at least 21 percent of all children are needy, the problem is more intense in city neighborhoods and rural pockets. Forty-five percent of black children and 39 percent of Hispanic children were poor in 1987, compared with 15 percent of whites. More than half the children in households headed by single women are impoverished.

Employment does not guarantee escape from poverty. Forty-four percent of poor two-parent families have at least one full-time worker, and 25 percent of these households have a parent who works part time. The prevalent bias—that those who are destitute deserve it—is not borne out by the Commission's investigations.

Needy children are in double jeopardy. They have the most health problems, and the least access to care. * * * In general, the families that suffer the most social stress receive the least social support. The widening gap in this country between rich and poor makes it even more likely that these children will repeat their parents' poverty. They will not be prepared to contribute to society—except in an antagonistic, often violent, way.

Dr. Brazelton has outlined the significant, widespread problems which dramatically affect America's children today and ultimately affect their future—and ours.

Lest anyone think that the problems he raised are prevalent only in cities and some rural areas, let me share with you some evidence that comes from my own State, Minnesota. Even in Minnesota, safe in America's breadbasket, hunger is no stranger. In a study released in March by the Minnesota Food Education and Resource Center—Urban Coalition—nearly three-fifths of food shelf survey respondents reported that adult household members had to skip meals in the past month because there was not enough money to buy food. Even more troubling is the high incidence of meal skipping among children. Nearly a quarter—23 percent—of households with children reported that children had to skip meals in the past month because there was not enough money for food. Involuntary meal skipping by both adults and children was more widespread in 1990 than in a similar survey done 5 years earlier.

Earlier this year I participated in a one-meal fast as part of the observance of Minnesota Food Share Day, designed to publicize the collection of food and money to support Minnesota's food shelves. Skipping one meal was not difficult—my congressional schedule often causes me to miss meals, and besides, I knew that there was plenty of food waiting for me at home that evening. But the token fast did cause me to reflect on the many people throughout our State, our country, and our world whose only diet worry is not how to reduce their waistlines but just where and when their next bite of food might be.

It's obvious to everyone: Kids should not be skipping meals. Their healthy growth depends on sound nutrition. But more to the point, American kids should not be forced to skip meals because their family doesn't have money to buy groceries. In our land of abundance, that's simply not acceptable.

What about our Government food assistance programs? Aren't they reaching these children and their families?

The Minnesota report notes that:

Food stamps are clearly not reaching all those who qualify for and need them. Of the households surveyed at Minnesota food shelves, about three-fifths—61 percent—had received food stamps in the past month.

Many of those households not receiving food stamps had not applied for benefits either because they didn't think they were eligible or because they want to stay off welfare.

The report goes on to cite the inadequacy of the "Thrifty Food Plan" as a standard for adequate nutrition. The Minnesota Department of Human Services chose the low cost food plan because it comes closer to meeting nutritional needs.

The WIC Program—for which we recently appropriated $2.6 billion—still does not reach half of those pregnant women, infants, and young children who are eligible for assistance. Minnesota is among 20 States that supplement Federal WIC funding with State money. And, until June of this year, the State also received an infant formula rebate that increased their capacity to contribute to WIC.

Despite these efforts, a conservative estimate leaves 26,000 eligible Minnesotans unserved, out of over 100,000. Other estimates place the unserved at 43,000. Whichever figure we accept, this means that we are still placing the lives and futures of thousands of children at risk.

The School Lunch and School Breakfast Programs may provide these children with the only full meals of the day, but only during the school year. The Minnesota study also showed that involuntary meal skipping increased by 4 percent from January to July. In constant dollar terms, Federal school lunch funding was approximately the same in fiscal year 1990 as it was in 1981, with some 1.5 million fewer children participating.

Additionally, there is still a great need for expansion of the School Breakfast Program. In Minnesota, for example, only 75 school districts participate in the Breakfast Program—with the concentration in Minneapolis and St. Paul. All Minnesota children—rural, urban, and suburban—should have the option of eating a nutritious breakfast at school.

Finally, the greatest concern to all of us should be the conclusion drawn from the Minnesota study: That households using food shelves in 1990 were more likely to be experiencing food shortages of some duration, rather than short-term emergencies. In other words: Hunger is a chronic problem in our State, and hunger hurts.

Who does it hurt most? Hunger hurts children. It denies them the one legacy that should be theirs—the opportunity to grow and to flourish. If we really believe that ours is a land of opportunity, then we need to muster the political will to insure our children's future.

Mr. FAZIO. Mr. Speaker, I rise today in support of Chairman HALL's special order on childhood hunger and poverty.

It is difficult to believe that—let alone understand how—11 million of our children here in the United States under the age of 12 can be at risk of hunger. It is painfully hard to accept the fact that our infant mortality rate is among the highest in the industrialized world, and that one out of every four homeless people in the United States is a child.

It is also unpleasant to face the fact that, even as we rightfully attempt to feed the hungry overseas, we have continually denied our own youngsters their basic human right to food and medical care.

But, it is true. America's children are the victims of poverty and poor health care. A child born in Jamaica or Costa Rica has a better chance of surviving than a child born in the District of Columbia, where 23 of every 1,000 children die before, during, or immediately after birth.

Yet, we all know that our children do not have to live—and die—this way. We are capable of feeding and taking care of them. We also know that the problem is not just going to go away. We have to meet it. We can either confront it now, however, or face the con-

sequences later, when the effects have multiplied and the situation is even more out of hand.

What we lack is the commitment—commitment that is expressed by us, as Members of Congress, in the form of the antihunger legislation introduced by Chairmen HALL and PANETTA, H.R. 2258, the Freedom From Want Act, and H.R. 1202, the Mickey Leland Childhood Hunger Relief Act, respectively. This legislation assumes that we have the means and the responsibility to take care of our children. It forms the foundation for providing America's children with the prenatal care, medical care, and food that they need to survive.

I urge my colleagues not only to support this legislation in the short term, but also to remember our long-term obligation to our youngsters and our country. To neglect our children is to neglect our future.

Mr. KLECZKA. Mr. Speaker, we know the statistics all too well. Children are the largest poverty group in America. Nationwide, an estimated 5.5 million children under age 12 are hungry, and an additional 6 million such children are at risk of hunger.

This situation affects every State and district in our country. Between 1979 and 1987 childhood poverty in Wisconsin increased by 54 percent. Today, in Milwaukee County, approximately one out of every four children lives in poverty.

The reasons for these statistics are also well known. Low-income wages are not keeping pace with the increasing costs of living. In Milwaukee, nearly half of all poor households spend at least 70 percent of their incomes on housing and utilities. Many working poor families must also pay for child care and health insurance. Poor households without health insurance suffer even greater economic strains when a family member becomes seriously ill. After paying for these necessities, very little money is left for food.

We have both an economic and a moral responsibility to put an end to childhood hunger and poverty. Hungry children suffer from fatigue, dizziness, and irritability, among other maladies. In school, this results in an inability to concentrate, and therefore, to learn. They also are likely targets of specific health problems. Hungry children miss nearly twice as many school days as other students. An increase in absences leads to a decrease in education. As a result, these children are less likely to reach their full potential. Instead of contributing to our society, many become dependent on it.

More significant is what cannot be measured by statistics. Poverty robs children of their childhood—a time to explore individual capabilities and dreams. This situation is intolerable.

Successful Federal programs to eliminate childhood hunger do exist. The Women, Infants, and Children [WIC] Program provides nutrition and health benefits to low-income women and children. Studies indicate this program helps alleviate the dangers of childhood hunger while reducing Medicaid costs. The Food Stamp Program assists low-income families in purchasing adequate diets. National School Lunch and School Breakfast Programs, and the Child and Adult Care Food Program, supply meals to preschool and school-age children. Unfortunately, at current funding levels, these programs cannot accommodate all eligible individuals.

In a time of severe budget restrictions, funding for some Federal programs can wait—programs to assist America's hungry children cannot. Congress can end this problem by expanding these effective programs, and enacting legislation to provide affordable housing and national health care to all Americans. I look forward to working with my colleagues to find additional ways to ensure no child in our Nation suffers the consequences of poverty and hunger.

Mr. COYNE. Mr. Speaker, the time has come for America to remember its children. For too long, our Nation's leaders in government, businesses and the media have forgotten the sad fact that millions of American children are at risk of going to bed hungry each night.

It is too easy for some to forget this fact amid the exciting images of U.S. preeminence around the world. America is the key leader in efforts to achieve peace and security in many parts of the world. The administration is busy moving from one summit to the next, and I commend those who strive to resolve long standing international disputes.

Still, I would like to see our Nation focus some of this energy on solving long standing problems here at home. I believe it is time to engage in some domestic summitry to resolve the problems of childhood hunger and poverty.

We can no longer ignore this problem. In the United States, 13.4 million children—one in five—live in poverty. The distress of living in poverty has affected an increasing number of low-income families. Between 1979 and 1987, the number of children in families with incomes less than one-half the poverty level grew from over 3 million to nearly 5½ million.

It is a sad commentary on our Nation's priorities to note that while the U.S. military ranks first in the world, our country ranks 21st among industrialized nations in controlling infant mortality. We are right to offer assistance to the victims of war and natural disaster in the Middle East and Bangladesh, but we must not forget the fact that one out of every four homeless persons in America is a child.

In March, many Americans were alarmed by the results of a Community Childhood Hunger Identification Survey released by the Food Research and Action Center indicating that 11 million children under the age of 12 are at risk of hunger. Part of the explanation for this may be that while one-half of all Food Stamps Program participants are children, only 65 percent of those eligible actually receive these food assistance benefits.

We can do better. We must do better for the Nation's children. As a cosponsor of the Mickey Leland Childhood Hunger Relief Act, I support efforts to respond to the needs of our Nation's children. Mr. Speaker, I believe the House should make it a priority to enact this legislation and reform Food Stamp programs to ensure that American families and children do not go hungry.

Mr. TOWNS. Mr. Speaker, there are 12.6 million poor children in the United States today. Nearly half live in families that do not receive welfare payments. Government cash transfer programs, the principal being Aid to Families With Dependent Children [AFDC], now lifts only about 10 percent of all poor children out of poverty. The Special Supplemental Food Program for Women, Infants, and Children [WIC] serves only half of those eligible because of funding limits and food stamps reach only 50 to 60 percent of those eligible.

While the Bush administration has proposed increases for some programs, they are insufficient. In the case of WIC funds, at the rate of increase proposed by President Bush for 1992, it would take 15 to 20 years to have enough funds for all people. The result—1 in 8 children in the United States under 12 suffers from hunger; 5.5 million of these children are hungry and 6 million more are at risk. The effects of not getting enough food permeates more facets of the child's life than poor growth. Hungry children often do not have the energy to learn, and as a result, do not do as well on tests and can be disruptive in a classroom. They also are less resistant to illness and more likely to miss school.

Our national priorities should include full participation in WIC of all eligible low-income mothers, infants, and children; and extension in Head Start to at least half of the poor 3- to 5-year-olds by 1992; improvement in food stamp benefits and investment in programs that build the academic and work place skills of disadvantaged youth. The lives of our Nation's children and this country's ability to compete worldwide depend on our support for preventative measures to help children grow up smart and healthy.

Mr. AUCOIN. Mr. Speaker, I am very pleased to join my colleagues today in addressing the crucial issue of childhood hunger and poverty. I want to commend Congressman HALL for the work he is doing as the chairman of the House Select Committee on Hunger and thank him for organizing this special order. I also want to commend the Food Research and Action Center for taking the lead in the nationwide Campaign To End Childhood Hunger.

In Oregon, the legislature and the Oregon Food Bank have recognized the widespread and persistent hunger problem that disproportionately affects our children. They have responded by forming a Legislative Task Force on Hunger and the Oregon Coalition to End Childhood Hunger and they have found some startling facts:

Some 14 percent of Oregonians seek and receive food from hunger relief agencies each year, that includes nearly 200,000 children;

Over 50 percent of food stamp recipients in Oregon are children, and a majority of families report that benefits run out by the third week of the month;

Only half of the eligible children receive services of the Special Supplemental Food Program for Women, Infants, and Children [WIC] program;

Nearly 16 percent of Oregon's children live in poverty.

Despite these alarming statistics, State and Federal Government continually fail to treat hunger as a top priority. Budget constraints consistently prevent the expansion of successful programs to fully meet the need. But what we are doing is further threatening the health of America's children. And further threatening the health of America.

This Congress has little hesitation providing billions of dollars to fund our military operation in the Persian Gulf. Maybe that is because so many lives were immediately at stake and we were able to point to concrete achievements in a short period of time. Taxpayers were able to turn on CNN and watch their tax dollars being put to use. But with 13.4 million American children living in poverty and 11 million children under the age of 12 at risk of hunger, we have a crisis here at home. It is a crisis just as vital to the future of our Nation. The difficulty is that it's social condition that is less tangible and slower to treat. These children are also in a battle. These childrens' lives are also at risk. These children's ability to learn in school is at risk. At-risk children create a nation at risk.

We have the tools and the programs to fight the battle, the battle of childhood hunger. The WIC Program, TEFAP, Food Stamps, the National School Lunch Program and the School Breakfast Program are all successful programs. But they only reach a limited number of children in need. They could be much more effective with stronger support from our colleagues and the Bush administration.

I want to take this opportunity to urge my colleagues to support measures which will diminish the condition of hunger in America. Support the Freedom From Want Act. Support the Mickey Leland Childhood Hunger Relief Act. Support increased funding for food assistance programs. Again, Mr. Speaker, I'm very pleased to join my colleagues today in shining the spotlight on the needs of hungry children. We need to make childhood hunger a Federal policy priority and we need to do it now.

Mr. BRYANT. Mr. Speaker, the United States has won the war in the Persian Gulf and the President has set out to build a new world order. I cannot help wondering how the United States can orchestrate a new world order when our own house is collapsing.

The United States has one of the most productive agricultural and industrial economies in the world, but those achievements have occurred while millions of citizens remain hungry.

American troops liberated 2 million citizens of Kuwait—to whom we are linked by petrochemicals—but what about those people to whom we are linked by the sacred bonds of blood and citizenship?

When will we liberate the more than 20 million Americans who are chronically hungry?

When will we liberate the 12.6 million American children who live in poverty?

A paper prepared by the House Select Committee on Hunger shows that, despite the fact that our country produces huge amounts of food, millions of Americans need help to get enough to eat. Four million women, infants, and children who are eligible for Federal food programs cannot be fed because we cannot finance the program. In Dallas, we are currently only serving 20 percent of those eligible for the Special Supplemental Food Program for Women, Infants, and Children [WIC]. The national average is only 50 percent.

At the same time, hunger is disproportionately a problem for African-American, Hispanic, and native American peoples in the United States. And within these groups, children and the elderly are especially affected, as are families headed by women of all races.

In the United States, there is no comprehensive nutrition monitoring system to assess directly the extent of hunger. Consequently, hunger estimates are based on private studies, such as the Community Childhood Hunger Identification Project [CCHIP] which was released in March by the Food Research and Action Center of Washington, DC. These studies have demonstrated a reliable means to accurately assess hunger among children under 12 in the United States.

In the absence of a national nutrition monitoring system, the most recent "Report on the State of World Hunger" from the Bread for the World Institute on Hunger and Development points out that an understanding of hunger trends can be examined in the context of poverty trends.

Even though the United States has experienced economic growth since the mid-1980s, the state of poor Americans in the late 1980s does not offer an encouraging outlook for future poverty alleviation. In fact, the nature of the economic growth (with proportionally more low-paying jobs and a widening gap between rich and poor) is a cause of continued hunger in the United States.

A 1990 study of Congressional Budget Office data by the Center for Budget and Policy Priorities shows that the income of the richest 1 percent of Americans has been so great that the increase in their after-tax income between 1980 and 1990 will equal the total income of the poorest 20 percent of the population in 1990. "In other words," says the study, "the increase in the after-tax income of the richest 2.5 million Americans will equal the total income the 50 million poorest Americans will receive in 1990."

The Bread for the World's report goes on to point out that, "One of the most sobering facts concerning poverty and hunger in America is that those most affected are children"—a direct parallel to the situation in most Third World countries. And while the percentage of children affected in the United States is much lower than in the Third World, the United States does have a higher percentage of children in poverty than Canada or the countries in Western Europe.

The President's fiscal year 1992 budget would cut low-income nonentitlement programs by $1.8 billion. At the same time, poverty is rising as a result of the economic recession, making programs that give assistance to poor people all that more important.

Persistent poverty among children results in hunger and undernutrition. While failing to invest in poor and hungry children can certainly be criticized on moral and ethical grounds, the potential economic impact on the U.S. economy in the decades to come also will be tremendous if we fail to invest in children now.

Two programs, in particular, could, if properly funded, help nourish poor children today and ensure a healthy work force to support tomorrow's baby boom retirees.

Proposals in the House and Senate call for a 5-year plan to reach full participation in WIC. Obviously, funding for community health centers and maternal and child health programs must keep pace with an expanding WIC Program in order to provide needed health services. A major new study shows that because WIC increases birthweight and use of prenatal care, it lowers Medicaid costs substantially. For every dollar invested in WIC for pregnant women, Medicaid expenses reduced by up to $3.13 in the first 60 days after the birth of the baby.

Second, Representative LEON PANETTA, chairman of the House Budget Committee, has sponsored the Mickey Leland Childhood Hunger Relief Act, H.R. 1202, in honor of Houston's former Representative and the founder of the House Select Committee on Hunger, who died on a trip investigating hunger in Ethiopian refugee camps 2 years ago. H.R. 1202 would make a number of changes in the earnings tests required for food stamp programs with the intention of significantly reducing hunger, especially hunger among children.

While the new budget rules do not allow much flexibility one thing is certainly clear: In terms of practicality and humanity it is important to invest in all children, and especially poor children.

Mr. MOODY. Mr. Speaker, I rise today to join my colleagues in discussing the devastating problem of childhood hunger. It deeply saddens me that hunger is so prevalent across the globe and in the United States. According to Bread for the World Institute on Hunger & Development, between 7 and 8 million American children were hungry year round in 1990, meaning that they were chronically short of the nutrients necessary for growth and good health.

In my home State of Wisconsin, despite its reputation as a prosperous State, thousands of children go hungry every day. The Food Research and Action Center estimates that 97,015 Wisconsin children under age 12 are hungry and an additional 210,301 Wisconsin children under age 12 are at risk of hunger. In 1990 Milwaukee's Emergency Food Pantry Network provided food assistance to an average of 33,000 people a month, of which 22,000 were children.

The effects of hunger on children are serious and far-reaching. Hungry children have a greater inability to concentrate, are more irritable, and have a greater tendency to be sick. Good nutrition is essential for young children. There is a clear link between proper nutrition, good health, and cognitive development. Poor nutrition can also result in growth retardation and an increased risk of infections. These long-term consequences can stay with children long after hunger has past and prevent them from ever reaching their full potential.

Attacking the problem of hunger is one of the most crucial and urgent issues facing our Nation. This problem needs to be addressed from two different angles. First, we have to ensure that the United States has strong food programs that have adequate resources to serve everyone that needs them. The United States has some wonderful programs to assist the hungry—WIC, school food programs, Food Stamps, et cetera—but these programs need more funding. Second, we need to look at the basis of hunger which is poverty. In order to end hunger we need to improve our economy and specifically the situation for the poorest in our Nation.

During the 1980's there were several disturbing trends which contributed to hunger in the United States. The number of people falling below the poverty line and the disparities in wealth greatly increased while at the same time government assistance programs de-

clined. In 1979 the poverty rate was 11.7 percent and in 1988 it increased to 13 percent—the unemployment rates in both years were almost identical. From 1979 to 1986 the average market value of noncash benefits received by poor families decreased from $4,221 to $4,088.

Real income declined in the 1980's and at the same time living costs increased. Most low-income budgets have become dominated by housing and utility costs thus leaving few dollars for food and other necessities. Faced with the hard choice of shelter or food many families are forced to go hungry.

We must address the issue of hunger now. Children should not be robbed of their future. It is not only immoral that there are hungry children in this country, but it is also unwise. Our children are our Nation's future and we cannot remain economically competitive if we don't ensure that they are healthy and strong. We are a strong Nation and we have the resources to eliminate hunger in the United States. We need to set our priorities and by doing so make policy changes that will end poverty and hunger.

Mr. ESPY. Mr. Speaker, the plight of the poor and the hungry, especially our children, is a national issue of great importance to me, both as an American and as a Congressman who represents one of the poorest congressional districts in America. I come from a State:

First, where almost 26 percent, or 664,000, of our citizens live in poverty.

Second, where more than one-third of our children live in poverty.

Third, where some county infant mortality rates rival those in Third World countries.

Fourth, where unemployment rates in some of the counties I represent approach 26 per cent.

And, according to a recently published FRAC study on childhood hunger, 19.4 percent of families with children under 12 in Mississippi experience hunger; and 42.8 percent of families with children under 12 in Mississippi are either hungry or at risk of hunger.

These statistics are not just numbers—they describe the reality of the lives of poor children, many of whom will never have the opportunity they deserve to grow and become productive citizens. They are the newborn babies who weigh less than half of what they should. They are the children who suffer from much more than their fair share of fatigue, headaches, irritability, and illness.

Hunger and poverty lowers our resistance to disease, stunts growth and development, hinders the ability to concentrate, and compromises the ability to learn. Poor and hungry children today compromise our Nation's ability to compete in an international marketplace tomorrow if we raise a generation of children unprepared for the world of work.

Today, despite America's preeminence as one of the wealthiest nations in the world, we have demonstrated little progress in our battle against poverty. Compared to 20 years ago, we have as many poor people as ever and the poor are poorer. Our child poverty rates are high in comparison to other countries. And, our future generation of leaders, our youngest children, are the poorest of the poor, and the most vulnerable of our citizens.

Why is it, I wonder, that we have not taken care of this problem which is destroying our children? What has happened to our sense of humanity, our ability to be compassionate? Has it been obscured by the politics of poverty? We are a great nation. And, great nations have great responsibilities. It seems to me that we, as a nation, are falling short of meeting those responsibilities.

When individual parents fall seriously short of their responsibilities to their children, when they neglect or abuse their children, there are oftentimes consequences to face. The State department of human services might step in and remove the children from the home. A physically abusive parent, depending upon the severity of the abuse, might be criminally prosecuted and incarcerated.

Are we as Americans not collectively guilty of some neglect and abuse of our children? How much longer will we:

First, bury babies, at a comparatively high rate, before their first birthday because access to prenatal care is not what it should be?

Second, subject children to preventable physical and cognitive disabilities?

Third, pour money into neonatal intensive care units and into disability payments to treat and support those with preventable disabilities?

Fourth, allow children to live in shelters for the homeless, in the streets, or in substandard housing?

Fifth, pour money into the building of juvenile detention centers, training schools, and prisons, instead of into preventive programs?

Sixth, relegate some children to special education programs when their only disadvantage is an economic one?

Seventh, allow children to go to bed hungry?

Many Americans, both inside of and outside of the Congress have been frustrated in their attempts to improve the conditions in which many of our children live and are being raised. In more recent years, the budget deficit has been used as the reason that we cannot increase funding for successful existing programs, such as WIC and Headstart, or for new or expanded services.

It does seem that the demands of our resources are surging while resources are shriveling, at both State and national levels. And, many human needs are competing with each other for what dollars are available.

Our budget agreement sets maximum limits for categories of spending and currently prohibits the transferring of savings from one area to another area. There can be no increases in any programs without either an offsetting savings in another program or the raising of revenues. Those are the rules, but exceptions were provided for in cases of emergency.

When we needed money for Operation Desert Storm, we passed a supplemental appropriations which was off budget. When money was needed to bail out the savings and loan industry, those dollars were found too, to the tune of three-quarters of a trillion dollars over 10 years, with $50 billion needed right away. And, we will no doubt find the money for other apparent priorities.

Priorities—maybe how we define those is a big part of our current problem. For many years, we have supported our defense industry with approximately $290 billion annually. And, we have watched the deterioration of our country's infrastructure and many human services programs. Certainly, our children need to be among our highest of priorities. And, meeting basic biological needs, such as hunger and the need for food should be right up there at the top of our list.

There are some programs that can and do make a difference. One of those programs is our Food Stamps Program, a major line of defense in fighting childhood hunger. More than 82 percent of food stamp benefits go to households with children. But many persons remain unserved—only 65 percent of those eligible for benefits actually get them.

There are two other child nutrition programs which are also very important. The WIC Program, a very successful preventive program that has demonstrated cost benefits, unfortunately, serves only 55 percent of those eligible for services. The National School Lunch Program serves approximately 24 million children daily. However, the Breakfast Program, despite its proven effectiveness in improving school attendance and academic performance, only served about one-fourth of those needy children who receive lunches.

I think that our choice as a nation in responding to childhood poverty and hunger is an obvious one. Today we can either invest in Child Nutrition, WIC, Head Start, health and other programs we need or tomorrow we can continue to borrow the money to build more prisons, expand welfare, and try to cope with the other problems which could have been prevented.

Mr. HUGHES. Mr. Speaker, I rise today to address one of America's greatest tragedies—childhood hunger.

The community childhood hunger identification project conducted by the Food Research and Action Center, one of the most comprehensive studies ever conducted in this country on childhood hunger, estimated that 5½ million American children under 12 are hungry, and twice that number are at risk of hunger.

The catastrophic effect of these findings not only weighs heavily on the present but also on this Nation's future. Hunger contributes to a number of negative health and educational consequences for children which will result in enormous social costs for all of us down the road.

Hungry children suffer from two to three times as many individual health problems, such as unwarranted weight loss, fatigue, headaches, irritability, inability to concentrate, and frequent colds. The community childhood hunger identification project found that these children are more often absent from school, compared to low-income children whose families do not experience food shortages.

The Centers for Disease Control reports that anemia remains a significant health problem among low-income children. Iron-deficiency anemia in children can lead to adverse health effects such as developmental and behavioral disturbances and increased susceptibility to lead poisoning.

Consequently, hunger has a negative impact on children's ability to learn. Recent research shows that low-income children who participate in the School Breakfast Program

showed an improvement in standardized test scores and a decrease in tardiness and absenteeism compared to students who did not eat breakfast at school.

And yet, the Federal assistance programs that are designed to help children who do not receive adequate food and medical care—like food stamps; Womens, Infants, and Children [WIC]; and Head Start—reach only slightly more than half of those individuals eligible for the program.

We have a tremendous opportunity in Congress to demonstrate our commitment to ending childhood hunger in America by passing the Mickey Leland Childhood Hunger Relief Act and the Freedom From Want Act. These bills will help ensure that the Federal assistance programs reach all eligible individuals they are designed to help.

In my own district, a coalition of business leaders and child advocacy groups have invested in the local Head Start and WIC Programs to facilitate the creation of two new projects designed to promote nutrition and prenatal and early childhood care.

In Cumberland, Gloucester, and Salem Counties in New Jersey, the WIC and Head Start offices have joined forces to launch a farmers market coupon project. Each month, families receive with their WIC checks a $10 coupon redeemable for fruits and vegetables at local farmers markets. WIC and Head Start counselors provide on-site nutrition counseling and activities in addition to providing transportation to the farmers market.

In Atlantic County, NJ, a WIC Program has been established to instruct pregnant teenagers and school-aged mothers in prenatal and early childhood health care. Any student who completes the course instruction will earn a $50 savings bond in the name of her baby for each quarter she is able to meet specified program goals such as keeping program appointments, ensuring the baby is up to date on immunizations, and attending high school regularly.

The Federal food assistance programs are good investments in our Nation's future and provide the first line of defense against hunger. I again urge my colleagues to join me in support of the Mickey Leland Childhood Hunger Relief Act and the Freedom From Want Act. Passage of this legislation will send a clear message to the American people that we will not ignore this country's hungry children.

Mr. SABO. Mr. Speaker, America's children, our Nation's future, need help. Many of them are poor, hungry, homeless, and ill. One in five American children lives in poverty and one of every four homeless persons is a child.

During the 1980's the number of children living in poverty grew significantly. The child poverty rate was higher in 1987 than any time during the 1970's. The number of children living in extremely poor households grew from 3.4 million in 1979 to 5.4 million in 1987. What do these numbers mean? They often mean poor academic skills, poor workers, and early parenthood, resulting in a lifetime of poverty for the next generation.

We, as a nation, must eradicate this scourge of childhood poverty. Actions must be taken to ensure all children have a fair chance in life. Although the family remains the main influence on children, communities and governments can play a vital role. Communities must pay attention to the plight of children. And governments must invest in the health, nutrition, housing, and education needs of our Nation's youngest citizens.

The Federal Government has developed several programs that help in improving the lives of American children. It is essential that these programs receive the funding they so richly deserve until every eligible child is served. Further efforts must be made to end the erosion of working wages and to keep families from slipping into poverty. As Members of Congress we must all continue to work with our friends in communities around the Nation to find creative solutions to this problem.

## GENERAL LEAVE

Mr. HALL of Ohio. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include therein extraneous material on the subject of my special order today.

The SPEAKER pro tempore. (Mr. ENGEL). Is there objection to the request of the gentleman from Ohio?

There was no objection.

## COMMEMORATING 135TH ANNIVERSARY OF BIRTHDAY OF NIKOLA TESLA

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Maryland [Mrs. BENTLEY] is recognized for 60 minutes.

Mrs. BENTLEY. Mr. Speaker, I, too, want to commend the gentleman from Ohio [Mr. HALL] for his excellent presentation on the problems concerning our children. I would join with him and our other colleagues who spoke on this today and say, yes, we need to do something about it. I do want to commend the gentleman for it.

Mr. Speaker, I rise today to commemorate this month the 135th anniversary of the birthday of one of America's greatest inventors and scientists, Nikola Tesla.

He was born at the stroke of midnight between July 9 and 10 in the year of 1856 to Serbian parents, in a hamlet which is a part of Yugoslavia today.

As one of the greatest physicists this world has ever known, he performed one of his first experiments at the age of 4. He improvised a water wheel from a crude disk, without using paddles like most water wheels built at that time. It showed his ingenuity and genius, two characteristics which best described this man from early childhood until his death. The paddleless water wheel remained in Tesla's mind and became the underlying principle many years later for his invention of the smooth disk turbine without buckets.

After having completed his education in Europe, Tesla displayed tremendous ability for math, he fluently spoke five languages, and had a knack for everything else. He moved to Budapest and while working for the American Telephone Co., he made a telephone repeater which became the ancestor of today's loudspeaker. This, which might have brought him millions, was among the first in a series of inventions for which he failed to file a patent and, therefore, did not receive any recognition. Tesla often was cheated out of the benefits of his accomplishments. He would be so caught up in the joy of discovery that he would forget to patent his inventions, which then would be stolen and patented by those with whom he worked.

Tesla came to the United States in 1884 to work for the electrical giant of the day, Thomas Edison. In Tesla's eyes, America was a land of golden promise, and he knew he would fulfill his dreams there. He arrived in New York with 4 cents in his pockets, a book of poems he had written, and the calculations for designing a flying machine. As he left the immigration office, Tesla marveled the New World which he felt was a century behind Europe in civilization. Mr. Speaker, little did he sense that his own inventions would set America a century ahead of Europe and the rest of the World.

He worked for Edison, but from the moment the two of them met, they never got along. Tesla's way of creating something by planning, calculating, and then putting it all together to gain success from the first try was the sheer opposite of Edison's practice of the trial and error system, which was longer and not as practical. When Tesla met Edison, he wondered whether obtaining his education was a waste of time, as Edison, who did not have any education, still accomplished many things. He soon realized that all the years he spent in school were well worth the effort and never again regretted it. The tremendous number of his inventions was the best proof that he was right in doing so.

Even with all their differences, Tesla and Edison would have been able to work together had it not been for their greatest altercation—that over the currents. Edison believed in the direct current, while Tesla patented the alternating current system. Tesla's whole purpose of coming to America was to prevail in using the alternating current, but Edison hated the idea. Tesla needed the money to pursue his dream, and when Edison said that if he could improve his dynamos he would get $50,000, Tesla set to work. He came up with the design of 24 different types of standard machines, short cores, and uniform patterns which were to replace the old ones. Edison was very pleased with the results but never paid Tesla, so Tesla left the company and opted to open his own laboratory in 1887. Four years later, 100 years ago, on July 30, 1891, he became a U.S. citizen. A proud

American, Tesla always cherished his naturalization certificates, keeping it in a safe where only he could look at it with reverence and joy.

Tesla is credited with some 700 inventions. Among the more notable ones were the invention of the Tesla coil, which is an integral component in radios and television sets. Tesla created many inventions by using wireless transmission. He first demonstrated the feasible long-distance transmission of electrical energy. It was he who invented the use of radio in controlling torpedoes and model boats. In effect, Mr. Speaker, it was Tesla, not Marconi, who first demonstrated the wireless radio set. This was known as the great radio controversy, when in 1943 in the case of the Marconi Wireless Telegraph Co. of America versus the United States, the Supreme Court ruled that it was Nikola Tesla who invented radio. And it was Tesla who demonstrated the precursor to the fluorescent light bulb.

His designs and inventions for the alternating current system resulted in his being awarded 40 patents. Then came a competition between Tesla and Edison, known as the battle of the currents. Westinghouse, an entrepreneur and an inventor himself, was very interested in Tesla's alternating current. He promised Tesla $1 million in cash plus royalty—$1 for each horsepower produced, if he would completely develop the alternating current. Hard times came, however, and Westinghouse couldn't afford to pay the royalties. Tesla opted to tear up the contract, but he still was to handle the patent. Alternating currents were a success, and Tesla received worldwide recognition. He deprived himself of an enormous wealth so that America and the world could continue their progress to a modern society.

In May 1883, Westinghouse opened a fair where alternating currents were to be publicly demonstrated. Although the scientific world already had accepted them, the final battle, the one where the people had to accept Tesla's inventions, now took place. Tesla's multiphase system was exhibited at the fair, along with many other of his inventions. One of these was the spinning egg made of metal. The egg was placed on top of a velvet covered round platform, and when the switch was closed the egg stood on end and rotated rapidly. Tesla tried to explain the principle of the rotating magnetic field by this, but to the wide-eyed crowd it was only a trick. Another popular demonstration was when 1 million volts of alternating current of high frequency passed through his body. It was an answer to Edison's accusations that alternating current was deadly. Westinghouse was rewarded in Chicago for his foresightedness with Tesla, as his company was now in line for consideration—and ultimate success—in harnessing the power of Niagara Falls, through utilization of Tesla's polyphase system. In April of 1895, the Westinghouse Co. completed the powerhouse on the Niagara Falls, and turned on the lights. The installation of the three generators with a combined capacity of 15,000 horsepower became the supreme electrical engineering accomplishment of all time. Soon, thereafter, the entire American industry was revolutionized as it hooked up to the new alternating current system. Requests came in faster than they could be granted. The high voltages that could be supplied only by alternating current made possible the large scale production of aluminum and alloyed metals necessary for the aircraft industry. Had it not been for Tesla, the airplane may never have been constructed.

Tesla did not stop at this invention though. He didn't reveal what he was working on at that time, and only later did the public learn that Tesla was working on x rays. He never laid claim to inventing them, but he achieved pictures with similar results. He called his invention the shadow graph technique. When Roentgen announced the discovery of x rays, Tesla sent him his pictures. He then gave full credit to the German scientist for discovery of the x ray. He also related the application of the rays to surgery and gave his own theories of danger to the skin when the rays are used.

Tesla also planned to make little robots and other machines which could move and perform their duties even independently of human will. Truly, Mr. Speaker, Tesla was a man out of his time. When he moved to Colorado, he discovered stationary waves in the Earth. He also duplicated celestial lighting by manmade means. This lasted for only a couple of minutes, however, because the electric company cut off his power. Still, for those few minutes, Tesla had wrested the power of heaven from the sky. As one man noted, "Tesla had stood for a fleeting moment with lightning in his hand." He soon was supposed to be rewarded for his endeavors.

In 1915, Tesla and Edison were to receive the Nobel Prize in physics. However, they did not want to share the prize, and it went to two other people. Tesla was in a desperate financial situation at that time and it hit him very hard that he did not receive the prize. He was full of many other ideas, but he was not able to realize them. He did not regret that he had torn up the contract with Westinghouse, for it was most important to him to be able to realize his plans and ideas, and not to earn large sums of money.

Nikola Tesla is the true example of the fulfillment of the American dream. Born and raised in a poor land, this man took giant steps and overcame the greatest barriers to accomplish his goals and put into effect his ideas. Mr. Speaker, each Member of this Congress may be very proud that our Nation has had and continues to have resources and opportunity needed to promote scientific research and exploration. It was these things that enabled a poor immigrant to develop a system of electrical power used throughout the entire world. Although Tesla did not receive the proper recognition that a genius of his sort should have had, Tesla still was able to overcome all difficulties imposed on him and continue to contribute to mankind. Thanks to his patience and vehement willpower, Tesla won the respect of American leaders in all fields of life. His good sense of humor and amiable character were admired and loved by many Americans.

Although he never again had the adequate financial resources needed to develop and create more of his inventions, Tesla continued to work and develop inventions until his death. In 1940, he suggested that the U.S. military could build a system of death rays that would melt enemy airplanes at a distance of 250 miles. Although the War Department rejected this invention at that time, it is Tesla's plans and sketches that provided the basis of star wars. Indeed, Mr. Speaker, Tesla's invention was a prelude and the foundation for the Patriot missiles which saved so many lives during the recent gulf war. We have yet to discover and put into effect all the ideas which originated from Tesla's amazing intellect.

Truly, Nikola Tesla was a man who changed the world. It is thanks to him that we can all enjoy in the luxuries of modern day life, by utilizing the tremendous assortments of electrical appliances which have been created since Tesla's innovation of the alternating current system. Certainly the United States would not be enjoying its standard of living had it not been for the prodigal genius, Nikola Tesla. And as Mrs. Franklin D. Roosevelt wrote in behalf of herself and the President of the United States when Tesla passed away:

> The President and I are deeply sorry to hear of the death of Mr. Nikola Tesla. We are grateful for his contribution to science and to this country.

As a first generation Serbian-American, I, too, admire and revere the great scientist. I hope that in doing so I convey the gratitude and pride of the Congress and my fellow American citizens to the memory of Nikola Tesla for his contributions to our society and the human civilization.

## CHILDHOOD HUNGER AND POVERTY

The SPEAKER pro tempore (Mr. ENGEL). Under a previous order of the House, the gentleman from New Hampshire [Mr. SWETT] is recognized for 5 minutes.

Mr. SWETT. Mr. Speaker, I rise in recognition of the special order on childhood hunger and poverty brought to our attention by my distinguished colleagues Mr. HALL, Mr. EMERSON, Mr. ESPY, and Mr. GILCHREST. It focusses on our world's most precious asset, our children.

I need not remind you that the future well-being of humanity depends on the present well-being of our children. Children throughout the world suffer from living conditions that can only be termed obscene. Here in America a baby is born into poverty every 35 seconds. Eleven million children under the age of 12 are at risk of hunger in our own country. One out of every four homeless persons in America is, in fact, a child.

These are statistics. But the children they represent are not statistics. We should pause for a moment and picture the children described by these cold numbers. Look into these children's faces. They are children, just like our own, who want to laugh and play; children born with the desire to partake in the wonder of life. They are brimming with curiosity and creativity.

But these children, unlike our own, will not have the opportunity to laugh and play because they are too busy trying to find something to eat. Imagine them having to rummage through a garbage can hoping to find a scrap of food. Their hope lies inside of a trashcan. Imagine them sleeping underneath a bridge surrounded by foul smells, broken glass, unprotected from the cold. And then imagine one of your own children in their place.

This nightmare vision is a living reality for many children in this land. One out of every five of our country's children lives in poverty. And for these children, survival is their main concern. Our country's infant mortality rate ranks 21st among the world's industrialized nations. In my State alone there are over 10,000 hungry children. Almost 25 percent, one-quarter of the families of New Hampshire with children who are under the age of 12 are either hungry or at-risk of hunger.

It is a disgrace that in this land of plenty, children still go to sleep at night feeling the pangs of hunger.

We should ask ourselves what our priorities are. Should not children be our No. 1 priority? Remember your own children. Picture them in your mind. Imagine their smiles as they play. And think of the millions of other children who are crying out in need.

Most of us in this Chamber have been very lucky. We were not born into the poverty and hunger that steals the smiles away from so many of our Nation's children. We therefore have an obligation. Let us commit ourselves to returning their missing smiles. Let us commit ourselves to ensuring that these children can dream again. They can not do it on their own. They need our help.

□ 1910

## CHILDHOOD HUNGER AND POVERTY

The SPEAKER pro tempore (Mr. ENGEL). Under a previous order of the House, the gentleman from New Jersey [Mr. PAYNE] is recognized for 5 minutes.

Mr. PAYNE of New Jersey. Mr. Speaker, on the subject of childhood hunger and poverty, I think we all agree that it is both a scourge and an embarrassment in our wealthy industrial society to permit children to grow up hungry, homeless, and poor. It is unfortunate that except for South Africa, ours is the only industrialized nation without a national health plan. Our infant mortality rate, once the third lowest in the world, now ranks 22d. And over the past 10 years, defense expenditures have increased by 100 percent, while at the same time, nondefense spending has been cut 40 percent.

Mr. Speaker, the only reason children in America go to bed hungry at night is because we have not deemed them a priority. We have not decided that they deserve the long-term investment of good health, good education, and safekeeping.

We have, inadvertently perhaps, done just the opposite.

In America, children are twice as likely to be poor as any other age group—including the elderly. That amounts to over 12 million children who grow up in poverty. According to the children's defense fund, more children are hungry in the United States than there are total children in such countries as Angola, El Salvador, Haiti, or Cambodia.

For children of color poverty is even more prevalent. Almost half of the all African-American children and more than a third of all Latino children live in poverty. Their chances of surviving through the first year of life only 10 blocks from this Capitol are worse than if they lived in Czechoslovakia or Cuba.

We are here to talk about childhood hunger and poverty, but I am concerned that perhaps we don't see the big picture. Hunger is only one of the most immediate and heart wrenching aspects of childhood poverty, albeit a crucial one. I know because there are nearly 300,000 children in my home State of New Jersey who fall below the poverty line and frequently go hungry. I also know there is hunger in my district because only one-third of eligible children received food supplements provided through WIC, the Women, Infants, and Children Program.

But Mr. Speaker, as I said I am concerned all the more about the long-term results of 12 million children in poverty; 12 million children in poverty does not only mean 12 million hungry children; it means 12 million children without decent housing or clothing. It means 12 million children who may not receive educations adequate enough to deliver them out of their depressed economic condition once they grow up. It means 12 million children without health care. It means 12 million children hopeless and helpless.

I know the faces of the poor in my district of Newark, NJ, and I cannot believe we allow children to go without proper nutrition, dental care, or other basic health care needs. Recently we've seen a trend among our poor children to become permanently injured or die from tuberculosis, whooping cough, and measles: Diseases easily prevented with inexpensive immunizations. These epidemics are but a small testimony to the cruel way in which we deny our children the benefits of the basic health achievements in modern medicine.

The recession which has stifled our economy will most certainly drag more of our children into poverty. Recessions affecting our Nation have always affected children most, but the assumption most of us make is that the economic recovery impacts the poor in equal proportion. It is both unfair and unrealistic to adopt the philosophy that a rising tide lifts all boats. The last few recessions have dropped their boats more than any others while the recovery period seemingly has benefited them the least. In our last period of economic recovery, the numbers of poor children actually rose.

In essence our poor will remain poor. They will raise their children as best they know how: Having to deny them the luxuries of birthday presents, college educations, and perhaps most tragically of all the luxury of choice about one's future. Unless we take it upon ourselves to make children a top priority, we will surely seal their fate in this Nation as a mass of second class citizens who are denied access to all the benefits of a wealthy society.

Lastly, Mr. Speaker, to the old adage which I hear all too often that one should "pull yourself up by your bootstraps." I must respond that 12 million American children literally have no boots. We must give our poor children, all 12 million of them, boots, food, decent housing, clothing, and whatever else it takes to ensure that our future and theirs is more bright with hope that bleak with despair.

I urge my colleagues to join me in setting issues of childhood hunger and poverty at the top of their agenda for this session in Congress.

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## SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mrs. BENTLEY) to revise and

extend their remarks and include extraneous material:)

Mr. DORNAN of California, for 5 minutes, today and July 26.

Mr. WALKER, for 5 minutes, today.

Mr. HUNTER, for 5 minutes, today.

Mr. BURTON of Indiana, for 60 minutes each day, on September 11, 12, and 13.

(The following Members (at the request of Mr. HALL of Ohio) to revise and extend their remarks and include extraneous material:)

Mr. KLECZKA, for 5 minutes, today.

Mr. ANNUNZIO, for 5 minutes, today.

Mr. BACCHUS, for 5 minutes, on July 25.

Mrs. COLLINS of Illinois, for 60 minutes each day, on July 31, and August 1 and 2.

(The following Member (at his own request) to revise and extend his remarks and include extraneous material:)

Mr. SWETT, for 5 minutes, today.

(The following Member (at his own request) to revise and extend his remarks and include extraneous material:)

Mr. PAYNE of New Jersey, for 5 minutes, today.

## EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

(The following Members (at the request of Mrs. BENTLEY) and to include extraneous matter:)

Mr. GRADISON.

Mr. MCMILLAN of North Carolina.

Mr. GEKAS.

Mr. ARCHER.

Mr. SUNDQUIST.

Mr. DUNCAN.

Mr. LIVINGSTON.

Mr. RINALDO.

Mr. WOLF.

Mr. SOLOMON in two instances.

Mr. DUNCAN in two instances.

Ms. ROS-LEHTINEN in two instances.

Mr. BROOMFIELD.

Mr. HORTON in two instances.

Mr. BLAZ.

(The following Members (at the request of Mr. HALL of Ohio) and include extraneous matter:)

Mr. MAZZOLI.

Mr. LANTOS.

Mr. HAMILTON.

Ms. DELAURO.

Mr. WEISS in two instances.

Mr. TORRES.

Mr. LAROCCO.

Mr. GEJDENSON.

Mr. PRICE.

Mr. GRAY.

Mr. BOUCHER.

Mr. CLAY.

Mr. SOLARZ.

Mr. DELUGO.

Mr. TRAXLER.

Mrs. MINK.

Mr. STARK.

Mr. CARDIN.

Mr. TALLON.

Mr. JOHNSTON of Florida.

Mr. LEVINE of California in two instances.

Mr. ORTIZ.

Mr. BACCHUS.

Mr. KILDEE.

## ENROLLED BILL SIGNED

Mr. ROSE, from the Committee on House Administration, reported that that committee had examined and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H.R. 2525. An act to amend title 38, United States Code, to codify the provisions of law relating to the establishment of the Department of Veterans Affairs, to restate and reorganize certain provisions of that title, and for other purposes.

□ 1920

## ADJOURNMENT

Mr. PAYNE of New Jersey. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 7 o'clock and 20 minutes p.m.) the House adjourned until tomorrow, Thursday, July 25, 1991, at 10 a.m.

## EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1821. A letter from the President and Chairman, Export-Import Bank of the United States, transmitting a statement with respect to a transaction involving United States exports to the USSR, pursuant to 12 U.S.C. 635(b)(3)(ii); to the Committee on Banking, Finance and Urban Affairs.

1822. A letter from the Director, Defense Security Assistance Agency, transmitting the Department of the Army's proposed lease renewal of defense articles to Norway (Transmittal No. 12-91), pursuant to 22 U.S.C. 2796a(a); to the Committee on Foreign Affairs.

1823. A letter from the Assistant Secretary of State for Legislative Affairs, transmitting copies of the original report of political contributions of Parker W. Borg, of Minnesota, to be Ambassador to the Union of Burma, and members of his family; of James F. Dobbins, of New York, to be Representative of the United States to the European Communities, and members of his family, pursuant to 22 U.S.C. 3944(b)(2); to the Committee on Foreign Affairs.

1824. A letter from the Comptroller General, General Accounting Office, transmitting a list of all reports issued by the GAO during June 1991, pursuant to 31 U.S.C. 719(h); to the Committee on Government Operations.

1825. A letter from the Director, Congressional Budget Office, transmitting a report concerning the employment discrimination protections of the Americans With Disabilities Act of 1990 to employees of the CBO, pursuant to Public Law 101-336, section 509(c)(3) (104 Stat. 375); to the Committee on Housing Administration.

1826. A letter from the Assistant Secretary—Land and Minerals Management, Department of the Interior, transmitting the Department's notice on leasing systems for the Chukchi Sea, sale 126, scheduled to be held in August 1991, pursuant to 43 U.S.C. 1337(a)(8); to the Committee on Interior and Insular Affairs.

1827. A letter from the Treasurer, the Congressional Medal of Honor Society of the United States of America, transmitting the annual financial report of the society for calendar year 1990, pursuant to 36 U.S.C. 1101(19), 1103; to the Committee on the Judiciary.

1828. A letter from the Secretary of Health and Human Services, transmitting a report outlining the Social Security Administration's program for notifying blind SSI recipients, pursuant to 42 U.S.C. 1383 note; to the Committee on Ways and Means

1829. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting a copy of the President's determination (No. 91-46) relating to assistance to Jordan, pursuant to Public Law 101-513, section 5860; Public Law 102-27, section 502(c); jointly, to the Committees on Foreign Affairs and Appropriations.

1830. A letter from the Chairman, Nuclear Regulatory Commission, transmitting a report on abnormal occurrences at licensed nuclear facilities for the first calendar quarter of 1991, pursuant to 42 U.S.C. 5848; jointly, to the Committees on Interior and Insular Affairs and Energy and Commerce.

## REPORTS OF COMMITTEE ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Ms. SLAUGHTER of New York: Committee on Rules. House Resolution 201. Resolution providing for the consideration of H.R. 2507, a bill to amend the Public Health Service Act to revise and extend the programs of the National Institutes of Health, and for other purposes (Rept. 102-160). Referred to the House Calendar.

Mr. HALL of Ohio: Committee on Rules. House Resolution 203. Resolution providing for the consideration of H.R. 14, a bill to amend the Federal Aviation Act of 1958 to provide for the establishment of limitations on the duty time for flight attendants (Rept. 102-161). Referred to the House Calendar.

## PUBLIC BILLS AND RESOLUTIONS

Under clause 5 of rule X and clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. SMITH of Texas:

H.R. 3006. A bill to provide for the development of a systems architecture that can begin providing the essential data needed to understand and respond to global warming by 1995 in a cost-effective manner, and for other purposes; jointly, to the Committees on Science, Space, and Technology, Energy and Commerce, and Armed Services.

By Mr. ARCHER:

H.R. 3007. A bill to amend the Social Security Act and the Internal Revenue Code of 1986 to make changes related to the old-age,

survivors, and disability insurance program and the supplemental security income program, and for other purposes; to the Committee on Ways and Means.

By Mrs. BENTLEY:

H.R. 3008. A bill to amend title 23, United States Code, to establish a program of scholarships to individuals who agree to study civil engineering and to work with a public agency for 4 years following graduation; to the Committee on Public Works and Transportation.

By Mr. BROWN (for himself, Mr. MCCANDLESS, and Mr. LEWIS of California):

H.R. 3009. A bill to amend title 28, United States Code, to establish two divisions in the Central Judicial District of California; to the Committee on the Judiciary.

By Mr. STARK:

H.R. 3010. A bill to amend title XIX of the Social Security Act to extend the income ceiling for qualified Medicare beneficiaries from 100 percent to 133 percent of the poverty level beginning in 1993 with respect to payment of coinsurance and deductibles and beginning in 1995 with respect to payment of premiums; to the Committee on Energy and Commerce.

By Mrs. BYRON (for herself, Mr. MFUME, Mr. GUARINI, Mr. TRAFICANT, Mr. PAYNE of Virginia, Mr. FROST, Mr. JONTZ, Mr. MOLLOHAN, Mr. RAY, Mr. LAGOMARSINO, Mr. CARDIN, and Mrs. BENTLEY):

H.R. 3011. A bill to amend the National Trails System Act to designate the American Discovery Trail for study to determine the feasibility and desirability of its designation as a national trail; to the Committee on Interior and Insular Affairs.

By Mr. CARPER (for himself and Mr. SCHULZE):

H.R. 3012. A bill to amend the Wild and Scenic River Act by designating the White Clay Creek in Delaware and Pennsylvania for study for potential addition to the National Wild and Scenic Rivers System, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. DONNELLY:

H.R. 3013. A bill to amend the Internal Revenue Code of 1986 to exclude from gross income any compensation received from the Vaccine Injury Compensation Trust Fund; to the Committee on Ways and Means.

By Mr. EDWARDS of Oklahoma:

H.R. 3014. A bill to amend the Internal Revenue Code of 1986 to exempt from the penalty tax on early withdrawals from individual retirement plans distributions used to acquire the first home of a child or grandchild of the beneficiary of the plan; to the Committee on Ways and Means.

By Mr. GEJDENSON (for himself, Mr. EMERSON, Mr. ENGEL, Mr. FRANK of Massachusetts, Mr. HORTON, Mr. LANCASTER, and Mr. RAHALL):

H.R. 3015. A bill to amend title XVIII of the Social Security Act to provide for coverage of expanded respite care services for Medicare beneficiaries receiving hospice care; jointly, to the Committees on Ways and Means and Energy and Commerce.

By Mr. JONES of Georgia (for himself, Mr. APPLEGATE, Mr. RICHARDSON, Mr. VALENTINE, Mr. RAHALL, and Mr. LEWIS of Georgia):

H.R. 3016. A bill to amend the Internal Revenue Code of 1986 to allow the targeted jobs credit for hiring economically disadvantaged veterans who are discharged involuntarily as a result of budget cuts; to the Committee on Ways and Means.

By Mr. MCNULTY:

H.R. 3017. A bill for the relief of Henry Johnson; to the Committee on Armed Services.

H.R. 3018. A bill for the relief of Dorris Miller; to the Committee on Armed Services.

By Mr. RINALDO:

H.R. 3019. A bill to authorize appropriations for grants to States to demonstrate whether confinement in boot camp prisons rehabilitates, and reduces recidivism of, juvenile offenders; to the Committee on the Judiciary.

H.R. 3020. A bill to amend the Internal Revenue Code of 1986 to increase to $150,000 the amount of group-term life insurance which may be provided by an employer and excluded from the gross income of an employee; to the Committee on Ways and Means.

H.R. 3021. A bill to establish a Presidential Commission on Insurance; jointly, to the Committees on Banking, Finance and Urban Affairs, Energy and Commerce, and the Judiciary.

By Mr. STARK:

H.R. 3022. A bill to prevent theft of motor vehicles by establishing a national framework for a program under which law enforcement officials are authorized to stop vehicles operated under specified conditions, such as during certain night hours, when operation of the vehicle under those conditions, according to a certification signed voluntarily by the owner, establishes a reasonable suspicion that the vehicle is being operated unlawfully; jointly, to the Committees on Public Works and Transportation and the Judiciary.

By Mr. SUNDQUIST:

H.R. 3023. A bill to terminate the programs for lease and sale of single family properties acquired by the Department of Housing and Urban Development for use by the homeless; to the Committee on Banking, Finance and Urban Affairs.

H.R. 3024. A bill to amend title 18, United States Code, regarding sentencing for capital offenses; to the Committee on the Judiciary.

H.R. 3025. A bill to amend the Internal Revenue Code of 1986 with respect to the deductibility of losses attributable to disasters for which assistance under the disaster loan program of the Small Business Act is available; to the Committee on Ways and Means.

By Mr. TORRICELLI (for himself, Mr. DREIER of California, Mr. ATKINS, Mr. GALLO, Mr. HUNTER, Mr. MARTINEZ, Mr. MOORHEAD, Mr. SHAYS, Mr. SKAGGS, Mr. TORRES, and Mr. WELDON):

H.R. 3026. A bill to amend the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 to protect citizens, municipalities, and other generators and transporters of municipal solid waste and sewage sludge from lawsuits equating these substances with industrial hazardous wastes; to the Committee on Energy and Commerce.

By Mrs. MINK:

H.R. 3027. A bill to amend the Federal Power Act to modify the jurisdiction of the Federal Energy Regulatory Commission under part 1 of the act with regard to fresh waters in the State of Hawaii; to the Committee on Energy and Commerce.

H.R. 3028. A bill to require that imports of fresh papaya meet all the requirements imposed on domestic fresh papaya; jointly, to the Committees on Agriculture and Ways and Means.

## MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

224. By the SPEAKER: Memorial of the Legislature of the Eighteenth Special Session of the Palau National Congress, Republic of Palau, relative to the occasion of the Honorable George Miller's assumption of the chairmanship of the Committee on Interior and Insular Affairs; to the Committee on Interior and Insular Affairs.

245. Also, memorial of the Legislature of the State of Texas, relative to H.R. 1223; to the Committee on Public Works and Transportation.

## ADDITIONAL SPONSORS

Under the clause 4 of rule XXII, sponsors were added to public bills and resolutions as follows:

H.R. 74: Mr. CLINGER, Mr. GLICKMAN, Mr. HERGER, Mr. ROTH, and Mr. GEKAS.

H.R. 123: Mrs. BYRON.

H.R. 127: Mr. SISISKY, Mr. IRELAND, Mr. TAUZIN, Mr. HUTTO, Ms. DELAURO, Mr. BROWN, Mr. SMITH of New Jersey, Mr. NEAL of Massachusetts, Mr. PERKINS, Mr. WALKER, Mr. GILCHREST, Mr. DOOLEY, Mr. SANTORUM, Mr. SKEEN, Mr. MOAKLEY, and Mr. DUNCAN.

H.R. 213: Ms. KAPTUR, Mr. MFUME, Mr. WEBER, Mr. QUILLEN, Mr. JONTZ, and Mr. WILSON.

H.R. 357: Mr. EWING, Mr. BRYANT, Mr. RANGEL, and Mr. TOWNS.

H.R. 416: Mr. DWYER of New Jersey.

H.R. 640: Mr. GILLMOR.

H.R. 722: Mr. GREEN of New York.

H.R. 723: Mr. GREEN of New York.

H.R. 791: Mr. BRYANT.

H.R. 812: Mr. MACHTLEY, Mr. JOHNSON of South Dakota, Mr. VALENTINE, Mr. MRAZEK, Mr. BUSTAMANTE, Mr. STOKES, Mr. BEILENSON, Mr. YATES, Mr. DEFAZIO, MR. DURBIN, Mr. OWENS of New York, Mr. MARKEY, Mr. OWENS of Utah, Mr. PANETTA, Mr. DELLUMS, and Mr. PETERSON of Florida.

H.R. 815: Mr. JENKINS and Mr. GINGRICH.

H.R. 842: Mr. SAXTON.

H.R. 962: Mr. KOSTMAYER.

H.R. 997: Ms. SLAUGHTER of New York and Ms. DELAURO.

H.R. 1110: Mr. COLEMAN of Texas, Mr. SYNAR, and Ms. MOLINARI.

H.R. 1135: Mr. FRANK of Massachusetts and Mr. YATES.

H.R. 1181: Mr. FRANK of Massachusetts.

H.R. 1237: Mr. BLILEY, Mr. CHANDLER, Mr. CLEMENT, Mr. DARDEN, Mr. FIELDS, Mr. HATCHER, Mr. HYDE, Mr. PETERSON of Minnesota, Mr. ROGERS, Mr. SMITH of Oregon, Mr. WHITTEN, Mr. BROWDER, and Mr. GILLMOR.

H.R. 1345: Mr. MCDADE, Mr. SUNDQUIST, Mr. HASTERT, Mr. KOLBE, and Mr. SHAW.

H.R. 1422: Mr. EVANS, Mrs. UNSOELD, Mr. MARTINEZ, Mr. FORD of Tennessee, Mr. YATES, Mr. FASCELL, Mr. RANGEL, Mrs. SCHROEDER, Mr. LEVIN of Michigan, Mr. ESPY, Mr. CARPER, and Mr. WHEAT.

H.R. 1457: Mr. BILIRAKIS, Mr. EMERSON, and Mr. LUKEN.

H.R. 1473: Mr. DANNEMEYER.

H.R. 1484: Mr. DOOLEY and Mr. ALLARD.

H.R. 1485: Mr. PAYNE of Virginia and Mr. GIBBONS.

H.R. 1652: Mr. MOORHEAD, Mr. LEVINE of California, Mr. LOWERY of California, Mr. RIGGS, Mr. HUNTER, Mr. GALLEGLY, and Mr. MARKEY.

H.R. 1739: Mr. REED and Mr. FISH.

H.R. 1750: Mr. ENGEL.

H.R. 1774: Mr. MARKEY and Mr. DYMALLY.

H.R. 1782: Mr. LEVIN of Michigan, Mr. EDWARDS of Oklahoma, and Mr. ROWLAND.

H.R. 1790: Mr. CAMPBELL of California.

H.R. 1800: Mr. GILCHREST, Mr. GOSS, and Mr. HASTERT.

H.R. 1900: Mr. HYDE, and Mr. GINGRICH.

H.R. 1969: Mr. TRAFICANT.

H.R. 2012: Mr. ROWLAND, Mr. THOMAS of Georgia, and Mr. QUILLEN.

H.R. 2059: Mr. LENT.

H.R. 2065: Mrs. UNSOELD, Mr. SERRANO, Mr. ROE, Mr. WOLPE, and Mr. DWYER of New Jersey.

H.R. 2071: Mr. STUMP, Mr. ANDERSON, Mr. HUNTER, Mr. DORNAN of California, Mr. JOHNSTON of Florida, Mr. SENSENBRENNER, Mr. YOUNG of Alaska, Mr. DANNEMEYER, Mr. MARTIN, Mr. CUNNINGHAM, Mr. SMITH of New Jersey, Mr. LAGOMARSINO, Mr. MCCANDLESS, Mr. MCCOLLUM, and Mr. HYDE.

H.R. 2106: Mr. DWYER of New Jersey, Mrs. BOXER, Mr. BORSKI, Mr. JOHNSON of South Dakota, Ms. DELAURO, Mr. FRANK of Massachusetts, Ms. PELOSI, Mr. MFUME, Mr. SPRATT, Mr. WOLF, Mr. RAHALL, Mr. PETRI, Mr. GUARINI, Mr. DERRICK, and Mr. TALLON.

H.R. 2142: Ms. MOLINARI.

H.R. 2149: Mr. ANTHONY, Mr. SHAW, Mr. TAYLOR of Mississippi, Mr. MACHTLEY, Mr. MCDADE, Mr. KLUG, Mr. BACCHUS, Mr. DICKINSON, and Mr. PAYNE of Virginia.

H.R. 2164: Mr. CONDIT, Mrs. MEYERS of Kansas, and Mr. JOHNSTON of Florida.

H.R. 2172: Mr. FISH.

H.R. 2231: Mr. BREWSTER, Mr. ESPY, Mr. HERGER, and Mr. NEAL of North Carolina.

H.R. 2241: Mr. UPTON.

H.R. 2243: Mr. LEWIS of Georgia and Mr. FROST.

H.R. 2257: Mr. COX of California and Mr. DORNAN of California.

H.R. 2290: Mr. BILIRAKIS, Mr. IRELAND, Mr. JOHNSTON of Florida, Mr. SHAW, Mr. YOUNG of Florida, and Mr. BENNETT.

H.R. 2350: Mr. DE LUGO, Mr. FROST, Mr. MARTINEZ, Mr. ACKERMAN, Mr. JEFFERSON, Mr. SCHEUER, Mr. HAYES of Illinois, Mr. ROE, Mr. MFUME, Ms. NORTON, Mr. TOWNS, and Mr. EVANS.

H.R. 2382: Mr. ECKART.

H.R. 2463: Mr. QUILLEN, Mr. DICKINSON, Mr. DUNCAN, Mr. ANTHONY, and Mr. STENHOLM.

H.R. 2515: Mr. REED and Mr. SARPALIUS.

H.R. 2540: Mr. NEAL of Massachusetts, Mr. STARK, Mr. BRYANT, Mr. ROSE, Mr. BENNETT, Mr. PAYNE of New Jersey, Mr. BORSKI, and Mr. MAVROULES.

H.R. 2541: Mrs. MORELLA, Mr. NEAL of Massachusetts, Mr. JONTZ, and Mr. STARK.

H.R. 2588: Mr. PALLONE, Mr. FALEOMAVAEGA, Mr. ROE, and Mr. HORTON.

H.R. 2646: Ms. KAPTUR and Mr. ZIMMER.

H.R. 2672: Mr. HUNTER, Mr. BUSTAMANTE, Mr. DICKS, Mr. SCHEUER, Mr. NUSSLE, Mr. THOMAS of California, Mr. WILSON, Mr. MACHTLEY, Mr. LAUGHLIN, Mr. VALENTINE, Mr. MURTHA, and Mr. GREEN of New York.

H.R. 2715: Mr. ROE, Mr. TORRES, and Mr. TOWNS.

H.R. 2717: Mr. BEILENSON, Mr. HORTON, Mr. OWENS of New York, Mr. GUARINI, Mr. EVANS, Mr. SCHEUER, Mrs. LLOYD, and Ms. KAPTUR.

H.R. 2743: Mr. HORTON, Mr. ABERCROMBIE, Mr. ACKERMAN, Mr. OWENS of New York, Mr. SMITH of Florida, Mr. HOCHBRUECKNER, Mr. PORTER, Mr. FOGLIETTA, Mr. STENHOLM, Mr. CAMPBELL of Colorado, and Mr. ECKART.

H.R. 2744: Mr. HORTON, Mr. TOWNS, Mr. ABERCROMBIE, Mr. ACKERMAN, Mr. OWENS of New York, Mr. SMITH of Florida, Mr. HOCHBRUECKNER, Mr. PORTER, Mr. FOGLIETTA, Mr. STENHOLM, Mr. CAMPBELL of Colorado, and Mr. ECKART.

H.R. 2768: Mr. HANCOCK.

H.R. 2818: Ms. NORTON.

H.R. 2871: Mr. ECKART, Mr. NATCHER, Mr. COSTELLO, and Mr. POSHARD.

H.R. 2872: Mr. ACKERMAN, Mr. RIGGS, Mr. FORD of Tennessee, and Mr. GOSS.

H.R. 2880: Mr. NEAL of Massachusetts, Mr. FASCELL, Mr. CLAY, and Mr. WHEAT.

H.J. Res. 22: Mr. TAYLOR of North Carolina.

H.J. Res. 67: Mr. FOGLIETTA, Mr. LEWIS of Georgia, Mr. HOBSON, Mr. VANDER JAGT, Mr. YOUNG of Alaska, Mr. ECKART, Mr. POSHARD, Mr. ZELIFF, Ms. DELAURO, Mr. OBERSTAR, and Ms. NORTON.

H.J. Res. 69: Mr. POSHARD.

H.J. Res. 102: Mr. MORRISON, Mr. GILCHREST, and Mr. KLECZKA.

H.J. Res. 142: Mr. HOBSON, Mr. TOWNS, Ms. PELOSI, Mr. EMERSON, Mr. GILMAN, Mr. PETRI, Mr. CHANDLER, Mr. COUGHLIN, Mr. WEISS, Mr. WAXMAN, Mr. LOWERY of California, Mr. MCEWEN, Mr. ANDREWS of Maine, Mr. LEWIS of Florida, Mr. KOPETSKI, Mr. ACKERMAN, Mr. GAYDOS, Mr. CALLAHAN, Mr. MCHUGH, Mr. OWENS of Utah, Mr. LEHMAN of Florida, Mr. BREWSTER, Mr. WASHINGTON, Mr. MCDERMOTT, Mr. RANGEL, and Mrs. BOXER.

H.J. Res. 191: Mr. WASHINGTON, Mr. CONDIT, Mr. NUSSLE, Mr. DYMALLY, Mr. SKEEN, Mr. MOORHEAD, Mrs. KENNELLY, Mr. BEVILL, Mr. RAHALL, Mr. DICKS, Mr. STARK, and Mr. FORD of Michigan.

H.J. Res. 215: Mr. AUCOIN, Mr. BAKER, Mr. CARPER, Mr. COOPER, Mr. DONNELLY, Mr. EDWARDS of Texas, Mr. DYMALLY, Mr. GUNDERSON, Mr. HORTON, Mr. HUTTO, Mr. HUBBARD, Mr. JONES of North Carolina, Mr. KASICH, Mr. MURPHY, Mr. MORAN, Mr. YOUNG of Alaska, Ms. NORTON, Mr. MAZZOLI, Mr. STALLINGS, Mr. LEVIN of Michigan, Mr. ROBERTS, Mr. NATCHER, Mr. INHOFE, Mr. TORRES, Mr. HOCHBRUECKNER, Mr. GEREN of Texas, Mr. GRANDY, Mr. TALLON, Mr. LAUGHLIN, Mr. HATCHER, Mr. WEBER, Mr. SANDERS, Mr. LEWIS of California, Mr. COBLE, Mr. LIVINGSTON, Mr. SLATTERY, Mr. GILCHREST, Mr. HANSEN, Mr. STENHOLM, and Mr. DAVIS.

H.J. Res. 237: Mr. SCHEUER, Mr. TAYLOR of North Carolina, Mr. SISISKY, and Mr. TRAFICANT.

H.J. Res. 252: Mr. HASTERT, Mr. LEHMAN of California, Mr. LOWERY of California, Mr. HOBSON, Ms. KAPTUR, Mr. MRAZEK, Mr. ALEXANDER, Mr. MURTHA, Mr. DICKS, Mr. FROST, Mr. GEREN of Texas, Mr. FEIGHAN, Mr. DORNAN of California, Mr. SMITH of Iowa, Mr. WASHINGTON, Mr. GLICKMAN, Mr. PAXON, Mr. DELAY, Ms. SNOWE, Mr. ROTH, Mr. STUMP, Mr. NATCHER, Mr. MONTGOMERY, Mr. SCHIFF, Ms. MOLINARI, Mr. APPLEGATE, Mr. PACKARD, Mrs. MINK, Mr. AUCOIN, Mr. RAY, Mr. MOAKLEY, Mr. BOEHLERT, Mr. PETRI, Mr. INHOFE, Mr. CARR, Mr. WHITTEN, Mr. SUNDQUIST, Mr. SCHAEFER, Mr. SOLARZ, and Mr. RICHARDSON.

H.J. Res. 280: Mr. LANCASTER, Mr. CARPER, Mr. RANGEL, Mr. ROEMER, Mr. TRAXLER, Mr. WAXMAN, Mr. JENKINS, Mr. PANETTA, Mr. WISE, Mr. SPENCE, and Mr. ECKART.

H.J. Res. 284: Mr. STAGGERS, Mr. BRYANT, Mr. BARNARD, Mr. BILBRAY, Mr. ROE, Mr. OBERSTAR, Mr. DE LA GARZA, Mr. DELLUMS, Mr. DICKS, Mr. PAYNE of New Jersey, Mr. MOORHEAD, Mr. LEACH, Mr. BUNNING, Mrs. BENTLEY, Mr. WOLF, and Mr. DE LUGO.

H.J. Res. 293: Mr. BRUCE, Mr. MARLENEE, Mr. GREEN of New York, Mr. HASTERT, Mr. LANCASTER, Mr. HAMMERSCHMIDT, Mr. RANGEL, Mr. LOWERY of California, Mr. MCDADE, Mr. JACOBS, Mr. MCMILLEN of Maryland, Mr. MURPHY, Mr. NEAL of Massachusetts, Mr. HORTON, Mr. KASICH, Mr. CHAPMAN, Mr. EVANS, Mr. DONNELLY, Mr. NATCHER, Mr. QUILLEN, and Mr. LEWIS of California.

H.J. Res. 294: Mr. EVANS, Mr. QUILLEN, Mr. BUNNING, Mr. CALLAHAN, Mr. BURTON of Indiana, Mr. MOAKLEY, Mr. NATCHER, Mr. THOMAS of Georgia, Mr. HERTEL, Mr. VANDER JAGT, Mr. GINGRICH, Mr. MURPHY, Mr. ROGERS, Mr. ROWLAND, and Mr. DONNELLY.

H.J. Res. 299: Mr. STOKES, Mr. STAGGERS, Mr. LIPINSKI, Ms. KAPTUR, Mr. SAVAGE, Mr. BEVILL, Mr. SABO, Mr. POSHARD, Mr. SLATTERY, Mr. PERKINS, Mr. ROEMER, Mr. HARRIS, Mr. EVANS, Mr. CHAPMAN, Mr. ROGERS, Mrs. PATTERSON, Mr. RITTER, Mrs. BOXER, Mr. WASHINGTON, Mr. FORD of Michigan, and Mr. RANGEL.

H.J. Res. 305: Mr. CHAPMAN, Mr. ROTH, Mr. ERDREICH, Ms. PELOSI, Mr. MINETA, Mr. PRICE, Mr. EVANS, Mr. VANDER JAGT, Mr. HUGHES, Mr. BRUCE, Mr. BATEMAN, Mr. MANTON, Mr. LEVINE of California, Mr. LEWIS of Florida, and Mr. BRYANT.

H.J. Res. 308: Ms. SNOWE, Mr. JACOBS, and Mr. HOLLOWAY.

H.J. Res. 309: Mr. BRUCE, Mr. BURTON of Indiana, Mr. CHANDLER, Mr. COBLE, Mr. CONDIT, Mr. COX of Illinois, Mr. DARDEN, Mr. DORNAN of California, Mr. DURBIN, Mr. GEKAS, Mr. GLICKMAN, Mr. FLAKE, Mr. HOAGLAND, Mr. HOYER, Mr. HUCKABY, Mr. HUGHES, Mr. HUTTO, Mr. JEFFERSON, Mr. KANJORSKI, Ms. KAPTUR, Mr. KENNEDY, Mr. KOPETSKI, Mr. LOWERY of California, Mr. MOODY, Mr. MORAN, Mr. MORRISON, Mr. NICHOLS, Mr. RAHALL, Mr. SABO, Mr. SHARP, Mr. SHAYS, Mr. SIKORSKI, Mr. SKELTON, Mr. SMITH of Iowa, Mr. STALLINGS, Mr. STOKES, Mr. TAYLOR of Mississippi, Mr. TORRES, Mr. TOWNS, Mr. WHEAT, and Mr. FORD of Tennessee.

H. Con. Res. 176: Mr. TRAFICANT, Mr. ACKERMAN, Mr. GILMAN, Mr. RANGEL, Mr. MCNULTY, and Mr. JONTZ.

H. Res. 106: Mr. KOSTMAYER, Mr. SOLOMON, and Mr. OBERSTAR.

H. Res. 175: Mr. HERTEL, Mr. MCCOLLUM, Mr. SMITH of New Jersey, and Mr. PORTER.

# SENATE—*Wednesday, July 24, 1991*

*(Legislative day of Monday, July 8, 1991)*

The Senate met at 9:30 a.m., on the expiration of the recess, and was called to order by the Honorable DANIEL K. AKAKA, a Senator from the State of Hawaii.

The PRESIDING OFFICER. Today's prayer will be offered by the Senate Chaplain, Reverend Richard C. Halverson.

## PRAYER

The Chaplain, the Reverend Richard C. Halverson, D.D., offered the following prayer:

Let us pray:

*Blessed are the poor in spirit: for theirs is the kingdom of heaven.*—Matthew 5:3.

Gracious Father in Heaven, this first principle of the Kingdom of God sounds so irrelevant in the context of political pragmatism, so foreign to our contemporary culture, "Blessed are the paupers in spirit?"

Mighty God, in a place of power like this, in a city like this, in a society like ours, we value self-esteem, power, personal strength. We treat them as virtues. To be "poor in spirit" is so utterly contrary to our ideas of upward mobility, achievement, success. Yet Jesus declares it to be fundamental to the Kingdom of God.

Eternal God who "ordains all the powers that be," help us see ourselves in the light of this penetrating truth. Unrealistic as it may sound, help us visualize it in terms of its opposites: pride, arrogance, self-sufficiency, egotism. Grant us grace to appreciate the eternal value, to be "poor in spirit," to be humble.

In His name "Who, being in the form of God * * * made himself of no reputation, and took upon himself the form of a servant * * *."—Philippians 2:6, 7.

Amen.

## APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore [Mr. BYRD].

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
*Washington, DC, July 24, 1991.*

*To the Senate:*

Under the provisions of rule I, section 3, of the Standing Rules of the Senate, I hereby appoint the Honorable DANIEL K. AKAKA, a Senator from the State of Hawaii, to perform the duties of the Chair.

ROBERT C. BYRD,
*President pro tempore.*

Mr. AKAKA thereupon assumed the chair as Acting President pro tempore.

## RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

## SCHEDULE

Mr. MITCHELL. Mr. President, and Members of the Senate, as the Presiding Officer has indicated, there will be a period for morning business between now and 10:15 a.m., following which there will be 30 minutes for debate on the cloture motion on the motion to proceed to the foreign assistance authorization bill. A vote on that motion will occur at 10:45 a.m.

If cloture is invoked—that is, if more than 60 Senators vote in the affirmative to proceed to consideration of that bill—the Senate will commence consideration of the bill immediately thereafter, and we will be on the bill throughout the day.

Rollcall votes may occur. If, once cloture is invoked, we are able to get permission to proceed immediately to the bill, as I certainly hope we will—we have a lot of business to do in the next week-and-a-half—I hope that we are able to proceed to it and make good progress on this important measure during the day today.

Mr. President, I thank my colleagues. I yield the floor.

## RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

## MORNING BUSINESS

The ACTING PRESIDENT pro tempore. There will now be a period for the transaction of morning business not to extend beyond the hour of 10:15 a.m., with Senators permitted to speak therein. The Senator from Washington [Mr. ADAMS] is permitted to speak up to 15 minutes. The Senator from Louisiana [Mr. JOHNSTON] is permitted to speak for up to 20 minutes. The Senator from Alaska [Mr. MURKOWSKI] is permitted to speak for up to 10 minutes.

The Senator from Washington [Mr. ADAMS] is recognized.

Mr. ADAMS. Thank you, Mr. President.

(The remarks of Mr. ADAMS pertaining to the introduction of S. 1536 are located in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

Mr. JOHNSTON addressed the Chair.

The ACTING PRESIDENT pro tempore. The Senator from Louisiana [Mr. JOHNSTON] is recognized.

## NATIONAL ENERGY SECURITY ACT OF 1991

Mr. JOHNSTON. Mr. President, almost 2 months ago, the Senate Committee on Energy and Natural Resources reported S. 1220, which is the National Energy Security Act of 1991. This is a comprehensive, balanced, effective energy proposal; in fact, it is the most comprehensive, the most balanced, the most effective energy proposal ever reported by either House of the Congress of the United States at any time in history.

Mr. President, we have spent the last few days talking about the various parts of this bill, about energy efficiency on one day, energy conservation, alternative fuels, renewable energy, and natural gas. And today, Mr. President, we want to talk about coal—both coal technology and coal research and development—as well as research and development initiatives in other energy disciplines.

Mr. President, I see my distinguished friend from North Dakota on the floor, who I believe wanted to speak about coal. I will be prepared to yield him time at this point, if he would like to speak.

Mr. CONRAD addressed the Chair.

The ACTING PRESIDENT pro tempore. The Senator from North Dakota is recognized.

## ENERGY POLICY

### RENEWABLE RESOURCES

Mr. CONRAD. Mr. President, I thank the chairman of the Energy Committee for this time. Yesterday, I intended to join him in his discussion of the provisions in the energy bill related to renewable resources. I would like to touch on the initiatives on renewable energy today, as well as that portion of the energy bill related to research and development, and specifically coal.

During the decade of the 1980's, we witnessed in this country a dramatic decline in resources devoted to development of alternative and renewable sources of energy. Funding for research, development, and demonstra-

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

tion of alternative energy technologies was slashed by 89 percent between 1981 and 1990. Funding for renewable energy research in the same period dropped by 90 percent.

If the oil shocks of the 1970's convinced us that it was a national imperative to develop renewable energy, the oil price collapse of the 1980's lulled us into a false sense of security. Development of renewable and alternative energy sources must be at the top of this Nation's energy agenda.

Our oil import dependence now stands at 50 percent. That ought to sober every serious-minded American. We are now dependent for half of our oil supplies on foreign sources—unstable foreign sources. If there is anything we should have learned in recent months, it is that America is vulnerable because of our dependence on foreign oil. That dependence will rise to 65 or 70 percent, unless we take action.

Mr. President, that is why it is imperative that this Congress move on the energy agenda that has been put before it by the Energy Committee. Our oil dependence was dramatized by the Persian Gulf war, and it is clearly time to renew our commitment to renewable and alternative sources of energy.

Mr. President, we have abundant domestic energy resources; we know that. Our energy policy should seek maximum reliance on made-in-America energy, not cheap Persian Gulf oil.

Renewable energy now supplies 8 to 10 percent of America's energy, mostly through hydroelectricity. The Department of Energy concluded that renewables could provide more than 28 percent of our energy by the year 2030, if they receive adequate funding and their price becomes competitive with oil.

Despite the decline in Federal research and development dollars in the 1980's, there have been many promising technological developments in that decade. Technologies like solar thermal, biomass, wind, and photovoltaics are excellent examples of proven renewable sources of energy.

The Energy Security Act before this Chamber contains a number of provisions which will promote the development of renewable energy resources in the domestic arena. Perhaps the most important initiative is the establishment of joint ventures in biofuels, geothermal, photovoltaic and wind energy, biomass gasification, fuel cells, and utility scale photovoltaics.

Marrying the public and private sector in the development of these joint ventures is critical. Federal sponsorship will enhance the commercialization of these technologies.

Another important provision of this legislation allows the Secretary to buy down interest rates on private bank loans in order to attract the long-term capital necessary for the development of solar, biomass, and wind industries. The industries are becoming more mature, but they need incentives to increase their use in the marketplace. These young industries have a very difficult time attracting the necessary capital because their up-front costs still remain rather high. Leveraging of Federal dollars is an excellent way to increase the penetration of these technologies in the marketplace.

RESEARCH AND DEVELOPMENT AND COAL PROVISIONS

Mr. President, research, development and commercialization of energy technologies were also neglected during the 1980's. If there was ever a decade of neglect, the 1980's were it. For some reason this Nation went to sleep. For some reason this Nation decided that the commitment outlined in the 1970's to move this Nation toward energy independence could be put on the back burner, perhaps because of the collapse of oil prices. Nonetheless, the challenge remains.

The energy legislation put before this body directs the Secretary to establish research and development priorities for the country which emphasizes reduced oil dependence, energy efficiency, environmentally sound sources of energy, and elimination of the obstacles to commercial viability of alternative energy technologies.

The research initiatives contained in this bill span all energy resources: Natural gas utilization technologies, high-efficiency heat engines, oil shale, high-temperature superconducting electric power systems, fusion, electric hybrid vehicles and battery technology, natural gas vehicles, enhanced oil recovery, and others.

The bill also includes joint ventures with private sector interests to demonstrate the commercial viability of these technologies. This sort of Federal support will be critical for spurring widespread acceptance of these technologies.

Now, Mr. President, let me turn briefly to the coal provisions because this bill also contains research for advanced coal-based technologies. Coal is one of this Nation's most abundant resources. The research program will emphasize control of sulfur and nitrogen oxides, air toxics, the development of coal-derived transportation fuels, and the utilization of coal refining technologies.

The Department of Energy estimates that recoverable coal reserves in this Nation are more than 250 billion tons, which is the energy equivalent of the entire world reserve of oil. In other words, Mr. President, we have in this Nation in coal reserves the energy equivalent of the entire world's supply of oil. Western low-rank coals represent approximately half of those U.S. coal reserves. My own State of North Dakota is now producing about 30 million tons of coal a year, supplying the vast majority of the electricity used in my State.

Mr. President, what could be more clear than we must continue to develop this important domestic resource in a sound and responsible manner to reduce our energy dependence? The energy legislation before us will direct coal research in the right direction and will for the first time put some emphasis on Western coal.

Mr. President, like any legislation, this bill is not perfect, but it is a very, very good start. An enormous amount of effort has gone into crafting this legislation.

I believe it is the responsible approach for this Chamber to take up this legislation soon, to act on it, and to send a signal to America that we are ready to have an energy policy in this country, that we are no longer willing to put this Nation at risk because of our dependence on foreign sources of oil. That way lies tragedy. If, instead, we are able to make the hard choices and turn this Nation in the direction of energy independence, we can strengthen America. That is the opportunity.

I again publicly commend the chairman of the Energy Committee for having the courage to put before this body a comprehensive energy bill, a bill that provides the framework for moving this country in the right direction.

Thank you, Mr. President.

The ACTING PRESIDENT pro tempore. The Senator from Louisiana is recognized.

Mr. JOHNSTON. Mr. President, I congratulate the distinguished Senator from North Dakota [Mr. CONRAD] for an excellent statement, for his tremendous contributions to this bill, and for the help he has been in trying to get a made-in-America energy policy.

Mr. President, ours is a real challenge, first, because of the misinformation put out about this bill and, second, because the problem of talking about a comprehensive energy policy is that it is so vast and involves so many different initiatives, literally hundreds of initiatives. This bill, S. 1220, is 493 pages in length. Contained here is every good idea that the Energy Committee has received over a period of at least the last 19 years since I have been on the Energy Committee. It used to be called the Interior Committee. Every single idea that has been proposed which we and the staff found to be sensible we have included in this 493-page, 16-title bill.

What we have been doing these last few days is going through those titles, particularly those that deal with such things as renewable energy, which we talked about yesterday, natural gas and all of its applications, from pipeline reform to the use of natural gas in vehicles, to new technological innovations involving natural gas, to energy efficiency, and the 30 different ways in which this bill deals with energy effi-

ciency, conservation, and we have yet to talk still about other parts of the bill that are equally important.

So, Mr. President, when those people say this bill does not do anything for conservation, they have not read the bill, or they have read it and chosen to misrepresent it because we do a lot for conservation, we do a lot for energy efficiency, we do a lot for alternative fuels, we do a lot for biomass and solar energy and all of those things that collectively are necessary to make up an energy policy.

We held 15 hearings and 13 markups on this bill, Mr. President, and we believe it is an excellent product. We address R&D in such areas as renewable energy, energy efficiency, natural gas, high efficiency heat engines, oil shale, advanced oil recovery, tar sands, superconductivity, fusion, and clean-coal technologies. We provide for demonstration projects and commercialization projects through cost-shared agreements with the private sector. It is all here.

Today, I want to talk about two titles of S. 1220 that have been largely overlooked thus far. These provisions are not contentious. They have not captured attention like ANWR and CAFE. But these are important provisions that will set in motion research and development activities across the entire energy spectrum.

Federal support for research and development is critical to our future energy supply in this country. It is only through continued support of promising technologies that we will ultimately be successful in decreasing our dependence on imported oil and increasing our reliance on resources that are made in America. We have vast resources in this country that have the potential to provide sources of energy for hundreds of years to come. But we have barely begun to develop some of these resources. Others have been developed and utilized for years—but there may be better, and cheaper, and cleaner ways to develop and utilize them.

According to the Energy Information Administration, the recoverable coal reserves in the United States are more than 250 billion tons, or enough coal to last for 240 years. By far, coal is our greatest domestic energy resource. These reserves are equivalent to 1,099 billion barrels of oil.

But the key to continued use of these vast coal resources will be to develop technologies that will make coal both clean and economical. S. 1220 includes provisions that will lead to the development and commercialization of those technologies.

Title XIV of S. 1220 is solely focused on initiatives that will ensure that these vast resources of coal will be available for use in a clean, economical fashion. The provisions of S. 1220 contain aggressive initiatives for technology development and initiatives that will deal with some of the institutional issues associated with the use of coal.

Indeed, coal is one of the areas where the difference between S. 1220 and the administration's energy bill is most evident. The word "coal" is not even mentioned in the 165-page administration bill. But, in our view, these domestic resources are too vast to simply ignore them.

The natural gas resources base in the United States is also vast, but the proved natural gas reserves represent only a small percentage of what may be recoverable with advanced technology. According to the EIA, proved natural gas reserves totaled 168 trillion cubic feet in 1988. But with the utilization of advanced exploration and production technology, the economically recoverable resource base in the lower 48 States increases significantly to 1,251 trillion cubic feet. That is equivalent to an increase from 30 to 225 billion barrels of oil. Again, S. 1220 includes provisions that will lead to the development and commercialization of those technologies.

Advanced technology also offers the potential to increase the economic recoverability of domestic oil resources. Advanced oil recovery technologies will be capable of significantly increasing the extent of proved oil reserves and significantly increasing daily production. Nearly two-thirds of our existing oil reserves are not now recoverable. Much of this oil could be recovered, however, with advanced technology. According to the Department of Energy, this could result in additional economically recoverable reserves of 20 to 65 billion barrels. The provisions of S. 1220 would set in motion a program for development and demonstration of these advanced technologies.

Other domestic resources also offer great potential. Among these are oil shales, tar sands, geothermal, and many renewable resources. While most of these resources are not as abundant or recoverable as coal, natural gas, or oil, they have an important role in ensuring diversity of supply in our overall domestic energy mix. Continued Federal research and development in these areas is critical. In the case of oil shale, aggressive Federal R&D could be the link to vast resources that may be more abundant than oil or gas. S. 1220 contains provisions for research and development in all of these areas. Where appropriate, S. 1220 contains provisions to support demonstration and commercialization of these technologies in cooperation with the private sector.

In short, title XIII of S. 1220 sets forth research, development, demonstration, and commercialization programs across a wide spectrum of energy disciplines. The Secretary of Energy is directed to establish research and development priorities and to develop a management plan for conduct of these programs at the Department of Energy.

The approach we have taken in S. 1220 is to concentrate Federal support at the stage where it is needed the most. If it is research and development that is required to take a technology to the next step, then that is where Federal support is focused. In title XIII, we have included R&D initiatives in oil shale, tar sands, renewable energy, energy efficiency, electric vehicles, battery technology, and fusion energy. In title XIV, we have included R&D initiatives for low-rank coal.

Where demonstration of a technology is the next logical step, we have focused Federal support at that stage. To encourage demonstration of such technologies, S. 1220 includes initiatives for cost-shared demonstration projects on natural gas utilization technologies, advanced technologies for natural gas recovery, high-efficiency heat engines, high-temperature superconductivity, natural gas and electric heating and cooling technologies, and advanced oil recovery technologies. With respect to coal, S. 1220 includes initiatives for cost-shared demonstration projects in clean coal technologies, coal refining technologies, underground coal gasification, magnetohydrodynamics, and nonfuel uses of coal.

Finally, where a technology simply needs a push toward commercialization, S. 1220 includes initiatives that will help push these technologies out into the marketplace. This is a theme that runs throughout S. 1220. If there is a necessary Federal role in developing these technologies, it is critical that we fulfill that role.

S. 1220 is designed to make the United States energy independent by developing our own resources and developing cost-competitive technologies that will better enable us to utilize those resources. The research, development, demonstration, and commercialization provisions are a central part of that scheme.

Mr. President, in the next few days we will discuss other aspects of this bill. I urge my colleagues and I urge people all across America to consider the implications of where we are in energy and where we are going with energy and what the energy life of this country will be like unless we adopt a comprehensive energy policy. We are 50 percent dependent on foreign imports of crude oil, on our way to two-thirds according to the testimony of former Energy Secretary Schlesinger and others before our committee, from one-half dependence on imports today to two-thirds dependence on imports by 1995.

I ask my colleagues to consider what will happen or what would happen if the price of oil doubled in real terms at

the same time that we are dependent for two-thirds on imports.

If you remember, Mr. President, back in the 1970's that is precisely what happened. Indeed, back in the 1970's the price of oil more than doubled in real terms. If that should happen today, for people who think we are in a recession now, for people who think we have difficulties in our economy now, can you imagine what it would be if the price of oil should double?

And where is the price of oil headed? It is headed up, inexorably up, Mr. President, as our consumption goes inexorably up, as our production goes inexorably down.

What S. 1220 is designed to do, all 493 pages of it, is to get us off that dependency so that this country's economy is not held hostage, so that this country's foreign policy is not held hostage, so that operations like Desert Storm will not be so necessary in the future, as they are today.

Mr. President, there is no alternative to a comprehensive energy policy, one based not only on initiatives such as conservation, energy efficiency, alternative fuels, CAFE standards, those kinds of things, but also on production initiatives such as the option to have nuclear energy, the option to be able to drill in the Arctic National Wildlife Refuge, the option to have the Public Utility Holding Company Act reform which will bring competition to the generation of electricity.

Mr. President, this bill does all of that and in future days we will continue to inform our colleagues and the Nation about how this balanced and comprehensive bill deals fully with the need for a national energy policy.

Mr. President, I ask unanimous consent that a summary of the research and development and coal provisions of S. 1220 be printed in the RECORD.

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

SUMMARY—TITLES XIII AND XIV OF S. 1220, R&D AND COAL TECHNOLOGY PROVISIONS

TITLE XIII—RESEARCH, DEVELOPMENT, DEMONSTRATION, AND COMMERCIALIZATION ACTIVITIES

*Energy Research, Development, Demonstration, and Commercialization Priorities.*—Directs the Secretary to set priorities and prepare a management plan for research, development, demonstration, and commercialization activities consistent with the purposes of the Act.

*Natural Gas End-Use Technologies.*—Authorizes the Secretary to carry out a program to promote the commercialization on a cost-shared basis, of natural gas utilization technologies including stationary source emissions control and efficiency improvements, natural gas storage, transportation fuels, and fuel cells.

*Natural Gas Supply Enhancement.*—Authorizes the Secretary to carry out a program, on a cost-shared basis, of research, development and demonstration to increase the recoverable natural gas resource base, including efforts in the following areas: increased recovery from discovered conventional resources, economic recovery of unconventional natural gas resources, surface gasification of coal, and recovery of methane from biofuels.

*High Efficiency Heat Engines.*—Directs the Secretary to carry out a program of research, development, demonstration, and commercialization on high efficiency heat engines including advanced gas turbine cycles.

*Applied Research on Eastern Oil Shale.*—Directs the Secretary to carry out a research and development program on oil shale that includes applied research on eastern oil shale and that is conducted in cooperation with universities and the private sector.

*Western Oil Shale.*—Directs the Secretary to carry out a research, development, and demonstration program on western oil shale and to consider establishment and utilization of at least one field test center. Requires private sector cost-sharing for any demonstration project.

*High-Temperature Superconducting Electric Power System.*—Directs the Secretary to carry out a program of research, development, and demonstration of a high-temperature superconducting electric power system. Requires private sector cost-sharing for any demonstration project.

*Renewable Energy Research and Development.*—Amends the Renewable Energy and Energy Efficiency Technology Competitiveness Act (Pub. L. No. 101-218) to remove the authorization limitation for renewable energy research and development programs.

*Energy Efficiency Research and Development.*—Amends the Renewable Energy and Energy Efficiency Technology Competitiveness Act (Pub. L. No. 101-218) to remove the authorization limitation for energy efficiency research and development programs.

*Natural Gas and Electric Heating and Cooling Technologies.*—Directs the Secretary to expand the program of research, development, and demonstration for natural gas and electric heating and cooling technologies for residential and commercial buildings. Requires private sector cost-sharing for any demonstration project.

*Fusion Research, Development, and Demonstration.*—Directs the Secretary to carry out a research, development, and demonstration program on fusion energy that is structured in a way that will lead to commercial demonstration of the technological feasibility of fusion energy for the production of electricity after the year 2010. Requires private sector cost-sharing for any demonstration project.

*Electric Vehicle Research and Development.*—Directs the Secretary to conduct a program of research and development on techniques related to improving electric vehicles, electric-hybrid vehicles and battery technology. Requires private sector cost-sharing for these programs.

*Advanced Oil Recovery Research, Development, and Demonstration.*—Directs the Secretary to carry out a program of research, development, and demonstration to increase the economic recoverability of domestic oil resources that includes both advanced secondary oil recovery and tertiary oil recovery. The Secretary is authorized to enter into cooperative agreements for activities under this section. Requires private sector cost-sharing for any demonstration project.

*Tar Sands.*—Requires the Secretary, in consultation with the Secretary of the Interior, to submit a study to Congress within one year. The study shall identify and evaluate the development potential of sources of tar sands in the United States (including eastern and western sources).

*Study of Telecommuting.*—Directs the Secretary, in consultation with the Secretary of Transportation, to conduct a study of the potential costs and benefits of telecommuting. Telecommuting would allow people to work from home on a computer or telephone rather than commuting to a central workplace.

*Study of Minimization of Nuclear Waste.*—Directs the Secretary to conduct a study of the potential for minimizing the volume and toxic lifetime of nuclear waste.

*Nuclear Waste Management Plan.*—Directs the Secretary to submit to Congress a report on whether the current programs and plans for management of nuclear waste as mandated by the Nuclear Waste Policy Act of 1982 are adequate for the management of any additional volumes or categories of nuclear waste that might be generated by any new nuclear power plants that might be constructed and licensed after the date of enactment of this Act.

*Math and Science Education.*—Directs the Secretary to enter into agreements with qualified entities to provide post-secondary programs for the promotion of mathematics and science education for low-income and first generation college students.

TITLE XIV—COAL, COAL TECHNOLOGY AND ELECTRICITY

Subtitle A—Coal and Coal Technology

*Coal Research, Development and Demonstration Program.*—Directs the Secretary to carry out a research, development and demonstration program for advanced coal-based technologies, that will achieve greater control of $NO_x$, SO2, and air toxics; will be capable of converting coal into cost-competitive transportation fuels; will be capable of converting coal into synthetic gaseous, liquid, and solid fuels; and will achieve greater energy efficiency; and will be commercially available by 2020.

*Non-fuel Use of Coal.*—Requires the Secretary to submit a research, development, and demonstration plan and implement a program for technologies for the non-fuel use of coal. Such technologies include the production of coke, carbon-based chemical intermediates, and coal treatment processes.

*Coal Refining Program.*—Directs the Secretary to carry out a research, development, demonstration, and commercialization program for coal refining technologies. Directs the Secretary to solicit proposals for cost-shared demonstration projects of coal refining processes and authorizes the Secretary to enter into agreements with non-Federal entities to undertake these projects.

*Underground Coal Gasification.*—Directs the Secretary to carry out a research, development and demonstration program for underground coal gasification technology. Directs the Secretary to solicit proposals and is authorized to provide financial assistance for at least one demonstration project of underground coal gasification technology.

*Low Rank Coal Research.*—Requires the Secretary to pursue a program of research and development with respect to the technologies needed to expand the use of low-rank coals. Authorizes the Secretary to enter into contracts, cooperative agreements, and jointly sponsored research programs with, and provide grants to, qualified persons in order to carry out this program.

*Magnetohydrodynamics.*—Requires the Secretary to carry out a proof-of-concept program in magnetohydrodynamics. In carrying out this program, the Secretary is directed to solicit proposals from the private sector and seek to enter into an agreement that provides for cost-sharing with non-Federal entities.

*Coal-Fired Locomotives.*—Directs the Secretary to conduct a research, development and demonstration program for utilizing "ultra-clean coal-water slurry" in diesel locomotive engines.

*Coal Exports.*—Requires the Secretary to submit to Congress a plan for expanding the export of coal from the United States.

*Clean Coal Technology Export Coordinating Council.*—Establishes a Clean Coal Technology Export Coordinating Council to facilitate and expand the export and use of clean coal technologies, with a priority on such transfer and use in lesser-developed countries. Requires the Council to develop a data base and information dissemination system relating to clean coal technologies.

*Coal Fuel Mixtures.*—Requires the Secretary to prepare a report on technologies for combining coal with other materials, such as oil or water fuel mixtures.

*National Clearing House.*—Directs the Secretary to establish a national clearing house for exchange and dissemination of technical information relating to coal and coal-derived fuels.

*Utilization of Coal Combustion Byproducts.*—Directs the Secretary to conduct a comprehensive study on the institutional, legal, and regulatory barriers to increased utilization of coal combustion byproducts, such as ash, slag, and flue gas desulfurization.

*Data Base and Report on Coal Transportation.*—Requires the Secretary to establish a data base and prepare a report regarding coal transportation rates and distribution.

SUBTITLE B—ELECTRICITY

*Applicability of New Source Review to Existing Electric Utility Steam Generating Units.*—Addresses the so-called *WEPCo* issue concerning EPA's interpretation of new source performance standards (NSPS) and new source review (NSR) in cases of physical changes at existing powerplants. Exempts pollution control projects from NSR and NSPS and prescribes standards for assessing whether other physical changes at existing powerplants trigger NSPS and NSR.

*Excess Capacity Study.*—Requires the Secretary to submit report on physical impediments to transfer of excess electrical energy from regions with surpluses to regions with shortages.

*Calculation of Avoided Cost.*—This section states that State regulatory authorities are not required to base calculations of avoided cost, under the Public Utility Regulatory Policies Act (PURPA), on the rates for or the costs of demonstration projects under the Department's clean coal technology program.

*Regulatory Incentives for Clean Coal Technologies.*—Sets out a process for establishing Federal regulatory incentives for clean coal technologies and encourages State regulatory authorities to consider similar incentives for these technologies. Requires the Secretary to report to Congress on progress made in encouraging States to provide these incentives.

Mr. JOHNSTON. Mr. President, I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Alaska is recognized, Senator MURKOWSKI.

Mr. MURKOWSKI. Mr. President, may I ask if I have 10 minutes as requested in morning business?

The ACTING PRESIDENT pro tempore. The Senator from Alaska has 10 minutes.

Mr. MURKOWSKI. I thank the Chair.

First let me acknowledge my colleague, the chairman of the Energy Committee, for a broad and encompassing view of the energy bill that will soon be considered on the Senate floor. I think the series of presentations that have been made truly highlight the broad and well-rounded nature of the National Energy Security Act of 1991.

I would suggest that we have in this instance a case of the glass being more than half full, as opposed to being half empty with regard to those who are critics of this energy bill.

ARCTIC NATIONAL WILDLIFE REFUGE

Mr. MURKOWSKI. Mr. President, the Senator from Alaska is prepared this morning to go into one portion of that bill, the portion covering the authorization to initiate drilling in the Arctic National Wildlife Refuge [ANWR]. The realization that some of my colleagues are unfamiliar with ANWR, I think, deserves a little examination.

ANWR is a relatively small, 19-million acre section of Alaska tucked away north of the Arctic Circle next to the Canadian-United States border. ANWR is about the size of South Carolina, six times the size of Connecticut, however in relation to the State of Alaska, it is relatively small.

Within ANWR there are 19 million acres, as I have indicated, and it is important to recognize, Mr. President, that 8 million acres have already been set aside in wilderness in perpetuity. That is an area, the size of the State of Massachusetts. So for those who suggest there is not enough wilderness in Alaska, I remind them there are 56 million acres of wilderness in Alaska. The 8 million acre section of wilderness in ANWR is a very small portion.

It is further appropriate to recognize that out of the 19 million acres in ANWR, there are 9½ million acres set aside as a refuge that can only be opened by Congress. That leaves us with about 1½ million acres in the so-called 1002 area. This is the area that contains the most promising prospects for oil and gas discoveries. ANWR coastal plain estimates could run as high as finding the largest oilfield in North America or, as old-time oil people say, "When you look for oil, you usually don't find it." But we will never know unless we authorize exploration.

The mean estimates of reserves estimated in the ANWR area are 3.2 billion barrels and high estimates are over 10 billion barrels. ANWR could provide this Nation with 10 to 12 percent of the U.S. domestic production.

I remind my colleagues that Prudhoe Bay has been producing about 24 percent of the total crude oil produced in the United States since the mid 1970's, producing approximately 2 million barrels a day. That field is now on a decline of about 10 percent a year. If we do not find domestic replacements for the decline from Prudhoe Bay, we are going to import more oil, probably from the Persian Gulf, and certainly it will travel to the United States in foreign tankers.

We heard this morning from Senator JOHNSTON who outlined in some detail the Johnston-Wallop National Energy Security Act of 1991, which was reported out of the Energy Committee on May 23, and contains the ANWR leasing title. The vote on the Johnston-Wallop energy bill was 17 to 3 in favor of reporting the package out of committee. It is a balanced bill, Mr. President. It contains provisions for energy conservation, development of alternative energy sources and increased domestic oil and gas production.

Environmental activists want more conservation and less production, however, conservation is not the sole solution. We certainly need conservation, but we also need production. I think proof of that, Mr. President, would be to go back and examine in the mid-1970's when we adopted our first CAFE standard, we save roughly 1½ million barrels per day. But within 6 months of that first CAFE standard initiation in the mid-1970's, we also brought on Prudhoe Bay which added roughly 2 million barrels per day. History has shown, Mr. President, that we needed both conservation and production. As we look at the national energy security of this Nation, I think we are in agreement that the United States is dependent on other countries to meet our energy needs. Senator JOHNSTON has already indicated that over half of our oil consumption is imported from foreign countries. The United States currently consumes approximately 17 million barrels per day but only produces about 7½ million barrels per day. Clearly, over 50 percent comes from foreign sources.

Mr. President, the Persian Gulf war showed that the Mideast is certainly an unstable supply of foreign oil. If we go back and recognize that our President said that United States troops were needed to combat naked aggression, we also knew that we were there to keep the flow of oil coming from the Persian Gulf for the countries of the Western world.

Mr. President, the problem is getting worse. OPEC countries provide 25 percent of U.S. oil supply today. Fifty-three percent of our imports are from OPEC countries. Compare this with 1985 when U.S. imports were only 31 percent, and only 11 percent of U.S. oil supply from OPEC. Worldwide OPEC accounts for 33 percent of world oil production.

U.S. production continues to decline, Mr. President. U.S. oil production is at its lowest point in 26 years. Domestic production, currently at 7.4 million barrels per day, is dropping at a rate of about 4 percent a year. Alaska oil fields, which hold 25 percent of the

total U.S. oil production, continue to decline.

Mr. President, conservation alone is simply not enough. We must make some tough decisions in this country.

The U.S. consumption of oil is relatively flat. So where is the growth? The growth is in the Third World countries. Third World countries are increasing their use of energy at about 10 percent per decade. Third World oil use is expected to rise 155 percent from 1985 to the year 2010. Developing countries accounted for 17 percent of world commercial energy consumption in 1973. They now account for 23 percent of energy consumption. And it is expected to grow to 40 percent by the year 2020.

Think, for a moment: 600 new cars a day in Singapore, Thailand, and Korea. These countries are increasing their standard of living and as a consequence they want new automobiles.

Mr. President, ANWR is the cornerstone of the National Energy Security Act of 1991. In the Johnston-Wallop bill, ANWR revenues fund over 60 percent of conservation measures. Everything from energy-efficient homes, solar energy, and clean-coal technologies to tax breaks for electric cars. These conservation measures are funded by ANWR revenues.

Friends in the environmental community face an interesting dilemma. If they strip ANWR out of the package or succeed in putting it into a wilderness, then those folks bear the responsibility of killing our Nation's energy strategy.

We have seen criticism of the Johnston-Wallop plan but clearly those who criticize it have failed to come up with a better package.

I would like to dispel some of the ANWR myths. It is important to recognize that there are 19 million acres in ANWR, 8 million are designated wilderness, 9.4 million in refuge, that leaves 1½ million acres. It is estimated if oil were discovered, development would utilize an area of about 12,500 acres, an area about the size of the Dulles International Airport.

Another myth is that it is only a 200-day supply. If ANWR were only a 200-day supply it would be the third largest oil field ever found in the United States.

The environmental community also uses the caribou myth. Mr. President, there are more caribou in Alaska than there are people. The caribou herds have actually increased in the Prudhoe Bay area. Prior to the discovery of oil development in the Prudhoe Bay area, there were about 3,000 caribou in the central Arctic herd. Today there are about 18,000.

I think it is important to recognize that there are approximately 150 to 200 visitors that go into this lovely area each year. The cost of that visit is about $5,000. How does that compare with the millions of working Americans who would benefit from reducing excessive dependence on imported oil? ANWR could create as many as 735,000 jobs throughout the United States and boost the gross national product by $54 billion.

These are important issues that my colleagues need to understand in these debates as we address the merits of the National Energy Security Act of 1991.

I have stated at the beginning of my statement the glass is truly half full. The energy package is a good one. We have never gotten so far before in such a comprehensive package.

So, as I conclude, let me commend the chairman of the committee, Senator JOHNSTON.

I will be giving a series of speeches to my colleagues relative to additional aspects of the energy bill as it pertains to ANWR.

I yield the floor.

COAL PROVISIONS

Mr. FORD. Mr. President, today I would like to join my distinguished colleague, the chairman of the Committee on Energy and Natural Resources, in discussing the coal provisions of S. 1220. These provisions are quite obviously very important to my home State of Kentucky. I am pleased to have been able to work with the chairman and other members of the committee to develop these provisions.

Many people have confused S. 1220 with the administration's national energy strategy. In the area of coal, it is particularly apparent that S. 1220 is quite different from the administration's energy strategy.

The administration had some nice words of encouragement for coal in its national energy strategy. But it neglected to mention coal even once in its 165-page legislative proposal. To the administration, coal was nothing more than a poor, forgotten stepchild.

By contrast, S. 1220 contains many important provisions that will ensure that coal is available as a clean source of energy well into the future.

Coal now supplies 25 percent of the total energy requirements in the United States. Some 57 percent of the total U.S. electricity supply comes from coal. We have enough coal in reserve to meet our projected needs for more than 200 years. These facts show that coal will continue to be a major part of the energy supply mix for many years to come. It simply makes no sense to stop using this home-grown resource. The recent war in the Persian Gulf should be enough to remind us of the need for products made in the United States of America.

But the key to continued use of coal is development of technology to make it both clean and economical. These technologies are already under development. The provisions of S. 1220 adopted during the committee markup will ensure that these efforts continue.

I would like to talk briefly today about some of the key provisions of S. 1220 that I worked with the chairman and others to make part of this bill. I am pleased that the committee adopted my amendments to strengthen the crucial coal provisions of S. 1220. And I hope and believe that the resulting legislation will be worthy of the support of everyone interested in the long-range energy future of our Nation.

S. 1220 directs the Secretary of Energy to carry out a program to develop advanced coal-based technologies that will be commercially available by 2010. As part of that program, the Secretary is encouraged to consider additional rounds in the Clean-Coal Technology Program.

Another important provision of S. 1220 directs the Secretary to develop commercial-scale demonstrations of innovative coal-refining processes such as liquefaction. This is a significant program that will develop technologies to clean up the coal before it is burned rather than after. These technologies have the potential to produce clean fuel for energy and electricity production as well as coal byproducts that have value as nonfuels.

During the committee markup of S. 1220, a number of other provisions were adopted that will encourage the development and use of clean-coal technologies. These provisions encourage the adoption of regulatory incentives for investments in clean-coal technologies. Another provision would eliminate a disincentive to the acceptance of clean coal projects by ensuring that electricity rates are not artificially inflated due to calculations of avoided cost.

In short, the initiatives contained in S. 1220 will set in motion the programs necessary to achieve the goals of developing technologies that will burn coal cleanly and cost-effectively. These are important goals that I believe all of my colleagues should support.

I have every hope that there will be Senate action on S. 1220 in 1991 and that major energy legislation will be enacted by the Congress before adjournment at the end of 1992.

THE ROLE OF COAL IN A NATIONAL ENERGY STRATEGY

Mr. ROBB. Mr. President, I rise today to support of the coal title of the National Energy Security Act of 1991 (S. 1220). I think there are ways to improve the bill—specifically, I think that any energy policy needs to center around conservation and an increase in the gasoline tax. I hope the Senate will have a chance to consider such an amendment in the months ahead. But for now, I wish to focus my attention on title XIV of the bill as it relates to coal and coal technology.

Mr. President, the United States possesses enormous reserves of coal. Fully one-quarter of the world's known coal reserves are in the United States. In 1990, the United States produced a record level of over 1 billion short tons

of coal, an increase of 5 percent over the previous year. The Commonwealth of Virginia contributed significantly to this production, ranking seventh in coal production in the United States during 1990.

The problem, of course, is that increased reliance on coal raises some legitimate environmental concerns. Title XIV of this bill seeks to address some of those concerns. S. 1220 directs the Secretary of Energy to establish and conduct a research, development, and demonstration program to assure development of advanced coal-based technologies which control $NO_x$, $SO_2$, and air toxics and achieve greater energy efficiency. Under the bill, these technologies are to be commercially available by the year 2010.

In addition, S. 1220 requires the Secretary of Energy to submit to the Congress a plan to expand the export of U.S. coal. The bill also establishes a clean coal technology export coordinating council to facilitate and expand the use of clean-coal technologies abroad, with a priority for developing countries.

In closing, Mr. President, this Nation desperately needs to enact comprehensive and balanced energy legislation. If we are to reduce our reliance on oil—in order to reduce the power of foreign nations to dictate American foreign policy—we must look to a broad range of alternatives. While I may not personally support every item in S. 1220, I do support the Congress enacting comprehensive energy legislation that includes a place for coal in meeting our Nation's energy needs.

Mr. BYRD. Mr. President, I have long argued that the United States should and must develop a comprehensive national energy policy. As events in the Middle East have too frequently reminded us, our national security and our economic security are highly dependent upon our energy security. We can no longer afford to allow our Nation's energy policy to be determined solely by the vagaries of unfettered market forces. We can no longer afford to allow ourselves to be so vulnerable to the whims of foreign despots and to the political instabilities inherent in other regions of the world. The time has come to enact a comprehensive national energy policy that will make us energy independent.

As a nation, we already possess the energy resources and the technological potential to enhance our energy security and to achieve energy independence. All that is needed now are the will and the leadership to put into place long-term, comprehensive, and coordinated policies that will achieve these goals. And I believe that we have the opportunity to enact such policies in the 102d Congress. Last month, S. 1220, the National Energy Security Act of 1991, was reported by the Senate Committee on Energy and Natural Resources. It is my hope that the Senate will now act on S. 1220.

I believe that S. 1220 will, at least, put our Nation on the path toward developing an array of energy strategies and resources that will forever reduce our dependence on foreign oil. S. 1220 is a comprehensive bill; it appropriately incorporates a number of different approaches in its effort to move our Nation toward the goal of energy independence. I say appropriately so because I do not believe that we should base our national energy policy on a single fuel source or a single strategy. Achieving true and long lasting energy independence will require the enactment of a comprehensive, well-balanced policy that promotes the development of yet untapped domestic energy resources, as well as increased energy efficiency and conservation.

In this regard, I am pleased that one of the strategies S. 1220 promotes—one of the resources it develops—is coal, our Nation's most abundant and lowest cost energy resource. Coal constitutes up to 90 percent of our fossil fuel reserves of coal, oil, and natural gas. Our recoverable coal reserves total 168 billion tons, and are roughly equivalent, in terms of their energy value, to the entire world's known petroleum reserves.

Coal is a reserve of good fortune, as long as we have the good sense to use it; and if we have the foresight to develop more efficient and environmentally safe ways of using it.

S. 1220 encourages the continued deployment of this vast reserve of primary energy to deliver America's future supplies of the cleanest, most efficient form of energy—electric power. Coal is especially well suited for the generation of electric power, and today supplies the fuel for 55 percent of America's electric output. It is estimated that the United States will need as much as 100,000 megawatts of new generating capacity by the year 2000 and as much as 320,000 megawatts by 2010, at which time electricity will constitute 41 percent of our total energy use.

How will we satisfy this increased demand for electric power? Certainly, conservation and efficiency in use have roles to play in meeting new demand, as does natural gas. However, with respect to other energy sources, it will take years to clear away the thickets of regulation and investor apprehension that have overgrown nuclear power. The foremost developer of solar power is at the point of bankruptcy, and environmental concerns about hydroelectric power are increasing. Further dependence on foreign oil is a most undesirable goal.

The realities of our energy use are clear. If America is to possess the electric-generating capacity necessary for economic growth and prosperity, we must continue to develop our abundant coal resources. In addition, we must learn to use coal in ways that minimize any adverse environmental consequences.

S. 1220 will move us in the right direction. Without relying on costly subsidies or efficiency-distorting governmental mandates, it will provide strong incentives for the deployment of the newest, most efficient, and cleanest technologies for coal-fired electrical generation.

The clean coal technologies of atmospheric- and pressurized-fluidized-bed combustion and integrated-gasification-combined-cycle generation offer efficiency improvements over present conventional combustion technologies of 3 to 11 percent. This is good for the economy. These same technologies offer sulfur removal of 90 to 99 percent; and, for a given level of output, reductions in carbon dioxide emissions of 10 to 20 percent. This is good for the environment.

In addition, S. 1220 reaches for even greater efficiency and environmental improvements in the section on coal research, development, and demonstration. It would help promote research on advanced generating technologies such as fuel cells and magnetohydrodynamics, where the prospective efficiencies are of 50 and 55 percent, respectively; and where carbon dioxide emission reductions of 35 and 42 percent are possible.

S. 1220 would also help advance new uses of coal—uses that would serve to further reduce America's dependence on foreign oil. Most of America's imported oil demand is to produce transportation fuels and other value-added products. Coal, however, can be as versatile as petroleum in the uses to which it can be applied. S. 1220 directs research into the concept of "coal refineries" to produce transportation fuel and other value-added products. It also would promote the development of other coal-energy technologies designed to displace imported oil.

Finally, just as S. 1220 will help put the United States on the road to energy independence, as well as help us attain important economic and environmental goals, it will also allow us to share these same benefits with our allies in both the industrialized and developing worlds.

Current estimates are that energy demand will grow much more rapidly in the developing world than among the industrialized nations of the world, and that the developing nations will rely heavily on the use of coal to meet their increased energy needs. The largest growth in the emissions of worldwide environmental concern are projected to come from these developing nations, and the greatest population pressures will be there as well.

If the global environment is of concern to us in the United States, as it should be, we should work to make

available to the developing nations of the world the most advanced, efficient, and cleanest generating technologies as they are developed. If world stability is of concern, we should work to ensure that developing nations have the means to achieve their aspirations. If we are concerned about insulating the economies of other nations from the disruptive effects of instability in the Middle East, we should work to provide other nations with access to reliable, readily available, and low-cost energy alternatives to imported oil. S. 1200 works toward achieving these goals by fostering the export of American coal and American clean coal technology.

The National Security Act of 1991 recognizes the importance and the potential of coal, both in terms of establishing energy independence in the United States and in terms of meeting the energy needs of nations around the world. But S. 1220 is not a bill that focuses solely on coal. It recognizes the importance of other fuel sources, such as natural gas, nuclear, as well as renewables. It recognizes the importance of strategies that promote increased conservation and improved energy efficiency, in addition to those that promote the greater development of domestic energy resources.

Recognizing that not everyone is satisfied with the particular balance that has been struck in S. 1220 between different fuel sources and different energy strategies, I do, however, commend Chairman BENNETT JOHNSTON, as well as Senator MALCOLM WALLOP, the ranking member, and the other members of the Committee on Energy and Natural Resources, for the effort they have made to put together a balanced bill. In the past, we have attempted to enact energy policies without adequate concern for economic and technological feasibilities. We have enacted environmental policies without due regard for our energy needs and economic goals.

As we move forward on comprehensive energy legislation, I do not doubt that there will be much debate on what the appropriate balance is between our energy, economic, and environmental needs and goals. I believe the debate that will occur will, in the long run, prove beneficial, although it will likely be a debate that gives rise to strong disagreements and differences of opinion. Yet, we cannot allow the prospect of a vigorous, and perhaps tense, debate to deter us from getting on with the task at hand. The time has come—the time is long past due—for the United States to develop and put in place a national energy policy that will make our Nation energy independent.

## JULY 4 MOUNT RUSHMORE CELEBRATION

Mr. PRESSLER. Mr. President, on July 3 President Bush did a great job in a long overdue dedication of our great Shrine of Democracy, Mount Rushmore. The majestic faces of four of our great American Presidents have stood proudly in the Black Hills of my State of South Dakota for over half a century.

Back in 1941, Gutzon Borglum and his crew of 360 devoted workers completed their work on this magnificent symbol of American pride and democracy. Unfortunately, due to the death of Mr. Borglum and the U.S. entry into World War II, Mount Rushmore never received an official dedication until this month. I am pleased that Mount Rushmore, our Shrine of Democracy, finally has received the dedication it deserved.

Although all of the events during the golden anniversary celebration were a great success, President Bush's formal dedication of Mount Rushmore proved to be the high point of the entire week. I want to thank President Bush for making this a monumental occasion for myself and all Americans. The raising of the largest U.S. flag ever flown added an inspiring finale to the words of President Bush.

The huge parade on July 4 was yet another expression of American pride. Over 50,000 people crowded the streets of Rapid City to cheer Operation Desert Storm troops and witness a dramatic air display by the U.S. Air Force. The excitement generated by this patriotic display was accompanied by a feeling of pride in all who attended.

Mr. President, I also want to commend the members of the Mount Rushmore Society for planning this extraordinary celebration. This event would not have been possible without the hard work displayed by the dedicated members of the Mount Rushmore Society. For over 50 years this group has helped to keep Mount Rushmore a timeless historical shrine, which now attracts more than 2 million visitors each year.

The fond memories of this celebration will remain in the hearts of all who attended. Patriotic events like this make all Americans proud to live in the United States of America.

Mr. President, I ask unanimous consent that President Bush's dedication speech and an article from the Rapid City Journal describing the official dedication of Mount Rushmore be placed in the RECORD following my remarks.

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

[From the Rapid City (ND) Journal, July 4, 1991]

GOLDEN FACES—SCULPTURE HAS DAY OF GLORY

(By Chet Brokaw)

MOUNT RUSHMORE NATIONAL MEMORIAL.—When Gutzon Borglum carved the four presidential faces on a Black Hills peak, he knew they would come, both presidents and common folk, to gaze at his granite creation.

President Bush, a star-studded supporting cast and a crowd of about 3,500 dedicated Mount Rushmore on Wednesday, 50 years after the mountain carving was finished.

At a price of $500,000, the 75-minute show was conducted on a scale in keeping with what is called the world's most colossal sculpture.

Military bands and nationally known singers belted out patriotic songs against a red, white and blue backdrop. Biplanes, jet fighters and a B-1 bomber soared past the mountain.

And at the end, the wind dropped enough that a helium balloon was able to hoist a 120-by-80-foot U.S. flag into the blue sky and fluffy white clouds above the monument.

Bush paid tribute to George Washington, Thomas Jefferson, Abraham Lincoln and Theodore Roosevelt. And he praised the people who carved the four presidential faces into the rock from 1927 to 1941.

"Look at the vast sculpture before us, and you see carved in stone a symbol that evokes the American character, soaring and unafraid," Bush said.

The President urged Americans to carry on the fight for independence, freedom, democracy and equality started by the four presidents.

"Today, we must build on their beginnings. We must continue to preserve our greatness while pushing back the limits of our imagination," Bush said. "We must teach our children the responsibility that comes with freedom. We must remind them of the endless possibilities of the American dream."

A formal dedication was never held when the carving was completed in 1941 because Borglum had died earlier in the year and the nation was poised to enter World War II.

Wednesday's ceremony not only dedicated the memorial but also formally kicked off the Mount Rushmore National Memorial Society's campaign to raise $40 million to preserve the sculpture and build new visitor's facilities.

Officials say there's no apparent danger the carving will collapse, but they are worried about hundreds of cracks on the sculpture and are studying the mountain's stability.

The society, a non-profit organization that has supported the memorial since carving began about six decades ago, already has raised about $10 million of the $40 million.

Before Wednesday's ceremony officials of the U.S. Mint presented the society with a $5 million check, the first installment on the society's share of proceeds from the sale of Mount Rushmore commemorative coins. South Dakota native Al Neuharth, chairman of the Gannett Foundation, also presented a check for $1 million to the project.

Bush became the fourth president to visit Mount Rushmore. Calvin Coolidge took part in a 1927 ceremony marking the start of work on the peak, Franklin D. Roosevelt helped dedicate the completion of Jefferson's head in 1938, and Dwight Eisenhower visited in 1953.

After the ceremony, Bush and his wife, Barbara, hiked, fished and attended a barbecue in the area. State Game, Fish and Parks workers stocked about 2,600 rainbow trout in Horse Thief Lake on Tuesday, but they said the lake was scheduled to receive its seasonal stocking anyway.

The dedication ceremony was co-hosted by native South Dakotans Mary Hart and NBC news anchor Tom Brokaw. Actors Jimmy Stewart, Billy Dee Williams, Barbara Eden and Barry Bostwick read tributes to the four presidents immortalized on the mountain.

Gov. George Mickelson gave a brief welcoming speech. The event was broadcast live by Cable News Network.

Of course, "Mount Rushmore's 50th anniversary is a national celebration," Mickelson said. "But here in the state of South Dakota, where the monument sits in our own backyard, we reflect a little more deeply and celebrate a little more proudly."

To provide security for the president and to avoid traffic jams, the highway past Mount Rushmore was closed early Wednesday. The memorial was to reopened to the public Wednesday evening.

A sunrise ceremony for the public was planned for 6 a.m. Thursday, the time originally set for the dedication, which was changed to Wednesday to accommodate Bush's schedule.

Because of the timing of the rescheduled event, most of the faces of the mountain were shadowed Wednesday. The carving is best seen in early morning light.

Before the people lucky enough to get tickets were allowed into Mount Rushmore, they were checked by metal detectors.

Wednesday's ceremony was limited to 1,500 invited guests and 2,000 people who won tickets in a drawing. More than half the crowd had to sit on rocks and dirt under pine trees because the amphitheater holds only about 1,300.

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[From the Rapid City (ND) Journal, July 4, 1991]

PRESIDENT SALUTES MONUMENT AND THOSE WHO MADE IT POSSIBLE

MOUNT RUSHMORE NATIONAL MEMORIAL, SD.—Here is the full text of President Bush's speech Wednesday at the dedication and 50th anniversary celebration at Mount Rushmore National Memorial.

What a personal privilege and honor to be introduced by America's beloved Jimmy Stewart.

I salute our secretary of Interior, Manuel Lujan; our senators, Larry Pressler, Tom Daschle; Congressman Johnson with us today. South Dakota's governor, Gov. Mickelson; Lt. Gov. Mr. Miller; former Gov. Janklow and former Sens. Abdnor and McGovern are with us here today, also.

This is a fitting occasion, and I'm proud to be a part of it.

And may I also salute those who make it happen all the time, our director of the National Park Service, James Ridenour. My special greetings, of course, to this all-star-studded cast Tom Brokaw, Mary Hart, Barry Bostwick, Billy Dee Williams, Johanna Meier, Barbara Eden, our favorite, White Eagle, who sang at the inauguration, Rosemary Clooney, and everybody else who participated in making this a very special day in the life of our country.

You talk about a Hollywood hall of fame, this is unbelievable.

And to all of you, thank you for the privilege of helping dedicate a memorial that once moved a visitor to say, "A visit to Mount Rushmore is a moment of communion with the very soul of America."

Fifty years ago, brave Americans completed this monument to four great nation-builders. And it took 14 years, enormous sacrifice and a daring worthy of our nation.

You heard about one man here who remembers. Tom mentioned him. From 1935 to '41, Hap Anderson—worked as a driller on Mount Rushmore. Says Hap, to quote him, "Hard work? You can imagine putting a 35-pound jackhammer against your belly and letting her go, I guess it was hard work."

And here's the interesting part; a little anatomical. He said, "My belly was so hard in those days, my wife could dance on my stomach with high-heeled shoes." I can picture it. Seeing Mary Hart up here, I'd prefer cheek to cheek, but nevertheless, the Andersons can do it their way.

But seriously, when Hap and his co-workers, several others who we met here today, dusted themselves off after the last day's work, they had produced a living monument. And when the great producer-director Cecil B. De Mille described it, here's what he said: "Not only do you look at those four faces—they look at you as well."

And today we salute Hap, all the others here today and all the rest who built Mount Rushmore.

We salute, too, the four men whose faces appear on the monument. They know that America is always a beginning, never a consummation. Washington, Jefferson, Lincoln and Roosevelt all surmounted old barriers and opened up new frontiers. They broadened our nation and they strengthened its foundation. And they chiseled into our national soul a yearning for freedom, democracy, equality and justice—a conviction that all people have the right to life, liberty and the pursuit of happiness.

You heard from our four stars a little history of each. But let me, at the risk of being repetitive, say just a little more.

During our revolution, Ben Franklin, as an American minister to France, attended a diplomatic dinner in Paris. First a French official rose, toasting Louis XVI, comparing him to the moon. The British ambassador then toasted his monarch, George III, likening him to the sun.

And finally the aging Franklin stood to speak. "I cannot give you the sun or the moon, but I give you George Washington, who like Joshua of old, commanded both the sun and the moon to stand still, and both obeyed."

Washington sought not the security of power, but the power to secure America's independence, to build a nation devoted to freedom and human dignity.

I think more than any other president, he shaped the contours of the presidency. He established a model and set precedents that served us well, and no wonder he is remembered as the father of our country.

Washington's secretary of state and the author of our Declaration of Independence helped the young nation grow in different ways. Thomas Jefferson championed a majesty of individual determination and imagination.

While Jefferson had some troubles with Congress, he accomplished extraordinary things. Among these, as we heard, he negotiated the Louisiana Purchase. The purchase expanded our boundaries forever and opened to millions new horizons, opportunities and dreams.

His love of democracy was matched only by his faith in human nature. He believed that the God who gave us life gave us liberty at the same time, and that man would use that liberty to enoble life.

The man to the far right of Jefferson in the sculpture also extended the technological frontier by challenging the nation to complete the first transcontinental railroad. But Abraham Lincoln's greatest challenge was to preserve our republic; preserve it through its bloodiest war, and in so doing, he sharpened our passion for liberty, equality and dignity.

Once Abraham Lincoln said, "The dogmas of the quiet past are inadequate to the stormy present." And yet armed with changeless moral laws, he paved the path to the future. He abolished slavery and preserved the union. And he showed that the better angels of our nature can banish the darkness that threatens us all.

While the Lincoln of history often seems solitary or sad, the real Lincoln never lost his appetite for a good story, a tall tale or a poignant quip. Once a friend encountered him and two of his kids, his sons, on the street. The boys were sobbing uncontrollably. "Mr. Lincoln, what's the matter with the boys?" the friend asked. And Lincoln sighed, "Just what's the matter with the whole world: I've got three walnuts and each kid wants two."

Abraham Lincoln understood the American character. He could speak in tones as familiar as a heartbeat or in cadences capable of summoning forth laughter, tears and awe. Without Lincoln, I don't believe we would be a whole nation today. He kept us, you see, the United States.

The final man on this monument also left a wonderful bequest. He won renown as a warrior but, again as we heard, he also won the Nobel Prize for peace. He helped cut the Panama Canal out of the wilderness, but also fought to preserve our national beauty.

Theodore Roosevelt fell in love with the Mount Rushmore area, visiting the Dakota Badlands in '83, 1883. He grew infatuated with the cattle business, acquired two ranches, became a gentleman cowhand. T.R. brought to the outdoors the same exuberance that he brought to life, calling our lands and wildlife the property of unborn generations.

He managed to preserve our magnificant environment while transforming America from a continental force into a truly global power.

Each of these four presidents enriched this country, and each made full use of his presidential powers without forgetting that he owed his power and legitimacy to the people.

The heroes behind me were fighters, as Americans have always been, fighters for independence, for freedom, for democracy, for equality, for the values and the lands we revere. Today we must build on their beginnings. We must continue to preserve our greatness while pushing back the limits of our imagination. We must teach our children that responsibility comes with freedom. We must remind them of the endless possibilities of the American dream.

Our new Supreme Court nominee, Judge Clarence Thomas, said it best. "As a child, I could not dare to dream that I would ever see the Supreme Court, not to mention be nominated to it. Only in America could this be possible."

Our challenges are enormous. But remember, this is America, and here, great things are possible. Look at the vast sculpture before us and you see carved in stone a symbol that evokes the American character, soaring and unafraid.

And now, on this 50th anniversary of the monument, a group of dedicated volunteers, the Mount Rushmore Society, is mounting a nationwide campaign to preserve this treasure. This, too, fits into a distinguished tradition. In June of 1826, an ailing Thomas Jefferson politely declined an invitation to celebrate the Fourth of July in Washington. Instead, he encouraged his would-be hosts to hold dear the rights that Americans alone recognized and cherished. And he wrote this: "Let the annual return of this day forever refresh our recollections of these rights and an undiminished devotion to them."

Fittingly, this was Jefferson's last letter. Ten days later, on the 50th anniversary of our independence, he died.

On the eve of this Fourth of July, the 50th anniversary of this monument, let us express

our undiminished devotion to the ideals of Washington, Jefferson, Lincoln and Roosevelt—ideals as towering and solid as the monument that honors them.

Thank you for this occasion. God bless the United States of America.

And now, I'm proud to dedicate Mount Rushmore National Memorial.

## BLACK HILLS VETERANS WAR MONUMENT

Mr. PRESSLER. Mr. President, this year patriotism seems more alive among the citizens of the United States of America than in recent years. The public truly has been caught up in a whirlwind of enthusiastic American national pride. This pride in our Nation seems to have its roots in the success of the Persian Gulf war. Although we are suffering from a huge budget deficit and other financial difficulties, Americans have a refreshed sense of optimism and a renewed belief in Government of the people, by the people, and for the people.

Those who lead our Nation should be commended for guiding us to victory. But the Persian Gulf war, like all wars, was not without casualties. American men and women surrendered their lives in this effort. Their sacrifice shall not go unrecognized. As a veteran who served 2 years in Vietnam, I understand the enormous value of the monuments which honor our Nation's veterans.

Thus, I am pleased to announce a newly dedicated veterans' memorial in my home State of South Dakota. During this year's Fourth of July festivities, which included the official dedication of Mount Rushmore, the Black Hills Veterans War Monument was dedicated in the Rapid City, SD, Memorial Park. The monument honors the Black Hills area veterans who served in the five major wars the United States has fought this century. The monument takes the shape of a six-pointed star and contains plaques dedicated to those who served in World War I, World War II, the Korean war, the Vietnam war, and the Persian Gulf war. The monument was sponsored by the Veterans of Foreign Wars Post 1273 and other veterans' groups. I commend the planners who made this monument a reality. It is another testament to the patriotism of South Dakotans. I appreciated being able to participate in the dedication ceremony for the Black Hills Veterans War Monument. It was truly inspiring.

## MICHELLE SCARBOROUGH AND THE SOUTH DAKOTA SHOOTING SPORTS ASSOCIATION

Mr. PRESSLER. Mr. President, I would like to take this opportunity to recognize Michelle Scarborough of Hayes, SD. Michelle's achievements are a fine example of what the South Dakota Shooting Sports Association can do for the young people of my State.

Michelle is the daughter of the late Marlin Scarborough and Rosemary (Scarborough) Rounds, and is the stepdaughter of Donald Rounds, of Pierre, SD. Her father Marlin, a distinguished rifleman himself, was an active member of the South Dakota Shooting Sports Association and a member of the National Rifle Association board of directors. His influence and encouragement helped Michelle achieve great success in shooting sports.

Michelle has won both the national junior championship and the NCAA air rifle championship. She is a four-time all-American in shooting and also has been honored as an academic all-American. Michelle, currently a member of the national shooting team, will be one of five women representing the United States at the Pan Am Games in Havana, Cuba, in August 1991.

Like many young South Dakotans, Michelle was able to participate in shooting sports because of the work of the South Dakota Shooting Sports Association. This organization has been very active in conducting the junior Olympic shooting camps and working with the 4-H shooting program. It works to preserve the right to keep and bear arms and to instill in young people discipline, pride, and the ability to succeed. Michelle attended the first South Dakota junior Olympic shooting camp and has lived up to the expectations and ideals of the South Dakota Shooting Sports Association.

I congratulate Michelle on her achievements and wish her luck in her future endeavors. I am proud of the South Dakota Shooting Sports Association, and I hope that it will continue to be a source of encouragement for South Dakota's young people.

Mr. President, I request that a recent article from the Pierre Capital Journal on the achievements of Michelle Scarborough be printed in the RECORD following my remarks.

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

"ATHLETE OF THE WEEK": SCARBOROUGH NEARS HER OLYMPIC DREAM

(By Jeff Mammenga)

Michelle Scarborough of Pierre, a member of the United States Shooting Team, has had her sights set on the 1992 Summer Olympics in Barcelona, Spain, for some time now.

And with the Summer Olympics fast approaching, it appears that Scarborough's goal of making the team is well within reach.

Scarborough, 24, recently won two medals at the U.S. International Shooting Championships in Chino, Calif., and earned a berth on the 1991 Pan American Games Team. The Pan Am Games are Aug. 6–12 in Havana, Cuba.

Scarborough, who lives and trains at the U.S. Olympic Training Center in Colorado Springs, Colo., captured the silver medal in the woman's rifle prone event at Chino, and took the bronze medal in the woman's three-position rifle event.

Last week, Scarborough was one of 18 rifle shooters selected to compete at the 1991 U.S. Olympic Festival, July 13–14 in Los Angeles. She will be shooting for the North team.

Scarborough won a silver medal at the 1989 U.S. Olympic Festival.

For her recent shooting accomplishments, Scarborough is this week's Capital Journal "Athlete of the Week."

Scarborough is keeping her Olympic dream in perspective.

"I'm just trying to get as prepared as I can," she said in an interview when home for the Fourth of July. "I can't control what the other shooters are doing. I'm concentrating on my own performance and shooting the best I can. My goals are performance oriented, because that's what I can control."

Scarborough, naturally, is looking forward to the Pan Am Games.

"Making the Pan Am team was a real confidence booster," she said. "I'm really looking forward to that. I've never been involved with a major international competition with other sports also taking place."

Scarborough said she felt she shot her best in prone at the Pan Am Trials, but she said she can still see where she can make improvements.

U.S. Shooting Team rifle coach Robert Mitchell, who works with Scarborough and 10 other full-time shooters at Colorado Springs, agreed that Scarborough hasn't maximized her potential yet.

"Hopefully we can help her to achieve some of our mutually-desirable goals of winning medals in major international competitions," Mitchell said.

Mitchell said Scarborough has improved since she started training in Colorado Springs.

"She's been working very hard since she's been here," Mitchell said in a telephone interview. "Things are starting to fall into place for her, and all of her hard work is paying off."

Mitchell, who has been working with Scarborough off and on since 1986, said hard work is one of her strengths.

"She has a lot of ability and a great deal of potential," he said. "And she works hard. She's very dedicated to the sport."

Scarborough achieved All-American status at the University of South Florida in Tampa, but she said she's a different shooter now.

"I think I'm a lot more consistent now—definitely—I'd say that's the biggest change," she said.

That comes from "just a lot of practice," she said. "When you work at it full time, you're bound to be more consistent and more prepared than when you practice whenever you can at school."

Now the sport has become "like a job" for her, Scarborough said. Her training involves four or five hours of practice shooting a day, and with the physical and mental training, she puts in six or seven hours a day.

Scarborough said she runs, and lifted weights earlier, but not much lately. Mentally, the shooters work with a sports psychologist on concentration, relaxation and dealing with pressure, she said.

The training can make for some long days.

"Sometimes, I really wish I was working towards my career and making some money," Scarborough said. "But I feel lucky and really fortunate that I get to live and train out there and don't have to have a full-time job."

Scarborough said she's one of eight-to-10 women who are "all about the same" skill level who are trying for one of two spots on the Olympic team in the two events—smallbore three-position rifle and air rifle.

"It all depends on who is peaking at the right time," she said.

Scarborough has already competed in foreign countries that most people only dream about visiting.

She'd love to add Barcelona, Spain, to her list in 1992.

## IMPACT AID

Mr. PRESSLER. Mr. President, I want to take this opportunity to bring to the attention of my colleagues the significance of impact aid. During these times of budget constraint, it is crucial that we identify those Federal programs which are of greatest importance. I believe that quality education must be one of our highest priorities. The students who depend on the Impact Aid Program for their education deserve full funding of this program.

I would like to extend my appreciation to the members of both the House and Senate Appropriations Subcommittees on Labor, Health and Human Services and Education who have done a remarkable job of providing the resources for impact aid. Without their efforts, many federally impacted school districts would be suffering severe financial difficulties. Some of them are getting very close to going broke or shutting down. I am very disappointed that impact aid funding for fiscal year 1992, as recommended by these committees, does not even cover inflation since the current fiscal year began.

There are 42 school districts in South Dakota that receive funding under the Impact Aid Program. In my State, 10,402 students rely heavily on the educational opportunities made possible by impact aid funds. Of these qualifying students, 6,709 are category 3(a) students and 3,693 are category 3(b) students.

The current status of funding for the 3(b) category students is of great concern to me. Originally, the impact aid payment for 3(b) students was intended to match the tax revenue lost as a result of Federal ownership of property. Without these payments, local educational agencies would be required either to subsidize the educational costs of 3(b) children from local revenues or reduce services.

Our local school districts simply cannot afford drastic cuts in teachers, teacher aides, educational materials, transportation, and the other essential components of our educational system. Local and State funding are needed, too, but when local tax sources are hindered by Federal land ownership, the Federal Government must compensate the affected school districts.

In South Dakota, some school districts are over 50 percent federally impacted and receive minimal assistance from their local governments. They are located in some of the poorest counties in the United States of America. How can they meet the education goals of this country? Let's face it, Mr. President, impacted schools are between a rock and a hard place. Most of these school districts already have exhausted all other funding alternatives.

The other area of great concern to me is funding for the school construction program authorized by Public Law 81-815. This program provides Federal funds for constructing and renovating schools in federally impacted districts. Even full funding at the level of $28 million is inadequate in view of the real needs of impacted schools. In fact, the 815 construction priority list contains many worthwhile projects, any one of which available would expend the entire amount of funding.

An appropriation of $885 million under Public Law 81-874 for impact aid and $28 million under Public Law 81-815 for school construction is imperative for the maintenance of quality educational programs in federally impacted school districts. These companion laws recognize the basic responsibility of the Federal Government to compensate for lost revenue resulting from Federal activity or ownership.

The bottom line is that students should not be penalized for their parents' Government service employment. This is a question of basic equity. Impact aid is not a luxury for federally connected children. It is a necessity, and it must be funded. Any cut or freeze in funding would seriously jeopardize the quality of education for hundreds of thousands of students.

Mr. President, I firmly support the appropriation of $885 million for impact aid and $28 million for the school construction program. Although times are tight and we are reducing Government spending, we must remember that education is an investment that cannot be neglected. I applaud the entire impact aid community for their efforts. I urge my colleagues to join me in full support of the impact aid programs.

## CONCLUSION OF MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Morning business is closed.

## INTERNATIONAL SECURITY AND ECONOMIC COOPERATION ACT OF 1991

### MOTION TO PROCEED

The ACTING PRESIDENT pro tempore. Under the previous order, the time between 10:15 and 10:45 a.m. shall be for debate only on the motion to proceed to S. 1435, the time to be equally divided and controlled by the Senator from Rhode Island [Mr. PELL] and the Senator from North Carolina [Mr. HELMS] or their designees.

The Senator from Rhode Island is recognized.

Mr. PELL. Mr. President, this act was reported favorably with an overwhelming 17-to-2 vote by the Senate Foreign Relations Committee on June 11, 1991.

The bill authorizes $12.883 billion for multilateral and bilateral foreign assistance for each of fiscal years 1992 and 1993. More specifically, title I of the bill authorizes a total of $1.346 billion for functional development assistance programs, supporting agriculture, population, health, child survival, AIDS control and prevention, education and human resources, and private sector, environment, and energy activities. This authorization level is an increase of $27 million over the amount available for these programs in this fiscal year.

Title II of the bill authorizes $35 million for each of fiscal years 1992 and 1993 for the American Schools and Hospitals Abroad Program; extends and expands the Housing Guaranty Program by increasing the ceiling on the total principal amount of housing guarantees to $3.4 billion; authorizes $311.3 million for voluntary contributions to international organizations and programs, an increase of $26.6 million over the amount available for these programs this year; and authorizes $40 million for international disaster assistance.

In addition, this title upgrades the existing Trade and Development Program to a separate Trade and Development Agency; and establishes within the Agency for International Development two separate centers—one to strengthen university cooperation in development, and one to strengthen private voluntary cooperation in development.

Title III of S. 1435 authorizes $3.203 billion for Economic Support Fund assistance, an increase of $58 million over the amount available for this year, and provides new authority for the President to use Economic Support Fund assistance to support developmentally sound trade and investment opportunities in the form of capital and infrastructure assistance.

Title IV authorizes $4.5 billion for an all-grant Foreign Military Financing Program, a decrease of $198 million below the comparable amount available this year.

In addition, S. 1435 contains regional and country specific provisions, including an authorization of $160 million annually for a multiyear Philippine multilateral assistance initiative, a $400 million annual authorization for expanded programs in Eastern Europe, continuation of economic and military support for the Andean countries, and an authorization of $800 million for each year for the Development Fund for Africa.

Title VII of the bill authorizes an Enterprise for the Americas initiative including the restructuring and reduc-

tion of outstanding development assistance and Eximbank loans, and a 5-year $500 million contribution to the Inter-American Development Bank for an Enterprise for the Americas Fund.

With regard to multilateral assistance programs, S. 1435 authorizes an increase in the U.S. quota of the International Monetary Fund, a contribution to the African Development Fund, and a capital stock subscription to the Asian Development Bank.

Finally, S. 1435 authorizes an appropriation in fiscal year 1992 of $207 million for the Peace Corps.

Mr. President, S. 1435 is a streamlined bill that seeks to grant some additional flexibility to the administration in its administering of our foreign assistance programs, through some program consolidation and increased flexibility in various special authorities. In my view, the bill strikes the proper balance between the desires of Congress to assure that certain activities are carried out through our foreign assistance programs, and the administration's need to respond to changing world conditions.

Mr. President, there are two provisions in S. 1435 which fall within the jurisdiction of the Senate Banking Committee, the first of which is an authorization for an increase in the U.S. quota in the IMF and authority for the U.S. Governor to accept the proposed amendments to the Fund's articles of agreement. The second provision falling within the jurisdiction of the Banking Committee is authority for the President to sell, reduce, or cancel loans made pursuant to the Export-Import Bank Act of 1945.

Rule XXV(j)(1) of the Standing Rules of the Senate states that at the request of the Committee on Banking, Housing, and Urban Affairs, any proposed legislation relating to the International Monetary Fund and other international organizations established primarily for international monetary purposes reported by the Committee on Foreign Relations shall be referred to the Committee on Banking.

Because of the wishes of the Senate Foreign Relations Committee to complete full Senate consideration in an expeditious manner, I requested that the Banking Committee not exercise its right of referral on these two provisions. I am very grateful to the distinguished chairman of the Banking Committee, Senator RIEGLE, for being willing not to request a referral on these two matters.

Mr. President, I ask unanimous consent that the exchange of letters between myself and Senator RIEGLE be printed in the CONGRESSIONAL RECORD.

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

COMMITTEE ON FOREIGN RELATIONS,
*Washington, DC, July 17, 1991.*

Hon. DONALD W. RIEGLE, Jr.,
*Chairman, Committee on Banking, Housing, and Urban Affairs, U.S. Senate.*

DEAR MR. CHAIRMAN: The Committee on Foreign Relations has completed consideration of legislation authorizing foreign assistance for fiscal years 1992 and 1993 and reported the legislation to the Senate on June 24. The Committee hopes to have the bill considered by the full Senate during the July session.

It is my understanding that two provisions in the Foreign Relations Committee bill fall within the jurisdiction of the Banking Committee. The first is Chapter 1 of Title X of the bill, which authorizes an increase in the U.S. quota in the IMF and authorizes the U.S. Governor to accept the proposed amendments to the Fund's Articles of Agreement, as approved in Resolution 45-3 of the Board of Governors. Rule XXV(j)(1) of the Standing Rules of the Senate states that at the request of the Committee on Banking, Housing, and Urban Affairs, any proposed legislation relating to the International Monetary Fund and other international organizations established primarily for international monetary purposes reported by the Committee on Foreign Relations shall be referred to the Committee on Banking.

The second provision is Chapter 7 of Title VII of the bill, which authorizes the President to sell, reduce, or cancel loans made pursuant to the Export-Import Bank Act of 1945, as amended. The Export-Import Bank Act falls under the jurisdiction of the Banking Committee.

While acknowledging the jurisdiction of the Banking Committee over these provisions, I would request that you not exercise your right of referral in order to expedite consideration of these provisions on the Senate floor. If this bill is acted on by the Senate and a Conference Committee appointed, I would be pleased to appoint Banking Committee members as conferees on these provisions. I would also be pleased to include our correspondence on this matter in the CONGRESSIONAL RECORD during the floor debate on the foreign assistance bill.

With every good wish.

Ever sincerely,

CLAIBORNE PELL.

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COMMITTEE ON BANKING,
HOUSING, AND URBAN AFFAIRS,
*Washington, DC, July 23, 1991.*

Hon. CLAIBORNE PELL,
*Chairman, Committee on Foreign Relations, U.S. Senate, Washington, DC.*

DEAR MR. CHAIRMAN: Thank you for your letter of July 17 requesting the Committee on Banking, Housing, and Urban Affairs not to request a referral of the provisions of the Foreign Aid bill, reported out of the Foreign Relations Committee on June 24, which fall within the jurisdiction of the Banking Committee.

The first provision you cite in your letter is Chapter 1 of Title X of the bill which authorizes an increase in the U.S. quota in the IMF and authorizes the U.S. Governor to accept the proposed amendments to the Fund's Articles of Agreement, as approved in Resolution 45-3 of the Board of Governors. As you note in your letter, Rule XXV(j)(1) of the Standing Rules of the Senate provides that at the request of the Committee on Banking, Housing, and Urban Affairs, any proposed legislation relating to the International Monetary Fund and other international organizations established primarily for international monetary purposes reported by the Committee on Foreign Relations shall be referred to the Committee on Banking.

The second provision you cite is Chapter 7 of Title VII of the bill, which authorizes the President to sell, reduce, or cancel loans made pursuant to the Export-Import Bank Act of 1945, as amended. This authority was requested by the President as part of the Administration's Enterprise for the Americas Initiative. As you indicate in your letter, the Export-Import Bank Act falls under the jurisdiction of the Banking Committee.

As you know, the Banking Committee takes very seriously its jurisdiction over the International Monetary Fund. When the last quota increase was approved by the Congress in 1983, the Banking Committee exercised its right of referral of the legislation, reported out the legislation with major amendments, and then managed the legislation on the Senate floor. This year the Banking Committee's Subcommittee on International Finance and Monetary Policy held an oversight hearing on the Administration's IMF quota increase request on June 25 and thoroughly reviewed the issues relating to the request.

It had been the intention of the Banking Committee to request a referral of the bill pursuant to Rule XXV(j)(1) of the Standing Rules of the Senate. Pursuant to your request, however, and in the interest of expediting Senate consideration of the legislation, I am willing not to request a referral with the understanding that such action in no way establishes a precedent or prejudices the Banking Committee's jurisdiction over provisions of the type covered in the above cited rule. For the same reasons, I will not request a referral of the provisions affecting the Export-Import Bank Act of 1945, which fall within the exclusive jurisdiction of the Banking Committee.

I note your confirmation of this undertaking in your letter dated July 17, 1991 and your proposal to appoint members of the Banking Committee as conferees on these provisions if a Conference Committee on this legislation is created. I would accept that proposal and also request that this exchange of letters be inserted in the CONGRESSIONAL RECORD during Senate consideration of the legislation.

I look forward to continued cooperation between our two Committees on these important matters. With best regards.

Sincerely,

DONALD W. RIEGLE, Jr.,
*Chairman.*

Mr. PELL. Mr. President, I would now like to turn to the distinguished chairman of the Subcommittee on International Economic Policy, Trade, Oceans, and Environment, Senator SARBANES, who skillfully shepherded this legislation through his subcommittee and played a very significant role during deliberations of the full committee. The quality of the bill now before the Senate and the bipartisan support for the bill demonstrate to me the wisdom of employing the very substantial talents of other members of the Foreign Relations Committee as we pursue our lengthy legislative agenda.

Mr. SARBANES. Mr. President, what is the time situation?

The ACTING PRESIDENT pro tempore. The Senator from Rhode Island has 8 minutes remaining. The Senator from North Carolina has 15 minutes remaining.

Mr. SARBANES. Mr. President, I yield to the ranking member of the committee if he wishes to speak now after the chairman, and then I will pick up after he finishes and Senator MCCONNELL and I can finish up the rest of the time.

The ACTING PRESIDENT pro tempore. The Senator from North Carolina is recognized.

Mr. HELMS. Mr. President, please notify me when I have 7½ minutes remaining because I, too, want to yield the remaining 7½ minutes to the distiguished Senator from Kentucky, the able ranking member on the subcommittee on international operations.

For openers, Mr. President, I must observe that spending time on this foreign aid bill is an exercise in futility, a waste of the Senate's time because the President of the United States has already indicated clearly that he intends to veto this foreign aid bill, unless it is modified.

The bill contains a provision that overturns the President's policy on international family planning assistance, better known as the Mexico City policy. Furthermore, it contains a highly controversial cargo preference provision. The administration is adamantly opposed to both of these provisions, and rightly so.

I have been trying to find something good to say about this bill.

It is sort of like the man who was asked about his neighbor next door, "Can't you say something good about her?"

He thought for a moment, then said "Yeah, I reckon so. For a fat lady, she doesn't sweat much."

That is about how I feel about this bill. Fortunately, it does not duplicate the unwise funding of United Nations Funds for Population Activities. I am sure Senators recall the long debates this body has endured—and that is the word, "endured"—concerning the criminal forced abortion policies in China bankrolled by UNFPA. It is my sincere hope that the Senate will avoid debating the so-called merits because there are no merits to China's population planning policy and, particularly, the UNFPA's involvement.

The simple fact remains, as it has since the Kemp-Kasten amendment of 1985, that the inclusion of a provison requiring funding for UNFPA will give the President still another reason to veto the bill. What is the big deal? Why did we not do it right the first time and leave out funding for UNFPA? Do we want to run around chasing vetoes?

Mr. President, even without these controversial provisions, foreign aid remains, without a doubt, one of the most unpopular programs with the American people. It is unpopular because it is a waste of money, plain and simple. The American taxpayers are fed up with Congress squandering dollars overseas. This Senator feels the same about it.

About 10 years ago, Mr. President, I had a letter from a constituent in North Carolina who said, "Jesse, how much has the foreign aid program cost us since 1946?"—1946 being the year of its inception. I did not know.

I called the State Department thinking that they would and could give me the figures forthwith. But they said they did not know. What the constituent suggested—and it is a reasonable suggestion—was, "I want you to factor in the fact that all of the money spent on foreign aid has been borrowed money." And he added, "To get a realistic figure, you have to factor in the interest of all the borrowed money that has been spent since 1946 on so-called foreign aid." That made the task even more interesting—and more difficult.

Mr. President, I assigned three or four staff members to work on it as time permitted. It took them several months. They went through file after file, book after book, year after year, and I have never seen such a pile of figures before or since.

We did not have a computer big enough to handle this mass of figures, so we sent it over to the Library of Congress—factoring in the interest rates, starting with the first appropriation, assuming that was borrowed money, and then the next year we rolled that over, factored in the interest, the interest that Federal Government was paying at that time, and the next year, the next year, next year. That was 10 years ago and it came to a figure of over $2 trillion. That was 10 years ago, bear in mind. I sent it back to the Library of Congress and said this cannot be so. So they ran it through again. That is the way it came out again—more than $2 trillion.

So this is what we are talking about. It is understandable to me that the people of America do not like this foreign aid program because they know that so much of it has been used for purposes to which the American people would never consent. That is the reason I have opposed all foreign aid programs, except those designed for emergency humanitarian relief. That, I think, we ought to do.

But this business of propping up socialist governments and making deals with governments has itself been an exercise in futility. It is harmful to both the United States and the country receiving the money.

You know the old adage about giving a man a fish and you feed him 1 day. But teach him how to fish, and you help him the rest of his life.

That is not the way the foreign aid program has worked. We have turned it over to despotic, socialist governments. But the American people are justified in their objection to the foreign aid program. It drains the U.S. Treasury, and more often than not, this aid is used to perpetuate inefficient, socialist governments and programs. That is the size of it.

I am going to vote against the motion to proceed, as I have done every time that this question has come up.

Mr. President, I want to have printed in the RECORD a statement of administration policy on this bill. I will continue in just a minute. But I now ask unanimous consent that a statement of the administration be printed in the RECORD.

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

OFFICE OF MANAGEMENT AND BUDGET,
*Washington, DC, July 24, 1991.*

STATEMENT OF ADMINISTRATION POLICY

(S. 1435—International Security and Economic Cooperation Act of 1991, Pell of Rhode Island)

S. 1435 contains several provisions that give flexibility to the President to carry out foreign policy, but does not provide for the major reform of foreign aid requested by the Administration. The bill contains a number of seriously objectionable provisions. In particular, there is a provision on abortion (Section 103(a)), which the President would veto and another provision on cargo preference (Section 305) on which the President's senior advisers would recommend veto.

Section 103(a) of the bill reverses the existing Mexico City policy, which denies U.S. foreign assistance to foreign nongovernmental organizations that promote abortion as a method of family planning.

Section 305 establishes additional U.S. cargo preference requirements for the Economic Support Fund. This provision would severely complicate the provision of economic assistance in direct contravention to the reforms sought by the Administration for the foreign assistance program. It also would impede the conduct of foreign policy and adversely affect U.S. exports that must be transported by sea.

The Administration is deeply disappointed that neither the House-passed bill nor the Senate Committee-reported bill represent the fundamental and much needed rewrite of foreign aid legislation necessary to meet the new challenges of the 1990s and beyond.

Other objectionable aspects of the bill include:

The Middle East arms policy language and arms suppliers provisions which are unnecessary in view of the President's recently announced arms control initiative;

All country-specific provisions that would establish new constraints on the provision of foreign assistance, including those regarding Cambodia and Syria;

Continuation of multiple development assistance accounts instead of the Administration's requested consolidation of Agency for International Development (AID) accounts into a single flexible source of funding that would more rationally provide assistance for various programs and countries;

An additional unworkable procedural requirement suspending obligation of funds for development projects until environmental impact options are considered and opened to public comment;

The limitations on both the level and type of assistance to Turkey and Greece, which ignore critical military and political considerations affecting the region;

The amendments in section 402 that make Foreign Military Financing an all grant program;

Designation and limitation by the Senate of countries that are considered non-NATO allies;

The failure to adopt several provisions requested by the Administration including authorization for a Democracy Contingency Fund, enhanced authorities to furnish excess defense articles, and revisions in the restrictions on furnishing assistance to countries;

Enterprise for the Americas (EAI) provisions that would make local currencies intended to be used solely for important environmental activities available for other purposes, lead to conflicting regimes for management of local currencies available from P.L. 480 debt forgiveness and from AID debt forgiveness, and undermine U.S. ability to negotiate the EAI investment fund by limiting potential beneficiaries;

Narcotics control assistance provisions that retain (and in some cases tighten) current restrictions and certifications and fail to provide the required flexibility in assisting Andean Initiative countries in particular;

Additional burdensome reporting requirements, especially those contained in sections 513 and 646;

A prohibition on sales of depleted uranium shells without the current national interest exception;

The additional requirement for Senate advice and confirmation for specific positions in AID which would restrict the President's flexibility and discretion in the management of AID;

Holding FY 1993 appropriations authorizations for each program at 1992 levels, which arbitrarily and unduly constrains the President's ability to meet changing circumstances and conditions; and

A number of provisions that raise serious constitutional concerns regarding the President's authority to conduct negotiations (sections 414, 657, 722, and 791(b)(4)(5)), his appointment powers (section 678), and his authority to protect national security information from disclosure (sections 608(d) and 646).

Nonetheless, there are a number of favorable provisions, many of which support the Administration's reform and foreign policy objectives. The authorization for an International Monetary Fund quota increase is essential to meeting U.S. responsibilities in the international economy. Section 110, the special waiver authority for certain AID programs, and other sections that enhance authorities to respond to emergencies, provide an important measure of flexibility to the Executive branch. Provisions on assistance to Eastern Europe and the streamlining of reprogramming notifications are other examples of positive contributions to current law.

Mr. HELMS. Mr. President, it is no secret that I have opposed all foreign aid programs, except those designed for emergency humanitarian relief. It is my firm belief that foreign aid—especially economic aid—is harmful to both the United States and the receiving country. Foreign aid drains the U.S. Treasury, and more often than not, this aid is used to perpetuate inefficient socialist programs.

Moreover, the State Department sometimes uses foreign aid to influence the decisions and policies of other countries. Each country needs to make its own security decisions, based on its own needs, without interference from State Department bureaucrats.

While there is disagreement in Congress over the merits of foreign assistance, there is broad agreement on one point: Existing foreign aid programs need a major overhaul.

Despite the growing volume of information detailing the serious flaws in foreign assistance, this bill rewards the administration with a 2-year authorization of $28.2 billion for fiscal years 1992 and 1993. Yet, this bill contains little in the way of reform. It eliminates no major programs, and continues authorization for existing foreign aid efforts that are inefficient and poorly managed.

In fact, a February 11, 1991, report by the General Accounting Office outlines this mismanagement. It states that GAO investigators uncovered inadequate management controls of overseas contracts in 45 percent of those cases in which officials of the Agency for International Development argued that satisfactory controls were in place. Frankly, if AID were a business it would be bankrupt.

Tragically, the Congress and the foreign aid establishment have abused the trust and goodwill of the American taxpayer. Nick Eberstadt of the Harvard Center for Population Studies told the Foreign Relations Committee that, based on opinion polls, "there is no program, year-in or year-out, which the American public indicates that it would wish to have cut more than development assistance and military assistance to foreign countries."

Even one of the most vocal advocates of foreign aid, John W. Sewell of the Overseas Development Council told the committee: "There is a fundamental need for reevaluation of existing programs, and it is needed urgently. Those that are outmoded should be ended."

The American taxpayers instinctively recognize that the economic and security problems confronting many countries do not stem from a lack of foreign assistance. They stem from flawed policies—communism, socialism, statism, and corruption. Mr. President, no amount of foreign assistance can overcome these mistaken policies. Even the United Nations, in a report issued last month, admits "the lack of political commitment, not financial resources, is often the real cause of human neglect."

A report issued by the Agency for International Development reveals that since 1946 the American taxpayer has provided more than $262.2 billion for foreign aid programs. The American taxpayer has financed more than $96 billion in economic aid and military loans since World War II. And since the United States had to borrow the money to give it away, this total does not include the interest paid by the taxpayers.

Despite the growing crisis over foreign aid mismanagement, despite the tremendous changes throughout the world, this bill adopts a business as usual approach. Two years ago former AID Administrator Alan Woods appeared before the Foreign Relations Committee and announced the need to redefine our foreign assistance programs. However, the committee did not entertain major reform in 1989—nor did the Senate pass a foreign aid authorization bill.

Since that time, we have witnessed remarkable transformations of the political, social, and economic environment in which the American foreign aid program operates. Across the globe, people in the 1980's revolted—and they are still revolting—against decades of political oppression and economic tyranny. They demanded their rights, in Jefferson's immortal words, to the pursuit of happiness.

In light of the changing world scene, the challenge is to rethink our foreign aid programs. The Armed Services Committees and the Department of Defense are engaged in an intensive dialog in a joint effort to update their strategies and programs. The administration tried to initiate a dialog with Congress on nonmilitary international strategies by submitting a foreign aid reform bill to the Congress. On April 12, 1991, the committee received a three-page letter from the President transmitting a draft bill that included major changes in the existing law. The President pledged to work with Congress in its consideration of the draft bill. Unfortunately, the committee did not hold a hearing on the President's reform bill. Furthermore, Senator KASSEBAUM requested a committee hearing on her foreign aid reform bill. Again, no hearing was held.

I do not want to suggest the administration's bill was a comprehensive reform package. During committee markup several of the administration's proposals were defeated justifiably. However, the administration's bill represented a starting point for discussion and oversight. In both regards, the committee fell far short.

Some argued that there was not time this year for a serious review of foreign aid reform proposals. Despite that assertion, during the period from April 23, 1991, until June 5, 1991, the committee did not hold even one single hearing on foreign aid reform.

Mr. President, I wonder if Senators really believe that the foreign aid program is an effective, relevant program for the coming decade? Can anyone seriously believe that the American taxpayer will receive $28.2 billion worth of value over the next 2 years as a result of this bill?

The fact is, reforming an entrenched bureaucracy will require hard work. Perhaps it is beyond reform. But unfortunately, this issue has been pushed aside. The recent temptation has been to find ways of engaging in foreign aid activities without engaging the foreign

aid bureaucracy. Both the administration and Congress have grown to distrust traditional foreign aid programs. Instead of reforming AID, Congress creates private sector, quasi-governmental organizations to implement foreign aid programs.

Furthermore, in recent years domestic U.S. Government agencies, international organizations, and multilateral development banks have been used to carry out foreign assistance programs. It is particularly disturbing that this bill authorizes a huge increase—a total of almost $13 billion—in the United States contribution to the International Monetary Fund, the African Development Fund and the Asian Development Bank. This is almost as much money as the bill authorizes for all of next year's foreign assistance programs.

More than $1 billion is slated for the second installment of a major replenishment of the International Development Association [IDA]. This soft-loan window of the World Bank provides assistance directly to governments on extraordinarily lenient terms such as 10-year grace periods, 35- and 40-year maturities, no interest, and a small service charge.

The World Bank annual report for 1990 illustrates IDA's disgraceful record of providing assistance directly to many of the most reprehensible regimes in the world. While the Department of Treasury justifies the U.S. contribution to IDA on grounds that it "plays a pivotal role" in "encouraging economic reform in the poorest nations," it fails to adequately explain why Ethiopia, China, Sudan, Somalia, Yemen, and Laos were among the beneficiaries of IDA assistance last year.

When Under Secretary of Treasury David Mulford appeared before the Foreign Relations Committee he was asked if a strong Treasury Department commitment to IDA is consistent with the statement of mission for AID that lists as its No. 1 principle: "support for free market, broad-based economic growth." His reply: "It probably is not clearly as effective as it should be." Yet, Under Secretary Mulford confirmed, most loans that the United States oppose are approved anyway. In short, the American taxpayer is losing $1 billion each year to a multilateral fund over which we have little control and that is being used to bolster governments with little to no commitment to free market reform.

These facts are important to illustrate that Congress, and specifically the committees in Congress responsible for authorizing the foreign aid request, have a responsibility for the chaos, ineffectiveness, and inconsistencies of the foreign aid program.

Perhaps only a crisis will force the Congress and administration to address the serious failures of the foreign aid program. Mr. President, the current willingness to acknowledge the failures and then to choose inaction is reminiscent of the knowing failure by both branches of government to take steps to address the crisis in the savings and loan industry. Unless this bill can be substantially improved on the floor, Senators should strongly consider whether or not it merits their support.

The ACTING PRESIDENT pro tempore. The Senator has 7½ minutes remaining.

Mr. HELMS. I thank the Chair. I thank the Chairman.

The ACTING PRESIDENT pro tempore. The Senator from Rhode Island [Mr. PELL] is recognized.

Mr. PELL. I yield myself 30 seconds. I ask unanimous consent that the following individuals be granted privileges of the floor: Brad Cohen, Ted Gehr, Judy Grayson, Dave Hafemeister. And I wish to appoint Mr. SARBANES, the Senator from Maryland, as my designee.

Mr. HELMS. Mr. President, if I may, the distinguished Senator from Kentucky will manage this bill on the Republican side, as Senator SARBANES will on the majority side. Senator SARBANES and Senator MCCONNELL have done an excellent job. They were not quite able to make a silk purse out of a sow's ear, but they gave it their best shot.

Mr. SARBANES. I say to the Senator from North Carolina, before he leaves the floor, we tried very hard.

Mr. HELMS. Yes, they did.

Mr. SARBANES. Some say that we succeeded. Some think we fell a little short. Hopefully we can go on and consider the bill today, Mr. President.

At 10:45, we will have a vote to invoke cloture on the motion to proceed. I urge Members of the Senate to vote for cloture and allow us at least to move forward to consider this bill.

There are some points I want to make on that very subject. I will touch on the substance of the bill in the course of making the argument as to why we ought to go forward to the bill. But I am not going to elaborate on all of the provisions that are in the legislation.

Mr. President, we have had difficulty bringing a foreign assistance authorization bill to the floor in the Senate. Now, that is understandable because foreign assistance in and of itself is a controversial subject.

Second, these bills often contain, as does this one, particular provisions which some Members, at least, find very difficult. We would hope, however, to bring the bill up so we can consider the provisions, and allow the legislative process to develop.

I point out to Members that this is not the end of the legislative process. If this vote carries, we still will have to consider the legislation on the floor of the Senate; changes may be made. Then we have to go to conference; further changes may be made. The administration will weigh in with its position. In fact, the administration has already done so with a letter from Secretary Eagleburger, who has indicated that there are a couple of objectionable provisions in the bill as reported by the Senate Foreign Relations Committee, which, incidentally, reported the bill to the Senate by a vote of 17 to 2. I would characterize the bill as a bipartisan product. I think it reflects a cooperative effort on both sides of the aisle within the committee.

Now, Mr. President, there will be foreign assistance provisions in law. The question is whether Senators will have a proper role in passing an authorization bill or whether it will simply be done in the appropriations bill, which is what has happened in past years. So it is not as though, by failing to go forward, the Senate in effect will avoid considering foreign assistance; it will simply be considered in a different context—a context, I submit, in which Members of the Senate have less of an opportunity to shape foreign assistance than they would have here and now if we can move forward to this legislation. Members then will have a free and open opportunity to amend the legislation. So I urge Members to vote for this cloture motion and allow us to go forward and take up the bill.

While the administration has expressed serious misgivings, as the Senator from North Carolina has indicated, about the provisions with respect to Mexico City and cargo preference, I would point out that the letter to us from Secretary Eagleburger says that the administration regards the committee's bill as a positive first step toward meeting the reform objectives of foreign assistance which the President has set out.

The President sent us legislation late in the day; it did not come until April 25. It constituted a total and major rewrite of the Foreign Assistance Act, some 340 pages. We tried to respond to some of the administration's major concerns, but we were not able within that time period, of course, to do a complete rewrite, although we have placed it on the agenda as something to be worked on in the future as we seek to cooperate to enhance our foreign assistance legislation.

Secretary Eagleburger in his letter also said in his concluding sentence, and I quote now:

> I also hope the Senate can build on the committee's work to ensure passage of a bill that will contribute materially to the efficiency of our foreign aid program and that provisions are not adopted that detract from the committee's commendable efforts.

So what we have is a piece of legislation which the administration regards with favor except for two provisions about which they are very much concerned and about which Members of this body are concerned.

We now have an opportunity to bring the bill up and try to shape it on the floor of the Senate. We will then go to conference and shape it even further by interacting with the House, which has already passed its foreign assistance bill, and of course the administration will be part and parcel of those efforts. So I urge Members to support this cloture motion and allow us to move forward to consider this legislation.

There are many very important, worthwhile, and desirable provisions in this legislation. Senator MCCONNELL and I believe we can move it through the Senate in a reasonably expeditious manner if Members are prepared to cooperate.

We recognize there is a veto hanging over several of its provisions, but that is what we are here for, to try to deal with some of these controversial items.

Finally, I once again emphasize to Members that foreign assistance legislation will be considered. The question is whether we consider it in a full and comprehensive manner, as one does in an authorization legislation, or whether it is simply left to be dealt with in an appropriation bill, in which the Members, I submit, have much less of a chance to place their imprint on the making and the shaping of broad policy issues in American foreign policy.

Mr. President, I reserve the remainder of my time.

The PRESIDING OFFICER (Mr. KERRY). The Senator from Kentucky is recognized. The Senator has 6½ minutes.

Mr. MCCONNELL. Mr. President, first I commend the chairman of our committee and ranking member for their cooperation in moving this process forward, and I particularly commend my colleague, Senator SARBANES. We have worked for a long period of time this year to try to put together bipartisan support for a foreign assistance authorization bill.

As the Senator from Maryland has pointed out, there is going to be foreign assistance this year; it is going to happen, but it should happen in the context of a Foreign Aid Authorization Act that provides the opportunity for Senators to have their input in this most important process.

The ranking member has indicated that the administration has some serious objections to the bill. That is true. But I think it is important to emphasize that it also wants the process to go forward. There are two contentious items: the Mexico City policy and cargo preference. But we often bring up bills that have hanging over them the threat of vetos. That does not mean we do not go forward. We did that just last night on another matter with the threat of a veto. So that is no good reason for not moving forward with this foreign aid authorization bill.

In Secretary Eagleburger's letter, he points out "We strongly," referring to the administration, "endorse the committee's support for a variety of helpful provisions on reprogrammings, drawdowns, waiver and other authorities which will go a long way toward ensuring that foreign assistance may better serve the interests of the United States."

The fact is, Mr. President, the Bush administration wants a Foreign Aid Authorization Act this year. They want the process to go forward. Consequently, Senator SARBANES and I certainly hope that the motion to proceed will be approved, that cloture will be invoked, and the Senate will have an opportunity to consider the bill and work on the myriad of provisions that are included and provide Senators an opportunity to offer whatever amendments they choose.

We are open to and have already included many provisions recommended by colleagues, both on and off the committee, in this bill that will be soon before us. I hope that after a serious commitment of time and effort made by this committee's members, the Senate will be willing to review the bill, which on balance reflects the new priorities defined by the historic changes that we have witnessed around the world.

This is not the last word in revision of foreign aid. Senator SARBANES and I feel that very soon we will have to have a significant rewriting. We did not have time to do that this year. But this is legislation approved in the main by the administration to provide the significant departure, in my view, from business as usual in the foreign assistance area.

I hope very much that the motion to invoke cloture will be approved when we have the vote several minutes from now.

Mr. President, I think this is a bill that needs to pass, and we are ready to move forward with it.

I yield the remainder of my time.

Mr. SARBANES. Mr. President, first I want to underscore my appreciation to the able Senator from Kentucky for the very positive and constructive way in which we were able to work together on this legislation, and more broadly, to the members of the committee.

There are controversial provisions in this bill, but there are controversial provisions in many bills that are brought before the Senate, and I do not know how you deal with them, other than to bring them up and discuss them. The same issues will arise in connection with the appropriations bill when that comes.

In fact, that is exactly what occurred the last time the general foreign assistance issue was before the Senate. It arose in the context of the appropriations bill, where this controversial issue emerged, as well. This is an opportunity for Members of the Senate to have a comprehensive chance to shape the foreign assistance legislation.

We feel that the bill contains many worthwhile provisions. There has been a genuine good-faith effort made to respond to concerns which the administration has expressed about restrictions and limitations contained in current language. As the administration itself has indicated in its communications to us, much has been done to accommodate their concerns. In fact, they strongly endorse many of the committee's proposals that are contained in this legislation.

So I very much hope that Members will support the cloture motion and then allow us to move forward with this legislation. I point out that once we proceed to the legislation, Members have all rights reserved to them. No limitation or restriction has been placed on the consideration of the legislation.

This cloture motion is not on the legislation; it is on the motion to proceed to the legislation. Therefore, once we move on to the legislation, Members have the full range of rights available to them in terms of offering amendments, in terms of debate on the amendments, and on the bill itself.

We recognize that passage of the bill may, in turn, become a difficult proposition. But we would like to get to that point, and we would like to be able to take up this legislation in the due and proper course of business.

Let us not forget that the Senate Foreign Relations Committee is the authorizing committee, vested with an important role in shaping this legislation. The committee reported this bill to the full Senate by a vote of 17 to 2. There will be authorizing legislation for the State Department as well. Those are essentially the two pieces of authorizing legislation that come out of our committee.

We now seek from our colleagues the opportunity to move forward in the normal course of business to consider this legislation. I very much hope that Members will support the cloture motion on the motion to proceed to the legislation, and at least allow us to take that next step in considering this important subject.

## CLOTURE MOTION

The PRESIDING OFFICER. All time has expired. Under the previous order, pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion on S. 1435, the foreign aid authorization bill, which the clerk will state.

The bill clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of Rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the motion to proceed to the consideration of S. 1435, a bill to amend the Foreign Assistance Act of 1961, and for other purposes:

Tom Harkin, Paul Wellstone, Richard Bryan, Wendell Ford, Bill Bradley, Joseph Lieberman, John Breaux, Wyche Fowler, Claiborne Pell, Terry Sanford, Charles S. Robb, Tom Daschle, Paul Simon, Paul Sarbanes, Max Baucus, Alan Cranston.

## CALL OF THE ROLL

The PRESIDING OFFICER. By unanimous consent, the quorum call has been waived.

## VOTE

The PRESIDING OFFICER. The question is, Is it the sense of the Senate that debate on the motion to proceed to S. 1435, the Foreign Assistance Authorization Act, shall be brought to a close?

The yeas and nays are required. The clerk will call the roll.

The legislative clerk called the roll.

Mr. FORD. I announce that the Senator from Nebraska [Mr. KERREY] is necessarily absent.

I also announce that the Senator from Arkansas [Mr. PRYOR] is absent because of illness.

Mr. SIMPSON. I announce that the Senator from Alaska [Mr. MURKOWSKI] is necessarily absent.

The PRESIDING OFFICER (Mr. ROBB). Are there any other Senators in the Chamber who desire to vote?

The yeas and nays results—yeas 87, nays 10, as follows:

[Rollcall Vote No. 143 Leg.]

YEAS—87

| | | |
|---|---|---|
| Adams | Exon | Metzenbaum |
| Akaka | Ford | Mikulski |
| Baucus | Fowler | Mitchell |
| Bentsen | Garn | Moynihan |
| Biden | Glenn | Nickles |
| Bingaman | Gore | Nunn |
| Bond | Gorton | Packwood |
| Boren | Graham | Pell |
| Bradley | Grassley | Pressler |
| Breaux | Harkin | Reid |
| Brown | Hatch | Riegle |
| Bryan | Hatfield | Robb |
| Bumpers | Heflin | Rockefeller |
| Burdick | Hollings | Roth |
| Burns | Inouye | Rudman |
| Byrd | Jeffords | Sanford |
| Chafee | Johnston | Sarbanes |
| Coats | Kassebaum | Sasser |
| Cochran | Kasten | Seymour |
| Cohen | Kennedy | Shelby |
| Conrad | Kerry | Simon |
| Cranston | Kohl | Simpson |
| D'Amato | Lautenberg | Specter |
| Danforth | Leahy | Stevens |
| Daschle | Levin | Thurmond |
| DeConcini | Lieberman | Warner |
| Dodd | Lugar | Wellstone |
| Dole | McCain | Wirth |
| Domenici | McConnell | Wofford |

NAYS—10

| | | |
|---|---|---|
| Craig | Helms | Symms |
| Dixon | Lott | Wallop |
| Durenberger | Mack | |
| Gramm | Smith | |

NOT VOTING—3

| | | |
|---|---|---|
| Kerrey | Murkowski | Pryor |

The PRESIDING OFFICER. On this cloture vote on the motion to proceed to S. 1435, the yeas are 87, the nays are 10. Three-fifths of the Senators duly chosen and sworn having voted in the affirmative, the motion is agreed to.

The question is agreeing to the motion to proceed.

The motion is debatable.

Is there debate? If not, the question occurs on agreeing to the motion to proceed.

The motion was agreed to.

## INTERNATIONAL SECURITY AND ECONOMIC COOPERATION ACT OF 1991

The PRESIDING OFFICER. The clerk will report the bill.

The legislative clerk read as follows:

A bill (S. 1435) to amend the Foreign Assistance Act of 1961 and the Arms Export Control Act, and related statutory provisions, to authorize economic and security assistance programs for fiscal years 1992 and 1993, and for other purposes.

The Senate proceeded to consider the bill.

Mr. SARBANES. Mr. President, first of all I want to express my appreciation to my colleagues for supporting the cloture motion by such an overwhelming vote and allowing us to move forward to consider the International Security and Economic Cooperation Act of 1991, S. 1435.

I will just make a few brief remarks here at the outset. I know there are others who may want to speak generally on the bill and then we very much hope, in a fairly short period of time, we will be able to start considering amendments that Members may have to offer. I ask our colleagues if they could start coming forth with their amendments early on in this process. We would like to try to address them and, where possible, clear them, and where not possible, structure a debate in order to move forward with this legislation.

First, Mr. President, I want to thank the distinguished chairman of the Foreign Relations Committee, Senator PELL, and its ranking member, Senator HELMS, and my friend and colleague Senator MCCONNELL for their generous remarks about my own efforts on this legislation, and also for allowing us to reach the point where we are now.

This legislation was reported out of the committee on a strong bipartisan vote of 17 to 2. I just want to develop a few points about the substance of the legislation.

There has been a lot of discussion about reforming our foreign aid program. Of course, the label "reform" is always a popular label to attach to almost anything, and I think there is a general view that there are important reforms that need to be made. That has tended to be defined as a total, complete, comprehensive rewrite of a foreign assistance legislation. This has not been done in the bill that is before the Senate.

Frankly, there was insufficient time to undertake that task after the administration submitted its proposal. It is not clear that their approach is necessarily the best way to go. It may be easier to understand and digest what is being done through the process by which this bill essentially does it, which is to meet the most pressing concerns expressed by the administration: Its need for flexibility to respond to changing world circumstances.

In existing legislation, both the Foreign Assistance Act and the Arms Export Control Act, the Congress has already granted the President special flexibility in the conduct of foreign assistance. But we were persuaded, in response to the administration's request and in light of dramatic changes that are taking place around the globe, that some additional flexibility was warranted. That flexibility is contained in this legislation and is recognized in the letter sent to us by Deputy Secretary Eagleburger, who states, among other things:

> We strongly endorse the committee's support for a variety of helpful provisions on reprogramming notifications, drawdowns, commitments of prior military assistance funds, termination expenses, contracting waiver, and other authorities.

So I think a genuine, good-faith effort has been made to try to respond to some of the concerns raised by the administration.

We also addressed the desire to group the functional accounts of AID, the development assistance accounts. In fact, the administration's proposal was to simply group all of them into one big account. I think most Members of the Senate feel that would be an overly broad grouping.

Instead we tried to create some broader latitude by authorizing a single health assistance account which incorporates activities currently funded under three separate accounts: Health, child survival, and AIDS prevention and control. So we made a somewhat broader grouping, but there was a feeling in the committee that the major account headings that are currently being used need to be continued. If a complete revision of that is to be undertaken it requires further study, more than the committee or the Senate has been able to devote to this issue thus far.

Another element of the committee bill is an effort to begin to shift resources from the military toward economic and development assistance programs. I think there is a growing consensus that there cannot be a stable and just new world order unless social conditions and economic prospects improve markedly in the Third World, where most of the planet's people live.

There is also strong humanitarian concern on the part of the American people which has led us over the years to try to address some of the overwhelming problems of poverty and disease and illiteracy and hunger around

the world. But I think it is becoming increasingly clear that our own interests—in a more, I guess what some people would call hard-headed fashion—are also served by addressing those problems. By enabling people to improve their lives, we contribute, I believe, to a more peaceful and stable world environment. Peaceful, prosperous countries make strong, reliable trading partners. In fact, the developing countries are often the most eager customers for U.S. exports. In many respects, then, foreign assistance is an investment in the future for all of us.

The committee has thus tried to revise the priorities to some extent. We have not had the opportunity here to make the major revision which some would argue is warranted under the circumstances, but we have begun that trend and, hopefully, we can build on it in the years to come. If we can, in effect, alter the existing authorizing framework as proposed in the legislation that is before us, I think we will have a stronger, more responsive, more contemporary foreign assistance program. And this bill is a very important step in that direction.

I close by thanking the able Senator from Kentucky [Mr. MCCONNELL], who is the ranking Republican on our subcommittee, for his tireless efforts in helping to develop a truly bipartisan product, one that I believe is responsive to the foreign policy interests of the United States.

I very much hope after these opening statements have been concluded that our colleagues will come forward with their amendments and we can begin to move quickly through the process of considering this legislation.

I yield the floor.

The PRESIDING OFFICER. The Chair recognizes the Senator from Kentucky [Mr. MCCONNELL].

Mr. MCCONNELL. Mr. President, I thank my colleagues for the overwhelming vote in support of the cloture motion on the motion to proceed, so we can go forward with this bill.

Mr. President, as we begin debate today on the International Security and Economic Cooperation Act, we do so at a time characterized by historic and remarkable change. At the beginning of this decade, I doubt one of us would have predicted the collapse of the Warsaw Pact as a significant military threat and democracy advancing from East Africa to Eastern Europe, from Managua to Moscow.

Events around the globe are complemented by smaller but nonetheless historic events here in the Senate. The Foreign Relations Committee has not had the opportunity to present an authorization bill for the Senate's consideration since 1986—I guess we should be grateful that the turn of international events has changed the landscape for us all.

The committee has given careful consideration both to the major global changes and the administration's request for funding and flexibility in responding to those events. When he presented the administration's foreign assistance request to the committee, Secretary Baker defined five objectives our programs should fulfill. Those goals, adopted by the committee in our legislation are as ambitious as they are worthwhile. Secretary Baker asked us to support: First, promoting and consolidating democratic values and institutions; second, promoting U.S. national security interests and guaranteeing peace; third, promoting economic growth and competitive market principles; and fourth, protecting against transnational threats such as terrorism and narcotics trafficking and finally, meeting urgent humanitarian needs.

As I said, the goals are ambitious but I think the committee has gone a long way in crafting legislation affording the President the flexibility and funds he needs to achieve them. I would like to take a minute to review some of the key changes in this bill which advance U.S. interests and meet emerging needs.

First, we have substantially reduced the number of earmarks within the security assistance account—while a handful remain these are basically consistent with the administration's goals and spending.

Second, the committee has reduced from 16 to 5 the number of cross-cutting goals which have historically been at cross purposes and confusing. In addition to more focus in setting the agenda, the committee reduced the overall number of functional accounts which have directed how funds were spent within the Development Assistance Program.

Third, the administration has been given permanent authority to break ESF earmarks in the event of an emergency with a 5-percent ceiling on drawing down any one account.

The committee also substantially expands specific authorities and contingency funds in order to afford the President the greatest possible flexibility. In this area, there are three changes of particular note: First, the bill increases the ceiling on the amount the President is authorized to use for unanticipated contingencies from $25 million to $40 million. Second, we increased the ceiling on the amount the President is authorized to draw down in defense stocks to meet any unforeseen emergency from $75 million to $100 million. And, third, in addition to expanding existing accounts, the committee created a new authority for a Presidential contingency fund of $10 million.

This bill, Mr. President, is a significant departure from business as usual in the administration of our foreign assistance.

It may not be a complete rewrite, but it is indeed a significant—I repeat, significant—departure from business as usual.

Like the world we live in, it is not perfect, but we have worked hard to reach a consensus among Members on the best approach to the rapid, important changes we are experiencing. As my friend from Maryland has pointed out, it was reported out from the committee 17 to 2.

I might point out before wrapping up that there are two provisions in this bill as I mentioned earlier, which are controversial and many Senators and the President oppose. The committee bill reverses the administration's position on the Mexico City policy which the President has repeatedly indicated is cause for veto. Second, the bill includes a provision which applies cargo perference laws to countries receiving cash transfers. Again, the administration has registered its very strong objections. Frankly, I agree with the administration's position on these two provisions, however, I believe these are issues which we can redress on the floor, in conference or later.

In spite of these problems, I believe the policy direction and authorization levels reflect the administration's compelling requirement for flexibility and congressional interests in a rapidly changing world. As the chairman of the subcommittee responsible for foreign aid, Senator SARBANES deserves an enormous amount of the credit for his careful review for this careful review of every detail and his commitment to reach the compromises that have brought us this far.

I also want to thank my colleague, Senator HELMS, the ranking member of the Foreign Relations Committee who has given me an opportunity to comanage along with Senator SENATOR SARBANES. If we succeed in final passage, it will be, in part, because of the many lessons I have learned from Senator HELMS about the legislative process.

With that said, I want to join my colleague from Maryland in urging Senators to come on down and offer amendments. We are open for business. I yield the floor.

The PRESIDING OFFICER. Who seeks recognition?

Mr. HELMS addressed the Chair.

The PRESIDING OFFICER. The Senator from North Carolina [Mr. HELMS].

AMENDMENT NO. 808

Mr. HELMS. Mr. President, I send an amendment to the desk and ask for its immediate consideration. I ask it be read in full.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from North Carolina [Mr. HELMS] proposes an amendment numbered 808.

On page 98, after line 19, add the following new section:

"SEC. 514. REDUCTION IN THE AMOUNTS AUTHORIZED TO BE APPROPRIATED.

(a) REDUCTION.—Notwithstanding any other provision of this Act, whenever a provision of this Act, or an amendment made by this Act, authorizes to be appropriated for certain purposes a specific dollar amount, such provision shall be deemed to authorize to be appropriated for those same purposes, in lieu of such specified amount, an amount equal to the specified amount minus 10 percent of such amount.

(b) TRANSFER.—

(1) EDUCATION SERVICES.—Notwithstanding any other provision of law, the authorization of appropriations to carry out the elementary and secondary education block grant is increased in each fiscal year by an amount equal to 50 percent of the amount determined under subsection (a) for such fiscal year.

(2) LAW ENFORCEMENT SERVICES.—Notwithstanding any other provision of law, the authorization of appropriation to carry out the programs under parts D and E of title I of the Omnibus Crime Control and Safe Streets Act of 1968 is increased in each fiscal year by an amount equal to 50 percent of the amount determined under subsection (a) for such fiscal year.".

Mr. HELMS. Mr. President, I thank the distinguished clerk. He read it well. The text of the amendment just about explains itself. But let me put it a little bit more in layman's terms.

This amendment has two parts, as the clerk stated. The first half proposes a 10-percent cut across the board from each authorization for appropriation within this bill. Whatever it is, cut it 10 percent. In other words, whenever a dollar amount is mentioned, subtract 10 percent. We will save that much in the unlikely event this authorization bill ever becomes law.

This way Congress' strategic priorities remain precisely the same. Every country, every program receiving funds from the U.S. taxpayers would share a 10-percent decrease in those funds. Furthermore, since earmarks are also reduced, the administration will still retain the flexibility priority that it needs and said it wants.

The second half of the amendment deserves to be carefully considered by every Senator. It transfers this 10 percent, to which I have just alluded, or approximately $1.4 billion, back to the 50 States. Specifically, 5 percent will go to law enforcement services block grants and the other 5 percent will go to education services block grants.

My reasoning, Mr. President, is simple. Many States are in financial difficulty. As a matter of fact, I do not know one that is not. The Associated Press reported back on July 1, as I recall, that many States have budget gaps ranging from $467 million in Pennsylvania to $14.3 billion in California, where our former distinguished colleague, Pete Wilson, now serves as Governor.

The amount of money that this amendment proposes to cut is relatively small—relatively small—compared to the deficits many States are experiencing. So the money is sorely needed right here at home.

Most Senators will not need to be reminded of the fiscal woes that their home States are experiencing. Nevertheless, let me quote from the Washington Post, which is an unusual thing for me to do:

Mark Gearan of the Democratic Governors Association told the Washington Post on May 12 that the Federal Government cut assistance and scaled back programs to the States in many, many areas. He said, "Fiscal problems among the States already have led to $10.3 billion in State tax increases for the 1991 fiscal year, and Governors have proposed some $6.7 billion in tax increases * * *".

So, Mr. President, the Federal Government cut assistance and scaled back programs to the 50 States and now, here before the U.S. Senate, Congress is proposing to authorize an increase of almost $60 million more for this bill than the 1991 foreign assistance appropriations.

Then on June 30, the Washington Post reported that the National Conference of State Legislatures estimated that 29 States, Puerto Rico, and the District of Columbia face potential deficits totaling $15.3 billion.

It further states that the 1992 shortfall is estimated—hold on to your hats—at $35 billion. The same story in the Washington paper reported that New York has fired 6,300 employees; Brockton, MA, lost 31 police officers and 31 firefighters. Los Angeles alone is proposing to cut 58,000 workers.

Do you see why I am proposing that we reduce some of this money that this bill proposes to send overseas and instead use the 10 percent to help our home folks a little bit? I think that is reasonable. I think it is fair.

Some of these problems are certainly due to fiscal irresponsibility and overspending that is typical of so many liberal State legislatures. However, in good conscience, how can Congress justify the authorization of more than $28 billion for overseas spending? That is the reason I cannot support foreign aid legislation, either an authorization or an appropriation. We have economic troubles here at home. And so much of the foreign aid program, since the program's inception in 1946, has been money thrown down too many ratholes. I commend Senator SARBANES and Senator MCCONNELL and others for trying to restructure this program. As I said earlier, they did their best to make a silk purse out of a sow's ear, but they did not quite make it. It is not their fault; they did the best they could.

Even without Mexico City, as we call it around this place, the new cargo preference provision, massive debt forgiveness, and a host of other problems, Congress is now about to propose to authorize one of the most unpopular programs with the American people. The people do not like this program. They know of its infirmities. They know of the waste of millions and billions of dollars of their money sent overseas to prop up socialist governments down through the years, dating back to 1946. In a word, the American taxpayers are fed up with this squandering of their dollars, especially when the funds are so badly needed here at home.

Tragically, the Congress and the foreign aid establishment have abused the trust and good will of the American taxpayer. Nick Eberstadt, of the Harvard Center for Population Studies, told the Foreign Relations Committee in hearings this year that based on opinion polls—

> There is no program, year in and year out, which the American public indicates that it would wish to have cut more than development assistance and military assistance to foreign countries.

The American taxpayers instinctively recognize that the economic and security problems confronting many countries do not stem from a lack of foreign assistance. They stem from flawed policies—communism, socialism, statism, and corruption.

Those of us who have followed this program through the years are well aware of that, and so are the American people. So, Mr. President, no amount of foreign assistance can overcome these mistaken policies.

Even the United Nations, in a report issued this past month, admits—and let me quote the United Nations—

> The lack of political commitment, not financial resources, is often the real cause of human neglect.

Precisely. That is what I am saying, too.

A report issued by the Agency for International Development revealed that since 1946, the American taxpayer has provided more than $262.2 billion for foreign aid programs. I mentioned earlier the study that was made about 10 years ago. When you factor in the interest on the borrowed money that the Federal Government has spent overseas, the figure comes to an astounding $2 trillion.

The American taxpayer has financed more than $96 billion in economic aid and military loans since World War II. That is not counting the factored-in interest year after year. And since the United States had to borrow the money to give it away, this total, as I say, does not include the interest, which is enormous, obviously.

Mr. President, I wonder if Senators really believe that the foreign aid program is an effective and relevant program for the coming decade. Can anybody seriously believe that the American taxpayer will receive $28.2 billion worth of value over the next 2 years as a result of this bill? In all sincerity, Congress should acknowledge the suffering and the needs of our own coun-

try and our own people. Giving back one-tenth of what is proposed in this bill, giving back $1.4 billion to the American taxpayers for education and social service programs, seems to me would be sending a message to the American people that Congress is listening to them after all. It will directly benefit our constituents, the taxpayers, and of course I hope Senators will vote for it.

It is no secret to anyone that our States are facing severe economic problems. I have already touched on that. In some cases, these problems have been brought about by mismanagement. In others, they are due to a glut of unhealthy State programs. But whatever the reason, up and down the ladder, governmentalwise or whatever assessment you want to make of it, the taxpayers end up doing the suffering. I am not going to bring up the pay raise that occurred in the Senate; that is a fait accompli. But the taxpayers are suffering because these budget shortfalls mean for them an increase in their taxes. They also suffer because these shortfalls mean cutbacks in essential State services, such as law enforcement and education.

The American people are suffering, and at this moment the Senate is considering a bill that will send $28.2 billion more to often ungrateful countries over the next 2 years to fund what has been identified clearly as corruption and socialism and economic stagnation.

Several months ago, the magazine entitled "City and State" released its annual report detailing the financial condition of each State.

Mr. President, I ask unanimous consent that a list of the States of the United States which face budget shortfalls as of April 15 of this year, and the amount of the expected shortfall, be printed in the RECORD.

There being no objection, the list was ordered to be printed in the RECORD, as follows.

STATE BUDGET SHORTFALLS AS OF APRIL 15, 1991

Alabama, $103.5 million.
Alaska, $300.1 million.
Arizona, $34.3 million.
California, $1.28 billion.
Colorado, $36 million.
Connecticut, $550 million.
Delaware, $44.2 million.
Georgia, $57 million.
Hawaii, $222 million.
Idaho, $27.3 million.
Illinois, $295 million.
Indiana, $298 million.
Iowa, $134 million.
Kansas, $119 million.
Louisiana, $264 million.
Maine, $34.6 million.
Maryland, $55 million.
Minnesota, $384 million.
Missouri, $4.5 million.
Montana, $26 million.
Nebraska, $110 million.
Nevada, $58.4 million.
New Jersey, $145 million.
New Mexico, $66.9 million.
North Carolina, $222 million.
Ohio, $393 million.
Oregon, $7.9 million.
Pennsylvania, $451 million.
South Carolina, $24.5 million.
Texas, $340 million.
Utah, $38 million.
Vermont, $21 million.
Virginia, $166 million.
Washington, $424 million.
West Virginia, $78 million.
Wisconsin, $198 million.

Mr. HELMS. Mr. President, I thank the Chair. I shall say no more. I think the amendment speaks for itself.

I ask for the yeas and nays.

The PRESIDING OFFICER. The yeas and nays have been requested. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

Mr. HELMS. I thank the Chair. I yield the floor.

The PRESIDING OFFICER. Is there further debate?

The Chair recognizes the Senator from Kentucky [Mr. MCCONNELL].

Mr. MCCONNELL. Mr. President, I certainly agree with my colleague from North Carolina that education and law enforcement are worthwhile programs, and they are worth supporting. We all have an opportunity to do that every year when we vote on those authorization bills. But this is a foreign aid authorization bill, and we are mandated to provide funding for these particular programs, not domestic programs.

My friend from North Carolina referred to the expenditures in the foreign aid bill as money down a rathole. I suppose that some people think it is money down a rathole.

But I want to describe what some of those ratholes are that would be affected by this 10-percent cut. Senator HELMS suggests that we cut by 10 percent the following programs. These are the ratholes that we are talking about here where we are pouring this money right down the rathole.

The first rathole would be Israel, which would suffer a 10-percent cut; Egypt, a 10-percent cut; Greece, a 10-percent cut; Turkey, a 10-percent cut.

Mr. President, let us look around for some of these other ratholes in this bill that money would be poured down. UNICEF, which immunizes children, feeds children, and provides emergency humanitarian programs for children. The U.N. environmental program, which is engaged in an effort to rescue our rain forests to protect rare species, plants, and animals.

Mr. President, we have for quite some time in this country had a foreign aid measure. In recent years it has simply been a foreign aid measure passed by the Appropriations Committee. There is widespread support within this body for this kind of measure. We have a number of allies of the United States which depend on this measure. The administration is in support of this measure.

Mr. President, I hope that we will not adopt the Helms amendment. I know it is well intentioned. I know Senator HELMS opposes foreign aid in general. But that is not the position of the majority of the Senate. The majority of the Senate, I believe the Senator in Kentucky is correct, is in favor of foreign aid. I do not know how many votes were cast against the last foreign aid authorization bill back in 1986, but my guess was it was probably under 20 or under 25. The vast majority of this body feels that foreign assistance is correct.

With regard to surveys about how the American people feel about various issues, I warrant that, if you ask the American people if they thought it was inappropriate for the United States, through its UNICEF funding, to be providing immunization for children or emergency humanitarian assistance for children, even assistance for some of our allies, I suspect it would not indicate that the American people were entirely against this. In fact, on many of these issues I think there would be overwhelming support. We are, after all, a generous country. Foreign assistance is a very, very small percent of our overall expenditures.

Mr. President, I hope that the Helms amendment will not be approved.

Mr. SARBANES. Mr. President, the amendment is on its face a very appealing one, because what it suggests doing is reducing all authorizations in this bill by 10 percent and transferring them to some very important domestic programs.

But Members should understand very clearly the framework in which we are operating. Part of the budget agreement that was reached with the administration last year was that a certain amount of money would be available for foreign aid. One of the things the administration insisted upon was that we would not be able to transfer money from one broad category to another. There are in fact three such categories—defense, foreign aid, and domestic programs.

In effect, what this amendment would do is transfer money from foreign aid into domestic programs. As I understand it, that would be counter to the budget agreement and to the budget resolution which implemented the budget agreement. If I am not mistaken, it would be subject to a point of order requiring a supermajority to overrule. In other words, it would require 60 votes in order to make such a transfer.

Perhaps we might move to table the amendment, if the Senator from Kentucky is amenable, and dispose of this amendment that way. If not, then it leaves open the question of a budget point of order. The question arises, as I have said, because there was an agreement reached between Congress and the administration about how much

would go for defense, how much for foreign aid, and how much for domestic programs. We have worked within the figure provided for foreign aid in this authorization bill. We have tried to comply with it and conform to it.

Members should be very clear about what the proposed amendment would do. It would reduce every account in the foreign aid bill by 10 percent. That includes health accounts, education accounts, hunger accounts, disease control accounts, and both the military and the economic accounts that affect particular countries around the world for which we have tried to reflect priorities in this legislation. In most instances, these are the very priorities submitted to us by the administration.

This amendment would mean, for those particular countries, a 10-percent cut in their foreign assistance. Members should be very clear about that, because much of our foreign policy hinges upon maintaining the relationships that are encompassed within our legislation.

So I very much hope that Members will not be supportive of this amendment, as appealing as it may be on its face, since none of us denies the pressing needs which exist here at home. There are also pressing needs abroad, and decisions about the allocation of resources amongst those needs were essentially made in the budget summit, which said that so much money would be available for foreign aid. We have tried to work within these limits in our authorizing bill. We have tried to accede to the spirit and the letter of the budget agreement. So I very much hope that this amendment will not be accepted.

If there is no further debate, we are prepared to move to table the amendment.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. HELMS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

The Senator from North Carolina.

Mr. HELMS. Mr. President, I want to point out for Senators, and for the RECORD, when we were drafting this amendment, special care was taken to ensure that it did not violate any provision of the Budget Act. It has been reviewed by the Budget Committee staff and by the Congressional Budget Office. After several minor modifications, it was deemed to be in compliance with the enforcement procedures of the relevant budget statutes.

Specifically, the pending amendment would reduce the foreign aid authorization for fiscal year 1992 and fiscal year 1993 by 10 percent—roughly $1.4 billion, as I have said earlier, per year. The resulting savings would be authorized to be appropriated for two very important programs for our States: The education block grant, and the law enforcement block grant.

The Budget Act does not prohibit shifts of authorizations of appropriations among discretionary accounts. According to the conference report on the Omnibus Budget Reconciliation Act of 1990, the transfer of discretionary authorization does not violate the budget agreement, and all of the accounts mentioned in my amendment now pending are discretionary, not mandatory accounts. Thus, this amendment does not violate the Budget Act and is not subject to a point of order. I wanted to make that statement for the RECORD. I am willing to go to a vote any time the managers want.

Mr. MCCONNELL. Mr. President, I move to table the Helms amendment and ask for the yeas and nays.

The PRESIDING OFFICER (Mr. GORE). Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. The question is on the motion to table. The yeas and nays have been ordered.

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. FORD. I announce that the Senator from Arkansas [Mr. PRYOR] is absent because of illness.

The PRESIDING OFFICER. Are there any other Senators in the Chamber who desire to vote?

The result was announced—yeas 87, nays 12, as follows:

[Rollcall Vote No. 144 Leg.]

YEAS—87

| | | |
|---|---|---|
| Adams | Ford | Metzenbaum |
| Akaka | Fowler | Mikulski |
| Baucus | Glenn | Mitchell |
| Bentsen | Gore | Moynihan |
| Biden | Gorton | Murkowski |
| Bingaman | Graham | Nunn |
| Bond | Gramm | Packwood |
| Bradley | Grassley | Pell |
| Breaux | Harkin | Pressler |
| Brown | Hatch | Reid |
| Bryan | Hatfield | Riegle |
| Bumpers | Heflin | Robb |
| Burdick | Inouye | Rockefeller |
| Burns | Jeffords | Roth |
| Byrd | Johnston | Rudman |
| Chafee | Kassebaum | Sanford |
| Coats | Kasten | Sarbanes |
| Cochran | Kennedy | Sasser |
| Cohen | Kerrey | Seymour |
| Conrad | Kerry | Shelby |
| Cranston | Kohl | Simon |
| D'Amato | Lautenberg | Simpson |
| Danforth | Levin | Specter |
| Daschle | Lieberman | Stevens |
| Dixon | Lott | Thurmond |
| Dodd | Lugar | Warner |
| Domenici | Mack | Wellstone |
| Durenberger | McCain | Wirth |
| Exon | McConnell | Wofford |

NAYS—12

| | | |
|---|---|---|
| Boren | Garn | Nickles |
| Craig | Helms | Smith |
| DeConcini | Hollings | Symms |
| Dole | Leahy | Wallop |

NOT VOTING—1

Pryor

So the motion to table the amendment (No. 808) was agreed to.

Mr. SARBANES. Mr. President, I move to reconsider the vote by which the motion was agreed to.

Mr. MCCONNELL. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 809

Mr. PELL. Mr. President, I send a package of amendments to the desk on behalf of myself and Senator MCCONNELL and ask unanimous consent that they be considered en bloc.

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

The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Rhode Island [Mr. PELL], for himself and Mr. MCCONNELL, proposes an amendment numbered 809.

Mr. PELL. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

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

The amendment is as follows:

On page 14, line 11, strike "The" and insert "(a) The";

On page 14, after line 16, insert the following:

(b) Section 103 of the Foreign Assistance Act of 1961 is further amended by adding the following new subsection:

"(g) The Congress finds that marine fisheries, aquaculture production and living aquatic resources are of significant importance to economic development and to the diets of people around the world. The Congress further finds that the world's fish catch is at, or near, its sustainable maximum, thereby requiring immediate attention to improve the management of these essential fishery resources. In the allocation of funds under this section, special attention shall be given to strengthening and expanding marine fisheries and aquaculture programs and projects.".

On page 15, line 7, strike "Section" and insert "(1) Section";

On page 15, line 9, strike "(A)";

On page 16, line 2, strike "organizations." and insert "organizations.".".

On page 16, strike lines 3 through 5 and insert in lieu thereof the following:

"(2) In each of fiscal years 1992 and 1993, forty-five percent of the amount provided in each such fiscal year for the purposes of section 104(c)(4) of the Foreign Assistance Act of 1961 should be provided directly to the World";

On page 16, line 8, strike "Organization.".' and insert "Organization.".

On page 17, line 4, strike "$257,688,000" and insert in lieu thereof "$300,000,000".

On page 17, line 7, strike "$301,291,000" and insert in lieu thereof "$345,000,000".

On page 23, strike line 20 and all that follows through line 2 on page 24, and insert in lieu thereof the following:

"(d) Notwithstanding any other provision of law, none of the funds appropriated by this Act for programs administered by the agency primarily responsible for administering part I of this Act, may be made available for any project or activity except in accord-

ance with the requirements of section 117(c) of this Act and the regulations issued pursuant thereto (22 CFR 2/6).".

On page 27, line 12, strike "appropriated" and all that follows through "Act" on line 15, and insert in lieu thereof "made available under chapters 1 and 10 of part I and chapter 4 of part II of this Act for use for activities described in sections 104(c)(2), 104(c)(3), 104(c)(4), or for environmental and energy activities".

On page 31, strike line 23 and all that follows through the end of line 5 on page 32, and insert in lieu thereof the following:

"SEC. 130. ECONOMIC REFORM AND ENVIRONMENTAL PROTECTION.—Economic policy reforms assisted with funds authorized to be appropriated by this Act shall also include appropriate provision to protect long-term environmental interests from possible negative consequences of the reforms.".

On page 34, after line 8, insert the following new paragraphs:

"(5) in subsection (b)(2), by amending subparagraph (G) to read as follows:

"(G) are directed to making available to business enterprises, especially to small business enterprises and cooperatives, necessary support and services not otherwise generally available.";

"(6) in subsection (b)(3)—

(A) by amending subparagraph (A) by striking out "$3,000,000" and inserting in lieu thereof "$6,000,000"; and

(B) by amending subparagraph (B)—

(i) by inserting "in loans" after "provided", and

(ii) by inserting "with loans" after "assisted";".

On page 34, by redesignating paragraphs (5), (6), (7), and (8), as paragraphs (7), (8), (9), and (10), respectively.

On page 34, strike lines 18 through 20, and insert in lieu thereof the following:

"(9) in subsection (e) (as redesignated by this section)—

(A) in paragraph (1), by striking "loans made to projects" and inserting in lieu thereof "loans, investments, and guarantees";

(B) in paragraph (2), strike "Loans guaranteed" and insert in lieu thereof "Guarantees";

(C) in paragraph (2)(B)—

(i) by striking out "Loans guaranteed" through "amortizations within" and inserting in lieu thereof "Guarantees shall be issued for"; and

(ii) by striking out "guaranteed loan" and inserting in lieu thereof "guarantee";

(D) in paragraph (2)(C)—

(i) by striking out "loan guaranteed" to "guarantee"; and

(ii) by striking out "$3,000,000" and inserting in lieu thereof "$6,000,000";

(E) by striking out subparagraphs (E) and (H) and redesignating accordingly;

(F) in paragraph (4), by striking out "In the case of loans" and inserting in lieu thereof "In all cases hereunder"; and

(G) by striking out paragraphs (3) and (5) and redesignating accordingly; and".

On page 40, line 22, strike "and";

On page 40, after line 22 insert the following new subparagraph:

"(F) $12,000,000 for each of fiscal years 1992 and 1993 for the Organization of American States Development Assistance Programs; and;

On page 40, line 23, strike "(F)" and insert "(G)";

On page 41, line 2, strike "(E)" and insert "(F)".

On page 57, line 3, strike "the Agricultural" and all that follows through "1985," on line 6.

On page 113, line 8, insert ", including killings and kidnappings of civilians," after "acts of terror".

On page 119, line 13, strike "Secretary" and insert "President";

On page 120, lines 1 and 2, strike "Secretary" and insert "President".

On page 169, line 7, strike "or" and all that follows through "1954" on line 8;

On page 170, line 7, strike "and" and all that follows through "1954" on line 8.

On page 162, line 8, strike the comma and all that follows through "1954" on line 10.

On page 170, strike line 20 and all that follows through "Act." on line 25, and insert in lieu thereof:

"(a) Of the amounts authorized to be appropriated under chapter 1 of part I of chapter 4 of part II of the Foreign Assistance Act, $300,000,000 for each of fiscal years 1992 and 1993 may be made available for Andean countries.".

On page 172, strike lines 11 through 16 and insert in lieu thereof the following:

"(a) AUTHORIZATION OF APPROPRIATIONS.—Of the amounts authorized to be appropriated under chapter 2 of part II of the Foreign Assistance Act, $118,000,000 may be made available for each fiscal years 1992 and 1993 for Andean countries.".

On page 182, line 7, strike "by" and insert in lieu thereof "under the auspices of".

On page 187, line 20, strike "Coordinating" and insert in lieu thereof "Development Coordination".

On page 191, line 1, strike "assistance may be provided" and insert "assistance (including assistance from the Development Fund for Africa) may be transferred".

On page 214, insert "and" at the end of line 24;

On page 214, strike line 25 and all that follows through line 8 on page 215;

On page 215, line 9, strike "(3)" and insert "(2)";

On page 215, line 10, strike "or the" and all that follows through "asset" on line 11;

On page 215, line 11, strike "para-" and all that follows through "(2)" on line 12 and insert "paragraph (1)";

On page 215, line 13, strike "or asset";

On page 215, line 17, strike "or" and "asset" on line 18;

On page 215, line 24, strike "or" and all that follows through "Corporation" on line 25;

On page 215, line 25, strike "or asset";

On page 216, line 4, strike "neither";

On page 216, line 5, strike "nor" and all that follows through "shall" on line 6, and insert "shall not";

On page 216, line 8, strike "or asset";

On page 216, line 16, strike "or the Commodity Credit Corporation";

On page 216, line 21, strike "or the Commodity Credit Corporation";

On page 216, line 22, strike "or asset";

On page 217, lines 7, 10, 12, 15, and 18, strike "or asset";

On page 217, line 24, strike "or" and all that follows through "country," on line 1 of page 218;

On page 318, line 4, strike "or assets".

On page 222, line 5, strike "and" and insert after "714", "section 735, section 737, and title VI".

On page 223, strike lines 11 and 12.

On page 223, line 15, after "1971" insert "except for section 7".

On page 234, line 10, after "enable" insert "the volunteer experiences of";

On page 234, line 11, strike "share" and insert "be shared".

The PRESIDING OFFICER. Is there further debate on the amendment?

If not, the question is on agreeing to the amendment.

The amendment (No. 809) was agreed to.

Mr. PELL. Mr. President, I move to reconsider the vote by which the amendment was agreed to.

Mr. McCONNELL. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 810

(Purpose: To express the sense of the Congress regarding the future of Taiwan)

Mr. PELL. Mr. President, I send an amendment to the desk which I believe has been cleared by both sides. Senator HELMS and Senator MURKOWSKI are cosponsors. It is an amendment concerning the future of Taiwan and has been generally cleared.

I ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Rhode Island, [Mr. PELL], for himself, Mr. HELMS, and Mr. MURKOWSKI, proposes an amendment numbered 810.

Mr. PELL. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection it is so ordered.

The amendment is as follows:

On page 109, after line 25, add the following new section:

**SEC. 611. POLICY TOWARD THE FUTURE OF TAIWAN.**

(a) FINDING.—The Congress finds that—

(1) although peace has prevailed in the Taiwan Strait for the past decade, on June 4, 1989, the Government of the People's Republic of China showed its willingness to use force against the Chinese people who are demonstrating peacefully for democracy; and

(2) in the Taiwan Relations Act, the United States made clear that its decision to enter into diplomatic relations with the People's Republic of China rested upon the expectation that the future of Taiwan would be determined by peaceful means.

(b) SENSE OF CONGRESS.—It is the sense of the Congress that—

(1) the future of Taiwan should be settled peacefully, free from coercion, and in a manner acceptable to the people of Taiwan; and

(2) good relations between the United States and the People's Republic of China depend upon the willingness of the Chinese authorities to refrain from the use or the threat of force in resolving Taiwan's future.

On page 4, after the item relating to section 610, add the following new item:

Sec. 611. Policy toward the future of Taiwan.

Mr. PELL. Mr. President, this amendment expresses the sense of the Congress regarding the future of Taiwan. It is similar to language already in the House version of the foreign aid authorization bill and is language proposed jointly by Senator HELMS and myself 2 years ago during debate on the State Department authorization bill and adopted by the Senate.

During the recent debate of granting nonrestrictive trade privileges to the People's Republic of China, special mention was frequently made concerning Taiwan and especially Taiwan's membership in GATT, which I support.

This measure underlines America's unique concern about Taiwan's future and our interest that it remain an independent nation despite its close proximity and historical ties to China.

I believe deeply that the future of Taiwan should be determined by the Taiwanese people free from interference from any outside power.

This amendment asks that the future of Taiwan be settled peacefully, free from coercion, and in a manner acceptable to the people on Taiwan.

As we consider the continued uncertainty in China, we need to reaffirm to all concerned parties that the United States opposes settling the Taiwan dispute by force or coercion, particularly given the delicate period of political transition that President Li Teng-hui is now attempting to engineer.

The PRESIDING OFFICER. Is there further debate on the amendment?

If not, the question is on agreeing to the amendment.

The amendment (No. 810) was agreed to.

Mr. PELL. Mr. President, I move to reconsider the vote by which the amendment was agreed to.

Mr. McCONNELL. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. PELL. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. ROTH. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

AMENDMENT NO. 811

(Purpose: To express the sense of the Senate in support of Taiwan's membership in the General Agreement on Tariffs and Trade)

Mr. ROTH. Mr. President, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Delaware [Mr. ROTH] proposes an amendment numbered 811.

Mr. ROTH. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

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

The amendment is as follows:

At the appropriate place, insert the following new section:

**SEC. . SUPPORT OF TAIWAN'S MEMBERSHIP IN GATT.**

(a) FINDINGS.—The Senate finds that—

(1) on January 1, 1990, the Government of Taiwan formally requested the Secretariat of the General Agreement on Tariffs and Trade (GATT) to initiate the procedure necessary for its accession to the GATT;

(2) the Government of Taiwan has applied for membership in the GATT as a separate customs territory under GATT Article XXXIII under the name "The Customs Territory of Taiwan, Penghu, Kinmen and Matsu", to ensure that its application includes only those areas where the Government of Taiwan currently possesses full autonomy in the conduct of its external commercial relations;

(3) Taiwan is a significant participant in the global economy, being the thirteenth largest trading entity and maintaining the second largest foreign exchange reserves in the world, and is one of the last major market-based economies that is noticeably absent from the GATT;

(4) the United States and Taiwan maintain an important bilateral trading relationship, with Taiwan being the sixth largest trading partner of the United States and the United States being the second largest exporter to Taiwan;

(5) Taiwan has made substantial progress in its economic development, and has taken steps to open up its economy, including lowering its average tariff rates, reducing its barriers to foreign investment, and increasing its protection of intellectual property rights;

(6) the United States supports additional action by Taiwan to provide full open market access to United States goods and services and to ensure that United States intellectual property rights are fully enforced, and Taiwan's continued progress in these and other areas is mutually beneficial to the United States and Taiwan;

(7) the GATT is the premier multilateral body for regulating trade worldwide, and the United States and 100 other contracting parties of the GATT are in the final stages of the Uruguay Round of multilateral trade negotiations, which is the most ambitious effort ever undertaken by the GATT to expand, strengthen, and revitalize multilateral trade rules and principles;

(8) the successful conclusion of the Uruguay Round will establish multilateral and enforceable disciplines in key areas affecting bilateral trade between the United States and Taiwan, including the areas of services, intellectual property rights, and agriculture;

(9) Taiwan currently adheres to the guiding principles of the GATT on a de facto basis, is expressly committed to assuming greater international economic responsibility by its willingness to accede to the GATT as a developed economy, and has indicated its desire to join formally with other GATT contracting parties in implementing the final results of the Uruguay Round; and

(10) Taiwan's membership in the GATT will foster the further liberalization of Taiwan's economy along GATT lines, will serve as an exemplary model for other developing countries, will allow key United States-Taiwan trade issues to be addressed in the multilateral context, and will contribute to the overall strengthening of GATT rules of trade and of the GATT as an institution:

(b) POLICY.—It is the policy of the Senate that—

(1) the accession of Taiwan to the GATT is in the best economic interest of the United States and of the world trading system as a whole and should be achieved in an expeditious manner; and

(2) the Government of the United States should fully support Taiwan's accession to the GATT by requesting that the GATT Secretariat place Taiwan's accession request on the agenda of the next GATT Council meeting, by seeking the formation of a GATT Working Party, and by taking any additional steps deemed necessary to assure Taiwan's prompt membership in the GATT.

Mr. ROTH. Mr. President, I rise to offer an amendment in support of Taiwan's membership in the General Agreement on Tariffs and Trade [GATT]. This amendment contains the text of Senate Resolution 116, which is a resolution I submitted this past April. The resolution is strongly supported by a majority of the Senate, with 53 of my colleagues now cosponsoring it.

The goal of this amendment is twotold. First, it will demonstrate that the President has the full backing of the Senate to proceed forward with his recently announced decision to "begin to work actively with other Contracting Parties to resolve in a favorable manner the issues relating to Taiwan's GATT accession." It does so by making several findings on the importance of Taiwan's position in the world economy and of our bilateral economic relationship, and by expressing the sense of the Senate that Taiwan's GATT membership is in the best economic interest of the United States and of the world trading system.

The second objective of this amendment is to highlight the specific steps that should be taken to ensure that the accession of Taiwan to the GATT is achieved expeditiously. The amendment underscores that the United States should fully support Taiwan's accession request by taking two essential steps, in particular. The first is requesting that Taiwan's application be placed on the next GATT Council agenda. The second is seeking the formation of a GATT working party to consider Taiwan's terms of accession.

Mr. President, for a whole variety of reasons, which are outlined in the amendment, Taiwan deserves to be in the GATT, and Taiwan deserves our strong assistance in accomplishing it. In demonstrating the full backing of the Senate, this amendment is designed to do just that.

I yield the floor.

Mr. PELL. Mr. President, I ask unanimous consent that my name be added as a cosponsor.

Mr. ROTH. I thank the distinguished chairman and appreciate his support.

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

Mr. PELL. Mr. President, as far as I can ascertain, this amendment is acceptable on this side of the aisle.

Mr. McCONNELL. Mr. President, the Senator from Delaware has an excellent amendment. I fully intend to support it. I am not aware of any objection.

The PRESIDING OFFICER. Is there further debate on the amendment? If

not, the question is on agreeing to the amendment.

The amendment (No. 811) was agreed to.

Mr. ROTH. Mr. President, I move to reconsider the vote by which the amendment was agreed to.

Mr. PELL. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 812

(Purpose: To express the sense of the Senate concerning the treatment of U.S. companies operating in Angola in the U.S. Internal Revenue Code)

Mr. ROTH. Mr. President, I send a second amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Delaware [Mr. ROTH], for himself and Mr. BRADLEY, proposes an amendment numbered 812.

Mr. ROTH. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

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

The amendment is as follows:

At an appropriate place in the bill add the following new section.

**SEC. . TO EXPRESS THE SENSE OF THE SENATE REGARDING THE TREATMENT OF UNITED STATES COMPANIES OPERATING IN ANGOLA IN THE U.S. INTERNAL REVENUE CODE.**

(a) FINDINGS.—The Senate finds that—

(1) section 901(j) of the United States Internal Revenue Code effectively subjects United States companies operating in Angola to double taxation;

(2) on May 31, 1991, the Government of Angola and the National Union for the Total Independence of Angola signed the Peace Accord for Angola in Lisbon, Portugal;

(3) the Peace Accords for Angola provide for: an internationally supervised ceasefire in Angola's civil war, the opening up of Angolan political life, and internationally supervised national elections;

(4) the Angolan economy offers a broad range of opportunities for United States companies.

(b) POLICY.—It is the policy of the Senate that—section 901(j) of the United States Internal Revenue Code should be amended to provide for a special rule for Angola so that United States companies operating in that nation shall be allowed a foreign tax credit for taxes paid to the Government of Angola.

Mr. ROTH. Mr. President, the purpose of the amendment which I am laying before the Senate today has a straightforward purpose. It expresses the sense of the Senate that the discriminatory manner in which United States companies which operate in Angola are treated in our Tax Code should be ended.

Ordinarily, U.S. corporations which operate in foreign countries are obliged to pay taxes to the government of that country. Subsequently, when their U.S. taxes are assessed, they are granted a credit equivalent to the amount which they have been obliged to pay the foreign government in question.

Several years ago, we began to tinker with this system. The so-called Rangel amendment denied United States companies operating in South Africa any foreign tax credit for the taxes which they paid the Government of South Africa. Subsequently, companies operating in Angola were similarly denied foreign tax credits for taxes which they paid that government. In effect, U.S. companies operating in either nation were subject to a crippling double taxation.

The Rangel amendment, which was closely tied to the Comprehensive Anti-Apartheid Act, was vitiated when the President recently certified that the South African Government had met the various conditions laid down in that act. It is my firm opinion that now is the time to move ahead and take similar actions vis-a-vis Angola. I say this for three primary reasons:

First, the Angolan economy, though devastated by civil war, has huge economic potential, largely because of Angola's massive oil reserves and mineral resources. United States companies are eager to expand their operations in the Angolan economy, but they are seriously hampered by their double taxation burden. Meanwhile, European companies, who were never subject to any restriction in their Angolan operations, are pushing vigorously into the Angolan economy. Recently, Royal Dutch Shell announced that it will be investing almost $½ billion in exploratory drilling rights in Angolan waters.

Frankly, I do not believe that the U.S. Congress should be hampering U.S. companies as they seek to compete with their European rivals in this area of major economic potential.

Second, Mr. President, the foreign policy considerations which originally led us to impose discriminatory treatment against Angola no longer pertain.

The Marxist government of Angola no longer enjoys Soviet or Cuban support. Deprived of this backing, the Government has signed the peace accords for Angola with its chief opposition—the National Union for the Total Independence of Angola [UNITA], an organization which I and several of my colleagues have strongly supported.

The accords provide for a cease-fire in the civil war, the opening up of national political activity, and for the internationally supervised national elections for which Dr. Jonas Savimbi and UNITA have so long pressed.

In light of this major progress toward democracy, it is fully appropriate the United States place its economic relations with Angola on a regular footing. Granted, the political situation in Angola is by no means perfect—that will require the actual holding of national elections.

However, who said that a nation had to have a perfect political situation in order to trade with the United States? If that was our standard, we would trade with very few nations, indeed.

Angola needs economic development now and United States companies need unfettered access to the Angolan economy now. Whoever wins the pending national elections will not wish to preside over an economic desert. And, Mr. President, while we hold back and hinder U.S. companies, their competititors are proceeding.

Third, Mr. President, I would ask my colleagues to consider whether the type of approach we have pursued toward United States companies dealing in Angola really does represent an optimal approach toward United States business.

Here on the floor of the Senate, we hear a great deal of talk about competitiveness, about picking up the economic challenge laid down by Japan and by EC '92. Well, Mr. President, if we are sincere in our rhetoric of competitiveness, we will have to stop burdening U.S. companies with restrictions and hindrances which have no basis in everyday economics. U.S. businesses are designed to make returns to their shareholders. They are not designed to discharge U.S. foreign policy. Attempts to subvert business and to use it in pursuit of foreign policy goals will only weaken our businesses, our overseas business activities, and undermine our global competitiveness.

For all of the above reasons, I ask my colleagues to support my amendment.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Kentucky.

Mr. MCCONNELL. Mr. President, I support the amendment of the Senator from Delaware and so does the administration. There is, however, at least one Senator on this side of the aisle who wants to be heard in opposition to the Roth amendment and is not here yet.

Mr. SARBANES. Mr. President, I simply make the observation that we may also have a Senator or two on this side who wish to be heard on this amendment. Obviously, we would like to provide at least some accommodation to Members by allowing a reasonable period of time for them to speak on the amendment. When the House of Representatives considered the foreign assistance bill, they were able to get a rule which required that all amendments had to be printed in the RECORD ahead of time. Unfortunately, under our procedures, we cannot do that. But I simply point out that it made an enormous difference when the amendments were made available, so that people had a chance to examine them, consider the consequences of them, and so forth.

Here, of course, under our procedures, any Member at any time can stand up and offer an amendment to any part of the bill. We have to just try

to address issues as they arise. It would be most helpful, I say to our colleagues, if early on the managers could be made aware of amendments that Members were thinking of offering and could have a chance therefore to examine the amendment. Such a process would be helpful to the ability of the managers either to accept the amendments as proposed, or to suggest modifications that would make it possible to do so.

So it would be helpful to us if Members who have amendments could apprise use of that fact, informing us both that they have the amendment and, even more importantly, of the substance of the amendment. We could then try to expedite the matter. We are anxious to do that, and we are making good progress. We are very grateful to the Senator from Delaware for coming to the floor early on to offer his amendments. But on this particular amendment with respect to Angola, we have received, as has Senator McCONNELL, some communication that there are others who are interested in speaking on it. I think they ought to have a reasonable period of time to get here.

Mr. McCONNELL. Will the Senator yield.

Mr. SARBANES. Certainly.

Mr. McCONNELL. It is my understanding that the Senator from Delaware has yet another amendment. I do not know whether that is acceptable on the Senator's side or not. We might lay the current Roth amendment aside and do that one next.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. ROTH. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. ROTH. Mr. President, I ask unanimous consent that we temporarily set aside the Roth amendment now before the Senate in order for me to bring up a new amendment.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

AMENDMENT NO. 813

(Purpose: To amend the Foreign Assistance Act of 1961, the Export-Import Bank Act of 1945, and the Commodity Credit Corporation Charter Act to prohibit the noncompetitive awarding of insurance contracts on certain government-supported exports)

Mr. ROTH. Mr. President, I send an amendment to the desk.

The PRESIDING OFFICER. The clerk will report the amendment.

The assistant legislative clerk read as follows:

The Senator from Delaware [Mr. ROTH] proposes an amendment numbered 813.

Mr. ROTH. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

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

The amendment is as follows:

At the appropriate place insert:

That chapter 2 of part I of the Foreign Assistance Act of 1961 is amended by inserting after section 240A the following new section:

**"SEC. 240B. PROHIBITION OF NONCOMPETITIVE AWARDING OF INSURANCE CONTRACTS ON CERTAIN GOVERNMENT-SUPPORTED EXPORTS.**

"(a) PROHIBITION.—No insurance, reinsurance, guarantee, or other financing may be issued by the Corporation with respect to any investment in a project unless the appropriate investor, in every practicable case, first certifies to the Corporation that any contract for the export of goods as part of such investment shall include a clause requiring that United States insurance companies have a fair and open competitive opportunity to provide insurance against risk of loss of such export.

"(b) FAILURE TO PROVIDE CERTIFICATION.—In any case in which such certification is not made in a timely fashion, the investor shall include in the certification when made the reasons for the failure to make timely certification."

"(c) REPORTS BY UNITED STATES TRADE REPRESENTATIVE.—The United States Trade Representative shall review the actions of the Corporation under this section and, after consultation with representatives of United States insurance companies, shall report to the Congress in the report required by section 181(b) of the Trade Act of 1974 with respect to such actions.

"(d) DEFINITIONS.—For purposes of this section—

"(1) the term 'United States insurance company'—

"(A) includes an individual, partnership, corporation, holding company, or other legal entity which is authorized, or in the case of a holding company, subsidiaries of which are authorized, by a State to engage in the business of issuing insurance contracts or reinsuring the risk underwritten by insurance companies; and

"(B) includes foreign operations, branches, agencies, subsidiaries, affiliates, or joint ventures of any entity described in subparagraph (A);

"(2) United States insurance companies shall have had a 'fair and open competitive opportunity to provide insurance' if they—

"(A) have received notice of the opportunity to provide insurance; and

"(B) have been evaluated on a nondiscriminatory basis.".

**SEC. 2. EXPORT-IMPORT BANK OF THE UNITED STATES.**

The Export-Import Bank Act of 1945 (12 U.S.C. 635 et seq.) is amended by adding at the end the following:

**"SEC. 17. PROHIBITION ON NONCOMPETITIVE AWARDING OF INSURANCE CONTRACTS ON CERTAIN GOVERNMENT-SUPPORTED EXPORTS.**

"(a) PROHIBITION.—The Bank may not guarantee, insure, extend credit or participate in the extension of credit with respect to any export unless the Bank receives a certification that any contract relating to the export of goods shall include a clause requiring that United States insurance companies have a fair and open competitive opportunity to provide insurance against risk of loss of such export.

"(b) REPORTS BY UNITED STATES TRADE REPRESENTATIVE.—The United States Trade Representative shall review the actions of the Bank under this section and, after consultation with representatives of United States insurance companies, shall report to the Congress in the report required by section 181(b) of the Trade Act of 1974 with respect to such actions.

"(c) DEFINITIONS.—For purposes of this section—

"(1) the term 'United States insurance company'—

"(A) includes an individual, partnership, corporation, holding company, or other legal entity which is authorized, or in the case of a holding company, subsidiaries of which are authorized, by a State to engage in the business of issuing insurance contracts or reinsuring the risk underwritten by insurance companies; and

"(B) includes foreign operations, branches, agencies, subsidiaries, affiliates, or joint ventures of any entity described in subparagraph (A);

"(2) FAIR AND OPEN COMPETITIVE OPPORTUNITY TO PROVIDE INSURANCE.—The term 'fair and open competitive opportunity to provide insurance' means, with respect to a United States insurance company, that the company—

"(A) has received notice of the opportunity to provide insurance; and

"(B) has been evaluated on a nondiscriminatory basis.".

**SEC. 4. DETERMINATIONS OF DISCRIMINATION.**

(a) DETERMINATION BY THE UNITED STATES TRADE REPRESENTATIVE.—Whenever the United States Trade Representative determines that United States insurance companies have been denied a fair and open competitive opportunity to provide insurance against risk of loss in violation of section 240B of the Foreign Assistance Act of 1961, section 17 of the Export-Import Bank Act of 1945, or section 20 of the Commodity Credit Corporation Charter Act as added by this Act, then—

(1) the Overseas Private Investment Corporation may not insure, reinsure, finance, or otherwise assist in the investment in question,

(2) the Export-Import Bank may not guarantee, insure, extend, credit, or participate in the extension of credit with respect to the export in question, and

(3) the Commodity Credit Corporation, may not guarantee, insure, extend credit, or participate in the extension of credit with respect to the export in question of agricultural commodities,

unless the transaction involves a United States firm, subsidiary, or affiliate doing business in a foreign country with which the United States has an agreement regarding the insurance of international transactions.

(b) REGULATIONS REQUIRED.—The United States Trade Representative shall prescribe such regulations as may be necessary to carry out this section.

Mr. ROTH. Mr. President, the amendment which I am offering today has a straightforward purpose. It seeks to guarantee to U.S. insurance companies the right to compete for the insurance-related business on exports which are supported by U.S. taxpayer dollars, that is to say, exports paid for, supported by or financed by the Agency for International Development, the Export-Import Bank, the Overseas Private Investment Corporation and the Commodity Credit Corporation.

Frankly, I was shocked when I first discovered the need for this legislation. This Nation generously provides foreign assistance to a number of nations around the world and it finances the export of many goods and services to nations which cannot afford to pay the full price of these commodites.

It was truly galling to discover that, on many occasions, when these transactions are made, the recipient nation—the recipient of United States largesse—then forbids United States insurance companies from competing for the insurance related business on these transactions.

For example, Mr. President, this Nation recently provided the Soviet Union with $1.5 billion of grain and feedstuffs via the Commodity Credit Corporation. The Soviet Government then coolly informed the United States that all the insurance-related business stemming from this transaction would be reserved for the Soviet Union's own state insurance company.

The American Institute of Marine Underwriters is a trade association representing over 90 marine insurance companies, which provide over 90 percent of the ocean marine insurance written in this country. The AIMU estimates that foreign protectionist practices in this field cost U.S. companies as much as $33 million in lost premiums every year.

The list of nations which exclude U.S. companies from insuring OPIC, Exim and CCC transactions is a long one: Bangladesh, Bolivia, Ecuador, Morocco, Pakistan, Peru, Sudan, Uganda, Venezuela, Tanzania, Kenya, Jordan, Nicaragua, Panama, Colombia, Ghana, Guinea, and Indonesia.

The International Union of Marine Insurance has listed a total of 62 nations, all of whom seek to reserve the right to insure goods coming into their ports to national insurance companies. And I must stress, Mr. President, that these restrictions apply to exports which are financed, subsidized, and sometimes are paid by the U.S. taxpayer.

U.S. insurance companies seek no special preference. They do not demand that the right to insure U.S.-subsidized exports go solely to them. But they do ask, quite understandably, that when the U.S. taxpayer does underwrite a U.S. export, then they should, at least, have the right to compete for the insurnace on that transaction.

The current situation is nothing short of ludicrous. Recipients of U.S. assistance are turning around and robbing us of the related benefits of our generosity.

The amendment which I am laying before the Senate today will end this nonsensical practice. It requires that the insurance contracts related to U.S.-financed exports must be open to free and competitive bid.

If the office of the U.S. Trade Representative discovers that a recipient nation is trying to exclude U.S. insurance companies from the bidding process or is discriminating against them, then the transaction in question will not proceed.

I suspect that my colleagues on both sides of the aisle will agree on the need to resolve this problem. I am aware that there is some controversy concerning the designation of an appropriate U.S. enforcing authority. I have in my amendment designated USTR, but I have no objection to this provision being changed in conference so long as the final conference report addresses the basic problem before us today as to discrimination against U.S. insurance companies which are legitimately pursuing their business.

Mr. President, I ask that my colleagues support this amendment. I respectfully ask the managers of the bill to do their utmost to ensure that this legislation is retained in the bill in conference.

I yield the floor.

Mr. SARBANES. Mr. President, I want to make one observation to the Senator from Delaware. As I understand the amendment, what he is seeking is that U.S. insurance companies have a fair, open, and competitive opportunity to provide insurance.

As I understand it, the definition of having such an opportunity is that the insurance companies have received notice of the opportunity to provide insurance and, if they seek to provide it, that their bids have been evaluated on a nondiscriminatory basis. It does not require that the insurance contract go to American companies. It just makes sure that they get a fair chance, along with anyone else, to bid for this work. Is that correct?

Mr. ROTH. That is correct.

Mr. SARBANES. At the moment apparently, American companies are actually being excluded from the opportunity to bid. They cannot even enter into the competition. Is that correct?

Mr. ROTH. That is correct. A number of countries keep it for their own insurance companies.

Mr. SARBANES. The Senator mentioned at the end some possible problems with how the amendment would be enforced and so forth. There may be other technical problems which we could address in conference, staying of course, in consultation with the Senator.

Having said that, I have no objection to the amendment. In fact, as stated by the Senator, this amendment seems to address an important problem.

Mr. McCONNELL. Mr. President, I am aware of no opposition to the amendment of the Senator from Delaware. I personally support it. I think it is a good amendment.

The PRESIDING OFFICER. Is there further debate on the amendment? If not, the question is on agreeing to the amendment of the Senator from Delaware.

The amendment (No. 813) was agreed to.

Mr. ROTH. Mr. President, I move to reconsider the vote by which the amendment was agreed to.

Mr. SARBANES. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. ROTH. Mr. President, I would like to express my appreciation both to the chairman and ranking member for their interest and support in correcting what I see as a deficiency.

The PRESIDING OFFICER. The question now recurs on amendment No. 812.

AMENDMENT NO. 812

Mr. SARBANES. Under the regular order are we now on the amendment offered by the Senator from Delaware and Senator BRADLEY on Angola?

The PRESIDING OFFICER. The Senator from Maryland is correct. Regular order.

Mr. SARBANES. Mr. President, I want to make an observation about this amendment because I know that some Members called in about it. Let me just put a question to the Senator from Delaware. My understanding of this amendment is that it simply expresses the sense of the Senate with respect to this issue. We do not have jurisdiction to make the legal change here. That would have to be done by the tax writing committees of the Congress. It would express, though, a policy judgment that such a change should be made in the law. Is that correct?

Mr. ROTH. That is correct. Since it involves revenue, it obviously has to come up first in the House and then the Senate in the tax writing committees. It relates to a matter that I think is important, that the Senate express its intent. I feel we are putting ourselves and American companies in a noncompetitive position with other companies of the world who are moving in to address the resources that are available in Angola.

Mr. SARBANES. I think it is important for Members who may have a concern with respect to the amendment to understand exactly what the amendment does and does not do.

Mr. ROTH. The Chairman is absolutely correct. This is a sense-of-the-Senate resolution. It merely expresses the intent, but it is not effective in changing the law.

Mr. SARBANES. Mr. President, this is the situation. I want to be very open and candid with the Senate.

There apparently are a few Members, I am not sure how many, on both sides who will want to be heard on the Angola amendment of the Senator from Delaware. There is a distinguished Senator on my side who says he can be here in 30 minutes. Obviously, given that it has just come up, I will try to protect his opportunity to speak, although I do want to try to move along.

I hope we are not going to get in a situation, although I am not now referring to this pending amendment, where amendments come up but Members ask us not to consider them for another 2 or 3 hours or until tomorrow or something like that. Otherwise, we will not be able to move expeditiously through this legislation.

I would also note that there are Senators on the other side of the aisle who wish to speak. Perhaps they might be prepared to go ahead now.

Mr. SARBANES. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. GRASSLEY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. SHELBY). Without objection, it is so ordered.

Mr. GRASSLEY. Mr. President, I rise for the purpose of calling the attention of the Senate to this amendment that is before us, the Roth amendment, which would repeal a tax restriction on corporations doing business in the country of Angola, which tax restriction has been on those companies in that country since legislation adopted by this body in 1986. That was legislation that I sponsored because I did not feel, when there was a revolution going on in the country and the taxpayers of this country were supporting the challengers to the government—we were taking the position of the right side in that revolution against the Marxist government of Angola—that we ought to have an American corporation participating in doing business with that government when the taxes paid by that American corporation were being used by that government against a revolutionary force that the United States taxpayers were supporting at that particular time.

This is only a sense-of-the-Senate resolution that is before us today, so it is not repealing that law. But I think that it is an issue that we will face later on this year or early next year in regard to whether or not that 1986 legislation ought to be repealed. I am sure the motivation behind the legislation is because there is an agreement between the Government of Angola and the forces of Jonas Savimbi to have elections sometimes before November 1992. So the situation has changed dramatically. I would have to say that if the spirit of that agreement is carried out, obviously the political situation and military situation in that country has changed dramatically.

The only thing is, I believe that this question now that we are dealing with on the sense-of-the-Senate resolution, in that presumably we will be dealing with change in statute later on this year, is a little premature because the test of that agreement is whether or not we have free and fair elections, and obviously we are not going to know that until those elections are held. So, consequently, I do not really think it is going to be proven that there is a new political environment in that country until those elections come off and we have the democratic process mature.

So far, we are living on promises. Promises are a start, but having performance commensurate with the rhetoric is a real test of an agreement.

So I think that our body here ought to take into consideration this amendment and know the import of it. At this point, I would be asking my colleagues to be opposed to it even though it is a sense-of-the-Senate resolution.

I believe it is very important to continue our current policy of economic restrictions in force against the Republic of Angola until we do have those free and fair elections.

Unfortunately, some believe the signing of the Estoril accords warrants rewarding the MPLA and point to the lifting of sanctions against South Africa. I want to challenge this misguided view and I want to oppose any effort that upsets the delicate balance that exists between the ruling party and the proper Western opposition, led by UNITA.

More specifically, proposals to restore the foreign tax credits for taxes paid or accrued to Angola are premature and I think seriously damage the prospects for true peace and reconciliation in Angola.

As in formerly Marxist Nicaragua, the party is the State, and all revenues that are paid by these corporations doing business in that country go to the coffers of the ruling party. Lifting sanctions will only provide an even greater competitive edge to the MPLA in the electoral contest that has yet to be scheduled at this time.

I think we have to assume that whether this were an issue or not, whether or not American companies were doing business over there that would be in support of the ruling party and the government, that ruling party and the incumbent government has a dramatic advantage over those of UNITA challenging that existing government. If it is going to have increased revenues as a result of the repeal of this 1986 legislation, they are even going to have greater advantage.

Now, I know there are some who feel that there is no question that UNITA will come through that election fine and dandy. And I hope that is what happens. But I guess I do not want our Government to take a chance on that, because we have been part and parcel of reaching compromises over there and forcing the point of view of UNITA in the process for so long that it just seems to me that for this last 18 months why take any chances.

I believe this legislation brings about more questions about whether the ultimate gains of our Government are going to be accomplished. And those ultimate gains are free and fair elections, not just that UNITA be controlling the government. That is our hope. But we have to accept the will of the electorate there like we would in any other country if we do have free and fair elections.

But it is important to remember that United States restrictions remained in force—referring again to the Nicaraguan situation; we kept our restrictions in force against the Sandinista regime—until free and fair, internationally monitored elections were held.

I feel the same policy should apply to Angola, since the MPLA reneged on a promise to hold elections in 1975. It is only prudent to maintain economic pressure upon the MPLA, since military pressure was removed upon the declaration of the cease fire.

Too often, Americans have short memories about our relationships with foreign countries and we forget, I suppose, this promise was made in 1975 and denied; it was not carried out. I do not think the situation is quite the same for next year, but we ought to make sure that that is the situation. I do not believe millions of dollars of American taxpayers' assistance should be given to the MPLA.

Propping up the MPLA will not help the people of Angola. Therefore, we hope our colleagues here will stay the course in Angola. The dual policy of aiding UNITA and continuing pressure on the MPLA has produced a cease fire and promise for elections. If this policy is maintained, we believe it will produce the historic free elections and true democratic government we all anxiously await.

I hope my colleagues will remember our friend on the other side of the aisle, Senator DECONCINI of Arizona, has for a long, long period of time, headed up an effort in this body to make sure American policy stood firm in support of UNITA and against the MPLA. And that that good work of Senator DECONCINI has paid off as we have accomplished that goal.

I have been informed by staff that he would like to speak on this issue. I hope my colleagues will pay due attention to what he has to say on this issue, because he has worked so hard on it.

Yesterday, I had the opportunity to receive, and I will read into the RECORD, the official position on this issue from UNITA, the opposition party. This is the contents of that communique. It is headlined, "UNITA Policy Statement on the Grassley Amendment," referring to the Grassley amendment of 1986.

UNITA supported the Grassley Amendment in 1986 to revoke the foreign tax credit for U.S. companies operating in Angola. The profits from Angola's only viable industry,

oil, were used during the course of the 16-year war, to purchase at least $16 billion worth of Soviet weapons and to provide for the maintenance of the Cuban occupation forces, which once numbered 60,000. Sanctions against the one-party MPLA regime, coupled with U.S. support to UNITA after the repeal of the Clark Amendment, were intended to pressure the government into a peaceful settlement resulting in free and democratic elections. We are not there yet.

In Lisbon, Portugal on May 31, the Estoril Accords were signed by UNITA and the MPLA, establishing a ceasefire and setting elections between September and November of 1992. Significantly, the MPLA will continue to govern the country in the interim, with all tax revenues collected by the state under the control of the MPLA party. In Angola today, the state and the party remain inseparable.

While UNITA supports any humanitarian or other efforts in Angola intended to help the citizenry, UNITA cannot support the lifting of trade sanctions, which would only serve to augment the power of the MPLA-controlled state and thus the party.

The private sector does not exist in today's Angola. It remains a desire. Furthermore, the Grassley and other amendments are on "Automatic Cancellation," The validation of free elections will nullify them. Economic pressure, which serves as a deterrent against MPLA noncompliance with the peace agreement, is the only remaining leverage the U.S. Government enjoys in Angola.

In Nicaragua, sanctions persisted until the internationally-monitored elections were determined to be free and fair. The United States kept sanctions in force, recognizing that the Sandinistas continued, during the transition to democratic government, to command the military and the police, as well as the business sector.

U.S. policy towards Angola is on the verge of producing its objective of representative government, the first in Angola's history. Lifting trade restrictions now would be interpreted by the MPLA as a relaxation of U.S. policy, and would constitute a premature reward before full compliance with the Estoril Accords is assured. Restoration of full trade relations and the granting of diplomatic recognition should only occur when the peace process has culminated in its final goal of self-determination for the people of Angola.

It is signed by Jardo Muekalia, UNITA chief representative to the United States.

Mr. President, I am about ready to give up the floor. In conclusion, I hope the managers of this legislation will wait until Senator DECONCINI appears to give his statement. And, second, what this amendment, if it were actually changing the law, attempts to accomplish, I would say should be accomplished when the elections are held. That was the intent of the legislation passed in 1986. It is meant to be a lever to make sure there are free and fair elections, and it would not take any action by this body at that particular time for it to happen.

I guess I will say one additional thing. There is going to be a problem for the sponsors of the amendment when it comes to passing the statute change, and that is the revenue neutrality requirement. Whatever revenue is lost here, and there will be a significant amount lost, the proponents have to think of some way of taxing the American citizens to make up that lost revenue, unless you have the votes to add to the national debt.

I hope that, as conservative as the proponents of this amendment are, they take that into consideration. Right now we have revenue coming in from this, and that will be lost. We surely do not want to increase the debt to help corporations that in turn would support a government in this part of Africa that is in opposition to the goals of United States taxpayers and the United States taxpayers' Government.

I yield the floor.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. DODD. Mr. President, I ask unanimous consent to proceed as in morning business.

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

Mr. DODD. Mr. President, I first of all want to commend the managers of the matter which is presently before this body, and commend them for the hard work they are doing trying to fashion a piece of legislation that deals with the foreign policy interests of this country.

## THE RICH GOT RICHER, POOR GOT POORER

Mr. DODD. Mr. President, the remarks I am about to make do not relate to that subject at all except in a very tangential way. They have to do with a report that appeared this morning in the Washington Post with a headline entitled "Rich Got Richer, Poor Got Poorer," a story by Spencer Rich.

Mr. President, I ask unanimous consent that this press report be printed in the RECORD at the conclusion of my remarks.

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

(See exhibit 1.)

Mr. DODD. It struck me, Mr. President, that this report came in the wake of yesterday's narrow vote on the most-favored-nation status for the People's Republic of China; in the wake of the fast-track legislation dealing with Mexico; in the wake, if you will, of a decision to provide technical assistance and, in the thoughts of some, credits to the Soviet Union; and in the wake of decisions to break the budget agreements in order to provide assistance to Bangladesh. Mr. President, the litany can go on. I am not suggesting that in some of these cases there is not a degree of legitimacy in trying to be helpful, but it is disturbing when the ongoing process that seems to be more focused on the needs of other nations, legitimate as those needs are, and we watch what is happening to people in this country who are in desperate condition.

So it is in that light that I rise this afternoon to share some general comments and thoughts on the deteriorating situation of a constituency in this Nation that seems to be more and more squeezed every single day. This report and the documentation from the Congressional Budget Office and studies done by the House Ways and Means Committee make this more than just a simple allegation. As more and more data becomes available, it becomes quite clear that this is no longer an allegation or an assumption, but a fact.

The fact is that during the last 13 years, middle-income families in this country have not only been squeezed but they have been significantly hurt. At the same time a very small, tiny fraction of our population have done remarkably well at their expense. That is what this study indicates.

Frankly, the absence of any real sensitivity about this is what I believe is creating a growing sense of anger in this country, a growing sense of frustration on the part of people not only from the New England States where the economy has been particularly hard hit, but reaching across this country, even in areas where there has been a relatively high degree of affluence.

So, Mr. President, I want to emphasize my concern about this and about the failure to even address some of these questions at all. It is almost, as someone has suggested, as though we have a no-fault Presidency. The theory seems to be that if you do not even talk about these subject matters, then they do not exist. But they exist in the minds of the families who struggle on a daily basis to make a home mortgage, to make college tuition payments, to provide food and clothing for their children, while they watch their salaries and incomes decline, and watch their taxes go up. These families also watch the very affluent in this country, the top 1 percent, whose incomes absolutely skyrocket and whose taxes decline. No wonder there is a growing sense of anger.

I mentioned the headline in the Washington Post which says "Rich Got Richer, Poor Got Poorer," referring to the study on income disparities in the 1980's released by the Center on Budget and Policy Priorities. This study confirms what I think many people have known for years and what the working families of this country understand completely.

Just to share some of the data included in this study, the most affluent 1 percent of Americans have seen their incomes climb from $203,000 in 1977 to $451,000 in 1988, while the taxes of that income group have actually declined by 18 percent. So here, more of a doubling of their incomes in an 11-year period and a reduction of their taxes by almost 20 percent.

At the same time, the incomes of the middle-class working families of this

country have stagnated and the incomes of the poorest part of our population have actually declined during that same period of 1977 to 1988. Working families have paid a steep price in the 1980's, and at this rate, they will be paying the bill, for the excesses of the last decade for many years to come.

This trend, Mr. President, I think is shameful. I do not know anyone who feels any differently. After all the promises made by the Reagan and Bush administrations, the headline should read "Real Income Rises for Working Americans." Frankly, Mr. President, we will not see headlines like that as long as the Bush administration continues to focus their attention and resources on world problems at the expense—at the expense—of any real domestic agenda. I think there would be more tolerance, understanding, and acceptability for international initiatives if there were attention being paid to the domestic agenda. But when the American people watch the President spend a week traveling to seven different nations, watching whirling dervishes in Constantinople and literally no attention paid to what is happening in city after city—to layoffs right and left and a declining economy—then that sense of outrage grows further.

While I know the pollsters and the pundits tell us that the President has a popularity rating in the polls of some 75 percent, frankly, Mr. President, that is irrelevant. That is irrelevant. What is relevant is what is happening to working families and the failure to pay attention to it. Eighty-five percent of American families are worse off today than they were a decade ago. That is relevant. That is far more important than some rating by a polling agency. That is what people care so much about and are anxious to see an agenda address.

The findings released yesterday make it clear, in my view, that the administration has only one real constituency, and that is the wealthiest 1 percent of our citizens.

Mr. President, throughout our history, we as Americans have always shared a common goal, to make life better for our children than it was for us in our own time. Today, the present generation, has reached the conclusion for the first time in decades that their children and their grandchildren are going to have far lower a living standard than they have; that the American dream of always providing a better quality of life is not going to be available to their offspring.

Today, for the first time in our history, America's working families can no longer count on a better life for the next generation. These families, Mr. President, are not the very poor. This is not the desperate bottom 1 or 2 percent of our population. This is the middle-class that is being squeezed and squeezed and squeezed to such a point that it becomes, in the words of some, an endangered species.

Caught in the squeeze between the changing family demographics and stagnant income and rising basic costs, families now question whether the American dream is beyond their reach, and they are right to question it.

The economic pressures on working families are severe, and they are getting worse. Incomes for middle-class families have been virtually stagnant, despite the entrance of millions of mothers into the labor force over the past decade. At the same time, rising costs have further pressed tight family budgets. In the past 20 years, median rents have risen from 21 to 29 percent of household income, and the cost of college has gone from 25 to 31 percent of income.

Mr. President, in Connecticut, New England, families are caught in an even more desperate squeeze. They are in the Nation's highest median income, but they endure extremely high basic consumer expenses. While housing costs increased by an average of 300 percent nationally from 1970 to 1990, Connecticut residents face an average increase of 600 percent during that same period of time. The cost of child care is 33 percent higher than the national average. It costs $4,500 for preschoolers in Connecticut child care centers, as compared to $3,400 nationally.

Mr. President, I am equally disturbed by the extent to which Federal policies contribute to the income squeeze for middle-income families. During the eighties, the burden of Federal taxes shifted from the wealthiest to the middle class. Between 1977 and 1990, the share of Federal taxes paid by the richest 1 percent of Americans decreased by 18 percent, while they increased by almost 2 percent for middle-income taxpayers.

Working families have done their share in the workplace and through their tax payments. Frankly, it is time to correct these inequities of the past and give families the economic tools they need to remain strong and nurture their children.

There have been a variety of legislative proposals introduced to address some of these problems and to create greater equity, including proposals by the chairman of the Finance Committee dealing with individual retirement accounts and legislation that will provide tax credits to middle-income families with children under the age of 5 to alleviate costs. Under this IRA proposal they could use those dollars that have been saved for tuition, as well as home mortgages. Last month I introduced S. 1411, the Middle Income Tax Relief and Family Preservation Act of 1991. Yet, we still find opposition to those ideas within the administration.

My point today is a rather simple one. Hardworking families deserve a far better deal than they are getting. The 1980's were very generous to a small percentage of people in this country. But we now know that working families, despite the fact they were made all sorts of promises, ended up getting the short end of this deal. Certainly the ravages that we are seeing in Connecticut, New England, and throughout the country today show that most families were left far, far behind.

So, Mr. President, while it is important that those of us in this body and the American people understand there trends, what is really important is that we have an administration that understands and is willing to engage in this debate. It is worthwhile to point out, Mr. President, that programs like revenue sharing and section 8 housing, community development block grants, and urban development action grants were not the legacy of the Johnson and Kennedy administrations but came out of the Nixon-Ford administrations, and that they were Republican administrations that faced up to these questions and offered suggestions and ideas.

What is happening today is the absence of any ideas in these areas. We have a President who finds it easier to travel to the far corners of the Earth but does not pay enough attention, in my view, to the basic questions that we are facing at home. This Nation's ability throughout this decade and as we enter the 21st century to be a generous Nation to the rest of the world, as we consider a foreign assistance bill, will in no small measure depend upon how generous we are when it comes to dealing with the basic economic problems of working families.

Our failure to invest in the economic future of this country will deprive this Nation of being a significant participant in areas like foreign aid and technical assistance for other nations that desperately need it. Our role as a significant player in determining the foreign policy and international equation of the latter part of this decade and the next century will be directly and severely impacted by our failure to address these basic domestic agendas that have to be debated.

So, Mr. President, I hope the President this morning will have seen the same headlines and will have raised it with his own Cabinet officers and wondered how they can possibly redress these inequities and create greater fairness. While the President's poll numbers may remain high as we approach an election cycle next year, that is not going to be enough to sustain this country in the 1990's and beyond.

High poll numbers do not make for a better country. That is not the standard by which we judge how well we are doing as a Nation. We need to be judging on poll numbers which reflect the data that say working families are

doing better, not that the President is doing better politically. Those are the really relevant statistics. Frankly, the absence of those statistics ought to cause every American, including the leader of this Nation, a great deal of distress and concern about the direction this country is headed.

Mr. President, while we deal with the most-favored-nation status for the Republic of China, while the President pleads with Mr. Gorbachev and others and promised technical assistance; while we fast track a free trade agreement with Mexico and provide assistance to everybody else, it is also imperative to say what can we do to make this country stronger and better. The data this morning that was presented by Spencer Rich in the Washington Post indicates we have a long way to go and we better start soon.

EXHIBIT 1

[From the Washington Post, July 24, 1991]

RICH GOT RICHER, POOR GOT POORER, STUDY SAYS

(By Spencer Rich)

The income gap between rich and poor widened in the 1980s, with average incomes increasing 122 percent after taxes for the top 1 percent of households but falling 10 percent for the bottom fifth, according to a study released yesterday.

For the top 1 percent, the study said, income measured in today's dollars rose from an average of $203,000 per household in 1977 to $451,000 in 1988.

"The data provides fresh evidence of a growing trend toward greater income inequality in the United States," said Isaac Shapiro, who conducted the study for the nonprofit Center on Budget and Policy Priorities, a liberal think tank. He used data developed by the Congressional Budget Office for the House Ways and Means Committee.

"During the period examined by the CBO the incomes of the wealthiest households shot up dramatically but middle-income households received only a slight gain," Shapiro said. "Meanwhile, low-income households became poorer."

The study said that in the 1950s and 1960s "income disparities narrowed in the United States. In the early 1970s, disparities began to grow. This trend then accelerated in the 1980s."

The study looked at changes in income from 1977 to 1988, using household figures calculated by the CBO and adjusting for household size and inflation.

It found that for the poorest one-fifth of households, average cash income after taxes dropped 10 percent. For the second-poorest fifth, it dropped 3 percent. For the middle fifth it rose 4 percent, for the next highest fifth, 9 percent, and for the richest fifth, 34 percent.

However, when the top 5 percent of households was broken out and calculated separately, the rise was 60 percent—and for the top 1 percent alone, it was 122 percent.

The study said that most of the increase in the income gap "resulted from widening gaps in before-tax income." Among the reasons: stagnant wages for low- and middle-income earners, large increases in capital-gain income for well-off households, failure of the states to raise welfare benefits for low-income families fast enough to keep pace with inflation, and the contraction of the unemployment insurance system.

An increase in single-parent families (which have difficulty in earning income) and international competition (which could have an adverse impact on some wage scales) also played some role, according to Center officials.

"At the same time," the report said, "changes in federal tax policy also contributed to the widening gap in after-tax income. Between 1977 and 1992, the percentage of income paid in federal taxes by the richest 1 percent of Americans will decline 18 percent while the percentage of income that middle-income households pay in federal taxes will remain basically unchanged."

Robert Rector of the Heritage Foundation, a conservative think tank, criticized the study for counting only cash income, although low-income households are receiving $130 billion a year in food stamps, medical benefits and housing subsidies. He said the bulk of increases in public aid to the poor in recent years have been in non-cash benefits.

But Shapiro responded that households in the middle do not get non-cash welfare benefits and their income clearly has stagnated.

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## INTERNATIONAL SECURITY AND ECONOMIC COOPERATION ACT OF 1991

The Senate continued with the consideration of the bill.

Mr. SARBANES. Madam President, what is the regular order?

The PRESIDING OFFICER (Ms. MIKULSKI). The regular order, the Chair advises the Senator from Maryland, is the pending Roth amendment on treatment of American corporations doing business in Angola.

Mr. SARBANES. The Angola amendment.

The PRESIDING OFFICER. The Senator is correct.

Mr. SARBANES. I say to the Senator from Delaware who offered the amendment, who has been very patient, that the Senators who are interested in his amendment are here and about, and we ought to try to get them to the floor so we can move ahead on the Senator's amendment. We will try to do that right now.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. DECONCINI. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. DECONCINI. Madam President, I thank the Senator from Delaware—and the patience of the Senator from Maryland; I know he is interested in moving this along—for the modification of his amendment.

I think it is important that we understand why the amendment known as the Grassley amendment is on this particular country, if you want to call it that. I understand also it has been explained very clearly by the Senator from Delaware why he feels that is unfair and that trade should be the motivating force now that a peace accord has been signed.

Indeed, a peace accord has been signed, but of course the implementation of that peace accord and the cornerstone of that peace accord, besides a cease-fire which occurred in Angola, is free and fair internationally monitored elections. Those are scheduled now sometime in September, I believe early September 1992.

The amendment of the Senator from Delaware, as I understand it, would repeal the Grassley proposal which had a surcharge, sometimes known as a double taxation, upon the American petroleum industry that does business there, as well as other industries.

First of all, Madam President, it is important to know why was this adopted in 1986, and why toward Angola.

There was a very good reason at that time. The Angola Government refused to enter into any dialog or discussions with UNITA or any other opposition group within or without that country. In fact, we had the Cubans coming in during that period of time. We felt very strongly as a Congress and as a nation that our companies doing business there should not be supporting directly their recalcitrance toward any settlement of the Angola problem.

Quite frankly this Senator had amendments pending that would force our companies out of Angola because the billions of dollars they have received in revenue in the oil sold by American companies was going into the direct conflict and the military effort against UNITA. We did not go that route. What we did settle on is to assess an additional tax toward these particular companies I think for good reason because, as it is no longer classified information, our Government has assisted UNITA and still is in a nonlethal manner.

So the Senator from Delaware has a sense of the Senate, to be fair here now, that a peace accord has been entered into and that this so-called Grassley or double taxation should be relieved. He has agreed, and I thank him for it because it satisfies my concern because this sense of the Senate is effective.

As we know the sense of the Senate is not binding but it expresses the strong view of this body that this sense of the Senate, if I can pose a question to my friend from Delaware, says that upon free and fair elections in Angola the double taxation, or what is known as the Grassley amendment, should be repelled or would be repelled, and it would be retroactive for the entire calendar year.

If that is correct, I believe that is correct, I would welcome the Senator's clarification or concurrence in that then I think this is a very appropriate solution because I think it solves everybody's concern on the trade issue that the Senator from Delaware is in-

terested in, the so-called equity issue perhaps of the double taxation and the strong commitment that this Senate has from year to year passed on and voted on that we want free and fair elections, and now we have the MPLA to do just that.

So that being the case, the Senator propounding a modification of the sense-of-the-Senate amendment of the Senator from Delaware, I support this enthusiastically.

Mr. ROTH. Madam President, I am happy to advise my good friend and colleague from Arizona that the proposed change in language accomplishes exactly what he has just said. What we have reached agreement on is that the cancellation, the termination of the double taxation will take place when the free elections are actually held retroactive back to the beginning of that calendar year.

I think this accomplishes our mutual purposes. As the distinguished chairman knows, I have been a strong supporter of UNITA down through the years, much involved in providing covert aid to help UNITA, so that I think we are all pleased to see that there appears to be a significant change in the situation.

What has concerned me so seriously has been, as the Senator pointed out, the question of trade. I think it is critically important to the future welfare of this Nation that we put trade as a first goal because it means jobs and opportunities for our workers.

What concerns me in the immediate situation was the fact that we all know Angola is indeed rich, indeed wealthy in raw resources, both oil and other minerals. I am concerned that our companies have been handicapped in their capability of joining hands in determining that oil and helping to bring about the riches that would result.

Other major companies of other countries, for example Shell, is spending currently something like a half a billion to develop new oil resources. I do not want that to be a missed opportunity for American business, or for the American worker.

So I am happy that we are able to agree on the mutual language. The Senator still has the floor, but when he yields, I will send up the amendment.

Mr. DECONCINI. Madam President, I want to thank my friend from Delaware for his strong support of UNITA's efforts in Angola. I failed to mention that the Senator from Delaware has indeed been at the forefront of support for the UNITA effort that we have worked together on for some time. I thank him.

I also thank him for his clarification and his explanation as I understand the particular sense of the Senate that is before us. With that, my compliments to the Senator from Delaware for finding a solution that I think really addresses all of this without compromising the important point that we really have struggled with for so long to find free and fair elections monitored internationally in Angola, and also to deal in a more equitable way with those American companies.

I thank the Senator from Delaware.

I yield the floor.

AMENDMENT NO. 814 TO AMENDMENT NO. 812

(Purpose: To express the sense of the Senate concerning the treatment of U.S. companies operating in Angola in the U.S. Internal Revenue Code)

Mr. ROTH. Madam President, I send a substitute amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Delaware [Mr. ROTH], for himself and Mr. BRADLEY, proposes an amendment numbered 814 to amendment No. 812.

Mr. ROTH. Madam President, I ask unanimous consent that reading of the amendment be dispensed with.

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

The amendment is as follows:

In lieu of language, insert:

**SEC. . TO EXPRESS THE SENSE OF THE SENATE REGARDING THE TREATMENT OF UNITED STATES COMPANIES OPERATING IN ANGOLA IN THE UNITED STATES INTERNAL REVENUE CODE.**

(a) FINDINGS.—The Senate finds that—

(1) section 901(j) of the United States Internal Revenue Code effectively subjects United States companies operating in Angola to double taxation;

(2) on May 31, 1991, the Government of Angola and the National Union for the Total Independence of Angola signed the Peace Accord for Angola in Lisbon, Portugal;

(3) the Peace Accords for Angola provide for: an internationally supervised ceasefire in Angola's civil war, the opening up of Angolan political life, and internationally supervised national elections;

(4) the Angolan economy offers a broad range of opportunities for United States companies.

(b) POLICY.—It is the policy of the Senate that—section 901(j) of the United States Internal Revenue Code should be amended to provide for a special rule for Angola so that United States companies operating in that nation shall be allowed a foreign tax credit for taxes paid to the Government of Angola.

The aforesaid tax benefits should not come into effect until national elections in Angola been been held. Those benefits will then be granted for the taxable year beginning in the calendar year of those elections:

Mr. ROTH. Madam President, I shall be very brief because I have already made the arguments as to why I think this amendment should be added. But let me just say for purposes of clarification the modification which we have drafted grants no extension of tax credits to United States companies in Angola until national elections are held. But it proposes that the benefit will be retroactive to the beginning of the calendar year in which those elections take place.

Madam President, I urge that this amendment be agreed to. I yield the floor.

The PRESIDING OFFICER. Is there further debate on the amendment?

Mr. SARBANES. Madam President, we are prepared to accept the amendment.

Mr. MCCONNELL. The amendment is acceptable on this side as well.

The PRESIDING OFFICER. Is there further debate on the amendment? If there is no further debate on the amendment, the question is on agreeing to the amendment of the Senator from Delaware.

The amendment (No. 814) was agreed to.

Mr. ROTH. Madam President, I move to reconsider the vote by which the amendment was agreed to.

Mr. SARBANES. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. ROTH. Madam President, I express my appreciation to the chairman and ranking member for their patience. I think it resulted in a better amendment, and we are happy that it was enacted.

Mr. SARBANES. Madam President, I would like to express my appreciation to the Senator from Delaware for coming early during the consideration of this bill in order to offer his amendments. As a consequence we were able to dispose of them in a way I hope he considers positive and constructive, and I would say, an expeditious way.

We are prepared to move on with other amendments. We hope colleagues who have them will come to the floor and offer them.

The PRESIDING OFFICER. Without objection, amendment No. 812, as amended, is agreed to.

Mr. MCCONNELL. Madam President, I want to commend my friend from Delaware for his excellent amendments, and thank him as well for coming over and offering them in the beginning of this debate.

Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. SIMON. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

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

AMENDMENT NO. 815

(Purpose: To establish and expand programs to assist persons with disabilities)

Mr. SIMON. Madam President, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The amendment will be stated.

The assistant legislative clerk read as follows:

The Senator from Illinois [Mr. SIMON], for himself, Mr. HARKIN, and Mr. DOLE, proposes an amendment numbered 815.

Mr. SIMON. Madam President, I ask unanimous consent that the reading of the amendment be dispensed with.

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

The amendment is as follows:

On page 11, line 8, insert "disability," after "poverty,".

On page 13, line 2, insert "and persons with disabilities" after "women".

On page 17, between lines 11 and 12, insert the following:

(a) Section 105 of the Foreign Assistance Act is amended by adding a new subsection (c) as follows:

"(c) Assistance provided under this section shall also be used to establish and expand programs to assist persons with disabilities, including persons with visual and hearing impairments, physical disabilities, mental retardation and mental illness, to achieve independence.".

On page 17, line 12, insert "(b)" before "The".

Mr. SIMON. Madam President, along with Senator HARKIN and Senator DOLE, I offer an amendment that will provide a greater focus in our development assistance programs on the needs of the 500 million people with disabilities throughout the world.

The importance of this effort is highlighted in a GAO report Senator PELL and Senator HELMS requested at my suggestion 2 years ago. The report, issued in February 1991, shows that the magnitude of problems affecting persons with disabilities around the world is enormous. The United Nations estimates 80 percent of the 500 million persons with disabilities live in developing countries. These are the world's most neglected people; they are usually destitute, living in areas where services are rarely available.

Less than 3 percent of the world's disabled population has access to services. According to UNICEF, 80 percent of the 140 million children with disabilities in developing countries are without any access to the services they would need to become productive members of their societies.

In comparison to the need, international efforts are few, although they are often innovative and significant. There are models of well-focused projects that we can identify through the United Nations. I am sorry to say, however, that the contribution of the United States has been embarrassingly small, significantly less than that of other countries with fewer resources.

For example, U.S. contributions to the U.N. major effort to implement the goals of the Decade of Disabled Persons have totaled $103,000 over 10 years. Countries exceeding that amount include Canada, West Germany, France, Italy, Japan, Libya—which has given more than 3 times the United States—Norway, and Saudi Arabia.

The amendment we offer today is a small step toward giving appropriate attention to an overwhelming need. The amendment is simple. It consists of three parts that extend existing provisions in S. 1435. One provision seeks to maximize the involvement of persons with disabilities in all aspects of development assistance by specifically referring to such involvement along with the involvement of women and other disadvantaged populations.

Another provision adds disability to the areas Congress expresses commitment to addressing through our development policies. The third provision creates a specific authority within the education and human development program authorized by section 105 of the Foreign Assistance Act for programs that will enhance the independence of persons with disabilities. No additional funds are sought, simply the authority to address the needs of persons with disabilities.

It is our intent that these amendments reflect the Nation's commitment to assisting persons with disabilities around the world to become independent and productive members of their society. Such assistance should be made available through U.S. private voluntary organizations and indigenous private organizations whenever possible. A particular priority should be the use of organizations of persons with disabilities. As a result of these amendments, AID should establish a priority for programs of assistance in the field of disability, including habilitation and rehabilitation programs, independent living and social service programs, and programs regarding accessibility to facilities and services.

Madam President, on July 26 we celebrate the first anniversary of the Americans With Disabilities Act [ADA], a momentous civil rights bill that passed this body by a large majority vote, with strong bipartisan support and support from the administration. President Bush indicated at the signing ceremony that the United States had, by virtue of enacting the ADA, become the world leader in establishing rights and opportunities for persons with disabilities. He noted that other countries are looking to us for leadership. These amendments will help make sure that we accept that responsibility and begin to carry out that leadership.

Madam President, this is an amendment that is cosponsored by Senator HARKIN and Senator DOLE. What it does is to ask that our aid programs put a little greater emphasis on reaching the disabled community. Eighty percent of the disabled children, for example, in the world are receiving no services whatsoever where they live. Services for the disabled tend to be urban-based, and there are just millions of people out there who need some help. This is, I believe, completely noncontroversial. It simply adds another small thrust to our foreign assistance program that I think is important.

I am pleased to yield to my colleagues for any comments they may have. I think this amendment is acceptable on both sides.

Mr. HARKIN. Madam President, I am pleased to have this opportunity to work with my good friend, Senator SIMON, and with the distinguished minority leader, Senator DOLE, in cosponsoring these amendments to S. 1435. I strongly support these amendments, which represent another important step forward in our efforts to promote international human rights.

The precepts of the Americans With Disabilities Act should be a part of our foreign policy. The ADA makes it illegal to devise or employ attitudinal barriers or construct artificial barriers that prevent people with disabilities from participating in the economic, political, educational, social, and cultural mainstream.

The ADA requires that people be judged on the basis of their qualifications; not on the basis of fear, ignorance, prejudice, stereotypes, paternalism, or patronizing attitudes. The ADA requires that society no longer construct architectural, transportation, or communication barriers that preclude participation in the mainstream of American life. In sum, "independence" and "inclusion" are now recognized as basic civil rights.

I have spoken of the ADA as a 20th century emancipation proclamation for persons with disabilities. But for hundreds of millions of persons with visual and hearing impairments, physical disabilities, mental retardation, and mental illness around the world discrimination remains as debilitating as ever. They, too, need to know that America supports their aspirations to join the mainstream of their own society.

The ADA has had the support of a broad bipartisan coalition in this country. When the ADA was passed last year, the President noted that this is the world's first comprehensive declaration of equality for persons with disabilities, and that with its passage, the United States became an international leader on this human rights issue. I agree.

In my travels and here at home, I've had opportunities to hear firsthand from many leaders from around the world who are impressed with this legislation. Each has expressed interest in enacting similar legislation. Clearly, this is a new American revolution worth copying.

These amendments send a powerful message. They ensure that our foreign policy will address the special needs of persons with disabilities and that our foreign policy goals include the promotion of their civil rights. These amendments specifically seek to ensure the involvement of persons with disabilities in all aspects of development assistance, and encourage programs to enhance the independence of persons with disabilities.

I urge my colleagues to join with us in passing these amendments. Through

them America's beacon will guide the world.

Mr. SARBANES. Madam President, this amendment includes reference to persons with disabilities in the policy language for development assistance. It thereby places a greater focus on assistance to disabled people in developing countries.

Actually, at the urging of the able Senator from Illinois, the GAO undertook a study—this was last year?

Mr. SIMON. That is correct.

Mr. SARBANES. The GAO undertook a study on assistance to disabled people in the developing countries. Earlier this year, the GAO issued its report, concluding among the U.S. agencies only the Peace Corps had a specific mandate to assist disabled persons. And it also noted that AID, the major U.S. development agency, does not generally target the disabled in its regular bilateral programs, although missions in some 25 countries have in fact focused assistance in this area over the past 3 years.

Senators SIMON and HARKIN, and Senator DOLE, the Republican leader, seek to give an additional focus to the needs of the disabled in the developing countries by this amendment. We are prepared to accept the amendment on this side.

Mr. MCCONNELL. Madam President, I am not aware of any opposition to this amendment on this side.

The PRESIDING OFFICER. Is there further debate on the amendment? If there is no further debate on the amendment, the question is on agreeing to the amendment.

The amendment (No. 815) was agreed to.

Mr. SIMON. Madam President, I move to reconsider the vote by which the amendment was agreed to.

Mr. SARBANES. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. SARBANES. Madam President, I would just repeat that we are prepared to consider any amendments that Members may have to offer.

Pending that, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. WELLSTONE. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. WELLSTONE. Madam President, I ask unanimous consent that a fellow in my office, Katherine Magraw, be allowed floor privileges for the duration of the bill.

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

Mr. WELLSTONE. Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. SPECTER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. LIEBERMAN). Without objection, it is so ordered.

Mr. SPECTER. Mr. President, I ask unanimous consent that I may proceed for a period not to exceed 5 minutes as in morning business.

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

## THE PHILADELPHIA NAVY YARD

Mr. SPECTER. Mr. President, I have sought recognition to acquaint my colleagues with a very significant development in litigation in the Federal court in Philadelphia concerning the effort by the Navy Department to close the Philadelphia Navy Yard.

As my colleagues know, the Base Closure Commission has ordered the closing of many facilities around the country, including the Philadelphia Navy Yard. I and others in the Pennsylvania delegation have strenuously resisted this, first on grounds of national defense because the victory in the gulf war was attributed largely to air power. Much of the air power came from carriers, and many of those carriers were serviced in the Philadelphia Navy Yard.

Beyond the issue of national defense, which is the first criterion on the matter of base closure, there was, of course, a very substantial economic impact to the region of southeastern Pennsylvania, southern New Jersey, and Delaware.

When we were presenting our case before the Base Closure Commission, we advanced these arguments and were prepared to accept, in a good-faith determination, what the Commission concluded, until we found that the Department of the Navy had failed flagrantly to comply with the provisions of the Base Closure Act and the Department of the Navy had, in fact, concealed very important evidence which supported keeping the Philadelphia Navy Yard open. I refer specifically to memoranda from Admiral Claman and Admiral Hekman which recommended keeping the Philadelphia Navy Yard open, although downsizing the yard, and then further activity by the Department of the Navy with Under Secretary Howard telling Admiral Hekman not to testify before the Base Closure Commission.

These instances were in flagrant disregard of the rights of the Senators and Members of the House to have a full and fair presentation of the facts. We learned about these memoranda only after we got them from a collateral source, long after the May 22 hearing here in Washington and long after the May 24 hearing in Philadelphia.

As a result of failure to comply with the base closure law, a lawsuit was initiated in the name of a number of Members of the U.S. Senate, including myself, Senator WOFFORD, Senator BRADLEY, Senator LAUTENBERG, and a number of the Members of the House of Representatives and the Governors of Pennsylvania, New Jersey, and Delaware because of our sense of outrage at what happened on the procedures before the Base Closure Commission.

After the commission report was filed and approved, this Senator filed a resolution of disapproval. It came up in a hearing yesterday before the Armed Services Committee, and the members of the Commission there present responded rather irrelevantly, in my judgment, saying that they later considered what Admiral Claman's memo said, and they later considered what Admiral Hekman's memo said. One of the commissioners had talked to Admiral Hekman.

But that was not to the point. The point was that members of the congressional delegation were entitled to that evidence, entitled to know what it was, and entitled to have it available at the time that arguments were made. Furthermore, the Commission itself should have heard from Admiral Hekman, who was the key naval official involved.

Those reasons, Mr. President, are only a thumbnail sketch of the matters raised in this important lawsuit filed in Federal court. This afternoon, at 1:30, I was notified that Federal Judge Ronald L. Buckwalter, Jr., had entered an order in favor of the position which this Senator and other plaintiffs have asserted, and has granted the motion for expedited discovery on our showing that the Department of the Navy has concealed material facts and that it is necessary to get further evidence at this time under oath by the Navy officials, subject to the penalties of perjury.

It is one thing for the Department of the Navy to provide erroneous information in response to a letter of request from this Senator. It is another thing for the Department of the Navy, or anyone, to provide false and erroneous information when there is an order of court and when that information has to be provided under affidavit.

A date for a hearing on the motion for preliminary injunctive relief was also established by the court in another significant development, and, while I do not want to read too much into this order today, the Department of the Navy had raised an argument that the court lacked jurisdiction and the parties did not have standing which is, essentially stated, a move to defeat the entire lawsuit.

I believe it is a fair inference from the court's ruling today that there is, at least at this stage of the proceeding,

a conclusion by a Federal judge that there is appropriate jurisdiction, that the parties have proper standing and that based upon the information provided to date that a good showing has been made, good cause established to compel the Department of the Navy to disclose precisely what happened here under oath in an affidavit and documents. A long list of witnesses to be subject to interrogation in accordance with Federal discovery proceedings, including the commissioners on the Base Closing Commission, the Navy officials who had this vital information in support of keeping the Navy Yard open and a full disclosure of the entire Navy files has also been requested. I think that since this matter is before the Congress generally, it is a matter of some considerable importance.

Mr. President, I ask unanimous consent that the one-page order issued by Judge Buckwalter be printed in the RECORD at the conclusion of my comments.

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

(See exhibit 1.)

Mr. SPECTER. Mr. President, as to this important Federal litigation, I ask my colleagues to stay tuned. I thank the Chair.

EXHIBIT 1

[In the U.S. District Court for the Eastern District of Pennsylvania, Civil Action No. 91-4322]

Sen. ARLEN SPECTER, et al. *v.* H. Lawrence Garrett III, Secretary of the Navy, et al.

ORDER

And now, this 24th day of July, 1991, Plaintiffs' Motion for Expedited Discovery is GRANTED subject to the following conditions:

1. Counsel for the respective parties shall attempt to establish a mutually agreeable discovery schedule.

2. If such an agreement cannot be reached, each party shall submit to the court its proposed discovery schedule by July 29, 1991, together with any written argument it may have in support of its proposal.

3. A hearing on Plaintiff's Motion for Preliminary Injunctive Relief is scheduled for Monday, September 30, 1991 at 10:00 a.m. in a courtroom to be assigned.

By the Court:

RONALD L. BUCKWALTER, J.

Mr. SPECTER. Mr. President, I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. HELMS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. HELMS. I thank the Chair.

## INTERNATIONAL SECURITY AND ECONOMIC COOPERATION ACT OF 1991

The Senate continued with the consideration of the bill.

Mr. HELMS. Mr. President, presently I am going to offer an amendment. I hope the managers of the bill will accept it.

The amendment I have in mind would condition United States financial aid to the Soviet Union upon the Soviets stopping military and economic aid to Communist Cuba. In order for United States aid—that is American taxpayers' money—to be given to the U.S.S.R., the President of the United States would have to certify that the U.S.S.R. has stopped aid to Cuba. In other words, there is no point in sending the American taxpayers' money to Moscow when Mr. Gorbachev and his regime are just going to turn around and give many of those same dollars, directly or indirectly, to Castro's Communist regime.

I do not see how anybody in this country could favor sending a penny to Moscow as long as they are supporting Castro.

Just last week, Mr. Gorbachev took a trip over to London—hat in hand—begging for assistance for his teetering economy, with promises of reform.

Wisely, no direct assistance was forthcoming. However, the United States does currently provide trade through credits, loans, and technical assistance, and the argument is being heard more and more that at some point in the not-too-distant future the United States should begin to provide large-scale aid and credit to the Soviet Union. That is not unanimous. Here is one Senator that has considerable doubt about that.

So the amendment that I shall offer would make this assistance to the Soviets conditioned on the Soviet cessation of all military and economic aid to Fidel Castro and his Communist accomplices in Cuba.

Last year, the Cuban Government received approximately $5 billion in such aid. Over the past 10 years it received some $45 billion from the Soviet Union, more than half of which was in military aid. That should be of concern to all Senators being that Cuba is a mere 90 miles from Florida—less than a 30-minute plane ride from Miami.

Obviously, the Soviet military buildup in Cuba has put the United States at great risk.

Furthermore, the peace of the whole Western Hemisphere is endangered with the weapons presently deployed in Cuba. Cuba has helped destabilize the entire region. Castro has been a tireless campaigner in behalf of violent revolutionary Communist groups in El Salvador, Guatemala, Honduras, Argentina, Chile, Bolivia, and most notably in Nicaragua.

Mr. President, there has always been some difficulty in determining the exact amount of Soviet aid to Cuba. This is primarily due to the fact that the Soviet currency is absolutely worthless and nonconvertible on the world market. This allows Soviet and Cuban spokesmen to argue over the exact dollar equivalents of the aid provided to Cuba. However, the simple facts of Cuba's extraordinary level of hypermilitarization are indisputable.

Cuba's level of military mobilization is astonishing for a population of less than 10 million people. Yet the Cuban Armed Forces have built, and are continuing to build, to a level in excess of the combined strength of the United States Army, National Guard, and Army Reserve combined.

How do you imagine that the Cubans can afford such a buildup? With Soviet aid of course.

Let's look at military assistance provided to Cuba over the past several years. After all, since 1989, Mr. Gorbachev has assured the United States that support for Cuba, both economic and military, has been cut sharply—but the facts are otherwise.

Recently, several defectors from the Cuban military such as Brig. Gen. Raphael del Pino and Maj. Antonio de la Guardia have estimated that Soviet military aid to Cuba was roughly $2½ billion a year. It has been at that level since the early 1980's.

With this glut of military aid, Castro and his brother, Raul—who also happens to be the Cuban Defense Minister—has built, as I said earlier, the largest armed force in Latin America. Even Brazil, a country with 15 times as many people as Cuba and a geographical area 76 times as large, has a smaller armed force.

Just last year, Mr. President, the Soviet Union supplied Cuba with eight Mig-29 attack fighters. These are the same jet fighters that the Soviets have provided to Iran, Iraq, and Syria. They are comparable to the U.S. F-16 Hornet. These Mig-29's are the most advanced fighter bombers in the Soviet arsenal, and they are capable of carrying nuclear weaponry.

In addition, Major de la Guardia, a former Cuban intelligence officer, reported that Cuba has acquired several Soviet SS-20 mobile surface-to-surface, Intermediate-range ballistic missiles. And there are reports that U.S. military intelligence satellites have detected several heavily camouflaged SS-20's near underground military bases close to Havana.

The Soviets should recall that all SS-20's were banned under the 1988 INF Treaty. All were supposed to have been destroyed by May 31, 1991. As I have said many times, the Soviets have violated every treaty they have ever signed. They violated the INF Treaty, even though some Senators tried to warn about that at the time.

In any case, Mr. President, these reports are staggering. I am sure that all Senators remember the events that took place in October of 1962—the Cuban missile crisis. Deploying banned SS-20 INF missiles and Mig-29 nuclear

capable fighter-bombers is the most provocative act possible by the Soviets. It is a clear violation of the agreement reached by President Kennedy and Premier Khruschev, which ended the missile crisis by prohibiting any Soviet offensive weapon in Cuba.

So it is obvious, it seems to me, Mr. President, that Cuba's arsenal of Soviet-supplied equipment is far in excess of any threat that could possibly be posed to Cuba's security. Cuba has deployed advanced weaponry systems such as the T-62 battle tanks, the Foxtrot submarines, Mig-21 and Mig-23 fighters, surface-to-air missiles, attack helicopters, and advanced electronic and radar equipment. The list is endless.

So far, Mr. President, I mentioned only the military hardware that has been provided to Cuba by the Soviets. But let us not think that all Soviet aid comes to Cuba in the form of military hardware. For example, there are more than 13,000 Soviets in Cuba right now in military, combat, espionage, and technical roles, and the Soviets are currently expanding and modernizing their electronic espionage facility at Lourdes and are reported to be building a second, more sophisticated facility nearby.

In addition, the Soviet Army maintains a 2,800-man motorized combat brigade in Cuba, fully equipped with 40 tanks and 60 armored vehicles. The existence of this brigade was made public more than 13 years ago during the debate on the SALT II Treaty. When this was made public, that became instrumental to the decision of the Senate to defer indefinitely the ratification of SALT II. The Soviet combat brigade in Cuba is capable of serving as a Praetorian guard for Fidel Castro, protecting the Soviet facilities there, guarding nuclear warheads, and serving as the spearhead for a Soviet-Cuban projection of force throughout the region.

Mr. President, the facts are clear, at least to this Senator, that the Soviet Union has been a major supplier and supporter of Cuba and Cuba's military adventurism over the past 30 years. The facts, as I have stated, detail a major, longstanding Soviet commitment, both economic and military, to Communist Cuba.

I find it difficult to believe that hardliners in the Soviet Union, despite the promises made by Mr. Gorbachev, intend to cut loose their best ally in this region and quite possibly the world. It appears that Mr. Gorbachev is merely telling United States officials what they want to hear, that is, that Soviet aid to Cuba will cease—promises, promises.

Mr. President, the Soviets are currently experiencing their worst economic crisis in history. As I said at the outset, Mr. Gorbachev has been requesting massive economic assistance to prop up his illegitimate regime.

However, the Soviets still have sufficient resources to supply the Cubans, so that the Cubans can threaten the United States and threaten to destabilize all of Cuba's neighbors.

This amendment, which I will send to the desk momentarily, would rectify that situation. It would condition United States assistance to the Soviet Union on the cessation of Soviet military and economic aid to Cuba.

Senators know, I think, that I have never supported foreign aid. I have made that clear from the very beginning. I remember Sam Ervin, when he was my senior Senator from North Carolina. I went to him when the first foreign aid authorization bill was presented, and I said, "Senator, I cannot support this bill." He said, "Why should you?" He said, "I have never voted for a dime's worth of foreign aid and never will." So when Senator Ervin departed the Senate, I adopted his program with respect to foreign aid, because long before I lost my mind and ran for the Senate in 1972, I complained about sending billions of the American taxpayers' dollars overseas when they were so badly needed at home.

I am sure that the American people would be outraged to know that their hard-earned tax dollars are being used to bail out the Soviet Union, so that the Soviets can continue to bail out Fidel Castro and his Communist thugs in Havana.

Who knows, if the Soviets cut off aid to Mr. Castro, perhaps they will not even need the American taxpayers' dollar.

AMENDMENT NO. 816

Mr. HELMS. Mr. President, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The Senator from North Carolina [Mr. HELMS], for himself, Mr. GRAHAM, and Mr. MACK, proposes an amendment numbered 816.

On page 98, after line 19, add the following new section:

**SEC. 514. CONDITIONS ON ASSISTANCE TO THE SOVIET UNION.**

None of the funds made available under this Act, or under any amendment made by this Act, shall be available for disbursement to the government of the Union of Soviet Socialist Republics unless the President has certified to the Speaker of the House of Representatives, the chairman, and the ranking member of the Committee on Foreign Relations of the Senate that the Soviet Union has ceased all direct or indirect military or economic assistance to Cuba.

Mr. HELMS. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is not a sufficient second.

Mr. HELMS. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. HELMS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. HELMS. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

Mr. SARBANES. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. SARBANES. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. SARBANES. I thank the Chair.

The PRESIDING OFFICER. Is there further debate on the amendment offered by the Senator from North Carolina? If not, the question is on agreeing to the amendment of the Senator from North Carolina.

On this question, the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. FORD. I announce that the Senator from Arkansas [Mr. PRYOR], is absent because of illness.

The result was announced—yeas 98, nays 1, as follows:

[Rollcall Vote No. 145 Leg.]

YEAS—98

| | | |
|---|---|---|
| Adams | Fowler | Mikulski |
| Akaka | Garn | Mitchell |
| Baucus | Glenn | Moynihan |
| Bentsen | Gore | Murkowski |
| Biden | Gorton | Nickles |
| Bingaman | Graham | Nunn |
| Bond | Gramm | Packwood |
| Boren | Grassley | Pell |
| Bradley | Harkin | Pressler |
| Breaux | Hatch | Reid |
| Brown | Hatfield | Riegle |
| Bryan | Heflin | Robb |
| Bumpers | Helms | Rockefeller |
| Burdick | Hollings | Roth |
| Burns | Inouye | Rudman |
| Byrd | Jeffords | Sanford |
| Chafee | Johnston | Sarbanes |
| Coats | Kassebaum | Sasser |
| Cochran | Kasten | Seymour |
| Cohen | Kennedy | Shelby |
| Conrad | Kerrey | Simon |
| Craig | Kerry | Simpson |
| D'Amato | Kohl | Smith |
| Danforth | Lautenberg | Specter |
| Daschle | Leahy | Stevens |
| DeConcini | Levin | Symms |
| Dixon | Lieberman | Thurmond |
| Dodd | Lott | Wallop |
| Dole | Lugar | Warner |
| Domenici | Mack | Wellstone |
| Durenberger | McCain | Wirth |
| Exon | McConnell | Wofford |
| Ford | Metzenbaum | |

NAYS—1

Cranston

NOT VOTING—1

Pryor

So the amendment (No. 816) was agreed to.

Mr. McCONNELL. Mr. President, I move to reconsider the vote.

Mr. DOLE. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER (Mr. CONRAD). The Senator from North Carolina.

Mr. HELMS. Mr. President, I think I inadvertently failed to mention the distinguished Senator from Florida [Mr. MACK] is a principal cosponsor of this amendment and he has been so helpful all along on this general question. I ask unanimous consent that the RECORD reflect Senator MACK is, in fact, a principal cosponsor.

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

Mr. HELMS. I yield the floor.

Mr. PELL. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. LIEBERMAN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

AMENDMENT NO. 818

(Purpose: To authorize certain programs for the Baltic and Soviet Republics to support democracy and free market economies)

Mr. LIEBERMAN. Mr. President, I have an amendment at the desk, which I ask to be called up at this time, regarding aid to the Baltic and Soviet Republics.

The PRESIDING OFFICER. The clerk will report the amendment.

The assistant legislative clerk read as follows:

The Senator from Connecticut [Mr. LIEBERMAN] proposes an amendment numbered 818.

Mr. LIEBERMAN. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

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

The amendment is as follows:

At the appropriate place add the following:

TITLE XIII—SUPPORT FOR DEMOCRACY AND FREE MARKET ECONOMIES IN THE BALTIC AND SOVIET REPUBLICS

It is the sense of Congress that there should be established the position of special advisor for Baltic and Soviet Republic assistance.

The President should be authorized to appoint a special advisor for Baltic and Soviet Republics assistance. Such special advisor should make recommendations to the President regarding the coordination of United States assistance (other than section 1303(c)) for the Baltic Republics and the Soviet Republics authorized or supported by this Act.

**SEC. . BILATERAL PROGRAMS FOR THE BALTIC AND SOVIET REPUBLICS.**

(a) CITIZENS' DEMOCRACY CORPS.—Assistance should be provided under chapter 1 of part I of the Foreign Assistance Act of 1961 to the Citizens' Democracy Corps to establish a program for the Baltic and Soviet Republics, with an initial pilot program for the Baltic and Armenian Republics.

(b) POLICY REGARDING THE NATIONAL ENDOWMENT FOR DEMOCRACY.—It is the sense of the Congress that the National Endowment for Democracy, acting through the National Democratic Institute for Foreign Affairs, the National Republican Institute for Foreign Affairs, the Center for International Private Enterprise, and the American Institute for Free Labor Development should establish programs for the Baltic and Soviet Republics for the promotion of democracy and a free trade union movement, with a pilot program for the Baltic and Armenian Republics.

(c) GIFT OF DEMOCRACY.—Congress should: (1) endeavor to identify and secure the ways and means to implement an appropriate United States congressional gift of democracy to the Baltic and Soviet Republics in the form of equipment and training to help them establish a modern legislative process, with a pilot program of the Baltic and Armenian Republics; and

(2) coordinate this effort with private and public sector experts such as the National Democratic Institute for International Affairs and the National Republican Institute for International Affairs and with parliaments in Western Europe.

(d) ADDITIONAL AUTHORITIES FOR UNITED STATES AGENCIES.—The following United States agencies should establish the specified programs with any of the Baltic Republics or Soviet Republics and where appropriate to coordinate such projects with the Government of the Soviet Union:

(1) The Environmental Protection Agency should establish an environmental exchange program to help the Baltic and Soviet Republics to clean up their environment.

(2) The Department of Commerce should establish a trade program between the Baltic and Soviet Republics and the United States to promote trade and investment programs.

(3) United States Information Agency (USIA) should establish cultural and information exchange programs, including support for emerging private radio and television stations, as well as university-level exchanges in the Baltic and Soviet Republics.

(4) The Department of Justice, the Federal Reserve Board, and the Department of the Treasury should establish technical training programs for the Baltic and Soviet Republics in order to help them establish a functioning judicial system, financial system, and market economy.

(e) ASSIGNMENT OF COMMERCIAL OFFICER.—A commercial officer should be assigned to the United States Embassy in Moscow, for the purpose of developing better economic relations between the United States Government and business community and the Baltic and Soviet Republics.

(f) INTERNATIONAL EXECUTIVE SERVICE CORPS.—Assistance under chapter 1 of part I of the Foreign Assistance Act of 1961 should be provided to the International Executive Service Corps to develop and implement a program in the Baltic and Soviet Republics to advise private industry and, to the extent practical and useful, public industry, concerning how to make the transition to a market-based economy.

**SEC. . MULTILATERAL PROGRAMS.**

(a) POLICY REGARDING OECD STUDY.—(1) The United States Ambassador to the United States Mission to the Organization for Economic Cooperation and Development (OECD) should request the OECD Center for Economies in Transition to undertake a study of the economies of the Baltic and Soviet Republics, including a determination of the potential these republics have made toward developing a market economy and the amount of progress these republics have made in developing such an economy.

(2) Upon completion of the study described in subsection (a)(1), the Secretary of State should submit to the Congress a report setting forth the findings of that study.

(b) EUROPEAN BANK FOR RECONSTRUCTION AND DEVELOPMENT.—The United States Executive Director to the European Bank for Reconstruction and Development should discuss with the Bank's directors those programs that can be developed and carried out by the Bank to aid directly the Baltic and Soviet Republics. Not later than 180 days after the date of enactment of this Act, the Secretary of the Treasury shall submit a report to the Congress on the progress of such discussions.

**SEC. . DEFINITIONS.**

For the purposes of this title—

(1) the term "Soviet Republics" refers to all the constituent republics of the Union of Soviet Socialist Republics except for the Baltic Republics; and

(2) the term "Baltic Republics" means the republics of Lithuania, Latvia, and Estonia.

Mr. LIEBERMAN. Mr. President, this amendment is intended to complement work that the floor managers and the committee have done in structuring our aid program to the Soviet and Baltic Republics. It is in the form of a sense-of-Congress amendment that suggests a number of programs to help the Baltic Republics, the Armenian Republics, and all of the other constituent Republics in the Soviet Union, so long as the governments of those Republics demonstrate that they are committed to the process of democratization and marketization.

Mr. President, the intention of this amendment is not to undermine or second-guess anyone's policy toward the Soviet Union. The intention is to reach out directly to the forces of democracy and capitalism in the Soviet Union: the grassroots, democratic movements in the individual Soviet Republics. Programs that are set forth in this sense-of-the-Senate amendment would be coordinated by a special Presidential adviser to coordinate programs and initiatives to the Republics.

Examples of those programs include: direct involvement of the Citizen Democracy Corps, which will help bring private sector expertise to the Republics; the establishment of a gift of democracy program for the Baltic Republics similar to the program we set up for Poland recently that aided them in setting up the new Polish Parliament; and directing the EPA, Federal Reserve, and the Department of Commerce, among others, to get involved with the various republican governments of the Soviet Union.

Mr. President, there are two multilateral initiatives that are suggested in this sense-of-Congress amendment. One calls for the EOCD to study the economies of the Baltic and Soviet Republics to help them build a market-based system, and the other calls for the new European Bank for Reconstruction and

Development to develop programs to aid the Republics.

Mr. President, my hope is that we will create programs that will help the Soviet leadership and all Soviet citizens who have been thwarted by the vast and intransigent Soviet bureaucracy. Helping the Soviet Union, whether it be through aid or technical advice, cannot work if there is not a genuine transformation of the Soviet system. I think no such transformation will occur without that change beginning at the level of the Republics.

The Soviet economy is obviously imploding, as we have seen reported repeatedly. Soviet oil production is declining rapidly.

The United States cannot solve these fundamental economic problems, but we can help the Soviets at least at the margins. In this case, I believe the margins are the constituent Republics. By reaching out directly to them, we would be heeding the call of people like Vaclav Havel, who wrote recently that aid must be directed toward the Republics, and Dr. Igor Oleynik, a Soviet economist, who recently testified before the Joint Economic Committee and said that aid should go directly to the Republics with the most realistic market programs. That is the intention of this amendment. It, I hope, will lay a foundation for direct aid to the Republics in a way that will help the Soviet restructuring, increase the economic well-being of people throughout the Soviet Union, and most fundamentally increase the spread of democracy and human rights within the Soviet Union.

I urge adoption of the amendment.

The PRESIDING OFFICER. Is there further debate on the amendment?

Mr. McCONNELL. Mr. President, as I am sure the Senator from Connecticut knows, I am happy to support his amendment.

Mr. LIEBERMAN. Mr. President, I ask unanimous consent that Senator McCAIN be added as a cosponsor of the amendment.

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

Is there further debate on the amendment? If not, the question is on agreeing to the amendment of the Senator from Connecticut.

The amendment (No. 818) was agreed to.

Mr. LIEBERMAN. Mr. President, I move to reconsider the vote by which the amendment was agreed to.

Mr. McCONNELL. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. PRESSLER addressed the Chair.

The PRESIDING OFFICER. The Senator from South Dakota.

AMENDMENT NO. 819

Mr. PRESSLER. Mr. President, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from South Dakota [Mr. PRESSLER], for himself, Mr. DIXON, Mr. D'AMATO, Mr. COATS, and Mr. WALLOP, proposes an amendment numbered 819.

Mr. PRESSLER. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

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

The amendment is as follows:

At the appropriate place in the bill add the following section:

SEC. . LIMITATION ON ASSISTANCE.

(a) FINDINGS.—The Congress finds that—

(1) the long term national security of the United States, and of the peoples of the Soviet Union, would benefit greatly from the transformation of the Soviet Union to a fully democratic nation based on the principles of government by the people, respect for individual rights, and free market economic opportunity and

(2) assistance provided by the United States to the Soviet Union should promote rather than retard this transformation.

(b) CERTIFICATION.—During fiscal year 1992 and fiscal year 1993, assistance may not be provided to the Soviet Union under the Foreign Assistance Act of 1961 unless the President certifies in a report to the Congress that the following conditions have been met:

(1) That the Government of the Soviet Union has taken meaningful steps toward observing human rights for all citizens, including the following:

(A) The Soviet Government has ceased its interference with the freedom of the press in the Baltic states and the republics.

(B) The Soviet Government has returned control of all buildings and other property which it has seized since January 1, 1991 within the Baltic states to the freely elected governments of those states and other lawful owners of such buildings and other property;

(C) The Soviet Government has made assurances that such assistance will be distributed equitably among the Baltic states and the Soviet republics, as shown through a detailed plan of proposed distribution.

(D) The Soviet Government has ceased the threat and use of force against democratic movements.

(E) The Soviet Government has entered into meaningful negotiations with leaders of the Baltic states and the republics to ensure a smooth transition to self-determination.

(F) The people of the Soviet Union have been empowered to elect in genuinely free, fair, and open elections the government that rules them.

(G) The Soviet Government has not only codified but honors in practice the right of its citizens to leave the Soviet Union and to move freely within its borders, consistent with international standards.

(H) The Soviet Government compels no republic or historically recognized nationality group with a history of self-determination to remain part of the Soviet Union involuntarily, and fully respects the right of self-determination stipulated in the Universal Declaration of Human Rights, to which the Soviet Union is a party.

(I) The Soviet Government has withdrawn the authorization issued by Valentin Pavlov, the prime minister, permitting the police and the KGB to raid the offices of joint ventures involving nationals of Western European countries and the United States, in violation of their civil rights;

(2) That the threat to the United States from the armed forces of the Soviet Union has been reduced, including—

(A) that the Soviet Union—

(i) has adopted a defense budget which will draw down the percentage of its gross national product that is allocated for military purposes to levels approximating those of the United States, and

(ii) is beginning to implement this defense budget; and

(B) that the Soviet Union has terminated the modernization of its strategic forces.

(3) That the Soviet Union is no longer engaged in acts of subversion, or of support for international terrorism, that are directed at the United States or its allies.

(4) That the Soviet Union no longer provides assistance in the form of arms sales, military assistance, or any kind of grant, credit, commodity, or technology transfer to other countries, such as Cuba, North Korea, Afghanistan and Vietnam that are engaged in activities inimical to the national interests of the United States.

(5) That the Soviet Union has taken constructive steps toward completing the Strategic Arms Reduction Talks (START) and has placed a high priority on reaching an accord in the Defense and Space Talks.

(6) That full transparency exists with respect to data necessary for the United States to determine the creditworthiness of the Soviet Union and its ability to repay debt, such as other sovereign borrowers, including disclosure of the sources and uses of Soviet hard currency, the value of the strategic gold reserves of the Soviet Union, and other key economic and financial data.

(7) That, in order to demonstrate its creditworthiness and to demonstrate a commitment to economic reform, the Soviet Union has adopted specific provisions with strict, short timeliness for deregulating most prices, selling to privately owned entities most government-owned assets, and introducing genuine competition into the Soviet economy.

(8) That the Soviet Union is committed to environmental restoration and rehabilitation of unsafe nuclear facilities that it continues to operate.

(9) That the Soviet Union will not transfer to any country any equipment, technology, or services to build any VVERS nuclear reactors. In particular, that the Soviet Union will no longer provide support in the form of funds, equipment, technology, or services for the Cienfuegos project in Cuba.

(10) That any assistance otherwise prohibited by this subsection will be provided, whenever feasible, to the democratically elected governments of the Baltic states and the republics.

(c) CERTAIN ASSISTANCE NOT AFFECTED.—Subsection (b) shall not prohibit assistance to the government of, or through nongovernmental organizations to, any of the Baltic states or any eligible recipient in the Soviet Union as defined in section 862(f).

(d) WAIVER IN THE NATIONAL INTEREST.—The President may provide assistance to the Soviet Union notwithstanding subsection (c) if—

(1) he determines such assistance to be in the national interest of the United States;

(2) he submits his determination, together with the reasons therefor, to the President of the Senate and the Speaker of the House of Representatives;

(3) 30 legislative days have elapsed since the determination is so submitted; and

(4) in the case of credit assistance, the United States will retain collateral for the full dollar amount of such assistance.

Each submission under paragraph (2) shall include a description of the progress of the Soviet Union in meeting the conditions set in subsection (b).

Mr. PRESSLER. Mr. President, today I rise to propose an amendment to S. 1435 cosponsored by Senators DIXON, D'Amato, Coats, and WALLOP. My amendment insists that radical, structural change in the Soviet Union must precede any further United States taxpayer-supported aid to the Soviet Union. These conditions include significant improvements in human rights, creation of a democratic government, a reduction in military forces and spending, and transformation to a free-market economy. The amendment I am offering is identical to the Kyl-Frank amendment to the House foreign aid bill, which was approved by the House of Representatives by a vote of 374-41.

Mr. President, when it was considered in the other body, this amendment received overwhelming support because it is neither liberal nor conservative. These conditions on direct financial assistance to the Soviet Union are essential. Indeed, they are also in the best interest of both the United States and the Soviet Union, and they should be achieved as soon as possible.

My amendment is completely consistent with the position taken by President Bush and the other leaders of the Group of Seven in London as outlined last week in their joint final communique.

After meeting with President Gorbachev, the Group of Seven agreed to a six point program of technical assistance to the Soviet Union. This assistance includes:

Special associate status with the International Monetary Fund and the World Bank.

The provision of advice and expertise through the Organization for Economic Cooperation and Development and the European Bank for Reconstruction and Development to the Soviet Union to help it create a market economy.

Technical assistance in the areas of energy, conversion of defense industries to civilian output, improved food distribution, and nuclear safety.

The promotion of Soviet trade, particularly with Eastern Europe.

A visit by British Prime Minister, as chairman of the Group of Seven, to Moscow by the end of the year.

A study of the Soviet economy in Moscow by the Group of Seven finance ministers and ministers for small business.

Although the Group of Seven rejected a massive infusion of aid to the Soviet Union, that was exactly the type of assistance sought by the Soviet regime. Some Soviet officials asked for $20 billion to $35 billion a year from United States taxpayers for a number of years. The conditions in this amendment help the President resist proposals for large-scale direct financial aid to the Soviet Union.

Mr. President, the U.S. taxpayer correctly opposes that kind of assistance. According to an ABC-Washington Post news poll, two-thirds of all Americans are opposed to giving money to help the Soviet Central Government revitalize its collapsed economy. I have no doubt that U.S. taxpayers support my amendment.

I have heard from numerous American organizations that support this amendment. They include Americans of Cuban, Ukrainian, Armenian, Lithuanian, Latvian, and Estonian heritage. Their concern is with the recent Soviet human rights record, including the threat and use of force against the democratic movements. They demand an end to Soviet repression of the rightful demands of the Baltic States, the Soviet republics, and Cuba for self-determination and freedom.

President Bush has correctly described large-scale assistance to the Soviet Union, "that's a big chunk of change." Taxpayer's money should not be given away lightly especially when the United States has problems of its own, including huge deficits. President Bush also stated that even if a large amount of money were available for direct aid, the United States would not consider giving it unless it was in our best interest, achieves our objectives, and has a reasonable prospect for success.

Mr. President, I am convinced that large-scale foreign assistance to the Soviet Union is not in America's best interests. In fact, all evidence indicates that foreign assistance could do more harm than good. As President Yeltsin of the Russian republic stated during his visit to the United States last month, the Russian republic needs investment. He also asked for grain credits for the Soviet Union in coordination with the Russian republic. He was opposed to assistance that could be used to keep the hard-liners and the military in power. This amendment would not prohibit assistance to democratic republics such as Lithuania, Latvia, and Estonia. This amendment is not intended to interfere with the extension of credits for Soviet purchases of grain in the United States.

Mr. President, we all know that democracies are less threatening than authoritarian governments. That is why it is in the interest of the United States to give appropriate encouragement to the process of change in the Soviet Union. United States policy should promote a total transformation of Soviet political, economic and military systems. These conditions on United States assistance to the Soviet Union will help achieve our aims and will promote the legitimate aspirations of the republics for representative government, freedom, and a market economy. I hope that the Senate will support this amendment.

The PRESIDING OFFICER. Is there further debate?

Mr. SARBANES. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. PRESSLER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

AMENDMENT NO. 819, AS MODIFIED

Mr. PRESSLER. Mr. President, I will send a modified version of my amendment to the desk, and I want to explain to the Senate some of the changes. The amendment I originally offered was identical to an amendment that passed overwhelmingly in the House. Several changes have been made here at the suggestion of the managers of the bill and I am going to modify my amendment.

First of all, we are changing part (A)(ii), that requires "that the Soviet Union is beginning to implement this defense budget"; and (B) "that the Soviet Union has terminated the modernization of its strategic forces." We are replacing words "terminated the modernization" of Soviet strategic forces with the word "curtailed" based on recent United States-Soviet agreement on START.

Also, in section (5) of the amendment, we have removed the words "That the Soviet Union has taken constructive steps toward completing the strategic arms reduction talks [START] and has placed a high priority on reaching an accord in the defense and space talks." We are replacing that with "That the Soviet Union has placed a high priority on reaching an accord in the defense and space talks."

Since the House of Representatives acted, obviously, new developments have taken place on the START talks.

Finally, under "Waiver in the National Interest." We are taking out "30 legislative days" and replacing it with "10 days" since 30 legislative days take a long, long time, especially if the period begins around Christmas or August.

We are also taking out this section: "In the case of credit assistance, the United States will retain collateral for the full dollar amount of such assistance." We may have additional recommendations to conferees.

I send a modified version of this amendment to the desk and ask for its immediate consideration.

I thank the Senator from Maryland and the Senator from Kentucky and their staffs. I ask unanimous consent that Senator MCCAIN be listed as an original cosponsor.

The PRESIDING OFFICER. The Senator has a right to modify his amendment, and it is so modified.

The amendment (No. 819), as modified, reads as follows:

At the appropriate place in the bill add the following section:

**SEC. . LIMITATION ON ASSISTANCE**

(a) FINDINGS.—The Congress finds that—

(1) the long term national security of the United States, and of the peoples of the Soviet Union, would benefit greatly from the transformation of the Soviet Union to a fully democratic nation based on the principles of government by the people, respect for individual rights, and free market economic opportunity; and

(2) assistance provided by the United States to the Soviet Union should promote rather than retard this transformation.

(b) CERTIFICATION.—During fiscal year 1992 and fiscal year 1993, assistance may not be provided to the Soviet Union under the Foreign Assistance Act of 1961 unless the President certifies in a report to the Congress that the following conditions have been met:

(1) That the Government of the Soviet Union has taken meaningful steps toward observing human rights for all citizens, including the following:

(A) The Soviet Government has ceased its interference with the freedom of the press in the Baltic states and the republics.

(B) The Soviet Government has returned control of all buildings and other property which it has seized since January 1, 1991 within the Baltic states to the freely elected governments of those states and other lawful owners of such buildings and other property;

(C) The Soviet Government has made assurances that such assistance will be distributed equitably among the Baltic states and the Soviet republics, as shown through a detailed plan of proposed distribution.

(D) The Soviet Government has ceased the threat and use of force against democratic movements.

(E) The Soviet Government has entered into meaningful negotiations with leaders of the Baltic states and the republics to ensure a smooth transition to self-determination.

(F) The people of the Soviet Union have been empowered to elect in genuinely free, fair, and open elections the government that rules them.

(G) The Soviet Government has not only codified but honors in practice the right of its citizens to leave the Soviet Union and to move freely within its borders, consistent with international standards.

(H) The Soviet Government compels no republic or historically recognized nationality group with a history of self-determination to remain part of the Soviet Union involuntarily, and fully respects the right of self-determination stipulated in the Universal Declaration of Human Rights, to which the Soviet Union is a party.

(I) The Soviet Government has withdrawn the authorization issued by Valentin Pavlov, the prime minister, permitting the police and the KGB to raid the offices of joint ventures involving nationals of Western European countries and the United States, in violation of their civil rights;

(2) That the threat to the United States from the armed forces of the Soviet Union has been reduced, including—

(A) that the Soviet Union—

(i) has adopted a defense budget which will draw down the percentage of its gross national product that is allocated for military purposes to levels approximating those of the United States, and

(ii) is beginning to implement this defense budget; and (B) that the Soviet Union has curtailed its strategic forces.

(3) That the Soviet Union is no longer engaged in acts of subversion, or of support for international terrorism, that are directed at the United States or its allies.

(4) That the Soviet Union no longer provides assistance in the form of arms sales, military assistance, or any kind of grant, credit, commodity, or technology transfer to other countries, such as Cuba, North Korea, Afghanistan and Vietnam that are engaged in activities inimical to the national interests of the United States.

(5) That the Soviet Union has placed a high priority on reaching an accord in the Defense and Space Talks.

(6) That full transparency exists with respect to data necessary for the United States to determine the creditworthiness of the Soviet Union and its ability to repay debt, such as other sovereign borrowers, including disclosure of the sources and uses of Soviet hard currency, the value of the strategic gold reserves of the Soviet Union, and other key economic and financial data.

(7) That, in order to demonstrate its creditworthiness and to demonstrate a commitment to economic reform, the Soviet Union has adopted specific provisions with strict, short timeliness for deregulating most prices, selling to privately owned entities most government-owned assets, and introducing genuine competition into the Soviet economy.

(8) That the Soviet Union is committed to environmental restoration and rehabilitation of unsafe nuclear facilities that it continues to operate.

(9) That the Soviet Union will not transfer to any country any equipment, technology, or services to build any VVERS nuclear reactors. In particular, that the Soviet Union will no longer provide support in the form of funds, equipment, technology, or services for the Cienfuegos project in Cuba.

(10) That any assistance otherwise prohibited by this subsection will be provided, whenever feasible, to the democratically elected governments of the Baltic states and the republics.

(c) CERTAIN ASSISTANCE NOT AFFECTED.—Subsection (b) shall not prohibit assistance to the government of, or through nongovernmental organizations to, any of the Baltic states or any eligible recipient in the Soviet Union as defined in section 862(f).

(d) WAIVER IN THE NATIONAL INTEREST.—The President may provide assistance to the Soviet Union notwithstanding subsection (c) if—

(1) he determines such assistance to be in the national interest of the United States;

(2) he submits his determination, together with the reasons therefor, to the President of the Senate and the Speaker of the House of Representatives;

(3) ten days have elapsed since the determination is so submitted; and

Each submission under paragraph (2) shall include a description of the progress of the Soviet Union in meeting the conditions set in subsection (b).

Mr. SARBANES addressed the Chair.

The PRESIDING OFFICER. The Senator from Maryland.

Mr. SARBANES. Mr. President, we thank the Senator from South Dakota for addressing some of these relatively minor concerns we have. We think it strengthens his amendment, in terms of the modifications, and I am happy to accept the amendment on this side, as modified.

Mr. McCONNELL. I, too, thank the distinguished Senator from South Dakota, and also find his amendment acceptable.

Mr. MACK. Mr. President, I also want to compliment the Senator from South Dakota, particularly with respect to the language that deals with the transfer of technology from the Soviet Union to Cuba for the purpose of constructing a nuclear powerplant. The powerplant is of deep concern, frankly, to the people of Florida, and I would say to the people of the southeastern part of the United States.

I have had the opportunity to personally speak with some of the defectors from Cuba who have been working on this powerplant. Just to share with you one comment they made, this individual indicated that there are roughly 15 percent of the weld points in the construction of this powerplant that are defective.

I go further to say that in this country, if we found 1 percent—not 15 percent, but 1 percent—we would stop construction. There is every reason for us to be concerned.

I compliment the Senator for offering this amendment, and I ask unanimous consent that I be added as a cosponsor as well.

Mr. PRESSLER. Mr. President, I compliment the Senator from Florida and ask him: It is my understanding that this nuclear plant cannot be repaired. If they continue to build it, is it of such a nature that it cannot be constructed in an environmentally safe manner? Is that correct?

Mr. MACK. In response to the Senator's question, it is my understanding that at this stage of construction, to try to go back in and redo that welding is virtually impossible.

I further say that there is truly a debate about the design of the facility itself. Some argue that it is a design that is similar to Chernobyl; I do not believe that is the case. It has been an upgraded design.

Others argue that it is similar to a design in East Germany which, after the reunification of the Germanys, was shut down. So there are many reasons for us to be concerned here.

Again, I appreciate the Senator bringing this to the attention of the Senate.

The PRESIDING OFFICER. The Senator from Florida [Mr. MACK] will be added as a cosponsor of the amendment.

Is there further debate?

The question is on agreeing to the amendment, as modified.

The amendment (No. 819), as modified, was agreed to.

Mr. PRESSLER. Mr. President, I move to reconsider the vote by which the amendment was agreed to.

Mr. SARBANES. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. The Senator from Connecticut.

AMENDMENT NO. 820

(Purpose: To establish the Industrial Development for Eastern Europe Foundation)

Mr. LIEBERMAN. Mr. President, I send an amendment to the desk, concerning creation of an Industrial Development for Eastern Europe Foundation, and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report the amendment.

The assistant legislative clerk read as follows:

The Senator from Connecticut [Mr. LIEBERMAN] proposes an amendment numbered 820.

Mr. LIEBERMAN. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

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

The amendment is as follows:

At the appropriate place add the following:

TITLE XIII—INDUSTRIAL DEVELOPMENT FOR EASTERN EUROPE FOUNDATION

It is the sense of Congress that there should be established an entity to be known as Industrial Development for Eastern Europe Foundation (hereafter in this title referred to as the "Foundation"), to be governed by a Board of Governors as described in section 1304. It is the sense of the Congress that the President should negotiate with the governments of foreign nations for participation by such nations, consistent with section 1304, in carrying out the activities of the Foundation.

(b) PURPOSES.—The purposes of the Foundation should be—

(1) to promote and support joint, nondefense, industrial research and development activities of mutual benefit to the nations involved with the Foundation and its activities;

(2) to develop nondefense high technology industry in these nations, particularly through joint and cooperative projects between firms in participating nations;

(3) to aid with the modernization of the economies of these nations by helping them to create a more sophisticated manufacturing base; and

(4) to help these nations to become economically viable by providing benefits to their industrial sector particularly through joint projects.

(c) PARTICIPATION OF OTHER NATIONS.—The President should negotiate with the governments of foreign nations for participation by such nations, consistent with section 1304, in carrying out the activities of the Foundation.

SEC. . FUNCTIONS AND POWERS OF THE FOUNDATION.

(a) The Foundation should support and promote the purposes stated in section 1302(b) and research and development activities which—

(1) involve all applied science activities in the process through which an innovation becomes a commercial product; and

(2) assist with product engineering and manufacturing start up.

(b) The Foundation should work closely with, and to the extent practicable coordinate its activities with, the OECD and the European Bank for Economic Recovery and Development, drawing on the expertise of those institutions in achieving its purposes.

(c) The Foundation should be a legal entity and should have all the powers necessary to carry out its objective, including the power to—

(1) promote and support, by funding or otherwise, joint industrial research and development projects (hereafter in this title referred to as "projects"), in accordance with subsection (d);

(2) make loans and grants;

(3) enter into contracts;

(4) provide services;

(5) acquire, hold, administer, and dispose of real and personal property;

(6) receive, hold, and disburse funds, and open bank accounts;

(7) accept contributions of property, funds, and services; and

(8) employ personnel.

(d)(1) Foundation projects should be undertaken and otherwise supported through direct investment and joint ventures in order to develop the more advanced technology sectors of the economics of Foundation member nations.

(2) All technology and products developed as a result of the work of the Foundation should be freely transferable among the nations participating in a project.

(3) More than one member nation of the Foundation should participate in each Foundation project.

(4) All Foundation projects undertaken should be in compliance with the export control laws of the United States.

(e) Nothing in this title should be construed to prejudice other arrangements for scientific cooperation between the United States and other member states of the Foundation.

SEC. . BOARD OF GOVERNORS.

(a) A Board of Governors (hereafter in this title referred to as the "Board"), should be the governing body of the Foundation and should be responsible for determining the Foundation's program, including the fields of cooperative research to be supported by the Foundation, and the Foundation's financial and managerial policies.

(b) The Board should consist of—

(1) the Secretary of State or his designee;

(2) the Secretary of Commerce or his designee;

(3) the Secretary of the Treasury or his designee; and

(4) a representative from the Foreign Ministry, Ministry of Finance, Ministry of Trade and Industry, and the National Science Foundation or its equivalent from the governments of Poland, Hungary, and Czechoslovakia.

(c) Subject to the provisions of this title, the Board should have the authority to—

(1) adopt bylaws and rules of procedure;

(2) establish regulations defining the policies, organization, and procedures of the Foundation;

(3) appoint an Executive Director;

(4) approve the annual budget and research program of the Foundation indicating, among other things, the research and development fields to which priority is to be given;

(5) accept contributions of property, funds, and services;

(6) establish the principal office of the Foundation in a neutral location;

(7) approve project and other expenditures by the Foundation and agreements pertaining to projects to be funded by the Foundation; and

(8) exercise and delegate any other power of the Foundation not otherwise assigned by this title.

(d) Each other East European country should be eligible for membership in the Foundation whenever the Board determines that such country has made sufficient progress toward marketization and democratization and is not in violation of section 502B of the Foreign Assistance Act of 1961.

(e) The chairman of the Board should be a United States national and should serve for a one-year term. The chairmanship should rotate among the three Board members designated under subsection 1304(b) (1), (2), and (3).

(f) The Board should meet at least twice a year, but meetings of the Board may be held at such times and places as the Board may from time to time determine.

(g) The Board shall act by a vote of at least two-thirds of its entire membership.

(h) Members of the Board should serve without compensation from the Foundation, but the Board should authorize the payment by the Foundation of the necessary expenses of any members in attending Board meetings and in performing other official duties for the Foundation. Acceptance of such payments by Board members of the Foundation for this purpose should not be deemed in violation of Ethics in Government Act for the purposes of carrying out this section.

(i) The Board should provide for annual audits by independent auditors of the accounts of the Foundation. The reports of such audits, which should be submitted to all member governments, should contain certification as the accounts of the Foundation and evaluate the Foundation's internal control and auditing system.

SEC. . ADVISORY COUNCIL.

(a) An Advisory Council (hereafter in this title referred to as the "Council"), should act in an advisory capacity to the Board and the staff of the Foundation. The Council should—

(1) help the Board and the Foundation staff evaluate projects; and

(2) make proposals as to which sectors of member nation economies offer the best opportunity for a favorable return on an investment.

(b) Recommendations made by the Council to the Board and the staff of the Foundation should not be binding.

(c) The Council should consist of three members from the business and finance community from each nation belonging to the Foundation. In the case of the United States, the President should appoint the members.

(d) The chairmanship of the Council should change on a yearly basis, rotating among the members of the panel and alternating among member countries.

(e) The Council should meet at least twice a year. To the extent practical, it should meet at the same time and place as the Board.

(f) Members of the Council should serve without compensation from the Foundation, but the Board should authorize the payment by the Foundation of necessary expenses of any members of the Council attending Council meetings and in performing other official duties for the Foundation.

SEC. . STRUCTURE OF THE FOUNDATION.

(a)(1) The Foundation should be administered by an Executive Secretariat. The Executive Secretariat should be headed by an Executive Director, the Executive Director should be a United States citizen, and—

(A) act as a liaison to the Board; and

(B) coordinate the activities of the Executive Secretariat and the Board.

(2) There should be three Deputy Directors, one each for Poland, Hungary, and Czechoslovakia, who would evaluate projects from each nation, making recommendations to the Board and the Executive Secretariat as to whether or not the Foundation should support the project; and

(3) Additional Deputy Directors should be created as more nations join the Foundation.

(b)(1) The Executive Director should be the chief executive officer of the Foundation. He should be responsible for the operations and staff of the Foundation, and should act in accordance with the policies, directives, and delegation of the Board.

(2) The Executive Director should employ, oversee, and dismiss the members of the professional administrative staff subject to the approval of the Board.

(3) The Executive Director should among other things—

(A) evaluate proposals for projects submitted to the Foundation and prepare and submit recommendations and draft agreements concerning project proposals to the Board for its approval;

(B) prepare and submit to the Board for its approval an annual budget and research program, including long-range plans for use of the Foundation's resources;

(C) prepare and submit to the Board for its approval an annual report, including an audited financial statement, on the activities of the Foundation: and

(D) implement decisions of the Board.

(4) Any power of the Executive Director under this title or delegated to him by the Board may be delegated by him to other officers of the Foundation, except as otherwise prescribed by the Board.

(5) The Executive Director may obtain assistance from outside professionals and experts for the purposes of evaluating proposals and auditing and monitoring projects sponsored by the Foundation. These professionals and experts may be given compensation by the Foundation for services rendered, as approved by the Board.

(6) The Executive Director should be permitted to organize various activities, such as consultant visits, information exchanges, and similar activities, to facilitate the achievement of the Foundation's objective. The Executive Director should be given a budget approved by the Board to undertake these activities.

(7) The Executive Director should maintain an appropriate system of internal control, including books and records which reflect the transactions of the Foundation and show the current financial condition of the Foundation. Such system should include adequate internal financial and operational audits. The books, records, and internal audit reports should be available for review by authorized representatives of governments involved with the Foundation.

**SEC. . OPERATIONS OF THE FOUNDATION.**

(a) The Foundation's operations should consist mainly of the selection, approval, and monitoring of projects funded in whole or in part by the Foundation. All proposals for such projects should be submitted through the Executive Director to the Board for approval.

(b) Each proposal considered by the Board should—

(1) be submitted by Foundation member entities;

(2) demonstrate the technical and economic feasibility of the project;

(3) contain evidence that the applicant is capable of carrying out the project, either alone or through the partial subcontracting to universities, industrial research institutes, or other qualified entities; and

(4) indicate that the applicant will contribute, from its own financial resources or resources available to it, some portion of the financial resources required to carry out the project.

(c) Each proposed project considered by the Board should—

(1) propose a tangible, direct benefit for the national economies of Foundation member nations, such as an increase in exports, value added or new markets;

(2) be of interest to Foundation member nation's industry;

(3) be of general interest to an entire industrial field;

(4) directly or indirectly contribute to additional development of products, processes, or markets; and

(5) have tangible benefits for nations involved with a project.

(d) For purposes of subsection (c)(5), a project having a tangible benefit should be one that—

(1) is submitted by one or more Foundation member firms or a joint venture between a United States firm and a member nation firm;

(2) will require expenditures for goods and services in nations involved with the project; and

(3) meets any other criteria established by the Board.

Mr. LIEBERMAN. Mr. President, for over four decades we promised the people of Central and Eastern Europe that we would help them in their struggle to free themselves from the yoke of communism. They have now succeeded beyond our expectations, but we find it difficult to live up to our end of the bargain.

We are understandably concerned about domestic economic problems and the limitation on our own resources. There is little money to spare in our budget. But we are trying and the committee has tried, I think quite ably, in this bill to come up with creative ways to use our resources, to pool our resources so that we can help the newly free countries of Eastern and Central Europe who have committed themselves so boldly to both democracy and capitalism. This amendment would attempt to suggest another such creative use of our resources. In that sense, it is consistent with what the committee has done in the bill.

This is a sense-of-Congress amendment that urges the creation of what I call an Industrial Development for Eastern Europe Foundation. Mr. President, this is modeled on a highly successful existing foundation called Binational Industrial Research and Development Foundation [BIRD] which was established in 1977 to develop a cooperative relationship between American and Israeli high-technology industries. BIRD has an income of approximately $10 million a year. Almost all of that comes from its $110 million endowment fund. And with that income it shares the expense, the investment cost, 50–50 with an Israeli-American venture trying to develop and commercialize a nondefense technical product or process.

Mr. President, in the last decade this foundation, BIRD, has supported over 250 joint ventures, and over 100 of these have led to sales of over $1.5 billion. Its success is due to a number of factors, including the advance state of research and development in Israel.

Mr. President, if we look at the population of the countries of Eastern and Central Europe it should make us confident that the basic concept between the Israeli-American Foundation is equally applicable to Central and Eastern Europe.

A while ago I requested a study be done by the Congressional Research Service, and it was done, entitled "Eastern European and Soviet Science Technology: Capabilities and Needs." In it the study's author, Bill Boesman, writes that Eastern European sciences and technology capability have been largely ignored. The population of these countries in Central Europe is extremely well educated. These countries can play an increasingly important role leading to greater East-West cooperation on science and technology developments.

So this Foundation, IDEE, just like the Israeli-American Foundation, would receive its operating expenses from interest on endowment as well as any royalties it might receive from successful projects. Contributions to the endowment would be made by all member nations—the United States, as well as each of the nations of Eastern and Central Europe that chooses to become a partner in this process. It is clear that the three nations that are best able to take advantage of this idea will be Hungary, Poland, and Czechoslovakia.

Mr. President, this foundation, IDEE, will only need a one-time appropriation since its projects will be funded from its interest on the endowment and from royalties.

I want to add that, while the primary purpose it has is to foster the growth of high-technology industries in the nations of Central and Eastern Europe, there are going to be clear advantages here from American firms willing to become involved with Central and Eastern European entrepreneurs, engineers, and scientists. American investors will be able to share in any profits and innovations developed through joint ventures.

I know we all believe that it is important, as we continue to look for more cost-effective ways to aid the nations of Central and Eastern Europe, that we make every effort at the same time to develop programs that will also be of benefit to American businesses and to America. The best way to receive continued support for funding for such programs is to make sure that American interests will receive some benefit from these programs, and this IDEE Foundation embodies that principle of helping American business

while at the same time helping the private sector of its Central and Eastern European member nations.

Mr. President, I urge my colleagues to support the amendment.

The PRESIDING OFFICER. Is there further debate on the amendment?

The Senator from Rhode Island.

Mr. PELL. Mr. President, I would like to say a word of support for this amendment authored by the Senator from Connecticut. Having lived in Eastern Europe for a couple of years before it became Communist and recognizing the travail that prevails there now, this approach is exactly what is needed. What they want is not cash, money, riches; what they want is know-how. And this is offering them know-how and it is modeled after the successful American-Israeli Foundation. It has merit, and I think we should all accept it.

Mr. McCONNELL. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. LIEBERMAN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

AMENDMENT NO. 820, AS MODIFIED

Mr. LIEBERMAN. Mr. President, I send a modification of my amendment to the desk at this time.

The PRESIDING OFFICER (Mr. WELLSTONE). The Senator has a right to modify his amendment and the amendment is so modified.

The amendment (No. 820), as modified, is as follows:

At the appropriate place add the following:

TITLE XIII—INDUSTRIAL DEVELOPMENT FOR EASTERN EUROPE FOUNDATION

It is the sense of Congress that there may be established an entity to be known as Industrial Development for Eastern Europe Foundation (hereafter in this title referred to as the "Foundation"), to be governed by a Board of Governors as described in section 1304. It is the sense of the Congress that the President should negotiate with the governments of foreign nations for participation by such nations, consistent with section 1304, in carrying out the activities of the Foundation.

(b) PURPOSES.—The purposes of the Foundation may—

(1) to promote and support joint, nondefense, industrial research and development activities of mutual benefit to the nations involved with the Foundation and its activities;

(2) to develop nondefense high technology industry in these nations, particularly through joint and cooperative projects between firms in participating nations;

(3) to aid with the modernization of the economies of these nations by helping them to create a more sophisticated manufacturing base; and

(4) to help these nations to become economically viable by providing benefits to their industrial sector particularly through joint projects.

(c) PARTICIPATION OF OTHER NATIONS.—The President should negotiate with the governments of foreign nations for participation by such nations, consistent with section 1304 in carrying out the activities of the foundation.

SEC. . FUNCTIONS AND POWERS OF THE FOUNDATION.

(a) The Foundation may support and promote the purposes stated in section 1302(b) and research and development activities which—

(1) involve all applied science activities in the process through which an innovation becomes a commercial product; and

(2) assist with product engineering and manufacturing start up.

(b) The Foundation may work closely with, and to the extent practicable coordinate its activities with, the OECD and the European Bank for Economic Recovery and Development, drawing on the expertise of those institutions in achieving its purposes.

(c) The Foundation may be a legal entity and may have all the powers necessary to carry out its objective, including the power to—

(1) promote and support, by funding or otherwise, joint industrial research and development projects (hereafter in this title referred to as "projects"), in accordance with subsection (d);

(2) make loans and grants;

(3) enter into contracts;

(4) provide services;

(5) acquire, hold, administer, and dispose of real and personal property;

(6) receive, hold, and disburse funds, and open bank accounts;

(7) accept contributions of property, funds, and services; and

(8) employ personnel.

(d)(1) Foundation projects may be undertaken and otherwise supported through direct investment and joint ventures in order to develop the more advanced technology sectors of the economies of Foundation member nations.

(2) All technology and products developed as a result of the work of the Foundation may be freely transferable among the nations participating in a project.

(3) More than one member nation of the Foundation may participate in each Foundation project.

(4) All Foundation projects undertaken may be in compliance with the export control laws of the United States.

(e) Nothing in this title may be construed to prejudice other arrangements for scientific cooperation between the United States and other member states of the Foundation.

SEC. . BOARD OF GOVERNORS.

(a) A Board of Governors (hereafter in this title referred to as the "Board") may be the governing body of the Foundation and may be responsible for determining the Foundation's program, including the fields of cooperative research to be supported by the Foundation, and the Foundation's financial and managerial policies.

(b) The Board may consist of—

(1) the Secretary of State or his designee;

(2) the Secretary of Commerce or his designee;

(3) the Secretary of the Treasury or his designee; and

(4) a representative from the Foreign Ministry, Ministry of Finance, Ministry of Trade and Industry, and the national science foundation or its equivalent from the governments of Poland, Hungary, and Czechoslovakia.

(c) Subject to the provisions of this title, the Board may have the authority to—

(1) adopt bylaws and rules of procedure;

(2) establish regulations defining the policies, organization, and procedures of the Foundation;

(3) appoint an Executive Director;

(4) approve the annual budget and research program of the Foundation indicating, among other things, the research and development fields to which priority is to be given;

(5) accept contributions of property, funds, and services;

(6) establish the principal office of the Foundation in a neutral location.

(7) approve project and other expenditures by the Foundation and agreements pertaining to projects to be funded by the Foundation; and

(8) exercise and delegate any other power of the Foundation not otherwise assigned by this title.

(d) Each other East European country be eligible for membership in the Foundation whenever the Board determines that such country has made sufficient progress toward marketization and democratization and is not in violation of section 502B of the Foreign Assistance Act of 1961.

(e) The chairman of the Board may be a United States national and may serve for a one-year term. The chairmanship may rotate among the three Board members designated under subsection 1304(b) (1), (2), and (3).

(f) The Board may meet at least twice a year, but meetings of the Board may be held at such times and places as the Board may from time to time determine.

(g) The Board shall act by a vote of at least two-thirds of its entire membership.

(h) Members of the Board may serve without compensation from the Foundation, but the Board may authorize the payment by the Foundation of the necessary expenses of any members in attending Board meetings and in performing other official duties for the Foundation. Acceptance of such payments by Board members of the Foundation for this purpose may not be deemed in violation of Ethics in Government Act for the purposes of carrying out this section.

(i) The Board may provide for annual audits by independent auditors of the accounts of the Foundation. The reports of such audits, which may be submitted to all member governments, may contain certification as the accounts of the Foundation and evaluate the Foundation's internal control and auditing system.

SEC. . ADVISORY COUNCIL.

(a) An Advisory Council (hereafter in this title referred to as the "Council"), may act in advisory capacity to the Board and the staff of the Foundation. The Council may

(1) help the Board and the Foundation staff evaluate projects; and

(2) make proposals as to which sectors of member nation economies offer the best opportunity for a favorable return on an investment.

(b) Recommendations made by the Council to the Board and the staff of the Foundation may not be binding.

(c) The Council may consist of three members from the business and finance community from each nation belonging to the Foundation. In the case of the United States, the President may appoint the members.

(d) The chairmanship of the Council may change on a yearly basis, rotating among the members of the panel and alternating among member countries.

(e) The Council may meet at least twice a year. To the extent practical, it may meet at the same time and place as the Board.

(f) Members of the Council may serve without compensation from the Foundation, but the Board may authorize the payment by the Foundation of necessary expenses of any members of the Council attending Council meetings and in performing other official duties for the Foundation.

**SEC. . STRUCTURE OF THE FOUNDATION.**

(a)(1) The Foundation may be administered by an Executive Secretariat. The Executive Secretariat may be headed by an Executive Director. The Executive Director should be a United States citizen, and—

(A) act as a liaison to the Board; and

(B) coordinate the activities of the Executive Secretariat and the Board.

(2) There may be three Deputy Directors one each for Poland, Hungary, and Czechoslovakia who may evaluate projects from each nation, making recommendations to the Board and the Executive Secretariat as to whether or not the Foundation may support the project; and

(3) Additional Deputy Directors may be created as more nations join the Foundation.

(b)(1) The Executive Director may be the chief executive officer of the Foundation. He may be responsible for the operations and staff of the Foundation, and may act in accordance with the policies, directives, and delegation of the Board.

(2) The Executive Director may employ, oversee, and dismiss the members of the professional administrative staff subject to the approval of the Board.

(3) The Executive Director may, among other things—

(A) evaluate proposals for projects submitted to the Foundation and prepare and submit recommendations and draft agreements concerning project proposals to the Board for its approval;

(B) prepare and submit to the Board for its approval an annual budget and research program, including long-range plans for use of the Foundation's resources;

(C) prepare and submit to the Board for its approval an annual report, including an audited financial statement, on the activities of the Foundation; and

(D) implement decisions of the Board.

(4) Any power of the Executive Director under this title or delegated to him by the Board may be delegated by him to other officers of the Foundation, except as otherwise prescribed by the Board.

(5) The Executive Director may obtain assistance from outside professionals and experts for the purposes of evaluating proposals and auditing and monitoring projects sponsored by the Foundation. These professionals and experts may be given compensation by the Foundation for services rendered, as approved by the Board.

(6) The Executive Director may be permitted to organize various activities, such as consultant visits, information exchanges, and similar activities, to facilitate the achievement of the Foundation's objective. The Executive Director may be given a budget approved by the Board to undertake these activities.

(7) The Executive Director may maintain an appropriate system of internal control, including books and records which reflect the transactions of the Foundation and show the current financial condition of the Foundation. Such system may include adequate internal financial and operational audits. The books, records, and internal audit reports may be available for review by authorized representatives of governments involved with the Foundation.

**SEC. . OPERATIONS OF THE FOUNDATION.**

(a) The Foundation's operations may consist mainly of the selection, approval, and monitoring of projects funded in whole or in part by the Foundation. All proposals for such projects may be submitted through the Executive Director to the Board for approval.

(b) Each proposal considered by the Board may—

(1) be submitted by Foundation member entities;

(2) demonstrate the technical and economic feasibility of the project;

(3) contain evidence that the applicant is capable of carrying out the project, either alone or through the partial subcontracting to universities, industrial research institutes, or other qualified entities; and

(4) indicate that the applicant will contribute, from its own financial resources or resources available to it, some portion of the financial resources required to carry out the project.

(c) Each proposed project considered by the Board may—

(1) propose a tangible, direct benefit for the national economies of Foundation member nations, such as an increase in exports, value added or new markets;

(2) be of interest to Foundation member nations' industry;

(3) be of general interest to an entire industrial field;

(4) directly or indirectly contribute to additional development of products, processes, or markets; and

(5) have tangible benefits for nations involved with a project.

(d) For purposes of subsection (c)(5), a project having a tangible benefit may be one that—

(1) is submitted by one or more Foundation member firms or a joint venture between a United States firm and a member nation firm;

(2) will require expenditures for goods and services in nations involved with the project; and

(3) meets any other criteria established by the Board.

Mr. LIEBERMAN. Mr. President, very briefly the modification is intended to make clear that there is nothing mandatory about the amendment; that we are suggesting the creation of this American, Eastern and Central European Foundation for joint high-technology business development as a good idea and one we hope the administration will carry forward on the model of the existing BIRD foundation, which established similar joint ventures between Israeli and American companies and has been enormously successful.

But the aim is to make that a suggestion, a request, a hope, and not to mandate. I ask that the amendment, as modified, be adopted.

The PRESIDING OFFICER. Is there further debate? If not, the question is on agreeing to the amendment.

The amendment (No. 820), as modified, was agreed to.

Mr. LIEBERMAN. Mr. President, I thank the managers for their kind support.

Mr. President, I move to reconsider the vote by which the amendment was agreed to.

Mr. SARBANES. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 821

(Purpose: To restrict access of the Soviet Union to the resources of international financial institutions)

Mr. MACK. Mr. President, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Florida [Mr. MACK], for himself, Mr. GARN, Mr. MCCAIN, and Mr. LIEBERMAN, proposes an amendment numbered 821.

Mr. MACK. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

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

The amendment is as follows:

On page 225, between lines 4 and 5, insert the following new section:

**SEC. 902. SOVIET ACCESS TO THE FINANCIAL RESOURCES OF INTERNATIONAL FINANCIAL INSTITUTIONS.**

(a) FINDINGS.—The Congress finds that—

(1) the Soviet Union has adopted a more cooperative posture on a range of international political issues that has moved East-West relations beyond the stalemate of the Cold War, assisted the cause of world freedom and peace, and permitted improved relations with the United States;

(2) at the same time, the course of internal political and economic developments in the Soviet Union has been far less clear, with increased political pluralism as represented by free elections in various Republics matched by instances of political repression, including armed intervention in the Baltic states;

(3) in the economic arena, tentative movements toward economic liberalization have produced a breakdown of the former command economy but little tangible evidence of movement toward a market economy;

(4) in its international trade and aid relationships, the Soviet Union continues to support repressive political regimes and to encourage regional instability through substantial economic support for Cuba, Vietnam, Afghanistan, and North Korea and continues to export substantial quantities of arms and unsafe nuclear technology, which represent a threat to regional stability and the world environment;

(5) it is in the interest of the United States to encourage Soviet cooperation on international problems and to promote adoption of a fully democratic form of government and economic transformation from a centrally planned to a free market economy in the Soviet Union;

(6) expanded economic ties with the West can advance the process of transformation by educating the Soviets to the benefits of political pluralism, market economics, and free trade;

(7) Western financial assistance could also potentially assist the process of transformation but it carries substantial risks on the Soviet side of delaying needed reform and propping up the failed structures and policies of the past and, on the United States side, of assuming unacceptable risks of default on taxpayer-financed credits;

(8) the study of the Soviet economy prepared by the International Monetary Fund, the International Bank for Reconstruction

and Development, the Organization for Economic Cooperation and Development, and the European Bank for Reconstruction and Development concluded that without a major and comprehensive reform program additional financial transfers to the Soviet Union would be of little or no lasting value;

(9) given these views and concerns, no financial transfers should be provided to the Government of the Soviet Union by the Government of the United States nor should the United States support Soviet borrowing rights in any international financial institutions in excess of those to which the Soviet Union is already entitled until the Soviet Union has fundamentally changed its economic and political orientation and committed itself irrevocably to a major and comprehensive economic reform program.

(b) SOVIET ACCESS TO THE RESOURCES OF THE INTERNATIONAL MONETARY FUND.—The Secretary of the Treasury shall instruct the United States Executive Director to the International Monetary Fund to use the voice and vote of the United States to oppose Soviet membership in the Fund, and the United States shall support no future expansion of Fund quotas in which the Soviet Union would participate, until 30 days after the President certifies and reports to the Congress the following:

(1) ECONOMIC REFORM.—That, as an indication that the Government of the Soviet Union is implementing free market economic policies, the following actions have been taken:

(A) provision of all data necessary for the Fund and its members to accurately determine the size, composition, and creditworthiness of the Soviet economy;

(B) establishment of the right to own private property and engage freely in commerce, including progress towards the creation of a legal and administrative framework to permit the free exercise of such rights;

(C) implementation of effective procedures for privatization of government enterprises;

(D) significant progress in dismantling central planning mechanisms, in eliminating price controls, and in establishing a market-based pricing system; and

(E) Adherence to international rules regarding trade, protection of foreign investors, and protection of intellectual property rights.

(2) ROLE OF THE CENTRAL GOVERNMENT.—That, as an indication that the Soviet Union is reducing the size and scope of government expenditures, especially categories of expenditure that threaten world security and divert resources from market-based economic reform, the following actions have been taken:

(A) implementation of a defense budget that achieves significant reduction in the percentage of gross domestic product devoted to military purposes including, in particular, reduction of strategic nuclear weapons arsenals and other weapons of mass destruction, with the objective of reducing such percentage to levels approximating those of the Western democracies; and

(B) termination of economic subsidies and military assistance, including an end to transfers of destabilizing missiles, other sophisticated weapons systems and nuclear technology, to countries that have supported international terrorism, such as Syria, Libya, and Iraq, and that have participated in efforts to destabilize neighboring states, such as Cuba, North Korea, and Vietnam.

(3) POLITICAL REFORM.—That, as an indication that the Soviet Union has embraced democratic processes upon which successful economic development is predicated, the following actions have been taken:

(A) free and fair multiparty elections for the national parliament and leadership;

(B) good faith negotiations between the Government of the Soviet Union and leaders of the Baltic states and other republics that have elected to become independent of the Soviet Union; and

(C) demonstrated sustained commitment to peaceful resolution of disputes with republican governments and democratic movements.

(c) EXPANDED SOVIET ACCESS TO THE RESOURCES OF THE EUROPEAN BANK FOR RECONSTRUCTION AND DEVELOPMENT.—The Secretary of the Treasury shall instruct the Executive Director to the European Bank for Reconstruction and Development to use the voice and vote of the United States to oppose expansion of access by the Soviet Union to the resources of the Bank pursuant to paragraph 4 of Article 8 of the Bank's articles of agreement unless the President has made the certification and report required under subsection (b).

(d) DEFINITION.—For purposes of this section—

(1) the term "Soviet membership" includes any association with the Fund involving contribution or borrowing of Fund resources, but excludes any association with the Fund as an observer or in an advisory status involving technical assistance; and

(2) the term "Soviet Union" includes all successor states (other than the Baltic states) to the Soviet Union.

Mr. MACK. Mr. President, first I want to thank both the Senator from Maryland and the Senator from Kentucky for working with me on fine-tuning this amendment. It is an amendment that I now understand is acceptable and will be accepted. I am offering this amendment on my behalf along with Senator GARN, Senator MCCAIN and Senator LIEBERMAN.

Mr. President, let me set the stage for this amendment. I did not realize when I began working on the amendment several weeks ago, that the Soviet Union would be formally requesting full membership to the IMF at the same time we would be dealing with this legislation. It was my intent to come up with a series of conditions that the Soviet Union would have to meet in order to become a full member.

What has occurred is that for several months there has been a discussion about what role the Soviet Union would play in the IMF and most of us, and the administration, certainly, has taken the lead to establish a position of something quite considerably less than full membership. In fact, the agreement by the G-7 was the establishment of what is called either special status or associate status, which is exactly where I think we should be.

But my concern, as we went through the hearings on the IMF—and certainly now that the Soviet Union has progressed to the point of formally requesting full membership, I think it is in fact appropriate that we establish conditions that must be met by the Soviet Union in order for them to become a full member.

It was my intention to go into a more lengthy explanation of the amendment, but I think that since we have had the opportunity to work on the various components, I do not feel the necessity to do that, even though I will touch on what I think, again, are the conditions that we have established. But I think it is, in fact, in the best interest of the United States and the entire world for the Soviet Union to continue its movement toward reform. I think it is important that I recognize that up front.

But I think it is equally important to recognize that we are still getting mixed signals. On one hand, we were all excited and elated about seeing the idea of democracy, of free elections. A popular election of the President of Russia is a very significant change. But within the last 6 or 7 months we have also seen the Soviet Union use force to hold back the forces of reform and independence in the Baltic States. So we are getting mixed signals and for that reason I think it is appropriate for us to state conditions that would have to be met by the Soviet Union in order for them to become a full member of IMF.

Basically, the conditions that we are talking about in this amendment fall into three categories: Economic reform, reform of the role of the central government, and political reform. Again, let me just touch on those and I will be very brief on them.

With respect to economic reform, we are talking about the right to private property, and I might just make an additional comment here.

If we are looking for something that signals that the Soviet Union has controlled the Rubicon with respect to reform, I would say that it is to say that each Soviet citizen has a right to own private property and with that right the right to sell it at some point in the future. I think at that point we can all kind of step back and say the most significant reforms have taken place within the Soviet Union.

In addition to the economic reform that I just mentioned, we talk about dismantling of central planning and price controls, provision of all data necessary to assess the Soviet economy, and abide by trade laws and protect intellectual property rights.

In the role of the central government reform, we are talking about defense budget significantly reduced; strategic nuclear weapons reduced; end economic subsidies, military aid, and nuclear technology transfers to Cuba, North Korea, and Vietnam.

I want to make one additional note here to say how much I appreciate my colleagues for raising, on a number of occasions today, the issue of Cuba. It is natural for an individual like myself, who lives in the State of Florida, who spends a great deal of time in south Florida with the Cuban community,

and who has been focused on trying to bring about freedom and democracy in Cuba now for 30-some years.

Again, to put it on a personal basis, I still remember the day that I offered a resolution that I believe all the Members of the Senate joined in, that had to do with releasing Alfredo Mustelier from political prison.

He was a political prisoner for over 20 years in Cuba. Two of his cellmates, if you will, the last of whom was just released within the last several months—and if you read the papers about what is happening in Cuba today you see two Cubans stowed away on an aircraft flying out of Cuba, and unfortunately, either were crushed by the landing gear or they were just killed as a result of the low temperatures that these planes fly at these high altitudes, 65 degrees below zero. Those two young men lost their lives in their quest for freedom.

So, again I compliment my colleagues for continuing to raise the issue of Cuba, the need to bring about freedom and democracy in Cuba.

We go on further to talk about political reform, again as part of the conditions: Free and fair and multiparty elections for national leadership; good faith negotiations with the Baltics and republics that elect independence and demonstrate commitment to nonuse of force against republic governments and democratic movements. I think these are all conditions that have been talked about by a number of Members of the Congress; that have been talked about in the administration.

So again I want to compliment the managers of the bill for their willingness to work with me to make some adjustments here to allow them to accept this amendment. One additional reason for offering the amendment is I think it is important for us to recognize that our well-intended economic assistance to the Soviets at the wrong time could, in fact, be counterproductive. We could end up providing economic assistance that would be used to keep in place the policies that do not work.

In closing, I would like to read a few comments from an op-ed piece that was in the New York Times on Sunday, July 14. It is by the President of Czechoslovakia, Vaclav Havel.

A number of us had an opportunity in February 1990 to listen to President Havel as he addressed a joint meeting of the Congress. I think it goes without saying we were all moved by what he had to say, and the commitment he made to bring freedom and democracy, justice and human rights to the people of Czechoslovakia. I want to read a part of this op-ed piece. He says:

> When I addressed the joint session of the Congress in February 1990 I made the following remark. 'I often hear the question, How can the United States of America help us today?'" His response was, "You can help us most of all if you help the Soviet Union on its irreversible but immensely complicated road to democracy.

Actually, that comment has caused some confusion as to what President Havel actually meant. So he goes on further in this article to indicate what it was he meant. He says:

> Too many people took for granted that I meant economic help, which I did not * * * I meant that it was in the interests of my country, of Europe, and of the whole world to help make the Soviet Union a more free, more democratic and more stable place, with the emphasis on democracy.
>
> The experience of the post-war period has shown us that no amount of economic assistance will make a totalitarian country more prosperous unless it is also made more Democratic.

He goes on further to say about why it is important we not provide aid before reform. He says:

> It also presents a risk. Should the antidemocratic forces in the Soviet Union prevail again and use whatever outside assistance might come to bolster that obsolete regime.

Again, I think this is a timely amendment. I think it is an amendment that should be accepted and, hopefully, it sets the parameters upon which we can now look towards the future as to how the Soviet Union can become a full member of the IMF.

Mr. MCCAIN. Mr. President, a struggle that has been waged for centuries between the forces of tyranny and the forces of freedom has recently turned unprecedentedly in favor of the forces of freedom. We have all witnessed the events of the last 2 years in Eastern Europe and are inspired by them. They reinforce our faith in the truths that our founding fathers expressed over 200 years ago.

In 1789, Thomas Jefferson looked across the Atlantic and was thrilled by the events of the French Revolution. The events, however, were to turn tragic through the reign of terror and the rise of Napoleon Bonaparte. Without a clear idea of what was happening in France, Mr. Jefferson gave moral sanction to one of the greatest tragedies in human history.

I rise today to support the amendment offered by my colleagues from Florida to see that before we offer assistance to the Soviet Union we have a clear idea of what we are supporting. Mr. Mack's amendment will ensure that before assistance is offered, the Soviet government guarantees its people their God-given rights.

At the recent G-7 meeting in London, it became clear that the Western industrialized democracies are hesitant to bail out the Soviet Union without a clear program of reform. The President himself has indicated that he will not support assistance to the Soviet Union beyond technical assistance until it is clear that the Soviet union is moving toward a democratic society and form of government.

Because direct assistance is no longer a possibility given the current extent of Soviet reforms, Senator MACK's amendment addresses the next logical source of funding for the Soviet Union, international lending institutions.

The United States should not give its consent to assistance from the international lending institutions unless the Soviets can give clear evidence that they have made substantial progress in democratic reforms. I think it is only fair that while denying aid to the Soviet Union we outline in law the specific reforms that are needed. Senator MACK's amendment to the bill before us will do precisely this.

Mr. GARN. Mr. President, I join my colleague Senator MACK in proposing an amendment to the International Security and Economic Cooperation Act of 1991 regarding Soviet borrowing from international financial institutions. The amendment would require the Secretary of the Treasury to instruct the United States representatives at the international institutions to oppose both Soviet membership in the International Monetary Fund and expanded Soviet access to the new European Bank for Reconstruction and Development until the President is able to certify and report to the Congress that substantial steps toward economic and political reform have been taken by the Soviet Government.

I have worked with Senator MACK on this amendment because I believe it is critical that the Soviet Union understand clearly that it cannot enjoy the benefits of financial assistance from Western institutions until and unless it embraces the political and economic principles to which the democracies that principally fund those institutions adhere. The Soviet Union's policies for 70 years have punished the Soviet people and threatened world peace and prosperity. The human potential wasted under communism, the human suffering caused by terrorist groups and antidemocratic governments funded by the Soviet Union, and the massive economic resources wasted on the cold war all represent debts owed to the world by the discredited Communist leadership of the Soviet Union.

Given the enormity of this debt, it would not be unreasonable to insist on compensation by the Soviets. However, Western governments have made clear that they are willing to move forward in expanding economic and political cooperation with the Soviet Union as long as its Government is willing to reform its bankrupt policies. While this is an exceedingly generous approach, I can live with it. But while I am not going to insist on restitution for the victims of Soviet crimes, I am certainly unwilling to support compensation for the perpetrators either.

The Soviet Union should get no United States foreign aid, no funds from the IMF or the World Bank, and no expanded access to the EBRD until real change takes place in the Soviet Union. I am not talking here about

pledges to change but real, demonstrated change. We have been hearing commitments to political liberalization and economic reform by the Gorbachev government for years, but fundamental change is nowhere in sight.

Internationally, the Soviet Union has adopted a more cooperative posture on a range of international political issues but it continues to support repressive political regimes and encourage regional instability through substantial economic support for Cuba, Vietnam, Afghanistan, and North Korea. Domestic politics has moved toward increased political pluralism as represented by the free election of Boris Yeltsin as President of the Russian Republic. At the same time, the Communist Party remains firmly in control of the Soviet economy and Government and instances of political repression continue, including armed intervention in the Baltic States.

On the economic front, the Soviet economy seems to be locked in reverse. Tentative movement toward economic liberalization has produced a breakdown of the former command economy but little tangible evidence of movement toward a market economy. While expanded economic ties with the West could advance the process of transformation in the Soviet Union, there is ample reason to believe that resources transferred to the Soviet Union would be resources wasted.

The study of the Soviet economy prepared by the International Monetary Fund, the International Bank for Reconstruction and Development, the Organization for Economic Co-operation and Development, and the European Bank for Reconstruction and Development concluded that without a major and comprehensive reform program, additional financial transfers to the Soviet Union would be of little or no lasting value. A study by Anders Aslund prepared for the World Bank's annual conference on development economics entitled "Prospects for Economic Reform in the USSR" makes similar findings. It concludes:

> As long as the Soviet Union does not have a regime that enjoys political legitimacy, there is little the outside world can do in order to assist it. Its demand for foreign credits is likely to be insatiable for the bad reason that the government uses these funds to mitigate popular dissatisfaction, but there is no good reason for others to provide such funds.

These experts believe that aid to the Soviet Union will be wasted until fundamental economic and political reform takes place. This amendment will ensure that, at least with respect to the international financial institutions, no Western aid will be provided until the Soviet Union has fundamentally changed its economic and political orientation and committed itself irrevocably to a major and comprehensive economic reform program.

I believe this is sound policy and I understand that the Treasury can accept it. In fact, now that the Soviet Government has made a formal application to join the IMF, there are indications that the administration may even take a formal position in support of it. I would welcome their support and I urge my colleagues to support adoption of the Mack amendment.

Mr. SARBANES. Mr. President, we have been in discussion with the distinguished Senator from Florida with respect to this amendment. Some modifications have been made to it. I appreciate what the Senator is seeking to accomplish. We are prepared to accept the amendment on this side.

The PRESIDING OFFICER. The Senator from Kentucky is recognized.

Mr. McCONNELL. Mr. President, we have reviewed the amendment of the Senator from Florida, and I, too, find it excellent.

Mr. MACK. Mr. President, I urge its adoption.

The PRESIDING OFFICER. Is there further debate? If there be no further debate, the question is on agreeing to the amendment of the Senator from Florida.

The amendment (No. 821) was agreed to.

Mr. MACK. Mr. President, I move to reconsider the vote.

Mr. SARBANES. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. SARBANES. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

Mr. WELLSTONE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. CRANSTON). Without objection, it is so ordered.

The Senator from Minnesota is recognized.

Mr. WELLSTONE. Mr. President, I will be sending an amendment to the desk shortly, and I would like to speak about this amendment right now.

I will rise to offer an amendment, along with the Presiding Officer and other Senators whom I will mention in a while, to the fiscal year 1992 foreign aid authorization bill. This amendment strengthens provisions for a multilateral moratorium on arms transfers to the Middle East included in both the fiscal year 1992 foreign aid authorization bill and the fiscal year 1992 State Department authorization bill.

The committee bill rightly recognizes that it is essential that the world not resume the Middle East arms bazaar as if nothing has changed. The gulf war demonstrated the immediate need to curb the worldwide arms trade and to prevent the spread of advanced conventional, chemical, biological, and nuclear weaponry.

The bill states the desirability of a multilateral arms moratorium on transfer of arms to the Middle East. This amendment would require the United States to take the next logical step and demonstrate that it is willing to lead other nations to achieve such a multilateral moratorium.

Specifically, this amendment prohibits the United States from exporting any new advanced conventional arms to the Middle East, as long as another major arms supplier nation does not export such equipment to the region.

The only unilateral action, Mr. President, called for in this amendment is U.S. leadership. The resulting moratorium is multilateral.

This amendment, offered by a number of Senators, would ensure that the United States lead the way in reducing the deadly arms bazaar, without sacrificing U.S. competitiveness in international trade. This amendment is carefully crafted, so as to ensure that U.S. companies will not be disadvantaged in relation to companies from the other major suppliers.

This amendment prohibits U.S. transfer of major weapons to the Middle East, as long as no other major supplier has agreed to such a transfer. It does not prohibit companies from discussing possible sales with Middle Eastern governments. If companies from other nations go ahead and conclude a sale, then United States companies can go ahead and conclude sales. I hope that does not happen, Mr. President, but I want to be clear about this again: We take the lead. If other nations do not follow, then all bets are off.

This amendment is virtually identical to provisions in the House foreign aid bill passed by the House of Representatives in June, after having been unanimously—I repeat, unanimously—agreed to by the House Foreign Affairs Committee on May 23, 1991. The principal difference between our amendment and the House language is that the effective date of the House bill's moratorium is May 21, 1991. The effective date of this amendment is the date of enactment.

The committee bill calls upon the President to "take good-faith efforts" to convene a conference of major supplier nations to negotiate controls on major weapon transfers.

This language was drafted before the President's Middle East arms control initiative. The committee reports concludes that good-faith efforts have been made. Indeed, a conference formally opened for a 2-day session in Paris on July 8, 1991. The next plenary is scheduled for October in London. The committee bill also contains sense-of-the-Congress language supportive of a multilateral moratorium and the notion of a "challenge moratorium."

Our amendment would strengthen this "challenge moratorium" to re-

quire the United States to demonstrate that it is willing to take the lead in this ongoing conference in order to achieve a temporary multilateral moratorium, followed by tight proliferation controls.

Now that the suppliers conference has begun, the United States should take the next step by challenging other nations to follow our example in suspending arms sales. This would demonstrate U.S. determination to control weapons proliferation and provide a pause in arms sales conducive to negotiating controls.

We are not demonstrating such determination if we are preaching restraint but practicing the same business-as-usual salesmanship. The administration continues to boost sales to the Middle East at the same time it talks of Middle East arms control. Within days of its Middle East arms control initiative, the administration had also announced its intent to provide F-15's to Israel and Apache helicopters to the United Arab Emirates and possibly Bahrain. The UAE is reportedly slated to receive M1A1 tanks and Bradley fighting vehicles also. A proposal to sell up to $14 billion in advanced conventional weapons to Saudi Arabia is expected to be sent to Congress as early as September.

Rather than saying "no" to individual arms sales—a difficult legislative effort to execute—the Congress should demand that the United States and the world should not return to business-as-usual in the Middle East. This amendment would prevent further arms sale to the Middle East until another major arms supplier sells to the region.

Mr. President, no one can doubt that the tremendous accumulation of weapons in the region has made Israel, as well as her antagonists, not more secure but less secure. In the long term, Israel cannot win an endless arms race in the Middle East, and in the short term, arms sales tend to benefit Arab countries at the expense of Israel. Throughout the region, shaky economies have been hurt by excessive military expenditures and domestic priorities have been egregiously warped.

I hope that a positive legacy of this war will be to focus world attention on the need for regional arms control to address all categories of weapons proliferation in the region—nuclear, chemical and biological, ballistic missiles and conventional.

Mr. President, in recent months we have heard a lot about the overmilitarized Middle East from our administration, from other governments and from the American people. It is time to stop talking and start doing something about it.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. CRANSTON. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. WELLSTONE). Without objection, it is so ordered.

Mr. CRANSTON. Mr. President, I am joining with Senator WELLSTONE, who is presently presiding over the Senate, in offering this amendment because I believe we can and must do even more to stem the flow of arms to the Middle East. This amendment builds on the fine Middle East arms control language in the bill. Language very analogous that we are proposing in this amendment is now in the bill. It simply builds upon that and strengthens the challenge moratorium provision in response to the recent multilateral meeting on arms suppliers.

I emphasize this is not a unilateral moratorium on American arms sales to the Middle East. This is a challenge, a challenge to the multilateral group of nations which supply arms in one way or another, sometimes openly, sometimes secretly, in the Middle East or to the Middle East.

What is a challenge if we do not set some standard for the supplier nations to meet? Should they continue to proceed with arms sales in a business-as-usual fashion? That is, should a major arms supplier nation enter into an agreement to transfer major military equipment on or after the date of enactment, then the moratorium ceases, no moratorium? And then, of course, we would urge the administration to redouble U.S. efforts to negotiate such a multilateral moratorium.

The only way to start to end this spiraling arms free-for-all is to say stop, stop now. If we continue to sell weapons throughout the region, the major suppliers have no reason to take our efforts seriously. By setting an example, an American example, at the same time we attempt to negotiate a multilateral arms control regime, we are challenging the major suppliers to demonstrate their resolve.

I understand that the administrative has concerns about all the Middle East arms control language in the bill. They do not like what is in it now. I am afraid, however, that we cannot afford to be complacent about efforts now underway to limit Middle East arms sales. One 2-day meeting in Paris of major suppliers, a meeting which took place earlier this month, cannot reverse a billion-dollar trend overnight. The next meeting will not even take place until October.

We need to take action now, right now, to prevent some of the bigger sales looming down the road. I believe this amendment can prevent the transfer of sophisticated weaponry to the Middle East, a region already top-heavy with the instruments of death. And we are talking here about all sorts of weapons that are very deadly, longer and longer range, including nuclear weapons.

We all know how unstable the Middle East is. We have seen that in the course of recent events involving Iraq and American and allied troops and a lot of death, destruction, and disruption.

(Mr. WELLSTONE assumed the chair.)

Mr. CRANSTON. Had Saddam Hussein had nuclear weapons, we might have faced a very different situation. He sought them. Fortunately, thank God, he did not get them in time.

Others are seeking them. Others are making progress toward getting them. Apparently Pakistan now has them. The President was unable to certify that they did not, and so aid was cut off to Pakistan under the present law.

A nuclear explosion of weapons in the Middle East would be an absolute catastrophe and we should be doing all we can to prevent it. And if we can set an American example by stopping selling advanced weapons to the Middle East as long as others cease and desist, this could lead to a very important breakthrough on the road to a more stable Middle East and a more stable world.

I spoke yesterday in the course of the most-favored-nation debate about China, about what that nation is doing in spreading nuclear weapon technology in the Middle East and elsewhere. Senator BIDEN spoke on that subject also. Others expressed concern about that and their concern should be very, very deep indeed.

Let me review just what one nation, China, is doing. If we get a moratorium, that would have to affect China or the moratorium would not go on. We certainly have to find ways to restrain China when you look at the record of what China is doing. And this effort is designed to move us in that direction.

To review a bit of history, after World War II, the nations of the world banded together to form the United Nations. In so doing, every nation, including China, agreed to certain basic principles concerning human rights, security, and trade. Gradually, all nations have agreed to expand upon those principles and make them operational in a number of international organizations. One of the key principles concerns the safeguarding of international peace and stability.

China, through its actions, is now undermining international peace. China is now destroying world order. China is now doing things that make more likely the fulfillment of the grave danger that nuclear weapons may be used in the Middle East.

Reasonable people could argue whether or not this is a deliberate intent of the Chinese leadership. Perhaps they just want to make money by exporting weapons of mass destruction. But the effect of their actions, whether

deliberate or not, is very, very tragically clear.

The American people should be awakened to the dark cloud China is now spreading in the Middle East and elsewhere around the world.

China is the fifth largest supplier of arms to the Third World. Throughout the 1980's, China secretly provided weapons to South Asia, South Africa, South America, and the Middle East. This includes the transfer of nuclear and chemical technologies.

During the last year, Chinese sales of ballistic missiles and their launchers to Syria, Pakistan, and Iran have been reported. China has reportedly arranged sales of M-9 and M-11 missiles to Syria and Pakistan. Both are capable of delivering nuclear warheads at distances ranging approximately 200 to 400 miles. China has also transferred to Saudi Arabia CSS-2 missiles with a 1,500-mile range and with a nuclear payload capacity.

China has systematically and secretly helped nations develop a nuclear capacity in conjunction with its sale of delivery systems.

A few months ago it was reported that China had been secretly aiding Algeria develop a nuclear facility.

China has also been active in assisting Iraq to develop a nuclear weapons facility, providing it with lithium hydride, a chemical used in the production of nerve gas, missile fuel, and various types of nuclear weapons.

China secretly sold tons of heavy water to India through a West German nuclear materials broker, according to testimony in my Foreign Relations Subcommittee.

Here they are arming both sides in the perennial dispute between Pakistan and India. Help Pakistan get a bomb; help India get a bomb.

In the early 1980's China reportedly gave Pakistan plans for a nuclear bomb. Our concern was so great here in our country that last October, as I noted a bit ago, President Bush suspended military aid to Pakistan because the administration could no longer assure Congress that Pakistan did not have nuclear weapons. In April, the President barred the sale of American components to a Chinese satellite because of his concern about China's involvement in the export of weapons of mass destruction.

On June 20, just very recently, the Chinese denied reports that they have sold medium-range missiles to Pakistan. On June 27, they confirmed that they were selling M-11 missiles to Pakistan. The M-11, we believe, is in violation of the missile technology control regime.

On July 7, even more recently, the Associated Press reported that Iran—Iran—was determined to develop nuclear weapons and was looking to China for help, even though Deputy Secretary Eagleburger had assured the Foreign Relations Committee on June 27 that China was not trying to sell nuclear weapons technology and/or nuclear technology to Iran.

The Nuclear Control Institute recently released a partially declassified Defense Intelligence Agency cable, dated May 12, 1986, which states that China had completed a feasibility study in 1986 to construct a nuclear powerplant in Iraq by 1990. A nuclear powerplant in Iraq by 1990. One of the plant's specifications was that it should have the "ability to [be] camouflag[ed] from satellites." Why camouflage it? Well, I think the answer is rather obvious.

Given what apparently we did not know about Iraq's nuclear capacity, I suggest that the administration reassess what assistance China could be providing to other countries in that region.

Mr. President, I wish that I could say more about this matter of what China is doing in respect to exporting nuclear technology to the Middle East and elsewhere. I know more. I cannot say it because it is classified. I would like to urge every Senator who realizes the seriousness of the spreading of nuclear weapon technology around the world to ask for and gain access to the classified documents that are very illuminating on this subject. We will have a more informed Senate on these matters if all or most Senators go and learn the very forboding facts on this subject.

Mr. President, the amendment that Senator WELLSTONE and I and others have offered is consistent, I repeat, with the language in the bill. It just makes it stronger. The language was developed very carefully by a bipartisan group of our colleagues in the House of Representatives—including Chairman FASCELL, of the Foreign Affairs Committee of the House: Representatives HAMILTON, BERMAN, SOLARZ, LEVINE, and HYDE—and the amendment is included in the House version of the foreign aid bill. The other body has already acted to do what we are seeking to have acted upon favorably in the Senate.

This approach can lead to greater stability in the Middle East, for all the people there—for the people of Israel, whose enemies would not then be armed and armed and armed, causing Israel to have to arm and arm and arm; endangering the economies of all the countries there; endangering the security of all the people and the nations there; and diverting time, attention, resources, wealth and activity from lifting the living standards of the many people there who suffer from a very low living standard that creates instability in that part of the world. Substituting for expenditures on arms expenditures to lift the living standards of the people will help bring stability and peace to the Middle East, to our friend, Israel, and to the world.

This challenge moratorium is not intended to replace a permanent negotiated moratorium. Rather, this action will strengthen the administration's hand in these negotiations. It certainly should do that. I urge my colleagues to study this provision very carefully and to decide it merits their support.

The PRESIDING OFFICER. The Senator from Illinois is recognized.

Mr. DIXON. Mr. President, what is the order of business at this time?

The PRESIDING OFFICER. The pending business is S. 1435.

AMENDMENT NO. 822

(Purpose: To strike section 305, relating to purchases of United States goods and services)

Mr. DIXON. Mr. President, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Illinois [Mr. DIXON], for himself Mr. DOLE, Mr. KOHL, Mr. MCCONNELL, Mr. GRASSLEY, Mr. LUGAR, Mr. SYMMS, Mr. DANFORTH, Mr. CRAIG, Mr. COATS, Mr. DURENBERGER, and Mr. PRESSLER, proposes an amendment numbered 822.

Strike out section 305 of the bill.

Mr. DIXON. Mr. President, I would like the attention of my colleagues wherever they may be in their respective offices right now because I am informed by the majority leader and managers and others that they would like to dispose of this amendment in a decent timeframe. The managers have indicated that in an hour or so they are compelled to offer, probably, a motion to table this amendment.

So I urge my colleagues who are interested in this subject matter to come to the floor as soon as they can, to be involved in this debate. The old question of cargo preference has been before us many times.

I see my good friend the Republican leader on the floor and I am delighted to yield to him.

Mr. DOLE. I agree with the amendment and I would like to vote for it. The Senator said an hour or so. I wonder, did he mean an hour?

Mr. DIXON. May I say to the Republican leader, I have not asked for a unanimous consent agreement for time limit. This Senator would be prepared to vote almost momentarily. However, I am joined by cosponsors on both sides of the aisle. As usual, about this time in the evening, we are scattered a little bit around the building and I just wanted everybody to know that in short order we would like to dispose of this amendment. We do not intend to spend the night on it, the managers tell me, and I acquiesce in that wish and the wish of the majority leader which I suspect is supported by the Republican leader as well.

I am prepared to go forward with this amendment. I would like to speak on it just now.

I would like my colleagues of all political persuasions, and there are many, to know this is the cargo preference question. I believe the administration supports my view that this section should be stricken from the bill and this insidious practice of continuing to extend cargo preference and requiring shipment on American bottoms at all times is a bad practice. That is what I intend to talk about here.

I am delighted to be joined by my colleague, the distinguished Republican leader, and I am willing to dispose of it in whatever order is reasonable.

Mr. DOLE. Will the Senator yield just one further moment?

Mr. DIXON. Yes, of course.

Mr. DOLE. The Senator is right as far as the administration is concerned. In fact, when it finally gets to the President, I would guess he would veto it. He has indicated he would veto it. He indicated in a letter I put in the RECORD last evening this is one area where a veto would be correct.

So, the Senator is correct. I think there are a number of us who support his position. We would be prepared to debate it and vote in a reasonable time, but my colleague is exactly correct. It is a very important amendment, and I am glad to join the Senator from Illinois.

Mr. DIXON. The distinguished Republican leader will recall that throughout my service here I have held a similar view to that of the Republican leader, that this is a insidious and bad practice. I have been involved in every debate about it over the years. At one time I think the distinguished Republican leader will recall I was involved in a filibuster with my then colleague who was then senior Senator from Illinois, Senator Percy, and Senator Boschwitz and others.

I do not want to revisit that filibuster tonight. I want to dispose of this. I am just trying to see whether my colleagues around the building will understand that the managers have in good faith suggested they would like to dispose of it in a reasonable period of time.

So I have not agreed to a time limit because some of my colleagues want to speak on this. I urge them to come to the floor to do that because the manager has indicated that in about an hour or so he is tempted to offer a motion to table.

Mr. President, section 305 of the bill before us will require that any country receiving more than $10 million in U.S. cash transfer assistance under the economic support fund, purchase an equivalent amount in U.S. goods and services. I do not have any problem with that.

And that 50 percent of those goods be shipped on U.S.-flag vessels. I have a big problem with that. The amendment I have offered will strike that provision from the bill. The bill without that provision is entirely satisfactory to my colleagues, and this Senator, with respect to requiring an equivalent amount of purchase in U.S. goods and services.

I am pleased to be joined in this amendment by the following Senators: Senator KOHL, Senator MCCONNELL, Senator GRASSLEY, Senator LUGAR, Senator SYMMS, Senator DANFORTH, Senator CRAIG, Senator COATS, Senator DURENBERGER, and Senator PRESSLER.

Mr. President, may I have unanimous consent for the amendment to show those distinguished Members of this body as cosponsors of this amendment.

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

Mr. DIXON. I am advised the distinguished Republican leader, whom I am honored to have join me, Senator DOLE, would like to be added as a cosponsor. I thank him for his support.

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

Mr. DIXON. Mr. President, proponents of section 305 argue that if ESF cash transfers are going to be given to other countries, these countries should purchase U.S. goods. No problem with that. That makes sense. I agree with that. The truth of the matter is that cash transfer recipient countries already buy far more in U.S. goods and services than they receive in cash transfer. That is already the case.

While the United States expects to contribute about $2 billion in ESF cash transfers to 17 countries in fiscal year 1992, those same 17 countries bought more than $20 billion in U.S. goods and services in 1990. I repeat, this contemplates about $2 billion in transfers to 17 countries, and we want to say in this bill "Buy back $2 billion worth from us?" They already buy $20 billion from us, 10 times what we are talking about.

So let us not kid one another. The object of this section of this bill is to require the shipping of 50 percent of these commodities and goods on U.S. bottoms.

The purpose of this provision, I repeat, is not to increase U.S. exports but to impose cargo preference requirements on commercial exports of U.S. goods already going to these countries. They are already going to these countries.

The Great Lakes region of this country is especially hard hit by the expansion of cargo preference requirements.

Because there is no regularly scheduled U.S. flag oceangoing service in the Great Lakes, increased cargo preference virtually eliminates Great Lakes ports from participating in the shipment of any goods to which it applies. Lost maritime exports out of the Great Lakes ports means lost jobs and lost business to my region of the United States, just as it would at saltwater ports. So in an effort to destory competition, we are destroying the economic marketplace in the breadbasket area of our great Nation.

In addition to agricultural commodities, cash transfer countries purchase coal, chemicals, forest products, machinery, and many other industrial products shipped from our country. Section 305 would provide for U.S.-flag carrier rates up to 30 percent higher, Mr. President, than the average competitive international rate.

How does that make sense in the long term? These increased costs would result in countries purchasing waterborne commodities from our competitors, from American competitors, and fulfilling their obligations to the United States by purchasing other U.S. goods not requiring ocean transport.

Let us talk about coal. I see my friend, the distinguished Senator from Kentucky, sitting there, who joined me in the struggle on the clean air question some years ago. The question of coal is a very important commodity to my great State of Illinois and to the rest of the Midwest and to the State of my friend from Kentucky.

The Energy Information Administration has told us that U.S. coal exports are expected to increase by almost 150 percent by the end of the decade, due in large part to the elimination of coal production subsidies in Western Europe. In other words, Western Europe is going to discontinue these subsidies so our country can become competitive, and Kentucky, Illinois, Pennsylvania, and States that have been so severely hurt by the Clean Air Act have a new chance to sell coal, a great new opportunity to sell coal, a great new piece of information for an industry struggling with the anticipated decline in domestic consumption of some U.S. coals due to the implementation of the Clean Air Act Amendments of 1990.

Mr. President, to impose this additional cost through cargo preference will result in affected countries purchasing their coal from American competitors. How does that make sense? We passed a Clean Air Act. When we passed that act, we did terrible damage to the American coal industry, and particularly the soft coal industry with high sulfur content.

We came along and defeated all the amendments requiring similar standards for other countries. My friend from Kentucky remembers that. We even defeated an amendment that said that Canada had to comply by our standards because they were the ones that demanded all this acid rain protection. We did all that. Now we shot off one foot and here we come striding in again with a bill like this and we are going to shoot off the other foot.

Mr. President, the administration opposes this provision, and I agree with the administration. The administration is right, because it undermines the effectiveness of the taxpayer-financed

cash transfer program as a foreign policy instrument; it adds to the expense of shipping American foods and other goods to recipient countries and it contradicts U.S. policy to reduce foreign government controls and stimulate private enterprise.

The USDA has indicated that section 305 threatens the compromise reached between agriculture and maritime in the 1985 farm bill. That compromise increased the cargo preference requirements for USDA's consessional and donation programs to 75 percent. Everybody remembers that struggle a few years ago when we went through that terrible struggle and had that very contentious battle on the floor. This is going to do violence to that. This is just another bite out of the apple for those who want to have stronger and stronger cargo preference laws to do damage to our competitive opportunities.

In exchange, USDA's commercial and agricultural exports financed under the export credit guarantee programs were exempted from cargo preference. USDA has also indicated that further expanding cargo preference will make it more difficult to meet their existing cargo preference requirements due to the scarcity of American-flag vessels. And there is a scarcity, Mr. President. Just call upon our experience of a few months ago. Every Senator knows when we had the Persian Gulf experience, we did not have enough American bottoms, and we waived cargo preference laws.

In addition, 14 governments joined in a demarche to the State Department on July 11 to express concern about this provision in this bill. Fourteen governments joined in a demarche to the State Department July 11 expressing their grave concern about this provision.

What did they say? They said that the amendment would conflict with the recommendation adopted in 1987 by the OECD council concerning common principles of shipping policy; that no government of a member country should introduce new and/or additional measures restricting competitive access to international trade and cargoes. And here we come, Mr. President, the great United States, king of the hill, top dog, coming in wanting to destroy competition once again. Why can we not go out there and compete? We have the ability to do it.

Finally, Mr. President, humanitarian organizations—humanitarian organizations, may I say—involved in hunger relief, folks serving the hungry, folks serving the starving people of the world oppose this provision because it reduces the funds which poor countries receiving cash transfers need to buy needed goods.

All my friends come in here crying for the hungry. They come in here and cry for the hungry. Will you cry for them with your mouth and you take away their money with your bill?

As AID has pointed out, each dollar spent by the cash transfer recipient country to pay for the more expensive U.S.-flag transportation is $1 less available to be spent on actual American goods.

Mr. President, I have been here now a little over a decade. I suppose these folks who listen have heard this argument before. I have been involved in every cargo preference fight since I came here. It is an insidious, bad, wrong, wrongheaded practice. It is anticompetitive. It does damage to every decent instinct of Americans.

We are taking foods out of the mouths of hungry people when we do this. We are encouraging laziness in our own industrial community to meet the challenge of competitiveness in the world market. We are killing the Great Lakes, a great region of this Nation, and its shipping industry, and throwing thousands of people out of work and destroying major business houses. We are doing injury to the American farmer and the entire agricultural community of this Nation. It is a wrongheaded practice. We ought to stop it.

I have seen the votes before. I am not persuaded that what is said here matters that much, but I just want to say one last thing before I sit down. I came here once for it, and I fought for my State on the clean air bill. I got a lot of heat for that. I fought for the coal industry in my State and the coal miners in the riskiest work man undertakes, and we lost.

Thousands of people are going to go out of work, and billions of dollars are going to be spent in connection with what we did, but I live with that. That is a law of my Nation, and I live with it.

Now we come along again just when Europe has decided to no longer subsidize the coal interests in their countries, in the European Common Market, where we can become competitive and we can sell coal and then we pass a bill like this with a section in it that will destroy our opportunity to sell that coal. I want to know how that makes sense?

Take the American farmer who faces the drought that he is going to see this year. I see my friend from Iowa across the aisle who knows what we are going through in my State and his and other places in the country. The weather is against them. Take the coal miner. The acid rain legislation killed his job. And then we come along with a bill like this and say whatever is left, we want to kill that, too. I think it is a mistake, Mr. President.

I ask unanimous consent that the distinguished Senator from Wisconsin [Mr. KASTEN] be added as a cosponsor.

I wish my friends would reconsider what they do. This will be the fourth time, I think, since I have been a Senator that we have further broadened and liberalized this terrible law that we ought to get rid of altogether. This will be the fourth time, I believe. I stand corrected on that if my count is wrong.

We have a bad law. We keep making it worse. It is a very bad idea. I hope some of my friends come over here and express their views, as I have.

I want to say to the administration, they are right. I am delighted to vote with the administration. The administration is on the right course in wanting to take this section out of this bill.

I yield the floor.

Mr. BREAUX addressed the Chair.

The PRESIDING OFFICER. Without objection, the Senator from Wisconsin will be added as a cosponsor.

The Senator from Louisiana is recognized.

Mr. BREAUX. I thank the Chair.

I rise in strong opposition, Mr. President, to the amendment of the Senator from Illinois, Mr. DIXON.

Let me make two points which I think are in direct response to the points that the Senator from Illinois made.

No. 1, with regard to coal, the Senator from Illinois is trying to strike the only provision in this bill which requires that if any nation gets any money from the United States under this program and wants to buy coal, they have to buy it from the United States. They cannot buy it from China; they cannot buy it from Russia; they cannot buy it from any other state under the provision of the bill. He is trying to eliminate them from buying it other than from the United States of America.

Mr. DIXON. Will my colleague yield?

Mr. BREAUX. Let me finish my statement. That is what the requirement says in the bill in section 305, which he is trying to eliminate. It says:

> Assistance may be provided to a country under this chapter as a cash transfer only pursuant to an agreement requiring that the country spend an amount equal to the amount of the cash transfer to purchase United States goods and services.

Mr. President and my colleagues, that simply means a country that gets $1 or a country that gets $12 million or $100 million from the United States and needs to buy coal, without this provision, which is to be eliminated by this amendment, they could buy it anywhere. With the language in the bill, there is an absolute requirement that if they buy coal with any of the money that we give them, it has to be bought in the United States of America.

The second point. We are talking about coal workers and people who work in coals mines. I ask unanimous consent to have printed in the RECORD a letter from the United Mine Workers president, which says:

> The cash transfer reform provision will ensure that foreign recipients of U.S. cash aid

purchase American goods and agricultural commodities and transfer a portion of these purchases on American flag vessels.

The United Mine Workers of America, which represents, I would argue, almost all of the coal miners working in this country, continues by saying:

We urge you to reject any amendments to S. 1435 that would weaken the cash transfer provisions contained in the Committee-reported bill.

So when the Senator is talking about coal, I think it is clear this is the only provision in the bill which guarantees any money in the bill that is going to be used to purchase coal would require it be bought from the United States of America. Without that provision, they would be free to take that money and buy coal from any part of the world that has coal. It is just that simple.

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

UNITED MINE WORKERS OF AMERICA,
*Washington, DC, July 24, 1991.*

DEAR SENATOR: On behalf of the United Mine Workers of America, I urge you to support the retention of the cash transfer reform amendment incorporated by the Committee on Foreign Relations into S. 1435, the FY 1992 foreign aid authorization bill, during floor consideration.

The cash transfer reform provision will ensure that foreign recipients of U.S. cash aid purchase American goods and agricultural commodities, and transfer a portion of these purchases on American flag vessels. U.S. cash aid, provided by American taxpayers, should be used to purchase American products and American services, and not to subsidize foreign jobs and the purchase of foreign products.

We urge you to reject any amendments to S. 1435 that would weaken the cash transfer provision contained in the Committee-reported bill.

Sincerely,

RICHARD L. TRUMKA,
*President.*

Mr. BREAUX. The second point I would address, and I will try to do it very directly, is the question of the compromise that was reached in last year's agriculture bill, which was referred to by the previous speaker.

The legislation that is now before the Senate does not in any way touch the provisions in the farm bill of last year. We reached an agreement dealing with commodities and how much money was to be used and what commodities were to be carried on U.S. vessels. That was a commodity program.

This legislation deals only with any transfers of cash to a foreign country. It does not affect the compromise that was reached in the farm bill, which dealt with commodities. This legislation only says that a country which is going to get millions of dollars from the United States, No. 1, should purchase United States products; and No. 2, should use at least half of those dollars not to hire a Chinese vessel, a Chinese junk, or a Liberian vessel, but that they should also carry that United States product, at least half of it, in an American vessel.

If we say to these countries that we are going to help you, by golly, we ought to get something out of it. No. 1, we ought to get them to look to the United States for the products they are going to spend the money to buy, whether it is coal or whether it is wheat or whether it is any other type of grain.

Do we want them to say they are going to go to Argentina and buy Argentina's wheat because it is cheaper? Do we want them to go to Brazil and say we will buy soybeans produced in Brazil because they are cheaper? Of course not.

This is a program in which American taxpayers are putting up their good dollars to help other countries succeed in this world. We ought to be able to say, if you are using our money, look to us for providing those products.

Also, while we are helping grain farmers and coal miners and everybody who produces any other product, is it not appropriate to also say, when we ship the products, we are going to try to help the U.S. merchant marine, which is incredibly important to the defense and security interests of the United States? Of course it is appropriate. Will it cost any more? It probably will. But so does that wheat, and so do those soybeans, and so do all these other products that we are saying in this bill they should look to the United States to purchase.

Mr. President, we have voted in this Chamber in the last 10 years at least six times on the very issue of setting aside a percentage of cargo to be carried in U.S. vessels. Every time we voted on it in the Senate, we carried it by an overwhelming margin to preserve and protect that small piece of assistance to the U.S. maritime industry, as well as to the farmers of the United States.

We have done that because it was good policy. It was good policy 10 years ago. I would submit that it is still good policy in 1991.

In conclusion, Mr. President, I say to my colleagues virtually all nations that have maritime industries have cargo preference programs for their maritime industries. Out of the 55 maritime nations of the world, 52 of them have programs that provide for some type of preferential assistance to their maritime industry. Of course, the United States obviously is one of those. It makes sense. It is good policy.

I commend the chairman and the members of the committee who have brought this measure to the Senate.

I yield. If my friend has a question he would like to ask, I will be happy to respond to the Senator from Illinois.

Mr. DIXON. I just wanted to say to my colleague, who is a good friend, that his statement about the sales did not take into consideration a statement I made in my opening remarks about the fact hat these involve countries already buying 10 times the amount of money contemplated in this cash assistance program.

So I would suggest that it has very little to do with cargo preference, that it has very little to do with those purchases.

Mr. BREAUX. The point I was making is that this is the only part of the legislation which guarantees that recipient countries will buy U.S. products with U.S. dollars that are sent overseas. If they get $12 million, $20 million, and see they can get a lot cheaper coal or a lot cheaper wheat without the provision in the bill, they could go shop around and buy the best-priced product they want. That is not right.

This provision in the bill, which this amendment takes out, would in fact allow them to do just that. They may not, but they certainly may buy products elsewhere. They certainly could legally, without any ability for us to say do not buy Argentine wheat; do not buy soybeans in Brazil.

This legislation guarantees that if they are going to use our dollars, they are going to buy our products. What is wrong with saying, if you are going to buy our products, is it not appropriate to buy and ship those products in U.S. vessels? There is ample protection in this legislation if it does not work. No. 1, if it is a 30-percent or greater differential, the measures do not apply. No. 2, if the President determines that it is not in the national interest to allow it to apply, the President has the ability to say so and revoke the provisions of the legislation. There is more than ample protection for any type of problems that may occur.

Mr. DIXON. The second point I wanted to make to my colleague from Louisiana was, when I referred to the compromise, I meant that section 305 threatens the compromise reached between agriculture and maritime in the 1985 farm bill. That compromise increased the cargo preference requirement for USDA concessional and donation programs 75 percent, but in exchange, USDA's commerical agriculture exports financed under the export credit guarantee programs were exempted from cargo preference.

Mr. BREAUX. The point I make in response to that is that all of the agricultural programs in the farm bill dealt with commodities. This section of the bill does not deal with commodities. The farm bill does not provide for direct cash grants to any country. This legislation only deals with actual dollar cash transfers to a foreign nation. It does not affect commodity programs, it does not affect Public Law 480 programs, and it does not affect loan guarantee programs. It only affects direct cash transfers. This is different from any language in any farm bill any-

where that has ever been written in this Congress.

Mr. SARBANES. I would like to make an observation, if the Senator will yield. One of the things that has precipitated this issue is that much of the ESF [economic support fund] which was provided to countries previously under the commodity import program, is now being provided in the form of cash transfers. A cash transfer means simply to give the country the cash. We have no guarantee what the country is going to do with the cash. They may spend the cash to buy American products and ship in American-flag vessels, or they may take the cash and spend it somewhere else.

The figures the Senator is quoting that show that some of these countries have a favorable balance of trade with the United States does not really address the question of what the recipient government is doing with the cash transfer. Those figures show the total volume of trade. There may be a tremendous amount of trade going on the private sector that is reflected in that balance. That does not address what the recipient government is doing with this cash transfer.

What used to happen is that ESF was largely a commodity import program. That was the more predominant section, not cash transfers. But recently there has been a shift to cash transfers, which go directly to the government's bank account, and they go ahead and use it as they wish. Under the commodity import program, recipients had to import American commodities. And with that went the requirement that a certain percentage be transported in American ships.

The commodity import program thus had many more standard control features than do cash transfers. With a cash transfer, you open up the possibility of countries taking that money and doing with it as they please. This amendment says simply, if the American taxpayers are going to provide this money, then they should receive some of the benefits from it. Whereas we previously had a whole system of ensuring an American recompense for this commitment by the American taxpayer, now we are financing purchases from our competitors. We ought not to allow these countries to come out from under the responsibility to buy and ship American.

So I support the provision that is in the committee bill and oppose the amendment to strike it. It seems to me that American taxpayers have the right to expect their money to be used to support domestic jobs, and that these cash transfers ought to be used in order to purchase American goods.

I very much hope that the amendment the Senator has offered will not be accepted by this body.

There are, as you know, in the amendment certain ceilings and waiver provisions in order to ease its application if in fact it proves to be a particularly onerous situation. The President has the authority to waive this provision if it is important to the national interest, which is a significant authority. We assume it would not be abused simply to render the provision a nullity. But the authority is there.

Many of the goods that we ship receive a subsidy from the taxpayer of some sort under our own domestic arrangements. I know the argument is made that if countries have to carry their purchases in American bottoms, it will be a little more expensive and we will not be able to send as many goods. But you know, the goods are being sent in part because they are getting the taxpayer underwrite. It does not seem to me unreasonable that the taxpayer underwrite should reach to the maritime industry as well. I think this is fair. I think this is an instance in which we need to have fairness.

We ought not to fall into fighting amongst ourselves. We really ought to be trying to ensure that the countries receiving these cash transfers spend it such that a significant part of it redounds back to our advantage.

Mr. CONRAD. Will the Senator yield for a question? Might I just ask the Senator from Maryland. I have been trying to understand reading the papers that have come from both sides on this issue. One argument that I have read is that we are providing some $2 billion in aid to some of these countries but they are already buying $20 billion of American goods. And therefore the notion that we are compelling them to buy America is a nullity with respect to that part of it, and in effect what we are really doing is requiring cargo preference on commercial sales.

I would just be interested in hearing what is the view of the Senator from Maryland or anyone else that can answer the question.

Mr. SARBANES. The entity to which we are providing the aid is different from the entities that are making these purchases. The entity to which we are providing the cash transfer is the recipient government. There is no guarantee that these governments are making their purchases here. There may be private businesses in their countries that make purchases in America. But presumably those businesses would make them anyhow for whatever economic reasons they are now doing it. So what you are doing is comparing apples and oranges. We are giving the money to the recipient government. We have no guarantee that that recipient government will expend that money to support American jobs.

The fact that other entities in a foreign country are purchasing American goods, I think is relevant to mention, but it does not affect how the recipient governments use the money. There is no guarantee that the purchases to which the Senator is referring are the purchases of the recipient government.

Mr. BREAUX. Let me respond to the Senator further. I know his concern. I understand it. I appreciate it. Absolutely in no way does the language in the committee bill affect or apply to commercial service. It only applies to the very narrow provisions where we give them a dollar or an amount of money, and this applies only to how they spend that limited amount of money. Any other commercial transactions involving that country, or any other country for that matter, are not affected by the requirement that they be bought from American companies, or that they be shipped by any percentage in any American bottom ships.

Mr. CONRAD. Might I ask this question then: Would I be correct in understanding that if we gave $100 million to a country, that country would then be expected to spend that money buying American goods and services, and to whatever extent they bought goods from the United States, that half of the shipment of those goods would occur in American bottoms? Is that a correct understanding of what would occur?

Mr. BREAUX. Let me respond, and maybe the managers can elaborate. My understanding is that the legislation allows them to use the moneys that we give them to buy goods produced in their own country, and they are not subject to restriction if they do that.

If they do not buy it in their own country they cannot buy it from any other country with our dollars. They have to buy 100 percent of it in U.S. goods and services, or goods or services of their own whether it is grain or anything else. And of that portion that they buy in America, there is a requirement that half of it be shipped in American vessels.

Mr. CONRAD. I thank the Senator from Maryland and the Senator from Louisiana.

Mr. PELL addressed the Chair.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. PELL. Mr. President, as I understand it, section 305 requires countries receiving cash transfers to ship a fair portion of the goods and services purchased in the United States on U.S.-flag vessels. Lord knows this is important to the U.S.-flag merchant marine.

Those of us who live in coastal areas, and those of us who have followed the merchant marine through the years and saw how it sacrificed itself during World War II in the North Atlantic, realize the dire straits in which the flag merchant marine industry is. For that reason, I oppose the amendment.

Mr. GRASSLEY addressed the Chair.

The PRESIDING OFFICER. The Senator from Iowa.

Mr. GRASSLEY. Mr. President, I rise in support of the amendment by my friend from Illinois. I very definitely think that this cargo preference provi-

sion ought to be considered by this body as totally unacceptable.

Points are trying to be made here that this is just a small expansion, just a small expansion. It is kind of a case of: how do you eat 10,000 marshmallows? You eat one at a time, but when you are done, you have eaten a lot of marshmallows.

There may just be a small expansion of cargo preference here or there, but pretty soon it is going to eat us all totally. The really sad commentary about it is that cargo preference was meant to strengthen the maritime industry, to strengthen our economy, and it has not done that. It has not accomplished what it is supposed to accomplish for our national defense. We have fewer ships and fewer jobs since we have had this cargo preference legislation passed in the 1950's than at any time.

So if you want to help the maritime industry, I say to the opponents of this legislation, come up with something that works, not something that tends to lose jobs, lose ships, and, consequently, neither our national defense nor economy is strengthened. It is apparently no longer enough, Mr. President, that our undisciplined, uncompetitive U.S.-flag merchant marine enjoy Uncle Sam's open checkbook that allows them to charge the Government virtually whatever they please to ship Government-impelled cargoes which could otherwise be shipped at a fraction of the cost, if they were forced to charge world competitive rates. And that is the situation under present cargo preference legislation. That is not good enough.

It is no longer enough that they enjoy unfettered access to the U.S. Treasury through a back-door, hidden subsidy called cargo preference. Now, through this legislation, they want our commercial trade to subsidize them as well, and the result is going to be no different: continue to lose jobs, continue to haul a smaller percentage of the world trade, and have fewer ships.

Yesterday, Senators received an incredibly misleading letter from one of the maritime labor unions which, among other things, claims that this provision in S. 1435 is good for America's economy, good for the American farmers and, frankly, it even suggests that it is good for recipient nations.

These claims, at best, are laughable. If this is so good for America, why are nearly 30 major American organizations so opposed to this section? The U.S. Chamber of Commerce, the National Coal Association, the National Forest Products Association, the Shippers for Competitive Ocean Transportation, the Association of American Railroads, the American Farm Bureau, the American Soybean Association, the North American Export Grain Association, the American Great Lakes Ports, and many, many others, Mr. President, all opposed to this expansion of cargo perference into commercial trade.

Furthermore, the American organization, CARE, strongly objects because this provision directly undercuts the amount of food that can be delivered to the world's poorest countries and their needy people.

Mr. President, our colleagues must be warned that, except for those handful of Senators who might have a few U.S.-flag companies and maritime union members, this legislation represents a total loss to their State's economy, with no up side at all.

I strongly recommend that each Senator get his or her hands on a report by the Agency for International Development, entitled: "Procurement of Goods and Services from U.S. Suppliers."

This report will tell you what companies in your States supplied goods and services to the Agency for International Development for their foreign assistance programs, including the economic support fund.

I have seen this report for my State of Iowa, and I can tell you that this legislation is going to adversely effect and impact millions of dollars of business for Iowa companies, which have sold goods and services to AID, including: John Deere of Waterloo; the Koehring International Marketing Co. of Waverly; the Alexander Manufacturing Co. of Mason City; the Thermolyne Corp. of Dubuque; Amana Refrigeration of Amana; Insta-pro International of Des Moines, and several other companies from all over the State of Iowa.

Even Senators who have traditionally supported cargo preference should want to oppose this legislation because it is going to directly undermine businesses in their home States.

So, who benefits from this controversial provision? Simply stated it is a few thousand well-paid maritime union members and a handful of uncompetitive U.S.-flag maritime companies.

Based upon information I received from the Maritime Administration and from the Congressional Budget Office last year, cargo preference already provides over $400,000 each year in taxpayer subsidies for each billet, or oceangoing job that it supports. For those billets supported by operating differential subsidies which are supposed to cover the difference between our high-priced maritime labor and foreign maritime labor, the taxpayers subsidy runs around $100,000 per job.

We should remember why we are supposedly subsidizing our maritime in the first place. The most overused, worn out argument is that we need them for national defense sealift needs. What did the recent Persian Gulf sealift effort reveal? It revealed that only a fraction of our sealift needs were met by U.S.-flag commercial vessels and their maritime union crews.

Furthermore, the U.S. Government was forced to pay these patriotic U.S. seafarers double their normal salary for the period that they worked in the Persian Gulf during Desert Storm.

Last year I shared with my colleagues Maritime Administration data on maritime union crew wages. For instance, a captain of a U.S.-flag A-3 class vessel was paid, thanks to Uncle Sam's generous cargo preference and other maritime subsidies, over $26,000 per month in wages and benefits. If this captain spent a month in the Persian Gulf he got twice that amount of money.

Now, we hear much about how these people responded to the challenge that was put before our country, and anybody that contributed toward the effort of freedom, anybody who contributed toward the effort of our national security interests in that region of the country obviously must be complimented. But we must ask, do we really have to pay this amount of money for this kind of patriotism?

From the looks of this bill, some apparently believe that Uncle Sam cannot pay enough for this kind of patriotism and believe that Senators should be willing to sacrifice the economic interests of their constituents to subsidize these high-priced maritime union jobs even more.

I notice my friend from Illinois was standing. Did he want to ask me a question or did he want to interrupt me, because I would be glad to let the Senator do that at this point?

Mr. DIXON. Mr. President, if my colleague will yield, I appreciate the facts that he pointed out as well as he did the facts that our colleague should understand. May I say, as Senators come up to me on the floor, incidentally—and this is the reason why I want to make that remark—who looked at the last vote, which some of our colleagues are suggesting should persuade us to vote the same way again as when we did the Public Law 480 vote, I see a distinction here from what my friend from Iowa is saying that this is not one of those kinds of programs. This is on these cash purchases. We are changing the whole concept now to any kind of commercial purchases for cash where you are now going to impose this cargo preference law.

And so I think my colleague's remarks to that extent are very appropriate, and Senators should understand that how they voted on this in the past is not necessarily persuasive this time.

This is a question, I think my colleague will agree, of whether you want to broaden this even more and reach out now into these cash purchases and apply the cargo preference law there. And I just wanted to point out in connection with my colleague what he is saying about how much more it costs. If you look at page 63 of the bill, I would urge my colleagues to do that because on page 63 of this bill the folks that advocate this cargo preference law admitted it cost more.

I just want to read something to you. Line 26 on page 62 going up on page 63 through line 6, "*Provided*, that no United States flag carrier shall be reimbursed for more than 30 percent above the average competitive international rate for international ship transportation. The Secretary of Commerce shall establish regulations," and so forth.

They actually concede in this bill that it is costing more. And they say do not let it cost more than 30 percent more. So the whole point is we are imposing exactly as my friend, the Senator from Iowa, says, on the marketplace in cash sales a noncompetitive situation that is going to cost more.

This is a further broadening. When Senators go down there, may I say to my friend from Iowa, and they look at the vote they cast, they are not bound by that vote, it is not exactly the same kind of vote. This is again a cargo preference vote, yes, but this is a further broadening to go out into the commercial marketplace, aside from Public Law 480 and other things. I think my colleague would agree that that is a distinction.

Mr. GRASSLEY. Absolutely. Mr. President, what the Senator from Illinois states ought to made crystal clear to all 100 Members of this body, that most votes which have been brought up here recently have been attempts to put a restriction or maybe to cut back or to put some limit on cargo preference. But the issue before us right now is a massive expansion of cargo preference into a whole new area that cargo preference has never dealt with before.

I have never seen an issue that has so much mystery connected with it as cargo preference. The inability to get figures, the inability to get our colleagues to concentrate on what this is actually costing the taxpayers, and efforts to get information out in published documents have been very difficult because if the truth were known about this program, if the truth were known what this program cost the taxpayers of the United States of America, there would not be a cargo preference program as we know it now.

There may be a legitimate reason to have a cargo preference program, or maybe I should say it this way: There may be a legitimate reason for us to have a subsidy to our maritime industry and to promote American ships. But at the very least we ought to be able to budget that, and account for it, and know exactly what it is costing taxpayers of the United States.

And whether it is done this way through commercial sales or whether it is done through the traditional way we have had cargo preference, it is nothing but a back-door hidden subsidy. It creates a monopoly market for a handful of U.S.-flag operators to charge virtually what they please, to write out their own Government check. And I do not know of another subsidy program that leaves Congress, the administration, and most of all the taxpayers so much in the dark.

Every once in a while someone in Congress asks the CBO or the General Accounting Office to do a cost estimate, but in my review none seemed to do a thorough job of digging to the bottom of the heap to find out what these total costs are.

Therefore, Mr. President, I had an opportunity late last year to ask some questions along this line. I even had the help of Senator DOMENICI as a ranking Republican of the Senate Budget Committee to ask the Congressional Budget Office to give it their best shot at determining the cost of cargo preference and operating differential subsidies. And although this is not dealing with these commercial sales, I think my colleagues ought to know what is already going on before we expand this program. CBO spent over 2 months poring over the numbers. Mr. President, CBO found that the cost of the ODS and cargo preference for fiscal year 1991 is $1.55 billion CBO found that for the 5 years running from fiscal year 1991 through fiscal year 1995, the total cost will be $5.165 billion.

Mr. President, one of the biggest arguments we get in support of cargo preference is that it is necessary to maintain employment of U.S. seafarers for the day that they might have to haul military cargo in a war zone.

Mr. BREAUX. Will the Senator yield for a question?

Mr. GRASSLEY. If the Senator has a short question and I can give a short answer to it, but not to have a long bit of dialog because there are a lot of people here waiting to speak.

I yield to the Senator from Louisiana.

Mr. BREAUX. The Senator said what the cost of the subsidies was. I was wondering if he also had the cost of the subsidies for the farm program during the same time period.

Mr. GRASSLEY. Mr. President, I do not have that at the tip of my tongue. I think the Senator from Louisiana makes a legitimate point. That is why I have already said that it is not just for a matter of equity, because it ought to be for some reason other than equity. If the Senator is saying that there is a reason to subsidize the maritime industry, I am not disputing that at all. All I am saying is, let us get out in the open so we know what it costs and be aboveboard and not use the back door way of doing it.

Mr. President, it seems to me that support for this subdidy has been emphasized on the grounds that it ought to be for national defense. I have already pointed out how I think that probably we have come up short there. It has not fulfilled its goal. I am suggesting that we ought to find some other way to do this. I think we ought to have a massive overhaul of it.

If there is a conclusion by this body that we ought to have that subsidy, we ought to continue to do that, but do it in a way that is open and aboveboard.

But for this moment—and I am going to yield the floor now—I conclude this way: For the moment, I am saying that my colleagues ought to know what it costs already, what little has been accomplished, how U.S.-flags have—instead lost a market share of the total percentage, gone down dramatically in the last 40 years of total world trade, and how we were not able to rely on U.S.-flags in Operation Desert Storm to accomplish what we thought they were going to accomplish. My colleagues ought to understand this before they support this massive expansion of cargo preference into commercial trade.

I yield the floor.

Ms. MIKULSKI. Mr. President, I congratulate Senator PELL and my fellow Senator from Maryland [Mr. SARBANES] on their work on this bill and particularly on the cash transfer provision. I think it is quite innovative, and it is.

Its requirements are good common sense. If the American taxpayer is going to send their hard-earned dollars to help out foreign countries, then dollars should be at least spent on U.S. goods and on helping U.S. workers.

I support that buy-American requirement. It is good for our trade balance, good for U.S. farmers, good for U.S. industry, and it is good for our friends around the world who are going to purchase high-quality American agriculture and industrial products.

But, Mr. President, not only do I support buy American, I support use American—use American—use American ships, and use American maritime workers. I support the requirement that at least a half of these goods should be shipped on U.S.-flag ships.

This is an agreement that we have had in effect with Israel since 1979. And guess what? It works.

I support helping our friends in other countries who need help, but I support American workers even more, and that means helping our friends in the U.S. merchant marine as well. We call upon them in wartime and we should be ready to provide them with our help in peacetime.

President Roosevelt called our U.S. merchant marine the heroes in dungarees because of their heroic efforts during World War II. We have called upon them in the Korean war and in the Vietnam war and most recently in Operation Desert Storm.

But because of the decline in both American shipyard facilities and the shrinking nature of the Merchant Marine Union, we had a tough time coming up with both.

And guess what, Mr. President? Only a few weeks ago when we were in the

Appropriations Committee of State, Justice, Commerce, I found out that the Maritime Administration that is touted in this debate wants to go out and buy 40 ships of the roll-on, roll-off category from foreign manufacturers, when I have my own guys and gals at Bethlehem Steel hustling around for every little bit of rivet or welding that they could get.

Now let us get serious. If we are going to use foreign aid as a dual track thing to help other people around the world, to essentially help our farmers—and I am going to do that—help our industrial workers, then we ought to help merchant marine.

We subsidize our farmers. There has not been one word of comment, other than the Senator from Louisiana about the subsidizing of farmers. Do we need to do that? You bet. I have farmers in Maryland, as I know the Presiding Officer has them in the great State of Wisconsin. But I think that while we are subsidizing our farmers and our industries with cash-transfer requirements, I see nothing wrong with subsidizing the maritime industry as well.

If we want to eliminate all subsidies, go totally free market, then do it, but then eliminate all the subsidies for every industry. But let us not single out the great heroes in dungarees and say it is wrong to subsidize them while we provide subsidies for farmers, the energy industry, and so many other sectors of our economy.

So I hope that we would oppose the Dixon amendment and make sure that we buy American and use American.

I am happy to yield back the floor.

The PRESIDING OFFICER. The Chair recognizes the Senator from Ohio.

Mr. SARBANES. Will the Senator yield for a moment so we might make an inquiry?

Mr. GLENN. Yes.

Mr. SARBANES. Mr. President, we are trying to get some sense of how many Members want to speak on this amendment and some idea of how long they may wish to speak. It would be very helpful to us in trying to plan our work if we could very quickly get some idea of that.

Mr. GLENN. Ten minutes.

Mr. SARBANES. Is there anyone else on this side?

Mr. DURENBERGER. Mr. President, I desire to take about 3 minutes to speak.

Mr. BROWN. Approximately 3 minutes.

Mr. SARBANES. Mr. President, I ask unanimous consent that the time for debate be limited to 40 minutes, equally divided, 20 minutes on each side on this amendment.

Mr. GLENN. Reserving the right to object. Who controls that on our side?

Mr. SARBANES. I saw two requests: your request for 10 minutes and the request from the holder of the Chair for 10 minutes, and both indicated they could do it in something less than that, which would leave a little time to give to someone else if someone should appear.

Mr. GLENN. It is fine with me, so long as I have 10 minutes.

Mr. LUGAR. Mr. President, reserving the right to object, I do not know whether my request is recorded. I would like to speak for 10 minutes. I do not know whether that can be accomplished with 20 minutes on our side.

Mr. DOLE. I think we are going to go on for a while. Why cannot those who want to speak, speak, and the rest of us go home and have this vote at 10 o'clock in the morning. That way, people would be here and could get an agreement on the next amendment from Senator DODD from Connecticut instead of waiting an hour in the morning to find somebody to offer an amendment.

Mr. SARBANES. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. DURENBERGER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

Mr. SARBANES. Reserving the right to object.

The PRESIDING OFFICER. Is there objection?

Mr. SARBANES. I object.

The PRESIDING OFFICER. Is there an objection?

Mr. SARBANES. Objection.

Mr. KENNEDY. Objection.

The PRESIDING OFFICER. Objection is heard.

The legislative clerk continued with the call of the roll.

Mr. SARBANES. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. SARBANES. Mr. President, I ask unanimous consent that there be 24 minutes remaining for debate on the Dixon amendment, No. 822, with the time equally divided between the proponents and the opponents, and that when the time is used or yielded back I be recognized to move to table the amendment that is now before us.

Mr. GLENN. Mr. President, reserving the right to object. Who controls time on this side, those in support of the position of Senator DIXON?

Mr. SARBANES. Mr. President, I amend that request because it is worded in terms of proponents and opponents, and we apparently have more proponents who want to speak. So I ask the time be allocated 12 minutes to the two managers and we will allocate it out on our respective sides.

I know the Senator from Ohio wishes time. The Senator from Wisconsin wishes time on our side. I would guarantee them both at least 5 minutes and hopefully 6 minutes. I may have to hold a couple of minutes, if that is agreeable.

Mr. STEVENS. Reserving the right to object. Did I understand the Senator said the complete time on the amendment will be this limited time? Or is this a motion to table?

Mr. SARBANES. At the conclusion of that time a motion to table will be offered on the amendment.

Mr. STEVENS. There would be no limit on time after that if it is not tabled; is that right?

Mr. SARBANES. That is right.

Mr. President, I renew the request.

The PRESIDING OFFICER. Is there objection to this request? Without objection, it is so ordered.

Who yields time? The Senator from Ohio?

Mr. SARBANES. Mr. President, I yield 5 minutes to the Senator from Ohio.

Mr. GLENN. Six?

Mr. SARBANES. Take 5. I will keep some time for others.

Mr. GLENN. Mr. President, I rise to express my strenuous objections to section 305 of the bill we are now considering. I rise in support of the position expressed by the distinguished Senator from Illinois [Mr. DIXON].

This section, which purports to be a "tied aid/buy America" provision, is simply an expansion of cargo preference to certain commercial cargoes. This measure will not increase the purchase of U.S. products by ESF cash transfer recipients. Those countries already spend many times over the amount of the cash transfers they receive on U.S. goods and services.

This provision will expand costly cargo preference requirements to commercial cargoes not now subject to those requirements. In other words, the aid that we believe we are giving to these countries they will not really get because they must use part of what we are giving them for increased shipping costs.

I stand here as one who has supported a strong merchant marine. But I would rather, if we are going to subsidize the merchant marine, let us do it very directly and not by cutting back the help we are trying to give needy countries.

The best way I found to understand the true impact of this provision is to look at a hypothetical example of how it would work. Let us take country X. Country X receives $100 million as a ESF cash transfer. Country X spends $500 million annually on U.S. goods and services. If section 305 becomes law, country X would not be required to spend any more on U.S. products, but they would be required to ship 50 million dollars' worth of those U.S. commercial purchases on U.S.-flag carriers. Because U.S.-flag carriers are substantially more expensive than their international competitors, in fact country X

will only buy $490 million in U.S. goods, being forced to spend the difference on the increased cost of transportation. Hence, Mr. President, rather than increase sales of U.S. products, this provision is much more likely to decrease the volume of such sales.

It is for this reason, Mr. President, that a very broad coalition of U.S. agriculture, business, transportation and private voluntary agencies is strongly opposed to section 305. As a Senator from Ohio, a State whose economic well-being is increasingly dependent year after year on exports, I will oppose anything that will function as a disincentive to exports, and that is what this does. As a Senator from the Great Lakes region in addition, I oppose any expansion of cargo preference which further disadvantagese the lake ports.

For an excellent summary of the many compelling arguments against this provision, I recommend to my colleagues, the dissenting views of the Honorable LEE HAMILTON and others which appeared in the Foreign Affairs Committee report on H.R. 2508, the House version of the foreign aid authorization bill. As Congressman HAMILTON points out, the House committee adopted an amendment similar to section 305 without any hearings and over the strong objections of the administration and many interested parties.

Similarly, the Senate held no hearings on this issue before adding its new mandated cargo preference requirement to the foreign aid bill. I think this is very important, Mr. President, because while the provision may seem innocuous on first reading, its flaws are readily apparent if one delves further into the substance. Yet, neither committee in the Senate nor the House chose to allow the airing of the arguments pro or con in an open hearing. Neither committee gave the agricultural interests, the mining products interests, the forest products interests, and others the opportunity to tell Members of Congress just exactly what effect this provision would have on their international sales, exports of the United States. I believe such a public hearing of the issues is the least we should do before taking an action which has the very real potential to erode the competitive position of the U.S. exports.

The dissenting House Members also rightly point out that monitoring compliance with this new requirement would be a bureaucratic and administrative nightmare. Let me quote from the statement made by dissenting House Members:

> In addition to expanding cargo preference, the amendment would impose an administrative monstrosity on hundreds of millions of dollars of private export transactions with purchases in ESF cash transfer countries. The amendment requires the President to track sales of U.S. goods, including purely private commercial sales, to countries receiving ESF cash assistance and to ensure that the price of the goods is fair and the geographic distribution of the location of the purchases and the ports of departure is equitable.

I continue to read from their statement:

> In FY 90 and 91, approximately $1 billion annually in sales of U.S. goods and services would have been directly affected (excluding Israel's cash transfer of $1.2 billion) and up to $12 billion indirectly affected. Taking such State intervention in private transactions even further, the recipient country must sign an agreement to give the U.S. GAO access to personnel and records in its country, presumably to ensure compliance by the importer.

Mr. President, I support a competitive, viable U.S. merchant marine. I have demonstrated that support many times in the past. I propose a means to enhance ocean-going U.S.-flag service on the Great Lakes. I worked hard with the U.S. military to make a U.S.-flagged roll-on, roll-off service competitive for cargo in the Great Lakes. However, I cannot support an expansion of cargo preference into commercial cargoes with the result that the competitiveness of U.S. products is degraded.

We hear a lot about U.S. competitiveness around here. Now it is time to do something about it. I urge my colleagues to support the amendment of the distinguished Senator from Illinois to strike section 305, and I ask unanimous consent that I be added as a cosponsor to the amendment. I yield the floor.

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

Mr. MCCONNELL. I yield 3 minutes to the Senator from Colorado.

The PRESIDING OFFICER. The Senator from Colorado.

Mr. BROWN. Mr. President, I rise in strong support of the amendment of the distinguished Senator from Illinois. His courageous amendment is one that takes head-on an issue that this Chamber must face. He spelled out, I think, in excellent detail, the fact that the Midwest of this country is going to be hit hard by this cargo preference. He has also spelled out, I believe, a clear indication of the industries that will be damaged by this amendment.

But I want to dwell on one other aspect. I think it is a legitimate question to ask what this amendment does to the men and women who earn their living through the merchant marine and the people who own their ships. Has cargo preference helped or hurt?

When our Olympic teams train for the distant runs, they do not have the runners go down to sea level to train where it is easy. They have them go up high so they can get into shape to compete. Our merchant marines have to compete in this world. What cargo preference says is you are going to have them compete on easier terms, not tougher terms, and when they come to the marketplace to compete, they are unable to compete.

If you have a child who comes home and asks you to do his or her homework, do you say, sure, I will be glad to do your homework? I doubt if there is a single parent in this Chamber who takes that attitude, and they do it for a very real reason. It is because their son or daughter is the one who has to take the test in school. If the parent does the homework for them, they are not prepared; they are not able to compete.

That this Nation is saying with cargo preference is pretty simple. They are saying they are going to keep this industry from being competitive and lean, and it sends a devastating message. It says Americans are not able to compete in this world, and that is wrong. It is wrong for what it has done to the merchant marine because it has meant fewer vessels, not more. It is wrong to the men and women who work in this industry because it has meant fewer jobs, not more. It is wrong for what it says about America because it says America cannot compete in the world market, and that is simply not true.

We ought to reject cargo preference not just because it damages the Midwest, not just because it damages industries. We ought to reject it because we care about the merchant marine and we care about the men and women who have to work in that industry or have an opportunity to work in that industry, and we ought to reject it because we want to make America competitive and strong again. I yield the floor, Mr. President.

The PRESIDING OFFICER. (Mr. DIXON). Who yields time?

Mr. MCCONNELL. I yield 3 minutes to the Senator from Minnesota.

The PRESIDING OFFICER. The Senator is recognized for 3 minutes.

Mr. DURENBERGER. Mr. President, I am pleased to be a cosponsor of this measure to strike the cargo preference provisions in the committee bill that require 50 percent of U.S. goods purchased through the foreign aid program be shipped on U.S.-flag vessels.

Cargo preference has a certain appeal on a superficial level—buy American, ship American. But the essence of these provisions is anti-American, antifarmer and antibusinessman, anticompetitive, and, as it has been pointed out, antiforeign assistance.

The committee provisions represent a substantial expansion of the cargo preference program, which is already problematic. The committee provisions require countries receiving cash transfers from the United States—ESF funds—to purchase goods of at least equal in value from the United States.

As I understand the situation, this particular part of the language would have virtually no impact at all. Why? Because virtually every country that

receives U.S. ESF funds already purchases U.S. goods and services in amounts well in excess of their ESF receipts. That is to say, they are already purchasing more than this language would require.

But the committee bill goes even further, Mr. President. It requires recipient countries to ship 50 percent of those goods on U.S.-flag vessels.

That translates into very direct losses for U.S. farmers and businessmen. The 21.6 million dollars' worth of goods were not purchased from suppliers in each and every one of our States. To put it as succinctly as possible, Mr. President, each dollar spent for the more expensive U.S.-flag carriers is one less dollar spent to purchase U.S.-made products.

Expanding the scope of cargo-preference will seriously inhibit U.S. commercial grain sales to ESF-recipient countries. The estimated $30 per ton additional costs of U.S.-flag vessels means an additional shipping cost of 75 cents per bushel for corn and 83 cents per bushel for wheat and soybeans.

Today's farmers are already struggling with problems—weather disasters, reduced Government program payments, sagging commodity prices—that are threatening to sharply reduce farm income this year. Putting an additional burden on U.S. agriculture producers and their commodity sales through these extra shipping costs just does not make sense.

So, Mr. President, this new expansion of cargo preference will not promote increased U.S. exports to the Third World. It will contract U.S. exports, not expand them. Countries will buy fewer goods from because they have to pay more to ship on U.S. carriers. There is no corresponding increase in the funds available to transport on expensive U.S. ships. So, quite clearly, Mr. President, less of the finite funds available will go toward buying U.S. goods.

There is nothing buy American about the committee language. It would be more accurate to call it buy less American. Mr. President, I urge my colleagues to support the measure before us, vote against the motion to table and agree to this amendment. I yield the floor.

Mr. SARBANES. Mr. President, I yield 4½ minutes to the Senator from Wisconsin.

The PRESIDING OFFICER. The Senator from Wisconsin is recognized for 4½ minutes.

Mr. KOHL. Mr. President, I rise as a cosponsor and strong supporter of this amendment.

My distinguished friend and colleague from Illinois, Senator DIXON, has made several eloquent and compelling arguments against section 305. But I would like to expand on a few points made by the Senator from Illinois.

Section 305 requires that a country receiving more than $10 million in U.S. cash transfer assistance under the Economic Support Fund purchase an equivalent amount in U.S. goods and services as it receives in cash transfer funds and, further, that 50 percent of those goods be shipped on U.S.-flag vessels.

Proponents of section 305 contend that the provision would encourage foreign aid recipients to buy American goods. They contend that the provision would increase American exports. But, in fact, just the opposite is true.

Every single country to which this section would apply currently buys more in U.S. goods and services than they receive in U.S. aid. Let me offer a few examples. Israel will receive approximately $1.2 billion in cash transfers in fiscal year 1992. Yet the total value of United States exports to Israel in 1990 was $3.2 billion. The Philippines will receive about $83 million in cash transfers in fiscal year 1992. Yet the value of United States exports to the Philippines in 1990 was $2.4 billion. All told, the U.S. expects to contribute about $2 billion in cash transfers to 17 countries in fiscal year 1992. These 17 countries bought more than $20 billion of U.S. goods in 1990.

What, then, is the real purpose of this provision if cash transfer recipient countries are already buying in U.S. goods more than 10 times the value of what we send them in aid? Unfortunately, the answer is all too clear. It is a thinly veiled effort on the part of the U.S. maritime industry to expand cargo preference requirements to commercial cargo.

Now I have several problems with that, Mr. President, first, let me remind my colleagues that any expansion of cargo preference requirements puts the Great Lakes region at an economic disadvantage. The reason for this is that the Great Lakes cannot compete for U.S.-flag service—simply because ocean-going U.S.-flag ships are too large to come through the St. Lawrence Seaway. Expanding cargo preference requirements to commercial cargo—as section 305 would do—would have devastating effect not only on the ports of my State of Wisconsin, but on businesses throughout my State that rely on exports to cash transfer recipient countries.

Second, in expanding cargo preference requirements to commercial cargo, section 305 expands the application of cargo preference well beyond the compromise reached between maritime and agricultural interests in 1985. That compromise, enacted as part of the 1985 farm bill, provided for the continued use of cargo preference for Government cargo while prohibiting the application of cargo preference on commercial exports. I find it somewhat amazing that—while the maritime industry accused many of us of trying to abrogate this compromise during last year's farm bill debate—the industry is suggesting that very thing right now.

Mr. President, let us not kid ourselves. Section 305 will not only damage our export competitiveness but will reduce the amount of foreign assistance available to U.S. aid recipients. It does so because, in forcing countries to ship via U.S. flags, we are forcing countries to pay two or three times what it costs them to ship via foreign flags.

Mr. President, Members of this body need to be very aware of the consequences of this provision. This provision will cause a loss in aid to Israel, Egypt, the Philippines, Boliva, Colombia, and 12 other countries. In addition, section 305 will reduce the purchasing power of these countries—not increase it.

Many national organizations oppose section 305 for these very reasons. Let me take a minute to list some of these groups: the American Farm Bureau; the American Paper Institute; the National Coal Association; the U.S. Chamber of Commerce; and CARE—a private voluntary organization involved in world hunger efforts.

These groups represent a wide range of interests and perspectives. But their concerns are genuine. They understand that section 305 will reduce our export competitiveness. They understand that section 305 will reduce the amount of foreign assistance we are providing to cash transfer recipients. They understand that section 305 is really only an effort to protect the interests of our maritime industry.

I hope that my colleagues will understand their concerns as well. I urge my colleagues to support this amendment, and I yield the floor.

The PRESIDING OFFICER. The distinguished Senator from Wisconsin yields the floor. Who yields time?

Mr. MCCONNELL. Mr. President, I yield 3 minutes to the Senator from Indiana.

The PRESIDING OFFICER. The Senator from Indiana is recognized for 3 minutes.

Mr. LUGAR. Mr. President, I join Senator DIXON in opposing the cargo preference provisions in section 305 of this bill and am pleased to join as a cosponsor of the amendment to strike this section from the legislation.

Poorly disguised as a buy American provision, section 305 is nothing more that an unprecedented expansion of our cargo preference laws. The provision would benefit the U.S. maritime industry at the expense of American agriculture, the U.S. coal industry, our forest products industry, our railroads, our textile industry, our steel industry, our automotive sector, and many others.

Section 305 of this bill requires countries receiving cash assistance from the United States to buy American goods and ship 50 percent of those goods on U.S.-flag ships. While this is billed as a

buy America provision, the countries already buy 20 times more U.S. goods than they get in cash assistance. It is purely an attempt to further the reach of cargo preference laws.

The provision is an attempt to raid the foreign assistance account and burden other important U.S. industries in order to further subsidize our merchant marine. The foreign assistance bill is not the appropriate place to be subsidizing our shipping industry.

Mr. President, we all wear many hats. Interestingly, I find myself opposing this provision no matter which hat I wear. As a member of the Senate Foreign Relations Committee, I oppose this provision because of its negative impact on foreign assistance programs.

The provision is fundamentally at odds with the purpose of ESF cash transfer program, which is intended to provide flexible assistance to friendly countries. Section 531 of the Foreign Assistance Act states:

> Under special economic, political, or security conditions, the national interests of the United States may require economic support for countries in amounts which could not be justified under [the development assistance provisions]. * * * In such cases the President is authorized to furnish assistance to countries and organizations in order to promote economic and political stability.

The provision would also impose difficult bureaucratic restrictions on nongovernmental foreign assistance and development organizations. I ask unanimous consent to insert in the RECORD a letter from CARE which further explains how the provision would effect such organizations.

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

CARE,
*Washington, DC, July 15, 1991.*

Hon. GEORGE J. MITCHELL,
*Majority Leader, Washington, DC.*
Hon. BOB DOLE,
*Minority Leader, Washington, DC.*

DEAR SENATORS MITCHELL AND DOLE: We wish to register our deep concern over Section 305 of the International Security and Economic Cooperation Act of 1991 (S. 1435), the foreign aid authorization bill which has been approved by the Foreign Relations Committee for floor action. Section 305 mandates that U.S. flag cargo preference be applied to purchases of American goods by countries receiving U.S. cash grant aid, up to the amount of the cash transfer.

Applying cargo preference to U.S. shipments to these developing countries is objectionable for various reasons. It directly undercuts the purpose of our aid: to help the recipients. Cash transfer recipients include some of the world's poorest countries. Under Section 305 they would have to pay the high cost of U.S. flag shipping.

As a major private voluntary organization programming food aid and other assistance to needy peoples abroad for more than 40 years, CARE knows the importance of getting assistance to those who need it, on time and in good condition. We have a long standing policy of U.S. flags first in booking our cargoes, provided the vessels give good timely service at competitive rates.

Unfortunately, we have encountered serious and growing problems in recent years with substandard, inappropriate, tardy and excessively costly ocean freight carriage due to cargo preference. The difficulties have been exacerbated with the progressive increases in cargo preference requirements for food aid imposed under the 1985 farm bill. The imposition of further cargo preference under Section 305 would only add to the damage, not reduce it.

Finally, while we favor a healthy U.S. trade balance and a competitive U.S. merchant marine, Section 305 accomplishes neither. It would also hurt the poor countries we are trying to help and reduce the effectiveness and efficiency of our international assistance program. We strongly urge you to support the removal of this provision (Section 305) from the bill.

Yours sincerely,

CHARLES L. SYKES,
*Vice-President of CARE.*

Mr. LUGAR. A disturbing aspect of section 305 is that it would encourage State intervention in the private sector. While every country involved, except Nicaragua, buys more from the United States than we provide in ESF cash transfers, these cash transfer funds seldom go directly to buying United States goods. Cash transfer dollars are often intended to provide funds to address balance of payment problems and inflation in recipient countries. It is usually the private sector in these countries, not the government itself, which buys much of these U.S. goods. Section 305 would, therefore, require foreign governments to intervene in their private sector's business transactions. This is hardly something we should be encouraging as a country committed to free market enterprise.

As I change hats and review this provision as the ranking member of the Senate Agriculture Committee, I find it equally objectionable. The provisions of section 305 will make American agricultural commodities more expensive and will damage the competitiveness of our agricultural sector. Growing cargo preference requirements have the potential to wipe out billions in commercial export sales from agricultural producers with a corresponding loss of income for American farmers.

The U.S. Department of Agriculture notes that the provision "breaches the cargo preference compromise between agriculture and maritime interests reached in the 1985 farm bill." The Department and the agricultural groups which oppose this provision also worry that it will make American commodities more expensive leading to decisions by foreign purchasers to buy from other sources.

Let me provide an example to illustrate:

The Agriculture Department has calculated that the $1 billion in goods required to be shipped on U.S.-flag carriers, under the provisions of section 305, would buy about 8.3 million metric tons of wheat.

We all know that U.S. ships are more expensive. Let's assume a higher freight rate of $20 per metric ton. In this example, the increased costs to foreign buyers would be about $166 million, reducing wheat imports by almost 1.4 million metric tons.

This problem will exist to some degree for any agricultural commodity which could be sold under this program.

In light of its negative impact, this provision is opposed by the American Farm Bureau Federation, the American Soybean Association, the Fertilizer Institute, the Millers National Federation, the National Forest Products Association, the National Grain and Feed Association, the National Grain Trade Council, the National Grange, the National Oilseeds Processors Association, the North American Export Grain Association, Protein Grain Products International, and the Terminal Elevator Grain Merchants Association.

Mr. President, I would like to submit for the RECORD a letter in opposition to section 305 of this bill by the above mentioned groups as well as other well known organizations.

Finally, Mr. President, as I remove my Agriculture hat and replace it with my Great Lakes hat, I must once again stand in opposition to this expansion of cargo preference. Great Lakes ports are not called upon by U.S.-flag vessels and therefore, cannot handle cargoes shipped under cargo preference requirements. Therefore, any expansion of cargo preference also expands the volume of exports no longer available to Great Lakes ports. This has a damaging effect on our longshore labor and the continued health of the Nation's fourth seacoast, the Great Lakes/St. Lawrence Seaway System.

These are important goals which should not be watered down by adding another purpose to the ESF program. Doing so would reduce the program's flexibility and detract from its important foreign policy purposes.

A large percentage of the ESF cash transfer program is used to support the Middle East peace process. Israel is scheduled to receive $1.2 billion and Egypt is scheduled to receive $115 million in cash transfer funds. Additional funds are used to encourage drug control efforts in several Andean nations. Of the remaining countries scheduled to receive these moneys, many are extremely poor and are least able to pay higher U.S.-flag shipping rates. Haiti, Jamaica, Costa Rica, and the Philippines, to name a few, would all be hurt under this provision.

Section 305 would be difficult, if not impossible, to administer. It requires the administration to undertake the difficult task of tracking the sales of U.S. goods, including private commercial sales. The administration would have to verify that all countries which

receive cash transfer under the ESF program buy a sufficient amount of American goods and transport these goods on U.S.-flag ships. The General Accounting Office would also have to access and audit foreign governments' records.

Mr. President, I ask unanimous consent that a letter from Mr. Jim Hartung, director of the Port of Indiana at Burns Harbor, be printed in the RECORD. In this letter, Mr. Hartung stresses the damaging effect any expansion of cargo preference has on the Port of Indiana and other Great Lakes ports.

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

INDIANA PORT COMMISSION,
BURNS INTERNATIONAL HARBOR,
*Portage, IN, July 3, 1991.*

Hon. RICHARD G. LUGAR,
*U.S. Senate, Washington, DC.*

DEAR SENATOR LUGAR: May I once again express appreciation for your many fine efforts on behalf of Indiana's international trade interests. Most recently, I thank you for your opposition in the Foreign Relations Committee markup of the new foreign aid bill to the cash transfer/cargo preference amendment offered by Senator Pell.

The Pell cash transfer/cargo preference provision is a prime example of a counterproductive amendment. While it purports to apply a "Buy America" policy, in fact, the countries which receive U.S. cash transfer already buy $billions more of U.S. goods than the amount of the cash transfer. So all the provision really does is to apply high-cost cargo preferenece to existing U.S. exports, thus reducing the volume of our waterborne shipments or losing our sales to competitors not captive to U.S. flag rates.

The unprecedented imposition of cargo preference on U.S. commercial exports in this case is of multiple concern to us in the Great Lakes. Not only do we face head-to-head competition with suppliers in Canada and elsewhere, but we also lack U.S. ocean-going ship service. If an Indiana supplier is bidding for a sale to a cash transfer country, how can he export through Burns International Harbor when there is no U.S. seagoing vessel calling here?

You undoubtedly have heard from farm groups on how this new cargo preference requirement would disadvantage them. The Administration strongly opposes this provision. Humanitarian aid groups such as CARE object to it because of its negative impact on poor countries.

We very much appreciate your past leadership on this issue and hope you will continue to play a vigorous role in opposing the new cargo preference requirement when the foreign aid bill comes to the Senate floor.

Appreciatively yours,

JAMES H. HARTUNG,
*Port Director.*

Mr. LUGAR. Today, I have tried to outline, from three different points of view, the objectionable nature of section 305. The provision has drawn strong opposition including a veto threat from the administration. I will work to ensure that this expansion of cargo preference does not become law. I urge Senators to vote to delete it.

Indeed, Mr. President, I do support the provision for the reasons that CARE has so succinctly and so accurately described. We are talking about foreign assistance. We are talking about helping needy people. We are talking about Israel and the countries of the Middle East. To negate the purposes of the bill and mandate a transfer payment from American farmers and other suppliers to the merchant marine is inappropriate in a foreign aid bill.

I thank the Chair.

The PRESIDING OFFICER. The Senator from Indiana yields the floor.

Mr. McCONNELL. I yield 2 minutes to the Senator from Mississippi.

The PRESIDING OFFICER. The distinguished Senator from Mississippi.

Mr. STEVENS. Parliamentary inquiry. How much time remains?

The PRESIDING OFFICER. The Senator from Kentucky has 4 minutes and 45 seconds. The Senator from Maryland has 2 minutes and something.

The Senator from Mississippi.

Mr. LOTT. Mr. President, first I would like to point out to my colleagues tonight what this amendment does. It strikes the entire section 305, which means we strike out the provision which allows for the purchase of U.S. goods as well as a way to ship those goods.

Without this provision, where are we going to get the grain? Are we going to buy it from Brazil? This is the only provision in the bill which requires that we buy American goods and American services to supply those goods. So you need to be aware on what you are voting. It strikes the entire section 305.

Now, second, my question is, do we want a merchant marine American fleet or not? I live on a port in the Gulf of Mexico. I go down to the grain elevator; I go down to the docks; I see Russian ships; Greek ships, all kinds of flags, Panamanian, Nigerian, no U.S.-flag vessels.

This is one small effort for us to use American ships. It makes no sense for us to provide money and assistance, require that it be spent on U.S. goods but not require that it be transported on U.S. ships.

Our merchant marine, our shipbuilding industry in America is being devastated. So if we are going to support the U.S. goods industry through U.S. aid and assistance, we should also require that the goods be transported on U.S. ships.

What did we learn in Desert Shield and Desert Storm? One of the things we learned was that we have a big problem in providing the merchant fleet to ship our American goods even in wartime. In the gulf war, U.S. flagships came to our aid very quickly. In fact, I think some 130 ships got involved. But we still had to go get other foreign flags to help us in Desert Shield/Desert Storm. Remember, that was under the best of circumstances. Under other circumstances we may not have been able to get foreign flagships to come to our aid when we really needed it.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. LOTT. We should support American industry and oppose this amendment.

The PRESIDING OFFICER. The Senator from Kentucky has 2 minutes 33 seconds.

Mr. McCONNELL. I yield the remainder of my time to the Senator from Alaska.

Mr. STEVENS. I share the opinion of the Senator from Mississippi. I do not need the time.

The PRESIDING OFFICER. The Senator from Kentucky has 2 minutes.

Mr. McCONNELL. Mr. President, I am unaware of any other Senators who wish to speak.

The PRESIDING OFFICER. The Senator from Maryland has 2 minutes 20 seconds.

Mr. SARBANES. I do not think I have any requests. If so, I am prepared to yield back my time.

Mr. McCONNELL. Mr. President, the administration strongly opposes any change in cargo preference laws. While its advocates market this provision as a buy America plan, it is exactly the opposite. Cargo preference is bad for American business, bad for labor and bad for the U.S. balance-of-trade deficit.

The direct effect of cargo preference is to reduce the amount of American goods and services a government must purchase when receiving cash transfers. At the same time that we are demanding a country buy American goods or services in an amount equal to their cash transfer, we are also insisting they ship on more expensive American-flagged carriers. This is no more and no less than a cash subsidy to American shipping interests.

In 1990 AID funded commodities—including soybean meal and corn—which were shipped on American hulls cost $21.6 million more than any competitive international options. That is $21 million which could have been buying American grain, machinery, tools, or other supplies.

American shipping usually runs double the price of any foreign competitor. In 1990 AID paid roughly $59 per ton for American shipping compared with $30 on non-American carriers. The fact that the Senate is financing noncompetition is inconsistent and counterproductive.

There is an extensive list of products from every one of our States which are eligible for purchase under the cash transfer program. These are all products made in the United States by American labor which will lose sales volume because of cargo preference. We are putting at risk dairy products, coal, fertilizers, tires, tobacco, iron, steel, ships, boats, industrial equipment, cars, and manmade fibers and

woven fabrics. The list represents the backbone of the American economy and export market.

Finally, the countries most adversely affected by cargo preference are those least able to bear the burden. Cargo preference requirements will cut into the buying power of Egypt, Israel, the Philippines, Haiti, and Honduras, to name just a few. These are not countries with the unlimited resources to spend on the most expensive shipping available.

I strongly urge my colleagues to vote to strike any such restriction subsidizing American shipping.

Mr. HELMS. Mr. President, one of the many defects in this bill is the provision requiring countries that receive cash transfer assistance [ESF] to spend an equivalent amount of resources on goods and services in the United States. I have no problem with that, but there is a further provison that recipients must ship at least 50 percent of those goods on U.S.-flag carriers, an obvious subsidy for maritime unions and shipowners, which will diminish the amount of grain delivered to the starving people in many countries.

To be specific, Mr. President, the committee accepted an amendment requiring U.S.-flag carriers to be no more than 30 percent above the average competitive international rate for international ship transportation. This so-called improvement, cargo preference, is still another obviously unacceptable provision which the administration opposes and which will assure a veto by the President.

The Agency for International Development reported, in a memo from May 22, that—

> In calendar year 1990, United States flag vessels were, on average, $29.25 a ton more expensive than foreign vessels. AID-funded commodities, including bulk corn and soybean meal, shipped on U.S.-flag carriers in calendar year 1990 cost $21.6 million more than internationally competitively bid transport would have cost.

The memo states further:

> The value and utility of cash transfers as a tool for achieving our overall foreign assistance and foreign policy objectives would be reduced significantly, since no additional funds are to be provided to meet the additional cost of U.S.-flag shipping.

In North Carolina alone, AID purchased more than $13 million worth of goods and services in fiscal 1990. This is a small amount compared to most States. Products ranged from office furniture to computer software. If this amendment is not accepted, that figure will be much lower in the future.

Mr. President, Congress owes the American taxpayer honesty in the allocation of resources. Unless Congress accepts this amendment, the cargo preference provision will indirectly subsidize the U.S. merchant marine—at the expense of the U.S. taxpayer. If Congress intends to provide an additional subsidy to the merchant marine, it should be debated and approved as such. I urge Senators to support the motion to strike this unwise and unfair provision which the committee should never have accepted in the first place.

Mr. DOLE. Mr. President, history has an uncanny knack for repeating itself in this body. So I guess it comes as no surprise that we again find a new, important and—in my view—unfair and unwise cargo preference provision in the foreign aid authorization bill.

I rise as a cosponsor of the Dixon amendment to strike this new cargo preference language.

Let us be clear: This new provision will have a real and negative impact on our competitiveness. How cargo preference is defined and implemented is an issue which is central to the competitiveness and the economic well-being of the agriculture and business communities in the United States. So we must think about and debate this issue very carefully, before assenting to a significant change in our cargo preference laws.

In earlier forms, this issue has been debated at great length on the floor and in various committees in the past. But the bottom line remains the same—cargo preference is an indirect subsidy which undermines our competitive position in the world market, and puts at risk valuable foreign markets which have taken decades to establish. Under the current and immediate past administrations, the United States has aggressively sought new and expanded foreign markets, and we have made significant gains. I hope that my colleagues will choose not to throw those gains away by building in a self-imposed penalty undermining our competitiveness.

Specifically, this new language is tied to a provision in the bill which restricts economic support fund cash transfers to countries if they do not agree to spend an amount equivalent to the cash transfer on the purchase of U.S. goods and services. As far as that goes, it probably makes some sense. Aid-recipient countries should spend our aid dollars on American goods and services which are competitive in world markets.

The word "competitive" is the key. Aid programs are not the vehicle to subsidize uncompetitive industries. If we want to subsidize them, let us do it up front and honestly—not through back-door provisions like cargo preference.

So what does not make sense is to force the recipient nation to utilize a fixed percentage of their ESF, 50 percent, on American goods shipped only on our flag vessels. Given the significant difference between rates charged by the U.S. merchant marine and the going rates in foreign markets, this requirement would divert useful funds that could be used to purchase our commodities in order to pick up this excessive, uncompetitive freight tab.

Again, if we want to subsidize our merchant marine, so that it can be competitive, then let us just vote to do that, and pay for the subsidy out of the appropriate account. It is just unfair, and irrational, to subsidize the merchant marine out of the foreign aid or agriculture budget.

Mr. President, this is a complex issue. I can understand that many of my colleagues may not follow our export markets closely, and may not realize that a minor difference in freight rates can make or break a major sale of commodities. It is for that very reason that we must look before we leap; that we ought to consider this fully before assenting to this kind of basic change in our cargo preference policy.

Mr. President, I hope that my colleagues will join me in voting to strike this provision. It is the wrong provision, at the wrong time, in the wrong bill.

The PRESIDING OFFICER. Do Senators yield back their time?

Mr. MCCONNELL. Mr. President, I yield back the remainder of my time.

The PRESIDING OFFICER. Have the yeas and nays been requested?

Mr. SARBANES. Mr. President, I move to table the Dixon amendment. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second? There is a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Maryland to table the Dixon amendment. The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. FORD. I announce that the Senator from Arkansas [Mr. PRYOR] is absent because of illness.

Mr. SIMPSON. I announce that the Senator from Missouri [Mr. BOND] and the Senator from Rhode Island [Mr. CHAFEE] are necessarily absent.

The PRESIDING OFFICER (Mr. ROCKEFELLER). Are there any other Senators in the Chamber who desire to vote?

The result was announced—yeas 55, nays 42, as follows:

[Rollcall Vote No. 146 Leg.]

YEAS—55

| | | |
|---|---|---|
| Adams | Ford | Murkowski |
| Akaka | Gore | Nunn |
| Bentsen | Graham | Packwood |
| Biden | Harkin | Pell |
| Bingaman | Hatfield | Reid |
| Bradley | Heflin | Robb |
| Breaux | Hollings | Rockefeller |
| Bryan | Inouye | Sanford |
| Burdick | Johnston | Sarbanes |
| Byrd | Kennedy | Sasser |
| Cochran | Kerrey | Seymour |
| Cohen | Kerry | Shelby |
| Conrad | Leahy | Specter |
| Cranston | Lieberman | Stevens |
| D'Amato | Lott | Warner |
| Daschle | Mack | Wirth |
| DeConcini | Mikulski | Wofford |
| Dodd | Mitchell | |
| Exon | Moynihan | |

NAYS—42

| | | |
|---|---|---|
| Baucus | Glenn | McConnell |
| Boren | Gorton | Metzenbaum |
| Brown | Gramm | Nickles |
| Bumpers | Grassley | Pressler |
| Burns | Hatch | Riegle |
| Coats | Helms | Roth |
| Craig | Jeffords | Rudman |
| Danforth | Kassebaum | Simon |
| Dixon | Kasten | Simpson |
| Dole | Kohl | Smith |
| Domenici | Lautenberg | Symms |
| Durenberger | Levin | Thurmond |
| Fowler | Lugar | Wallop |
| Garn | McCain | Wellstone |

NOT VOTING—3

| | | |
|---|---|---|
| Bond | Chafee | Pryor |

So the motion to table the amendment (No. 822) was agreed to.

Mr. SARBANES. Mr. President, I move to reconsider the vote.

Mr. DOLE. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 808

Mr. WOFFORD. Mr. President, with desperate human needs here at home, with our working families squeezed by higher taxes and declining incomes and with the Federal deficit still out of control, we need to cut wasteful and unnecessary foreign aid. But we must do it with well-aimed shears, not a sledge hammer.

The Helms amendment essentially says that Members of Congress refuse to take the responsibility to cut individual programs which waste taxpayer dollars. It says that thoughtful debate about specific programs is not possible.

The Helms amendment would not even allow us to cut the programs that waste the most taxpayer money. When we spend billions of dollars each year to subsidize the defense of our economic competitors who can then invest their own resources in health care and worker training, new infrastructure, and new technology, we are wasting American dollars.

When we spend billions of dollars to rent overseas military bases, which are of more use to the landlords than to the tenants, we are wasting American dollars.

I voted against the Helms amendment because it could not—and did not even attempt—to make reasonable cuts in our foreign aid budget. I believe we can do better, for our own taxpayers and for the people of the world who still look to America as their last, best chance for a better life. And I will work to see that we do better as the Senate continues to address the Foreign Aid Authorization Act.

Mr. SARBANES. Mr. President, I will support the absence of a quorum. But before I do that, because there are some Members on the floor, let me say that first of all I want to express my appreciation to my colleagues. Even though we did have some stretches today with quorum calls and we had difficulty in getting Members over to offer their amendments, we were able to make substantial progress in dealing with this bill, not as much as we would have hoped, but perhaps more than some expected.

We think there is a very good chance, in fact, a very, very, good chance that we can finish this bill tomorrow in a reasonable amount of time. But we hope the Members will come to the floor to offer their amendments, particularly those amendments that are regarded as noncontroversial, or that perhaps with some modification the managers can accept, so we can clear them.

There will be, we know, some highly controversial amendments on which there will be some debate, and I take it some fairly close votes. And we are trying now to arrange the time when that may happen. But we urge Members tomorrow to move forward promptly with their amendments.

I understand we will resume consideration of this bill at 10:30 a.m. and we hope that Senator WELLSTONE at that point will be prepared to offer his amendment. I assume that will be included in the request of the leader.

So, if we can just keep moving tommorrow, hopefully we can pass this legislation.

The PRESIDING OFFICER. The Senator from Kentucky.

Mr. MCCONNELL. Mr. President, I certainly agree with my friend from Maryland. It seems to me that the amendments of which we are aware are down to a precious few, and there is every reason to believe we should be able to finish this bill tomorrow.

## APPOINTMENT BY THE REPUBLICAN LEADER

The PRESIDING OFFICER. The Chair, on behalf of the Republican leader, pursuant to Public Law 101-445, appoints Ms. Sue Greig, of Kansas, to the National Nutrition Monitoring Advisory Council.

Mr. SARBANES. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. MITCHELL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection it is so ordered.

## MORNING BUSINESS

Mr. MITCHELL. Mr. President, I ask unanimous consent that there be a period for morning business with Senators permitted to speak therein.

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

## UNITED STATES AMBASSADOR-DESIGNATE TO BOLIVIA GIVES VIEWS ON LA PAZ' ROLE IN THE ANDEAN DRUG WAR

Mr. CRANSTON. Mr. President, recently the Senate Foreign Relations Committee had the opportunity to meet with Mr. Charles R. Bowers, the administration's nominee for ambassador to Bolivia.

His appearance before the committee comes at a time of increasing strains in the United States-Bolivian relationship. It also comes at a time that those of us who have warned about the potential dangers of the administration's antinarcotics strategy are, sadly being proven right by developments in Bolivia.

I believe the administration is headed down a wrong-headed path in its antinarcotics efforts in Bolivia.

I am worried about the effect of involving the Bolivian military—after considerable pressure from the United States—in what should be a civilianized law enforcement task.

I am also concerned about what the involvement will mean in terms of upsetting Bolivia's fragile civil-military relationship.

Yet, despite an increasing number of alarming critiques from La Paz about the administration's antinarcotics policy, the State Department appears determined to press ahead with a policy that is not working and, despite the growing outlays of money it is willing to spend, probably cannot work.

For that reason, I would like to share with my colleagues the written responses Mr. Bowers offered to my questions. I think they are illustrative of what is wrong with the administration's approach and bode badly for the future, not only of United States-Bolivian relations, but the future of Bolivian democracy as well.

I ask unanimous consent that the text of my questions, and Mr. Bower's responses, be printed in the RECORD.

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

QUESTIONS FOR THE RECORD SUBMITTED TO CHARLES RICHARD BOWERS BY SENATOR ALAN CRANSTON, JULY 10, 1991

Question 1: As you know, the previous Ambassador has left a legacy of conflicting relationships with important sectors of Bolivian society and has been widely criticized for intervening in Bolivia's internal politics. How do you plan to improve relations with these important actors on Bolivia's democratic scene?

Every Ambassador has his or her own style. If confirmed, I intend to carry out my duties in a manner that reflects my way of getting things done. I anticipate doing a lot of listening to Bolivians in all sectors of their society and learning what they have to say. I plan to reach out to diverse groups in Bolivia's economic, cultural and educational areas. Naturally, I will spend a good deal of my time with the political leadership, those in power as well as out, those at the zenith of their careers and those just starting out.

I intend to be active in bringing to the Bolivian people and leadership a solid understanding of American values, traditions and beliefs. I have been working in the international affairs arena for over 25 years. One thing I am convinced of is that we have our best bilateral relationships with those countries where we share commitments to common values: to freedom and democracy, to economic justice, to the worth of the individual and the rule of law. The current government of Bolivia is, I believe, committed to those noble values, and I look forward to lending my help to democratic elements in Bolivia in their efforts to strengthen and deepen the roots of democracy.

Question 2: In the United States we have carefully and—in my judgment—wisely drawn a distinction between internal security and national defense, giving the former task almost entirely to civilian law enforcement. Unfortunately, this essential democratic safeguard has been absent in U.S. Andean anti-narcotics policy, and has had a serious corrosive effect on Bolivia's democracy. What is your view on the militarization of the drug war?

I believe the Bolivian government draws the same distinction between law enforcement and national defense requirements as we do. It is the police, not the military, that has the law enforcement responsibility to carry out the war against the illegal narcotic traffickers in Bolivia. The armed forces of Bolivia, however, have had for several years a supporting role in that battle, primarily in providing transportation and logistical support to the police. The Bolivian Air Force, for example, has been flying helicopters for the police for about three years, and the Bolivian Navy works with the police in providing "brown-water" boats so that the police can seek out narcotraffickers who use Bolivia's extensive river networks.

Recently, the Bolivian government decided to engage elements of the army to support the police in remote and isolated areas of Bolivia where the narcotraffickers have been operating with impunity. The Bolivian Government has limited the army's counter-narcotics role to those sparsely populated regions, and has designed that role to support the police in such areas as blocking escape routes, manning road checkpoints and, in rare instances, coming to the aid of engaged police forces who are in danger of being outgunned and overwhelmed by heavily armed narco-criminals.

Question 3: Following up on this, recent press reports—in the Washington Post, among others—suggest that not only civil-military relations, but also the delicate balance between the army and the police, have been damaged by U.S. anti-narcotics assistance. What plans do you have to remediate this damage?

There is indeed a tradition of rivalry between the police and the military in Bolivia that has historical roots. I believe that U.S. anti-narcotics assistance, however, has served to minimize rather than exacerbate that rivalry. The reason for that belief lies in the fact that, as a result of our anti-narcotics program, Bolivian police and military forces have received a great deal of training from highly qualified U.S. civilian and military trainers. Such training has improved markedly the professional capabilities of the Bolivian police and military forces. The Bolivian policemen and soldiers who have been trained emerge from that process as better, more committed and more competent policemen and soldiers. They gain, as part of that training, a better understanding of their role in a democratically governed country and for their part in protecting the rule of law. This is not to say that rivalries no longer exist. But the premise that U.S. anti-narcotics assistance has made them worse is simply not supported by the facts.

Question 4: I note you have extensive administrative experience and skills. I have heard reports of late of serious mismanagement by our embassy in La Paz of our anti-narcotics efforts in Bolivia, problems that are currently under in-house review at State. What plans do you have to improve accountability in La Paz?

The May 1991 Inspection Report issued by the State Department's Office of the Inspector General (OIG) found the U.S. Embassy in La Paz to be "exceptionally well managed" and found "country team coordination thorough." That report goes on to state that "the mission has not neglected other U.S. interests in Bolivia but has framed the counternarcotics struggle within their context."

Concurrently with that general inspection of embassy operations, another OIG team undertook to audit the embassy's counter-narcotics program in Bolivia. To the best of my knowledge, that audit report has not yet been finalized or published. My general experience with audit reports is that they focus on what the auditors believe needs to be improved rather than on what has already been done properly and well. I assure you that I will personally review any recommendations made by the OIG auditors and will take all necessary steps to ensure that all of Embassy La Paz' programs—including the country-narcotic ones—are in compliance with law, regulation and sound management practices.

## FOREIGN AID AUTHORIZATION BILL CLOTURE VOTE

Mr. DIXON. Mr. President, the Senate earlier today voted to invoke cloture on the motion to proceed to S. 1435, the foreign aid authorization bill. For the record, I cast my vote against cloture.

S. 1435 contains a provision that will extend cargo preference requirements to commercial sales of U.S. goods and services to countries receiving U.S. cash transfer assistance.

As I have stated many times before, any time cargo preference requirements are increased, the Great Lakes region suffers. In addition to the fact that many of the cash transfer recipients purchase Midwest agricultural and industrial products, the Great Lakes ports, which have no regularly scheduled U.S.-flag ocean-going service, are virtually shut out from participating in the shipment of goods to which cargo preference applies.

Mr. President, I support the need to maintain a strong merchant marine for national security and sealift capabilities. Cargo preference, however, does not achieve this goal.

Cargo preference has been extended time and time again, yet we continue to watch the size of the U.S. merchant fleet decline. I cannot support, therefore, yet another extension of cargo preference at the expense of American competitiveness in the international market, and of the ports around the Great Lakes.

## TERRY ANDERSON

Mr. MOYNIHAN. Mr. President, I rise to inform my colleagues that today marks the 2,321st day that Terry Anderson has been held captive in Lebanon.

## ILO LABOR CONVENTIONS

Mr. MOYNIHAN. Mr. President, I recently received a letter from Mr. Randolph Hale of the National Association of Manufacturers concerning the International Labor Organization and Senate ratification of ILO labor conventions. The active involvement of the National Association of Manufacturers on these issues and, in particular, its testimony before the Committee on Foreign Relations concerning ILO conventions has been most important. I believe that I can state for the chairman and the other members of the Committee on Foreign Relations in saying that the committee has very much valued having the association's views. Moreover, the cooperation among the administration, the business community, and labor in breaking the decades-old logjam on the ratification of these conventions has been a model of consultation and cooperation.

The National Association of Manufacturers has, however, come to have certain concerns about the ratification process. In sum, the association is concerned that the filing of complaints with the ILO might be used to change U.S. labor law without the Congress and the State legislatures being involved. While no single Senator can provide the clarification of the Senate's intentions that the association seeks, I can certainly provide you with my own views on the matter for the record. Under the ILO constitution, government, business, and labor representatives operate independently of each other. That is one of the things that makes the ILO unique among international organizations. As the U.S. labor representative to the ILO, the AFL-CIO is entitled to file complaints with the ILO. However, decisions by ILO bodies on such complaints are not binding in the United States. Changes to U.S. labor law will be made by the Congress and by State legislatures—not the ILO—based on the available evidence about U.S. needs and circumstances.

Indeed, the parties to this process have agreed to certain ground rules for ratification which insure that this will be the case. The second and third of the ground rules for ratification state that any differences between Federal law and practice will be dealt with through the normal legislative process and that there is no intention to change State

law and practice through ratification of ILO conventions. Pursuant to these ground rules, a recommendation by the Tripartite Advisory Panel on International Labor Standards [TAPILS] that the United States ratify an ILO convention represents an agreement by labor, business, and the administration that the United States is already in complete compliance with the convention or that any variations will be dealt with by the adoption of legislation by the Congress. When the Senate grants its consent to ratification it states its concurrence with that opinion.

Mr. President, I certainly hope that this provides the assurance that the National Association of Manufacturers understandably seeks on behalf of its members and I would ask unanimous consent that Mr. Hale's letter to me be printed in the RECORD at this point.

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

NATIONAL ASSOCIATION
OF MANUFACTURERS,
*Washington, DC, May 9, 1991.*

Hon. DANIEL P. MOYNIHAN,
*U.S. Senate,*
*Washington, DC.*

DEAR SENATOR MOYNIHAN: On April 10 NAM presented testimony before the Senate Foreign Relations Committee relative to ILO convention #105, Abolition of Forced Labor. Discussion of this testimony by NAM members uncovered a significant concern which I feel necessary to relay to you and ask your guidance in its satisfactory resolution.

Briefly stated, the concern is:

Does the U.S. Senate agree to and therefore have the ILO (and at times the OECD) to effectively become the potential arbiters of U.S. labor law and practice before, as well as after, conventions are ratified.

As you know, after long and careful discussion with the government and labor, the U.S. employers agreed to a well-articulated and well-working process to review ILO convention applicability and use in the United States. Precisely, the process insures that an individual convention does not conflict with existing U.S. federal or state labor laws. This process, under the tripartite review group called TAPILS, has and continues to examine various conventions. Their work has resulted in NAM not opposing ratification of conventions 144, 147, 160 and now 105.

The AFL-CIO has consistently maintained that ratification of ILO conventions 87 and 98, concerning freedom of association, would not require modification of any existing U.S. legislation.

The AFL-CIO, therefore, continues to file alleged U.S. violations of these conventions with the ILO's Committee on Freedom of Association (CFA), and at times with the OECD. The complaints filed involve individual and company situations as well as alleged violations of collective bargaining rights at the state and local levels questioning federal-state jurisdiction.

All of these complaints should be adjudicated under existing U.S. legislative and administrative practices, especially when full use of the U.S. system (e.g. NLRB elections) has been bypassed. They are all clearly internal domestic cases and have no place in any international arena particularly when any "decision" of these groups would be sterile under existing U.S. law. The implication is that similar bypassing of the U.S. system will occur even for conventions ratified by the Senate.

This seems to indicate an intent to influence U.S. labor law change and interpretation using international pressure in those areas they have been unable to influence through normal congressional debate or use of the established administrative and court procedures.

The result is that NAM must reconsider whether it should continue to support the TAPILS process. We oppose any attempt, through initiatives in international arenas, to change U.S. labor law through the treaty route rather than as a result of regular TAPILS, legislative, court or administrative processes.

We request clarification of the Senate's intentions regarding this concern and inclusion of this letter into the record. We also request your guidance in terms of the best interests of U.S. trade or foreign policy as well as labor law.

Please understand that these strong statements have been discussed at length with our membership. We take this step after careful deliberation and based on the fair and open way the Senate Foreign Relations Committee has handled ILO Conventions approval.

Thank you for your consideration of the concerns expressed in this letter.

Sincerely,

RANDOLPH M. HALE,
*Vice President,*
*Industrial Relations.*

## RECOGNIZING SERVICE OF NANCY FLETCHER DEHLINGER

Mr. GARN. Mr. President, today I want to recognize the service of a member of my staff, Nancy Hope Fletcher Dehlinger, who is leaving my staff this week. Nancy has worked in my office for almost 16 years. Upon graduation from college, she decided to follow in her mother's footsteps and work in the Senate. Her mother, Ruth Fletcher, worked for former Senator Curtis, Republican of Nebraska, for 25 years, until his retirement. Nancy joined my staff during my first year in the Senate and has been a reliable member of my staff ever since.

During her tenure, Nancy has supervised the operations of our mailroom, assisted in the computer automation of the office, filled in for receptionists and worked as a legislative secretary. She also extended a warm hand of friendship to homesick interns. Her service as a legislative secretary, for my assistants dealing with public lands and national security, has given Nancy a working knowledge of how these issues affect Utahns. Although these tasks are not the high profile positions, any Senator in this Chamber can attest to the fact that the mailroom is the heartbeat of any office. Nancy's understanding of that operation is unparalleled.

When Nancy first came to work for me, she had never visited the State of Utah. Now, she can recite the Zip Code of almost every small hamlet in the State including: Tremonton, Birdseye, Wendover, and Beryl, UT. Nancy has visited Utah a number of times now. She understands the politics, culture, and history of the State. Even though she was raised in Maryland, Nancy is now so familiar with Utah, she is almost a native.

Nancy married James Dehlinger in May of this year and will be joining him in Arizona. Perhaps Nancy's understanding of the West will prepare her for her new home in Arizona and if she finds it too hot in the Arizona desert, she will always be welcome in Utah. I am grateful for her dedication and good work. Nancy's efforts will be missed. I want to take this opportunity to wish her luck and happiness in her new life.

## WORLD REFUGEE SURVEY: 1991

Mr. KENNEDY. Mr. President, one of the most dedicated and longstanding agencies involved in chronicling the world's refugee problems have been the U.S. Committee for Refugees. Since 1958, when it was established to help America participate in the first World Refugee Year, the U.S. committee has been an advocate for refugee protection and assistance.

In recent years, it has grown in stature as the leading private agency recording and reporting on worldwide refugee problems. And one of its most important contributions is the publication of its annual World Refugee Survey.

A few weeks ago, the most recent survey for 1991 was released, and it provides as always a carefully prepared statistical survey of the world's current refugee populations—the who, where, and when questions—while also dispassionately addressing some of the "whys" behind the tragic flows of refugees.

Unfortunately, the optimism of the previous year's survey that there was new hope in finding durable solutions to some of the world's longstanding refugee problems with the end of the cold war, ended in dashed hopes.

As Roger Winter, the director of the U.S. committee, points out in his opening essay, new upheavals—such as the Persian Gulf refugee crisis—more than overshadowed what other progress was made in other regions of the world.

Mr. President, I commend to the attention of my colleagues the new World Refugee Survey, and urge that they obtain the complete 112-page published report.

But for the RECORD, I would like to ask that the report's section on "The Year in Review" be printed, since it provides a thoughtful overview of refugee issues over the past year—many of which still face us this year, as some will in the years ahead.

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

[From World Refugee Survey—1991]

THE YEAR IN REVIEW

(By Roger P. Winter)

The year 1990 was one of lost innocence, shedded naivete. As 1989 closed, for many of us there was boundless hope—essentially, knowledge—that, with the demise of the Cold War, the world could look forward to a rosier future. There would be opportunity to focus on improving the quality of life for all, international cooperation that would make multilateralism work, usher in peace, and perhaps even give rise to peace dividends. We believe that "liberty and glasnost for all" had set in motion democratizing and peacemaking trends that would never be reversed.

A year later, the world has engaged in a major war in the Persian Gulf that even before the outbreak of hostilities in 1991 had displaced more than a million people. In the aftermath of that war, the world has been forced to confront the hopelessness and helplessness of refugees and displaced people in new, high profile ways, with thousands dying in the process. In the Soviet Union, the architect of glasnost has in the Baltics countenanced the rise of violent militarism as an instrument of domestic policy, the Union itself appears to be rushing toward collapse, and perhaps millions are poised to leave at the first opportunity. Despite the apparent end of the Cold War, the world's refugees had increased to nearly seventeen million by the end of 1990 and were significantly higher immediately thereafter. The reality of war and conflict for much of humankind remains unchanged, the prospects for much more—in the Soviet Union, Yugoslavia, the Middle East, India, Sudan, Burma—portend even higher numbers of refugees and displaced people. We remain in a well-weaponed world.

This spiritual and emotional roller-coaster has implications on the largest of scales. In the refugee field, they are all-defining. Geopolitics has consistently dominated the international refugee machinery. Many have conceived of refugees exclusively in Cold War terms. Although that should never have been the case, in truth, the Cold War, including the third world proxy battles it spawned, was the major producer of refugees in the post-World War II era. We perceived its passing to mean that fewer refugees would be created and that millions who lost their homes and homelands would be able to return.

The past year has produced several developments, revelations, and trends that, at minimum, muddy the clarity of our earlier prognostications. For one, we are now aware of the post-Cold War lag factor. It has been more than two years since the Soviets left Afghanistan, but there is no peace, and the refugees have not gone home. While small progress has been made in some other regional conflicts, such as Angola, Mozambique, Cambodia, in almost all the dying and suffering go on. Only in Namibia and, less securely, in Nicaragua, is peace actually "on line." Extricating the world from passing conflicts is not at all simple or quick.

For another, the absence of the Cold War framework, perhaps properly, undermines the certitude with which too many of us approached the world. Robert J. Samuelson recently wrote that for the United States, "since the 1940s, communism has been the great simplifier * * * it has made our foreign policy a great morality tale of good versus evil * * * now, [with] communism's collapse * * * we are less sure of our foreign interests." Freed from the Cold War framework, ethnic hatred, nationalism, and other forces raise their negative sides unbridled, without the discipline inherent in the old framework. While many share a feeling that there will be less (simplistic) clarity on why new populations of refugees and displaced people emerge, it is increasingly clear that the forces unleashed by the world's changes will in fact produce new displacement in significant numbers.

There is increasing evidence that the apparent demise of the Cold War and the fear of collapse in the Soviet Union have combined to cost most refugees and displaced people whatever strategic value they may once have had. Several observers have suggested with respect to refugees and displaced people that, because the conceptual structure that defined "our interests" has changed, so too has our will to respond. It is increasingly clear that for many in the best-off nations of the world the humanitarian needs of the poorest of the poor, those of least strategic importance, are fading from the even miniscule view they were formerly afforded. For most of us, the plight of Africa's victims, for example, is just not an issue, just as the gassing of the Kurds was not when it first came to world attention in 1988. If anything, too much attention continues to be focused on walling others out so that they don't impinge on us. The UN High Commissioner for Refugees (UNHCR) respected Director of International Protection Michel Moussalli recently pointed out that "the budget of UNHCR for the 15 million refugees in the world amounted to roughly 500 million dollars in 1989. The financial resources devoted by the administrations of the Western countries handling their asylum procedures amounted for the same period to roughly 5 billion dollars." With respect to UNHCR, the abrupt departure of High Commissioner Stoltenberg in October further unsettled the institution that has suffered immensely during the last few years. Bureaucratically, it may seem that the worst of UNHCR's budget crunch has passed. But that would be a shallow view indeed. It may be more comfortable in Geneva because the substantial deficit carried forward from 1989 to 1990 has been liquidated, and staff who were going to be let go are gone. But at what a price! Refugees worldwide—but especially in the less visible spots—have seen their actual level of care degraded, education of their children eliminated, their dependency deepened.

It is critically important for those interested in humanitarian concerns generally, and humanitarian concerns in the third and fourth worlds specifically, to fight back, to organize to ensure that whatever "new world order" emerges from today's confusion and change adequately responds to the vulnerable uprooted victims of human conflict.

In that regard, I suggest that a five-point common agenda be pursued during the next several years:

1. Strengthen the multilateral humanitarian institutions. The UN High Commissioner for Refugees, the International Committee of the Red Cross, and other international entities that deal with refugees and displaced people have emerged from the last few years in a weakened state. In terms of their mandates, capabilities, financial resources, and available diplomatic support, that trend needs immediate reversing. While it is important that the UN system generally works better now, with fewer East versus West blockages to its peacekeeping and conflict resolution capacities, it is also critically important that these particular UN and international agencies actually work well. They are the institutions charged with protecting and assisting those who are already victims.

2. Advance and institutionalize international protection and assistance for internally displaced people. States are legal entities that often have no inherent validation by the people who live within them. Glenn Frankel has written that most nation-states are "jury-rigged contraptions that owe their existence to the twentieth century collapse of the Ottoman, Hapsburg, British, and French empires. * * * More than 90 of the UN General Assembly's 159 member states were born after World War II." He quotes Francois Heisbourg, director of the International Institute for Strategic Studies: "Will nation-states fade away? I don't think so. Will state sovereignty fade? My answer is yes."

One area in which sovereignty should fade is where a government's abuse of its own citizens is so onerous that it breaches some well-defined standard of international acceptability. We need a system that codifies an international interest in the people in such cases and legalizes an appropriate international protective response. To be politically feasible, such an approach would likely need to be limited to clearly aberrant or rogue governments and also limited in the responses that could be triggered. One example might be the provision of a legal umbrella for cross-border relief operations to civilians being starved out by their government in a civil war without that government's approval. Such victims would be of international concern and would be fed with international resources if they had been able to cross a border. Is it really logical to force them to do that to survive?

At the other end of the response continuum would be a mechanism that triggers UN Security Council consideration of a humanitarian disaster. When millions of a country's citizens are viciously abused by that country's government, Security Council consideration is justified and intervention may be warranted. Any "new world order" worth its salt would provide for this.

In any event, now is the time to move in the direction of institutionalizing improved international protection of internally displaced civilians; the tragedy of Kurdish and Shi'ite civilians in Iraq has shown for all to see the inadequacy of the world's current response to the internally displaced. The stage for improvement has been set. You can hear the possibilities in President Bush's own words:

Some might argue that this decision [of April 16 to field military forces to protect internally displaced Kurds] is an intervention into the internal affairs of Iraq, but I think the humanitarian concern, the refugee concern is so overwhelming that there will be a lot of understanding about this.

3. Promote successful repatriation and reintegration of refugees and internally displaced people. The combined numbers of refugees and displaced people uprooted by some conflicts, such as in Afghanistan and Mozambique, are so great that they could overwhelm such countries if and when they do achieve some semblance of peace. Because most repatriation is spontaneous, "repatriation emergencies" could occur as large numbers and internally displaced people surge towards home areas that are entirely devastated. There is a universal vested interest in assisting such countries to reconcile and develop in the hope that peace is sustained. Today, the international community is not addressing this need at all well.

4. Ensure that victims of human conflict in the poorest, least strategically important countries of the world don't continue to be ignored. All the signs are already in place

that they will be ignored unless NGOs and religious institutions collaborate to change the trend. One recent report indicated that charitable contributions in some European countries for humanitarian programs in Africa are down by more than 90 percent, while contributions to meet needs in the Soviet Union related to problems of food distribution there are flooding in. There will always be such strategic priorities that get a response, and not undeservedly so. However, religious bodies and NGOs are the natural constituency of those that have no other constituents. Recent developments indicate that many people will die or be permanently blighted if we are not up to the task. In the Horn of Africa, forty percent of the entire population are refugees or internally displaced people.

5. Fight the construction of Berlin Walls around the liberal, rich democracies of the West that attempt to cut themselves off from asylum seekers from the second and third world. As the West European nations move toward "harmonization" of their asylum policies and free movement among themselves, there is immense pressure to create barriers to prevent "nonmembers" from penetrating the "clubhouse" they are creating. But all too often, the consequences are a shirking of their responsibility to examine asylum claims and to protect deserving refugees. Instead, the tendency is to "pass the buck" to the frontline first asylum states, where protection is precarious and the resources are badly strained.

On the ground in 1990, the largest new population of refugees and displaced people in Africa was that of Liberians. In a hellacious blood-letting, 1.2 million people were uprooted. In the critical period, when massive numbers of refugees first arrived in poor, remote locations in Guinea, Cote d'Ivoire, and later Sierra Leone, the international community did not respond quickly or well to the refugees' needs. Without the generosity of local people, who opened their homes and shared their meagre resources with the refugees, there would certainly have been a major catastrophe. Months later, when the international community finally got its act together, those same local people found themselves frozen out of the assistance that arrived, even though they had depleted their own food reserves to assist the refugees.

Meanwhile, life remained horrific for those displaced inside Liberia. Some 125,000 people were trapped inside Monrovia, which turned into a battleground between government troops and various rebel and other armed forces. For months, there was no food or water. Killings and even massacres became commonplace. When a multi-national West African peace-keeping force restored some order, hundreds of thousands more displaced people flocked to the city in search of food and security. Once again, international response did not keep up with the explosion of need, and in December 1990, malnutrition and hunger were rife in the Liberian capital.

An uncanny similar scenario played out beginning in December in Somalia's capital, Mogadishu. There too government troops and rebels fought for control of the city. There too dead bodies lay on the street, and terror and mayhem ruled. As 1990 ended, Somali refugees—as well as Ethiopian refugees who had been living in Somalia—were fleeing to neighboring countries. Hundreds of thousands became internally displaced. And with the country still in chaos, help was nowhere on the horizon.

Besides these new emergencies, during 1990 there was substantial deterioration in already existing refugee and internal displacement situations in Africa. Most dramatic among those was in Sudan, where relief experts were forecasting that hundreds of thousands could begin to starve to death beginning in spring 1991. The government of Sudan's longterm denial that a large-scale famine was developing, its hindering of relief efforts by international and private organizations, and its undermining of Operation Lifeline Sudan all contributed to the potential for large-scale starvation in 1991.

In southern Africa, an average of 6,000 Mozambicans per month continued to flee to Malawi, bringing the total number of refugees in that tiny country to more than 900,000. While the dismantling of many of the laws that shaped the apartheid system in South Africa kindled hope for a more equitable South African society and for the repatriation of more than 40,000 South African refugees, it did not help the 250,000 Mozambican refugees whom South African authorities still view as illegal migrants subject to deportation.

A small-scale repatriation program through which several thousand Angolan and Zairean refugees returned home in 1990 was suspended due to the poor security situation in Angola, where war and drought have also put large numbers at risk and have thwarted relief efforts. Although peace talks in both the Angolan and Mozambican conflicts move forward, albeit slowly, repatriation of refugees from those countries is not imminent.

With the signing in June of the Schengen Supplementary Agreement by France, Germany, and the Benelux countries as well as the signing that same month by the EC states of the Dublin Convention on the state responsible for examining an asylum request, the European Community has moved significantly closer to a harmonized policy on asylum and entry as part of its overall plan to abolish internal customs and passport controls within the EC by the end of 1992. The effect of this on asylum seekers in Europe in 1990 was of diminished opportunity to register asylum claims and of a continuing downward trend in the number of asylum cases decided favorably. Harmonization, all too often, has meant that nations once more generous than their neighbors, now are introducing restrictive measures so that they may stand shoulder to shoulder with those European states that have sought to deter the entry of asylum seekers.

Western Europe's restrictive turn, while motivated in large part by the presence of asylum seekers from the Middle East, Africa, South Asia, and Europe's own southeastern region, also reveals a concern about the prospect of a new, large wave of asylum seekers from the Soviet Union.

The disintegration of the Soviet Union picked up speed during 1990, as nearly all Soviet republics declared their sovereignty or independence. Outbreaks of ethnic or nationality-based violence during the past two years have caused more than half a million people to become displaced within the USSR, the majority of whom are Armenians. Azerbaijanis, Meskhtian Turks, Tatars, other Caucasian nationalities, and ethnic Russians living as minority groups in outlying republics have joined the ranks of the displaced as well. Many of the displaced are returning to areas from which they had been forcibly moved during the Stalin era, as each of the nationality patches that comprise the Soviet quilt becomes more ethnically homogeneous.

A resurgence in anti-semitism and fears of political and ethnic violence compelled more than 200,000 Jews to exit the Soviet Union during 1990, most to Israel, but thousands were generously received in the United States and Germany as well. This was the first year of direct resettlement processing of 50,000 Soviets to the United States, who were processed out of the American embassy in Moscow, instead of Vienna and Rome. The new system had glitches, particularly for hundreds of Christian Evangelical families who still had Israel listed as the country of destination on their passports, the well-understood ruse that had once enabled them to reach Vienna.

Despite the added security threats from the Gulf conflict, the migration of Soviet Jews to Israel continued at the highest rate in decades. Israel's housing and social services were severely strained by the admission of about 184,000 Soviet Jews in 1990, and double that number are expected in 1991.

While welcoming the largest influx of Jews in decades, Israel's housing and social services were severely strained by the admission of about 184,000 Soviet Jews during the year, and the prospect that this number could double in the year ahead. The influx of Soviet Jews was a cause of increasing wariness among Palestinians in the occupied territories, including more than 900,000 UNRWA-registered refugees.

The most dramatic event in the Middle East in 1990 occurred with the invasion of Kuwait. The invasion and subsequent occupation touched off an exodus of more than 300,00 Kuwaitis and caused more than a million nationals of other countries to vacate the area. This put a tremendous strain on Jordan, which—due to the presence of 929,000 Palestinian refugees—already had the highest ratio of refugees to native population of any country in the world before the conflict began.

New political and military developments in the region had little impact on the Afghan war and the more than six million Afghan refugees in Pakistan and Iran. Although Soviet troops have been out of Afghanistan for two years, a civil war chugs along delaying still longer the reconstruction of Afghanistan and the return of her people.

Important victories were won during the year on behalf of asylum seekers in the United States. After a decade of bickering, the Immigration and Naturalization Service published regulations to implement the asylum provisions of the Refugee Act of 1980. Under the new system, a specialized corps of asylum officers will hear asylum claims in a nonadversarial setting, supported by a documentation center open to information from nongovernmental agencies. Those denied asylum will still be able to have their asylum claims heard by an immigration judge in the course of a deportation or exclusion hearing. Congress also filled a gap in the 1980 refugee law by creating a category of temporary protected status, and designated an 18-month safe haven period for Salvadorans. Finally, the settlement of a class-action suit in December allows for new adjudications of up to a half million Guatemalan and Salvadoran asylum claims.

The United States also admitted more refugees from overseas in 1990 than in any year since 1981. Fully 75 percent of the 122,325 refugees who were admitted represented two nationalities, Soviets and Vietnamese.

In South Asia, at least one million people were internally displaced in Sri Lanka as a long-running civil war between the Sri Lankan government and Tamil separatists flared violently in June 1990. By the end of the year, about 125,000 Tamils had fled across

the Palk Strait to seek refugee in southern India. The government in New Delhi has so far resisted efforts by UNHCR to provide assistance to the Tamils. India has more than 400,000 refugees—from Tibet, Bangladesh, Afghanistan, Burma, as well as Sri Lanka—most of whom receive no international aid or protection.

A new crackdown on Tibetan Buddhist monks and nuns compelled several thousand to cross the high mountain passes into Nepal in search of asylum or transit to India. In the last five months of 1990, Nepal involuntarily repatriated 167 Tibetan asylum seekers, some of whom were imprisoned by Chinese authorities.

Despite persistent entreaties from the United States, UNHCR and USCR, Malaysia has pushed back more than 9,000 Vietnamese boat people since May 1989. Not a single arrival has been counted since July 1990, testament either to the success of the interdiction or the despair of the refugees.

As the civil war in Cambodia escalated in scope and violence, more than 30,000 refugees arrived in Thailand, some bringing horror stories of rampant disease and hunger in the Khmer Rouge "liberated zones." More than 150,000 people having been internally displaced by the fighting.

The number of refugees in Thailand swelled to nearly 460,000, including 325,000 Cambodians, 70,000 Laotians, and 16,000 Vietnamese. Persecution and civil war in Burma has forced more than 45,000 Burmese students and ethnic minority peoples to flee into Thailand. The ethnic groups, principally the Karen and Mon, have clustered in camps and villages along the border, while most of the students have sought refuge in Bangkok.

Throughout the year, the boat people population in Indonesia hovered near 20,000, prompting concern of a backlash. But despite repeated reports of mistreatment of Vietnamese by Indonesian authorities on Kuku Island, the government's commitment to asylum remained unchanged.

The world remains confronted with a myriad of humanitarian and refugee situations. It is unfortunately the case that no government can be trusted to do the humanitarian thing at any particular time or in any specific situation. Governments always act according to their perception of their interests.

The litany of refugee tragedies in 1990—newly created or dragging on—has already unfortunately proven to be only a prelude to 1991's refugee tragedies. And this is the way it will continue unless people East and West, North and South demand of their governments a new world order, with new, more humane priorities, thus making it in governments' individual and collective interests to function on a higher, more moral plane. Upholding human rights, seriously confronting poverty, discrimination, and violence, eliminating crushing debt on the poorest of the world's countries, promoting sustainable, environmentally, respectful, development—these are all goals common people can appreciate; they are all in "the peoples'" interests.

So, too, are protecting and caring for refugees and displaced people.

## DEMOCRATIC TECHNOLOGY AND MANUFACTURING INITIATIVE

Mr. DASCHLE. Mr. President, technological development is one of the major forces in economic growth. Americans have been able to continue to raise their standard of living through their international leadership in technology.

Yet, in the past few years, many thoughtful observers of our economy have grown increasingly concerned about the state of technology development in America. We have numerous reports by the Commerce Department, the Defense Department, the Office of Science and Technology Policy, and various private groups all agreeing that our technological edge, vital for both our national security and our economic well-being, is slipping.

For example, according to a report by the Council on Competitiveness, a nonprofit, private-sector group made up of leaders in business, labor, and academia, the United States is strong in some sectors, but is weak or is losing ground in many other technologies—including important technologies such as advanced metals, flexible manufacturing, precision machining, electrostatics, lasers, photonics, electronic ceramics, integrated circuit fabrication and test equipment, robotics, memory chips, and optical information storage.

Recently, a number of my colleagues, led by Senators BINGAMAN, HOLLINGS, GORE, NUNN, and MITCHELL, introduced legislation designed to stem the decline in America's technological leadership and strengthen American manufacturing base. I commend their efforts.

Senate Democrats want to sharpen the competitive edge of our U.S. industries by creating a partnership with the Federal Government to compete internationally in the development of these industries. This legislation will accomplish that goal.

Not surprisingly, Mr. President, those who disagree with the foundation of this legislation—that a crucial and unmet role exists in creating a partnership between the Federal Government and industry—have expressed their opposition to the objectives of this legislation introduced by the Democratic leadership.

In a Washington Times editorial dated June 21, predictably, the Senate Democrats' technology and manufacturing proposals were attacked as an example of Government fiddling with the market.

This editorial shows, I believe, how little many understand of the workings of our economy, where Government and the private sector each play an important role. Our history, and indeed the history of technological development, has shown the positive force of Government in the creation of new technologies. Starting with the development of interchangeable parts during the Industrial Revolution—the so-called American system of manufacturing which laid the foundation for mass production, the Government has played an important, active, and positive role.

In modern times, Government has been a key actor in the creation and development of critical technologies such as computers, microelectronics, and aerospace. In fact, the Bush administration has continued to call for Government involvement in some of these areas, such as in the development of the National Aerospace Plane.

Printed in the June 28, 1991, issue of the Washington Times is a reply from my colleague from New Mexico, Senator JEFF BINGAMAN. Senator BINGAMAN has been a leader in attempting to create a rational technology policy, often in the face of 11 years of administration opposition and ignorance.

In his response, Senator BINGAMAN correctly points out what I believe are two key problems. First is the need for a coherent and coordinated Federal effort in research and development. As he notes, we spend over $70 billion annually on research and development. We should at least require that this funding be carried out in a coherent manner.

The second key problem Senator BINGAMAN points out is the fact we are drastically underinvesting in capital equipment and research and development. Japan is now investing more than the United States in absolute terms, even though they have a smaller economy overall. As Senator BINGAMAN puts it:

> To believe that the United States will be able to sustain its economic and technological edge over Japan when year after year Japan out-invests the United States in these critical areas is tantamount to ideological thumb-sucking.

I would also like to point out one interesting argument in the Washington Times editorial. As a member of the Senate Finance Committee, I have been hearing over and over again from conservatives that the solutions to our competitiveness problems begin at home. Specifically, we were told we should stop blaming Japan for our problems, and solve our problems here at home.

Now that Democrats have come forward with an initiative to help restore our domestic capabilities, it is a bit ironic to hear conservatives proclaim our trade deficit with Japan is "largely attributable not to shortcomings in American industry, but to unfair trade practices," as did this editorial.

Mr. President, America's economic future does depend greatly on what we do here at home. Strengthening our technological and manufacturing capabilities is an important part of ensuring a bright economic future for ourselves and our children. This Democratic initiative creates a viable partnership between the public and private sectors—for the benefit of all. It deserves our support.

I ask unanimous consent that both the editorial and Senator BINGAMAN'S response be placed in the RECORD following my remarks.

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

[From the Washington Times, June 21, 1991]

A DEMOCRATIC FIVE-YEAR PLAN

Boris Yeltsin, Russia's first popularly elected president and a prophet of free markets, free trade and the liquidation of government ties to industry, made his first visit to Capitol Hill this Wednesday. He arrived just in time to hear Sen. Jeff Bingaman, chairman of the Armed Services Subcommittee on Defense Industry and Technology, and Sen. Sam Nunn, chairman of the committee as a whole, introduce legislation that would map out America's first "five-year" plan."

"If the U.S. is to regain leadership in manufacturing," Sen. Bingaman told reporters Wednesday, "the federal government must step in where private markets cannot or do not function."

"The plan I introduce today," he continued, "sets out a coherent and ambitious plan for government-industry cooperation in manufacturing technology management, development, deployment, education and international cooperation."

In the old days, before the American political vocabulary became clouded with euphemisms, there was a name for the idea Mr. Bingaman and Mr. Nunn are pushing. The name was "socialism." It is the exact same idea, albeit in embryonic form, that the peoples of Eastern Europe and the Soviet Union have dramatically rejected after suffering decades of abject poverty and government control of their lives. The argument that buttressed this idea was, to paraphrase, Mr. Bingaman, based on the mistaken assumption that "private markets cannot or do not function" and that, therefore, if wealth is to be created, "the federal government must step in."

But despite the Democratic majority in Congress, America still enjoys the most productive economy on the planet and a (seldom reported) trade surplus with Western Europe. America does suffer from a trade deficit with Japan, but that is largely attributable not to shortcomings in American industry but to unfair trade practices conducted by the Japanese government, which effectively bar many American industries from entering the Japanese market.

Where American industry truly lags, it is not because government has failed to stick its nose into the works but for precisely the opposite reason—government fiddling around with the American entrepreneur. Even in the Reagan era, when American voters consistently backed politicians who rhetorically promised to "get government off our backs," year after year the burden of taxes and regulation was piled higher and higher on American savers and businessmen.

With the Clean Air and Disabilities acts passed, new excise taxes in place, no cuts in the social security or capital gains taxes imminent, and family leave and national health care plans pending, Congress' ever-clutching invisible left hand might once and for all be ready to wring the life from the golden goose of American enterprise. Mr. Bingaman's and Mr. Nunn's "National Critical Technologies Act" and "Advanced Manufacturing Technology Act" call for more than $1 billion per year in new federal spending, a federal industrial planning bureaucracy and a "five-year technology 'roadmap' for manufacturing." All this would move the country a few increments further away from the system of free enterprise that made our affluent way of life the envy of the world.

If Mr. Bingaman and Mr. Nunn want to support legitimate federal involvement in technology development, they should abandon their quest to kill the Strategic Defense Initiative and leave private enterprise to private citizens.

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[From the Washington Times, June 21, 1991]

IF FEDS STAY OUT OF HIGH-TECH RACE, U.S. LOSES

Your June 21 editorial "A Democratic five-year plan" demonstrates little understanding of the appropriate role of government in fostering market capitalism.

It may come as a surprise to you to learn that the federal government spends over $70 billion annually on research and development and that those expenditures might have something to do with American competitiveness in industrial sectors ranging from aerospace to medical equipment to agriculture.

It may also come as a surprise to you to learn that markets have imperfections, not all of which result from a diabolical socialist plot. For example, industry underinvests in long-term, high-risk research, the results of which usually are not appropriable by a single firm. It is entirely appropriate for government to deal with such imperfections. The governments of capitalist, market economies around the world do so, some more successfully than others.

Even the Bush administration has recognized the need for coherent federal support for precompetitive development of critical generic technologies. The administration has outlined a five-year road map for high-performance computing, one of the 22 critical technologies identified by a White House-chaired industry-government panel in April. The administration is working on similar road maps for advanced materials, manufacturing and biotechnology.

These road maps are aimed at coordinating the federal research and development effort on these technologies and at making that research more responsive to the needs of the private sector, something Commerce Secretary Robert Mosbacher and others in the administration in numerous private-sector groups have advocated.

My legislation goes beyond drawing up road maps to provide additional funding for industry-driven precompetitive R&D partnerships. There has been a trend in recent years toward support of such partnerships, witness the Reagan and Bush administrations' support of Sematech, the National Center for Manufacturing Sciences, the Specialty Metals Consortium and the Commerce Department's Advanced Technology Program. I propose to sharply accelerate that trend. Please note that these partnerships always involve several private-sector firms to insure competition in applying the results in the marketplace.

My legislation also proposes to strengthen manufacturing extension programs for small- and medium-sized firms and manufacturing education programs in our universities and community colleges.

It is striking to me that the federal government spends less than $20 million annually for manufacturing extension when manufacturing constitutes 20 percent of our gross national product, and $500 million annually for agriculture extension efforts aimed at 3 percent of U.S. GNP. The market imperfection is the same in both cases: Family farms and small manufacturing firms (of which there are 342,000 with fewer than 500 employees) are unlikely to have the resources systematically to stay abreast of the latest research results with potential application to their businesses. If we deal with the problem straightforwardly in one instance, we should not let some peculiar ideological blinders prevent us from doing so in the other: Japan and the European Community certainly pursue manufacturing extension efforts as part of their technology policies.

Finally, a note about our competitiveness with Japan. It must be comforting to believe that our once again growing trade deficit with Japan is "largely attributable . . . to unfair trade practices." I believe you will find few in industry or government who would agree with you. Instead, many would point to Japanese industry's investment in capital equipment and R&D, which is now greater than that of all of U.S. industry, even though Japan's GNP is more than $2 trillion smaller than that of the United States. This in turn is connected with Japanese government policy on research, education, taxes and (yes) trade, which systematically is aimed at fostering a manufacturing enterprise second to none. To believe that the United States will be able to sustain its economic and technological edge over Japan when year after year Japan out-invests the United States in these critical areas is tantamount to ideological thumb-sucking.

The European Community is trying to find its way to a similar set of policies. While we, as you, note, enjoy an overall trade surplus with Western Europe, you may be surprised to find a continuing substantial deficit in our high-technology products trade balance with Western Europe, especially with Germany.

In short, we face fundamental choices in the years ahead in our federal technology policy. We can continue to let each mission agency independently pursue its own agenda with minimal private-sector input and hope that occasionally there will be a few spin-offs of benefit to our competitiveness. Or we can seek coherence in the federal R&D enterprise and tighter interaction with the private sector. I advocate the latter course because it is one key to sustained American economic and technology leadership in the 21st century.

JEFF BINGAMAN,
*U.S. Senate.*

WASHINGTON.

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## BISON PRODUCTION AND PROCESSING IN JEOPARDY

Mr. PRESSLER. Mr. President, I rise today to inform my colleagues of a letter I have sent to Dr. David A. Kessler, Commissioner of the Food and Drug Administration [FDA]. This letter, signed by myself and 12 other Senators and five Representatives, urges the Commissioner to consider permitting the use of sodium nitrite in appropriate amounts as an approved additive in the curing and processing of bison (buffalo) meat products produced under Federal or State inspection. At this time, Mr. President, I would ask that this letter be printed in the RECORD.

There are approximately 112,000 head of bison in the United States today. The herd size is doubling approximately every 7 years. Bison is now being sought by consumers as a naturally lean meat product. In South Da-

kota, we have known that for years. We have been able to purchase bison, both fresh and processed, for a number of years.

Now, more Americans have learned about the virtues of bison meat. This new demand has helped the small bison producer, both in my State and in other States. Bison production is an important alternative agricultural emterprise. The economic ripple effect of bison production benefits bison processors, those employed in the Nation's transportation system, and many others in rural communities across the Nation.

Currently, processed meat products that are 100 percent bison with nitrites added, such as whole muscle bison jerky, cannot be shipped from one State to another. However, processed beef and poultry products containing nitrites have been permitted in interstate commerce for years.

Bison is closely related taxonomically to the various breeds of bovine (cattle) used as edible meat tissues in this country. The United States Department of Agriculture [USDA] Food Safety and Inspection Service [FSIS] states that all of the techniques it currently uses to identify raw meat tissues cannot distinguish bison meat from beef. Mr. President, I submit for the RECORD a letter detailing this fact from FSIS.

I would also like to submit for the RECORD a letter from Bruce Anderson and Godson Seaman, owner-operators of Rapid City Western Meats explaining the problem and supporting the use of nitrites in 100-percent bison-processed meat products shipped in interstate commerce.

In addition, I ask unanimous consent that a letter from Al Hochhalter, owner-operator of the Yellowstone Trail Wild Game Wholesaler of Mobridge, SD, and a letter from the American Association of Meat Processors be printed in the RECORD.

I urge my colleagues to be aware of this issue and ask for their support in encouraging the development of a vigorous U.S. bison industry.

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

U.S. SENATE,
*Washington, DC, June 27, 1991.*

Dr. DAVID A. KESSLER,
*Commissioner, Food and Drug Administration, Rockville, MD.*

DEAR DR. KESSLER: We are writing to you to urge you to consider permitting the use of sodium nitrite in appropriate amounts as an approved additive in the curing and processing of buffalo (bison) meat products produced under Federal or State inspection.

Currently, Food and Drug Administration [FDA] regulations permit household consumers to use sodium nitrite in curing buffalo, venison, and other exotic/game animals for their own use. In addition, sodium nitrite is permitted for use in bison meat products by the U.S. Department of Agriculture—when three percent or more of other meat or poultry is added to it. Bison is genetically similar and in many respects identical to beef. In fact, it is indistinguishable from beef under current government testing procedures. Some states treat bison identical to beef for inspection purposes. The USDA recognizes this (attached).

There are approximately 112,000 head of bison in the United States today, and the herd is doubling every 7 years at current growth rates. About 12,000 head are slaughtered annually, with a market value of $16,200,000. With FDA approval of sodium nitrite in buffalo (bison), the industry believes that the market value would increase to $18,000,000. In addition, the potential for exporting bison products has not been explored. Consumer demand for this alternative meat source has been growing in the United States and overseas. Consumers are attracted to bison for many reasons, in particular its excellent nutrient values.

The use of sodium nitrite in bison products is strongly endorsed by many organizations, including the National Association of State Food and Meat Inspection Directors, the American Bison Association, the National Buffalo Association, and the American Association of Meat Processors. Again, permitting the use of sodium nitrite in 100 percent bison products processed under either federal or state government inspection would benefit consumers and the growing bison industry.

We look forward to your favorable response to this request.

Sincerely,

Senator Larry Pressler, Senator Thomas A. Daschle, Senator Christopher S. Bond, Congressman Byron Dorgan, Senator Timothy E. Wirth, Senator Steve Symms, Senator J. Robert Kerrey, Congressman Tim Johnson, Senator John C. Danforth.

Senator Herb Kohl, Senator William V. Roth, Jr., Congressman Floyd Spence, Senator Quentin N. Burdick, Senator Hank Brown, Congressman John Spratt, Congressman Tom Ridge, Senator Larry Craig, Senator Malcolm Wallop.

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DEPARTMENT OF AGRICULTURE,
FOOD SAFETY AND INSPECTION SERVICE,
*Washington, DC.*

The following resolution prepared by the National Advisory Committee on Meat and Poultry Inspection was accepted by the Food Safety and Inspection Service at the June 18–19, 1991, meeting.

RESOLUTION II

*Amenability of Species*

The National Advisory Committee on Meat and Poultry Inspection recommends that FSIS endorse and support State meat and poultry inspection programs offering inspection services for game and other nonamenable species on a voluntary reimbursable basis. Such game and other nonamenable species, as defined by USDA/FSIS, shall be authorized for shipment to countries outside the United States, and to other States as currently authorized by regulations. Species other than those considered by USDA/FSIS as nonamenable shall be negotiated by States with the Department on a case-by-case basis.

DEPARTMENT OF AGRICULTURE,
FOOD SAFETY AND INSPECTION SERVICE,
*Beltsville, MD, June 27, 1991.*

Dr. SAM HOLLAND,
*Assistant State Veterinarian, South Dakota Animal Industry Board, Pierre, SD.*

DEAR DR. HOLLAND: In response to your telephone inquiry of June 25, 1991 requesting information concerning our ability to identify meat tissue of the American bison (buffalo) species, I am pleased to provide you with the following:

The American bison species is so closely related taxonomically to the various breeds of bovine (cattle) used as edible meat tissue in the USA, that all of our immunological based assays (ring precipitin, Ouchterlony immunodiffusion, ELISA, SIFT test systems) currently used to identify raw meat tissues do not allow the specific and unequivocable identification of bison species. Bison tissue reacts antigenically very similar, if not identical, to bovine tissue in all of our presently employed immunoassays. There are rare reports in the literature of the nonimmunological method of Thin Layer Isoelectric Focusing (TLIEF) having the capability of differentiating raw bison tissue from other species of edible tissue. Some years ago we adopted and implemented a TLIEF method in our Technical Support Laboratories as a screen test for imported, whole, raw meat tissue; however, the method did not prove to be capable of differentiating bison tissue.

In summary, FSIS has no laboratory test procedure to unequivocably identify raw bison meat from bovine meat species due to the very close taxonomic relationship of these two species. It is unlikely that future endeavors will be expended to attempt to develop such a differentiation test for this Federally non amenable species due to the difficulty of the problem and the relative need for such capability in our National Testing Programs.

If I can be of any future help to you in the above regard, please feel free to call upon me anytime at (301–344–2535).

Sincerely yours,

RICHARD P. MAGEAU, PH.D.,
*Supervisory Microbiologist, Immunology Section, MMB, MD.*

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R.C. WESTERN MEATS, INC.,
*Rapid City, SD, July 23, 1991.*

HON. SENATOR PRESSLER: The buffalo meat business is a vibrant, growing concern here in South Dakota. The customer is demanding a lean product and buffalo fills this need. Nitrites that can be used in any other meat product are banned from use in buffalo meat. This FDA regulation hurts the customer, the producer, and the processor.

If this regulation is changed it will create added demand on buffalo meat. This added demand translates to more employment opportunities here at RC Western Meats. The South Dakota ranchers who raise buffalo will see their animals worth more money. Other ranchers who are now considering raising buffalo will decide to take the plunge into buffalo ranching creating a larger pool of animals for the processors to draw from.

There is no better place in the world to raise buffalo than South Dakota. These hardy animals are perfectly suited for our climate. They thrive on our native grasses. They are drought resistant. They are able to withstand blizzard conditions that would decimate cattle. This plus the fact that they are animals that require larger tracts of land to do well means that they will continue to become a bigger part of South Dakota ag economy.

We here at RC Western Meats hope that this barrier that the FDA imposes on the buffalo industry can be removed. It serves no useful purpose. I personally cannot think of any special interest group that would object to removing this regulation. We look forward to the day when we can point to the removal of this regulation as one of the important stepping stones in the buffalo success story here in South Dakota.

Yours truly,

BRUCE W. ANDERSON,
JUDSON R. SEAMAN,
*Co-Owners RC Western Meats.*

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YELLOWSTONE TRAIL,
WILD GAME WHOLESALER,
*Mobridge, SD, June 7, 1991.*

DEAR SENATOR PRESSLER: I am writing in regard to our phone conversation with one of your staff members on buffalo products, the use of nitrite in Buffalo sausage, and whole muscle jerky. The FDA restrictions on these products have prevented us from expanding into other States.

For example. If you are a state inspected plant and want to ship products into another State, you cannot use nitrite in pure buffalo.

If nitrite is used, we have to add no less than 3% beef or pork.

If we add beef or pork, we have to be a federally inspected plant, to go to another State with our products by FSIS regulations.

At the same time, if you are a Federal Plant, they will accept State inspected Buffalo, add beef, and all 100% of the product goes out of that Plant federally inspected.

I would like to know, why the Federal Plants can alter their products up to 97% and we in State level are not allowed to do so by 3%. Most all the plants in South Dakota are State inspected and a lot of them are as good as some of the small Federal Plants.

The point is, if nitrite is not harmful in beef, pork or poultry, there is no reason, why it would be harmful in buffalo.

We produce thousands of pounds of whole muscle Buffalo Jerky. How would you go about, putting beef or pork into Buffalo round steak, and blend them into one? Impossible.

Therefore we are limited to what we can legally produce under these laws. Either way we go, we are illegal with rules like this.

We are a small plant, compared to some, with 8 employees. Buffalo and Wild Game is about 50% of our business, which amounts to about $500,000.00 per year. About 99% of this is shipped out of State. If it wasn't for a lot of these laws, we could produce more products and generate more revenue for South Dakota.

The inquiries we get on some of these products, we have to put on hold, until we get some of our differences resolved.

Sincerely,

ELMER HOCHHALTER,
*Owner-operator.*

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AMERICAN ASSOCIATION OF
MEAT PROCESSORS,
*Elizabethtown, PA, July 22, 1991.*

Hon. LARRY PRESSLER,
*Hart Senate Office Building,*
*Washington, DC.*

DEAR SENATOR PRESSLER: On behalf of the nation's meat industry, let me express our appreciation and gratitude for your efforts to help increase the marketability and sales of bison meat products. The American Association of Meat Processors, (AAMP) strongly supports you in your effort to eliminate an obscure, contradictory and unnecessary restriction on the safe use of sodium nitrite in government-inspected commercial processing and manufacturing of bison meat products.

Consumers are increasingly demanding bison meat products, and meat processing firms are trying to satisfy this demand for new, healthful and unique American bison products. It is ironic that sodium nitrite is permitted for use as an additive in red meat and poultry products, and even in bison when used in home-curing by the average consumer, but not when government-inspected meat processing firms want to make a 100 percent, all bison meat product.

USDA's Food Safety and Inspection Service is willing to grant labels for such bison meat products, if only the Food and Drug Administration will recognize bison as a meat virtually identical to beef, and thus permit the use of sodium nitrite as a curing ingredient in manufacturing under Federal and State meat inspection.

We urge all interested consumers to join us in this effort!

Sincerely,

BERNIE HANSEN,
*President.*

## HONORING MICHIGAN TROOPS WHO DIED IN DESERT STORM

Mr. RIEGLE. Mr. President, today I wish to pay tribute to one of the 16 brave Michigan service members, Lance Cpl. James B. Cunningham, age 22, who lost his life in service to his country in suppport of Operation Desert Storm.

In an hour of grave national crisis, America called hundreds of young Michigan men and women to service. Lance Corporal Cunningham answered willingly. He gave all we ask of him. He gave his life. It is always tragic when a life is lost, especially the life of a young person. But this heroic man lost his life in an act of bravery in the service of our country. In that we may take pride.

James and Julia Cunningham, Lance Corporal Cunningham's parents, and Beth, his sister, were called upon as well to make a heartbreaking sacrifice. They should be commended for standing behind James and supporting him during his military service.

As the people of Michigan mourn the loss of this man, we are proud to have called him a neighbor and friend. As a nation we are indebted to Lance Corporal Cunningham and his family. We can ask for nothing greater than to ask an American family to sacrifice a loved one for this country. This debt may never be repaid except in our hearts and in our prayers.

## REMEMBERING BOBBIE EUGENE MOZELLE

Mr. RIEGLE. Mr. President, I rise today to pay tribute to the memory of a beloved husband, son, and brother, Bobbie Eugene Mozelle, of Detroit, Mr. Mozelle was brutally assassinated on February 7, 1991, the first civilian casualty of Operation Desert Storm. He was gunned down by left wing terrorists outside his apartment near the Incirlik Air Force Base in Adana, Turkey.

Bobbie Mozelle's life was dedicated to serving his country and his family. Following a 20-year career, he retired from the Air Force in 1989 as a master sergeant, His years in the Air Force included a tour of duty in Vietnam. He had been serving as an accountant with the firm Vinnell, Brown, Root in Turkey at the time of his murder.

But more important than what he did is who he was. Just 44 years old when he died, Bobbie Mozelle was a quiet, kind, and loving man devoted to his family. He was a newlywed. Married just 18 short months when he was killed he sent his bride, Fatma, back to Detroit to wait his return.

He was a loyal dependable son and brother. His mother, Lydia, lives in Detroit. She knew she could always count on Bobbie to be there for her. The day after Mrs. Mozelle learned of her son's death, his Valentine's card arrived in the mail. She tells us that Bobbie was a good boy. His sisters, Brenda and Vanessa, miss him each and every day and hold close memories from this childhood.

Mr. President, Bobbie Mozelle puts another dimension on the human tragedies of war. The victims of war reach far beyond the battle field and the combatants directly involved. Bobbie was a civilian, doing his job, earning a living to support his family. His murder was senseless, his life full of meaning. I know all of my colleagues join me in sending our heartfelt condolences to his family. Bobbie will not be forgotten.

## REPRESENTATION BY SENATE LEGAL COUNSEL, SENATE RESOLUTION 157 AND SENATE RESOLUTION 158

Mr. MITCHELL. Mr. President, I have 2 resolutions authorizing the Senate Legal Counsel to represent former and current Senator employees in certain pending legal proceedings.

I ask unanimous consent that they be considered en bloc, agreed to, the preamble agreed to, the motion to reconsider the vote on the resolutions en bloc be laid upon the table, and that consideration of each resolution be shown separately in the RECORD with statements by the majority leader on each resolution appearing at an appropriate place in the RECORD.

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

The resolutions (S. Res. 157) and (S. Res. 158), considered and agreed to, are as follows:

S. RES. 157

Whereas, the Department of Justice is seeking information from present and former employees of the Senate of the United States in connection with its inquiry relating to the conduct of Senator Dave Durenberger;

Whereas, by Senate Resolution 60 of the 102d Congress, the Senate previously authorized present and former employees of the Senate to testify and to produce records of the Senate, except concerning matters for which a privilege should be asserted, in connection with this inquiry;

Whereas, pursuant to sections 703(a) and 704(a)(2) of the Ethics in Government Act of 1978, 2 U.S.C. 288b(a) and 288c(a)(2), the Senate may direct its counsel to represent employees of the Senate with respect to any subpoena, order, or request for information relating to their official responsibilities: Now, therefore, be it

*Resolved*, That the Senate Legal Counsel is authorized to represent present and former employees of the Senate regarding the provision of information in conection with the inquiry of the Department of Justice relating to the conduct of Senator Dave Durenberger.

AUTHORIZATION FOR REPRESENTATION OF EMPLOYEES OF THE SENATE

Mr. MITCHELL. Mr. President, in February the Senate agreed to Senate Resolution 60 of the 102d Congress, authorizing present and former employees of the Senate to provide information sought by the Department of Justice in connection with its inquiry relating to the conduct of Senator DURENBERGER. Following up on that resolution, today's resolution would authorize the Senate Legal Counsel to represent those employees in providing information sought by the Justice Department, while ensuring that the privileges of the Senate are respected. This is in accord with Senate practice when employees are asked to provide information relating to their official Senate duties.

S. RES. 158

Whereas, in In re American Continental Corporation/Lincoln Savings & Loan Securities Litigation, MDL Docket No. 834, pending in the United States District Court for the District of Arizona, defendants have requested the testimony of Kenneth A. McLean, a former employee of the Senate on the staff of the Committee on Banking, Housing, and Uran Affairs;

Whereas, pursuant to sections 703(a) and 704(a)(2) of the Ethics in Government Act of 1978, 2 U.S.C. 288b(a) and 288c(a)(2), the Senate may direct its counsel to represent employees of the Senate with respect to any subpoena, order, or request for testimony relating to their official responsibilities;

Whereas, by the privileges of the Senate of the United States and Rule XI of the Standing Rules of the Senate, no evidence under the control or in the possession of the Senate can, by administrative or judicial process, be taken from such control or possession but by permission of the Senate;

Whereas, when it appears that evidence under the control or in the possession of the Senate is needed for the promotion of justice, the Senate will take such action as will promote the ends of justice consistent with the privileges of the Senate: Now, therefore, be it

*Resolved*, That Kenneth A. McLean is authorized to testify in In re American Continental Corporation/Lincoln Savings & Loan Securities Litigation, except concerning matters for which a privilege should be asserted.

SEC. 2. That the Senate Legal Counsel is authorized to represent Kenneth A. McLean in connection with his testimony in In re American Continental Corporation/Lincoln Savings & Loan Securities Litigation.

Mr. MITCHELL. Mr. President, defendants in civil litigation arising out of the failure of Lincoln Savings and Loan Association have requested deposition testimony from a former employee of the Senate. The consolidated proceedings, which are pending in the U.S. District Court for the District of Arizona, are known as In re American Continental Corporation/Lincoln Savings and Loan Association. The plaintiffs include bondholders seeking to recover funds they invested in American Continental Corporation.

One set of defendants in this litigation has requested deposition testimony from Kenneth A. McLean, former staff director of the Senate Committee on Banking, Housing, and Urban Affairs. This request relates to Mr. McLean's knowledge of potential dissemination to the press of confidential information from the Federal Home Loan Bank Board concerning Lincoln Savings.

In keeping with the Senate's customary cooperation with legitimate requests of litigants, this resolution would authorize Mr. McLean to testify at a deposition. In order to protect the Senate's constitutional privileges, the resolution authorizes testimony except concerning matters for which a privilege should be asserted, and authorizes the Senate Legal Counsel to represent Mr. McLean in connection with his testimony.

## RURAL TELEPHONE COOPERATIVE ASSOCIATIONS ERISA AMENDMENTS ACT OF 1991

Mr. MITCHELL. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of H.R. 2031, a bill relating to rural telephone cooperatives just received from the House.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

A bill (H.R. 2031) to amend title I of the Employee Retirement Income Security Act of 1974 to provide for equal treatment of telephone and electric cooperative welfare plans for the purposes of preemption.

The PRESIDING OFFICER. Is there objection to the immediate consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

Mr. BINGAMAN. Mr. President, I rise today in support of H.R. 2031, the Rural Telephone Cooperative Associations ERISA Amendments Act of 1991. This bill, which was uniformly supported in the other chamber, would provide equal treatment of telephone and electric cooperative welfare plans for the purposes of preemption under ERISA.

Telephone cooperatives perform an invaluable service in providing telephone service to many rural areas. My home State of New Mexico has 6 such cooperatives with over 15,035 subscribers. Simply put, many families in New Mexico would not have telephone service if these telephone co-ops did not exist. Furthermore, these cooperatives are an important source of employment in their communities. New Mexico's telephone co-ops employ approximately 225 persons. Many of these employees are dependent on cooperative benefit plans for their health insurance coverage. I am pleased that the Senate, by passing H.R. 2031, is acting today to ensure that they and other telephone cooperative employees receive these benefits in the most efficient manner possible.

H.R. 2031 is necessary because of problems arising from the passage of the Employee Retirement Income Security Act [ERISA] in 1974. Originally, ERISA preempted some State regulations from applying to many covered benefit plans, including those of electric and telephone cooperative associations. Unfortunately, this preemption allowed abuses to develop. In particular, certain multiple employer welfare arrangements [MEWAS] were marketed by unscrupulous individuals to unrelated employers. The marketers of these plans, who claimed to be exempt from State regulation, often had no intention of providing the benefits they sold.

In late 1982, Congress addressed these abuses by limiting preemption provisions with respect to MEWA's. Recognizing that some MEWA's, including labor-management negotiated multiemployer plans and rural electric cooperative plans, had legitimate reasons to maintain their preemption status, Congress exempted these plans from the new MEWA provisions.

Unfortunately, rural telephone cooperative MEWA's were not included in the 1982 preemption provisions. They should have been. These plans do not generate fees and commissions for the plan sponsors, and are sometimes the only source of health, life and disability benefits for telephone cooperative employees. Clearly, these plans are not a cause of the MEWA abuses that the 1982 legislation attempted to address.

Since 1982, provisions adding telephone cooperatives to the list of plans exempt from the 1982 provisions have been included in legislation that ultimately failed to become law. This year, H.R. 2031 was introduced as stand alone legislation in an effort to finally pass this important provision. I am grateful to the bill's sponsor, Congressman PAT WILLIAMS, for introducing the Rural Telephone Cooperative Associations ERISA Amendments Act of 1991. I fully support his efforts, and am pleased that the Senate is preparing to pass this important legislation.

The PRESIDING OFFICER. Without objection, the bill is deemed read the third time and passed.

So the bill (H.R. 2031) was passed.

Mr. MITCHELL. Mr. President, I move to reconsider the vote by which the bill was passed, and I move to lay that on the table.

The motion to lay on the table was agreed to.

## MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Seante by Mr. McCathran, one of his secretaries.

## EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The nominations received today are printed at the end of the Senate proceedings.)

## REPORT ON UNITS OF THE READY RESERVE REMAINING ON ACTIVE DUTY—MESSAGES FROM THE PRESIDENT—PM 65

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, together with an accompanying report; which was referred to the Committee on Armed Services:

*To the Congress of the United States:*

Pursuant to section 673(d) of title 10, United States Code, I have the honor to transmit the enclosed report relating to units of the Ready Reserve of the Armed Forces that remain on active duty under the provisions of section 673 as of July 1, 1991.

Retention of these units is required by continuing military requirements in response to the ongoing emergency declared in accordance with section 301 of the National Emergencies Act, and Executive Order 12743, January 18, 1991, "Ordering of the Ready Reserve of the Armed Forces to Active Duty."

Ready Reserve units of the Army, Navy, and Air Force are still performing essential missions in the United States, Europe, and Persian Gulf area that support the retrograde of U.S. Armed Forces from the Persian Gulf. Ready Reserve units of the Army are also participating in Operation Provide Comfort by supporting efforts to provide humanitarian assistance to Kurdish refugees in Turkey and northern Iraq. Marine Corps Ready Reserve units remain deployed to the Western Pacific to fulfill the strategic military obligations of the United States in that region. They will remain deployed until such time as the Active component elements deployed to the Gulf can be reconstituted in the Western Pacific, an effort that was also delayed by Operations Provide Comfort and Sea Angel, in which returning U.S. forces provided humanitarian relief to victims of natural disasters in Bangladesh.

All Coast Guard Ready Reserve units have been released from active duty.

GEORGE BUSH.

THE WHITE HOUSE, *July 24, 1991.*

## REPORT ON BUDGET RESCISSIONS AND DEFERRALS—MESSAGE FROM THE PRESIDENT—PM 66

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, together with accompanying documents; which, pursuant to the order of January 30, 1975, as modified on April 11, 1986, was referred jointly to the Committee on the Budget and the Committee on Appropriations:

*To the Congress of the United States:*

In accordance with the Impoundment Control Act of 1974, I herewith report one proposed rescission totaling $5,000,000 and one revised deferral of budget authority now totaling $127,036,000. Including the revised deferral, funds reported as withheld now total $10.3 billion.

The proposed rescission affects the Department of Defense. The deferral affects the Department of State. The details of the deferral and proposed rescission are contained in the attached report.

GEORGE BUSH.

THE WHITE HOUSE, *July 24, 1991.*

## MESSAGES FROM THE HOUSE

### ENROLLED BILL SIGNED

At 1:15 p.m., a message from the House of Representatives, delivered by Mr. Hays, one of its reading clerks, announced that the Speaker has signed the following enrolled bill:

H.R. 2525. An act to amend title 38, United States Code, to codify the provisions of law relating to the establishment of the Department of Veterans Affairs, to restate and reorganize certain provisions of that title, and for other purposes.

At 4:13 p.m., a message from the House of Representatives, delivered by Mr. Hays, one of its reading clerks, announced that the House agrees to the amendments of the Senate to the bill (H.R. 153) to amend title 38, United States Code, to make miscellaneous administrative and technical improvements in the operation of the United States Court of Veterans Appeals, and for other purposes.

The message also accounced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 1096. An act to authorize appropriations for programs, functions, and activities of the Bureau of Land Management for fiscal years 1992, 1993, 1994, and 1995; to improve the management of the public lands; and other purposes.

## MEASURES REFERRED

The following bill was read the first and second times by unanimous consent, and referred as indicated:

H.R. 1096. An act to authorize appropriations for programs, functions, and activities of the Bureau of Land Management for fiscal years 1992, 1993, 1994, and 1995; to improve the management of the public lands; and for other purposes; to the Committee on Energy and Natural Resources.

## REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. BOREN, from the Select Committee on Intelligence, without amendment:

S. 1539. An original bill to authorize appropriations for fiscal year 1992 for intelligence activities of the United States Government, the Intelligence Community Staff, and the Central Intelligence Retirement and Disability System, and for other purposes (Rept. No. 102–117).

By Mr. CRANSTON, from the Committee on Veterans Affairs, with an amendment in the nature of a substitute and an amendment to the title:

S. 869. A bill to amend title 38, United States Code, to improve the availability of treatment of veterans for post-traumatic stress disorder; and for other purposes (Rept. No. 102–118).

## EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of committees were submitted:

By Mr. JOHNSTON, from the Committee on Energy and Natural Resources:

William Harper, of New Jersey, to be Director of the Office of Energy Research:

(The above nomination was reported with the recommendation that it be confirmed, subject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.)

## 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:

By Mr. LIEBERMAN:

S. 1534. A bill to require the establishment of a capital projects bureau within the Agency for International Development, and for other purposes; to the Committee on Foreign Relations.

By Mr. CRANSTON (by request):

S. 1535. A bill to amend title 38, United States Code, to improve the Health Professional Scholarship Program operated by the Department of Veterans Affairs; to the Committee on Veterans' Affairs.

By Mr. ADAMS:

S. 1536. A bill to provide for worker and community assistance and for ecosystem

conservation in Pacific Northwest Federal forest lands, and for other purposes; to the Committee on Finance.

By Mr. BROWN:

S. 1537. A bill to amend the National Trails System Act to designate the American Discovery Trail for study to determine the feasibility and desirability of its designation as a national trail; to the Committee on Energy and Natural Resources.

By Mr. DURENBERGER:

S. 1538. A bill to authorize a certificate of documentation for the vessel ERIC WC; to the Committee on Commerce, Science, and Transportation.

By Mr. BOREN, from the Select Committee on Intelligence:

S. 1539. An original bill to authorize appropriations for fiscal year 1992 for intelligence activities of the United States Government, the Intelligence Community Staff, and the Central Intelligence Retirement and Disability System, and for other purposes; to the Committee on Armed Services, for the 30-day period provided in section 3(b) of S. Res. 400, 94th Congress, except that if such Committee fails to report within that time period, it be discharged from further consideration of the bill.

By Mr. LEAHY (for himself and Mr. JEFFORDS):

S. 1540. A bill to amend the Child Nutrition Act of 1966 to extend the special supplemental food program for women, infants, and children (WIC), and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. CHAFEE:

S. 1541. A bill to extend the temporary suspension of the duty on 2,5-dimethoxyacetanilide; to the Committee on Finance.

S. 1542. A bill to extend the temporary suspension of the duty on nitro sulfon B; to the Committee on Finance.

S. 1543. A bill to extend the temporary suspension of the duty on 3,4-diaminophenetole dihydrogen sulfate; to the Committee on Finance.

S. 1544. A bill to extend the temporary suspension of the duty on chloramino base; to the Committee on Finance.

S. 1545. A bill to extend the temporary suspension of the duty on 4-chloro-2-nitroaniline; to the Committee on Finance.

S. 1546. A bill to extend the temporary suspension of the duty on amino sulfone BR; to the Committee on Finance.

S. 1547. A bill to extend the temporary suspension of the duty on N-acetylsulfanilyl chloride; to the Committee on Finance.

S. 1548. A bill to extend the temporary suspension of the duty on 1-chloro-5-hexanone; to the Committee on Finance.

S. 1549. A bill to extend the temporary suspension of the duty on theobromine; to the Committee on Finance.

S. 1550. A bill to extend the temporary suspension of the duty on lasamid; to the Committee on Finance.

By Mr. HELMS:

S. 1551. A bill to amend the Internal Revenue Code of 1986 to provide that income of certain spouses will not be aggregated for purposes of the limitations of sections 401(a)(17) and 404(l) of such Code; to the Committee on Finance.

By Mr. BIDEN (for himself, Mr. WOFFORD, Mr. ROTH, and Mr. SPECTER);

S. 1552. A bill to amend the Wild and Scenic Rivers by designating the White Clay Creek in Delaware and Pennsylvania for study for potential addition to the National Wild and Scenic Rivers System, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. CRANSTON (for himself, Mr. SPECTER, Mr. DECONCINI, Mr. GRAHAM, Mr. AKAKA, Mr. DASCHLE, and Ms. MIKULSKI):

S. 1553. A bill to establish a program of marriage and family counseling for certain veterans of the Persian Gulf War and the spouses and families of such veterans; to the Committee on Veterans' Affairs.

By Mr. BENTSEN (for himself, Mr. PACKWOOD, Mr. RIEGLE, Mr. SPECTER, Mr. BREAUX, Mr. MITCHELL, Mr. SEYMOUR, Mr. BRADLEY, Mr. CHAFEE, Mr. SASSER, Mr. SARBANES, Mr. ROCKEFELLER, Mr. METZENBAUM, and Ms. MIKULSKI):

S. 1554. A bill to provide emergency unemployment compensation, and for other purposes; to the Committee on Finance.

By Mr. RIEGLE (for himself and Mr. LEVIN):

S. 1555. A bill to provide for disaster assistance to fruit and vegetable producers, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. KASTEN (for himself, Mr. BROWN, Mr. LOTT, Mr. COATS, Mr. SYMMS, Mr. BURNS, Mr. SMITH, Mr. HELMS, Mr. D'AMATO, Mr. SPECTER, and Mr. MACK):

S.J. Res. 182. A joint resolution proposing a Balanced Budget Amendment to the Constitution of the United States; to the Committee on the Judiciary.

## SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

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

By Mr. MITCHELL (for himself and Mr. DOLE):

S. Res. 157. A resolution to authorize representation of employees of the Senate; considered and agreed to.

S. Res. 158. A resolution to authorize testimony by and representative of former employee of the Senate in In re American Continental Corporation/Lincoln Savings and Loan Securities Litigation; considered and agreed to.

## STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. LIEBERMAN:

S. 1534. A bill to require the establishment of a capital projects bureau within the Agency for International Development, and for other purposes; to the Committee on Foreign Relations.

TRADE AND COMPETITIVENESS ACT OF 1991

• Mr. LIEBERMAN. Mr. President, today I am introducing the Trade and Competitiveness Act of 1991.

Exports remain crucial to our Nation's economic growth. Throughout the present recession, the one bright spot in the economy has been trade. Our exporters have kept the economy afloat. This is particularly true in my home State of Connecticut. In 1990 alone, State exports grew by nearly 18 percent. Exports provided 84,000 manufacturing jobs in the State and another 63,000 jobs in firms dependent on exporting. Close to 20 percent of the State's 6,700 manufacturers export compared to the national average of 12 percent. In short, Connecticut's economic future is tied to exports.

But the problem for Connecticut exporters, as well as exporters across the country, is how to remain competitive against increasing foreign competition. This competition used to be primarily from Germany and Japan, but that is no longer the case. The other dynamic Asian economies of Korea, Taiwan, Hong Kong, and Singapore are competing for global markets. And as Europe approaches 1992 and the final stages of European economic unity, the European Community [EC] is rapidly becoming a more potent economic force.

While it is not the role of the Federal Government to try to solve all the problems confronting our exporters, the Federal Government must work with the American exporting community to help them to capture new markets and hold old ones. One of the biggest obstacles confronting exporters is a lack of sufficient export financing. Our products are often competitive with the products of other nations, but it is our terms of trade—the packaging of a transaction—that makes life difficult for American exporters.

Export financing and tied aid—the tying of economic aid to export sales—is the key to gaining a foothold in the emerging markets of advanced developing nations. Nobody likes tied aid, but everyone uses it. This form of financing was supposed to have been put to rest with the Arrangement on Guidelines for Officially Supported Export Credit [the Arrangement]. The Arrangement is an informal agreement among 22 of the 24 Organization for Economic Cooperation and Development [OECD] countries to set guidelines on export financing. It first came into existence in 1978, but its roots can be traced back to the 1960's. The most recent negotiations under the framework of the Arrangement, put into place in 1987, is known as the Tied Aid Credit Agreement. The basic premise of this agreement is that a 35-percent minimum of concessionality—that is, the grant portion of a deal—must be reached in order to put forward a tied aid credit package.

It is important to remember that this 35 percent was designed to make tied aid too expensive a proposition for nations to pursue. If the threshold had been 20 percent or even 25 percent, a government might consider pursuing this kind of deal in order to help out an exporter; 35 percent was considered to be too expensive—at least in theory. The problem is that tied aid activity has increased since the 1987 version of the Arrangement was put into place because our foreign competitors remain committed to the practice of using tied aid to help their exporters.

A new round of negotiations at the OECD is faltering, and the United States must have contingency plans in place to combat the tied aid practices of foreign nations if the negotiations fail. We have existing tied aid programs, but these programs are not adequately funded because of the emphasis the administration has put on the Arrangement as a way to eliminate tied aid. Official Government support for tied aid goes against traditional U.S. policy of not mixing development aid and support for exports, and in a very practical sense, the administration apparently does not want to commit itself to a substantial program because tied aid is very expensive.

But the lack of commitment by the Government to an aggressive tied aid program has caused U.S. exporters to lose out to their competitors in valuable overseas markets, for sales of products as computers and telecommunications. This means less jobs at home. According to Ambassador Ernie Preeg, a former chief economist at AID and one of the foremost experts on this issue, the "current market for capital goods transactions * * * which is inaccessible to U.S. exporters because of other governments, is $10 to $12 billion per year, resulting in an estimated $2.4 to $4.8 billion annual loss to U.S. exports. Future U.S. export loss in high-growth developing country markets could be far greater."

Using Ambassador Preeg's thoughts on this issue as a framework for my bill, I have developed a program that I hope will help our exporters get back in the game of winning contracts in developing country markets. I also want to take a moment to acknowledge the leadership of Senators BYRD, BOREN, BENTSEN, and BAUCUS on this issue. I believe my bill to be complementary to their efforts.

In my legislation, I put special emphasis on AID as a source of funding for tied aid transactions. While I am confident that AID can play an important role in helping our exporters meet the tied aid offers of their foreign competitors, this bill also includes a $500 million authorization for the Eximbank's war chest for fiscal years 1992 and 1993 since the Eximbank remains the key agency in the tied aid battle. Finally, the bill contains special programs that will help American exporters take advantage of opportunities in Eastern Europe.

The bill establishes a Capital Project Bureau at AID that would work with the other AID bureaus in putting together capital projects that are developmentally sound and beneficial to our exporters. These projects could consist of up to a 35-percent grant element. The annual budget for the newly formed Capital Projects Bureau would be $500 million. This money should be spent globally not concentrated in a few countries.

Within the Bureau, there also would be a special program for Eastern Europe. Initially the Bureau would conduct a study of the various sectors of the economies of the nations of Eastern Europe that are most in need of rebuilding. Those sectors would become eligible for assistance under the Capital Projects Bureau and cooperative programs between it, the Eximbank, and the Trade and Development Program [TDP]—another government agency which has a tied aid program. The Bureau would establish desk officers and in-country presence for the nations of Eastern Europe.

The bill also sets up a Capital Projects Interagency Board that would be administered by AID, Eximbank, and TDP. They would be the judge and jury over which tied aid projects should go forward. Such a board would bring these agencies even closer together as they deliberate on tied aid projects. Presently the National Advisory Committee [NAC] decides whether or not a tied aid deal will go forward. The new Interagency Board will be better suited to handle this issue since that will be its sole function, unlike the NAC which has a number of other issues with which it must contend.

The final portion of the bill puts forward guidelines for our negotiators at the OECD talks on tied aid which are designed to be supportive of U.S. efforts to combat the practice of tied aid. The Capital Projects Bureau will strengthen the hand of our negotiators because the other participants in the talks will know that we are serious about being ready to compete for export markets.

The Capital Projects Bureau is similar in concept to a request made by AID last December to seek legislative authority to create a capital projects fund. In testimony before the House Foreign Operations Subcommittee earlier this year, Henrietta Holsman Fore, an Assistant Administrator at AID, made a strong case for the usefulness of AID involvement in capital projects. She said "The development rationale for capital projects is compelling. Capital projects help build strong economies by providing the basic infrastructure needed for commerce and industry. * * * They also address specific developmental needs. * * * Capital projects provide employment."

Unfortunately, the United States does not emphasize capital projects as part of our foreign assistance programs nearly as much as the other G-7. We tend to emphasize basic development assistance much more than the others. For example over 60 percent of bilateral aid from Japan and Italy involves capital projects, as compared to 14 percent for the United States. We should continue to emphasize humanitarian assistance, but if as Ms. Fore indicates, capital projects are good for development and American exporters, then there is no reason for us not to be doing more of these projects.

To its credit, AID has been working hard to get more involved with capital projects. Average AID spending on capital projects for the last few years has been between $500 and $600 million. Unfortunately, projections for this year fall below $500 million to about $420 million, which is not a good sign. We need to keep support for capital projects at a minimum of $500 annually. The establishment of a Capital Projects Bureau at AID would guarantee a long-term commitment to pursue these projects.

In her testimony, Ms. Fore also stressed the importance of coordination between AID, the Eximbank, and TDP. The AID and Exim tied aid pool created last year for capital projects in the Philippines, Indonesia, Thailand, and Pakistan is an excellent example of the usefulness of coordination between these agencies. My legislation would make this coordination more than a one-time occurrence. There would be permanent coordination between the three agencies, so that foreign competitors would know that the U.S. Government was serious in its support of our exporters.

If we do not institutionalize support for capital projects through the creation of a special bureau, and if we do not put in place a tied program with real financial support behind it, then we will sell our exporters short.

There was a time in our Nation's recent history when trade was considered to be a foreign aid program for our friends and allies. After World War II, we developed a world trading system that was designed to give foreign nations access to our market while allowing them to protect their own. Well this system worked—too well. Now we run trade deficits that are out of control.

In a recent study on aid to the Philippines, Ambassador Preeg summarizes the related problem of how we view our foreign aid programs, "The central issue for U.S. foreign economic assistance. * * * is how to reconcile short-term foreign policy objectives with longer term support for development and strengthened economic relations with developing countries. A case is made—in his study—to separate the two more clearly and to place greater emphasis on the economic dimension." This complements Ambassador Preeg's thesis from an earlier study on tied aid where he makes a strong case argument against the Federal Government's policy of using scarce financial resources to support noneconomic objectives that have little commercial value. We should listen to men like Ernie Preeg and refocus our foreign assistance programs so that they are more reflective of the changing global economy and the need to help Amer-

ican companies keep their ground against powerful foreign competitors.

We have to take control of our economic destiny, and one way of achieving this is by eliminating our trade deficit. There are things we need to do at home to achieve that end, but there are things that we must do abroad as well. One of those things is to get the Government behind our exporters. A good place to start is by supporting export financing programs. My bill is designed to strengthen these programs so that our exporters can count on their Government being in their corner.

I am attaching a copy of the bill to be included in the RECORD following my statement.●

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

S. 1534

*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 be cited as the "Trade and Competitiveness Act of 1991".

**SEC. 2. CONGRESSIONAL FINDINGS.**

The Congress finds that—

(1) United States exports are shut out to $10 billion to $12 billion worth of capital projects per year because of an inadeqaute tied aid or mixed credit program, resulting in a loss of $2.4 billion to $4.8 billion in exports;

(2) in contrast, foreign governments actively support their nations' companies by providing a large share of their economic aid for capital projects, by making mixed-credit offerings, through the blending of aid and official export credit agency loans;

(3) the Federal Government must change its ineffective tied aid policy to one that is more aggressive and consistent;

(4) the Federal Government must make better use of existing government agencies that are able to help combat the tied policies of other Organization for Economic Cooperation and Development (OECD) nations;

(5) the Federal Government must strengthen tied aid programs already in existence in the Export-Import Bank in the United States, the Agency for International Development (AID), and the Trade Development Program, fostering more and consistent cooperation between these agencies and establishing new programs at these agencies where necessary;

(6) a new more aggressive tied-aid policy by the United States Government should remain in place until a successful and satisfactory agreement can be worked out at the OECD on eliminating or lessening the problem and expenses of tied-aid programs; and

(7) traditional development aid programs for health, education, and agriculture should not suffer as a result of the new aggressive tied-aid policy.

**SEC. 3. TIED-AID CREDITS.**

(a) AUTHORIZATION.—Section 15(e)(1) of the Export-Import Bank Act of 1945 is amended to read as follows:

"(e)(1) There are authorized to be appropriated to the fund $250,000,000 for each of the fiscal years 1992 and 1993, and such sums as may be necessary for each fiscal year thereafter.".

(b) COORDINATION.—Section 15(b)(2)(C) of the Export-Import Bank Act of 1945 is amended by inserting "the Capital Projects Advisory Board and" after "consultation with".

**SEC. 4. CAPITAL PROJECTS BUREAU WITHIN AID.**

(a) ESTABLISHMENT OF BUREAU.—The Administrator of the Agency for International Development (AID) shall establish within the Agency a capital projects bureau to carry out the purposes described in subsection (b). The capital projects bureau shall be headed by an Assistant Administrator of AID.

(b) PURPOSES OF BUREAU.—The purposes referred to in subsection (a) are—

(1) to develop an AID program that would focus solely on developmentally sound capital projects, taking into consideration the export opportunities of United States firms; and

(2) to specifically consider opportunities for United States high-tech firms, including small- and medium-sized firms in putting together capital projects for developing nations and the nations of Eastern Europe.

(c) ACTIVITIES OF AID.—The Administrator of the Agency for International Development (AID), acting through the capital projects bureau in coordination with the Export-Import Bank of the United States and the Trade and Development Program—

(1) shall participate in putting together capital projects involving at least a 35-percent grant element and the remaining oficial credit or guarantees at market-rate terms in developing nations and, if necessary to meet foreign competition, in the emerging democracies of Eastern Europe;

(2) shall periodically review infrasturcture needs in developing nations and Eastern Europe and shall explore commercial opportunities for United States firms in the development of new capital projects in these nations keeping both United States firms and Congress informed of these reviews;

(3) shall determine whether each capital project undertaken is developmentally sound, as set forth in the criteria developed by the Development Assistance Committee of the OECD; and

(4) shall coordinate its activities with other AID bureaus, particularly the regional bureaus, working with each AID country representative in developing capital projects and commercial opportunities for United States firms in a manner which in no way interferes with their primary mission to help these nations with traditional development projects.

**SEC. 5. ROLE OF THE CAPITAL PROJECTS BUREAU WITH EASTERN EUROPE.**

In addition to the activities of section 4(c), the Administrator of the Agency for International Development, acting through the capital projects bureau—

(1) shall play a special role in helping to develop the infrastructure of the nations of Eastern Europe by meeting the challenge of mixed credit offerings of foreign governments to the nations of Eastern Europe and, at the same time, to help these nations rebuild their infrastructures;

(2) shall undertake a comprehensive study of the infrastructure of the various nations of Eastern Europe and—

(A) the study shall identify those sectors in the economies of these nations that are most in need of rebuilding;

(B) those sectors in those nations could then be eligible for assistance from the capital projects bureau of the Agency for International Development, including joint projects of the Export-Import Bank of the United States and the Agency for International Development; and

(C) included in the study shall be an examination of the state of technology in these nations and the opportunity for United States high technology firms to help develop a technological infrastructure in these nations, as well as an assessment of export opportunities for United States high technology companies; and

(3) upon completion of the study on Eastern Europe, shall establish an Eastern Europe program within the capital projects bureau of the Agency for International Development which—

(A) shall monitor the infrastructure needs of these nations;

(B) shall continue to help United States companies with their efforts to be a part of the rebuilding of the infrastructure of these nations;

(C) shall make a special effort to help United States high technology firms explore opportunities with the rebuilding of these nations' technological infrastructures;

(D) shall be able to make use of all existing programs of the Agency for International Development; and

(E) shall have in-country representation in Eastern Europe that is assigned duties respecting that country or region.

**SEC. 6. AVAILABLE FUNDS.**

(a) TRANSFER AUTHORITY.—For each of the fiscal years 1992 and 1993, the President shall transfer to the capital projects bureau of the Agency for International Development, to be available for programs, projects, or activities administered by that bureau, at least $500,000,000 of funds under chapter 4 of part II of the Foreign Assistance Act of 1961 (relating to the economic support fund).

(b) LEVERAGE FINANCING FOR CAPITAL PROJECTS.—(1) There is established a tied aid credit program under which the President is authorized to use funds available under paragraph (2) to leverage financing for capital projects in advanced developing countries and Eastern Europe.

(2) Funds available for the purpose of paragraph (1) are—

(A) all funds transferred under subsection (a) to the capital projects bureau of the Agency for International Development;

(B) 50 percent of the funds available to the Tied Aid Credit Fund of the Export-Import Bank of the United States, as established by section 15(c) of the Export-Import Bank Act of 1945; and

(C) all funds available to the Director of the Trade and Development Program to carry out the tied aid credit program established by section 645 of the Export-Import Bank Act Amendments of 1983 (12 U.S.C. 635r).

(c) PROJECTS TO BE FUNDED.—The Capital Project Interagency Board, as described in section 7 shall determine which projects will be funded under this section.

(d) DEFINITION.—For purposes of this section, the term "tied aid credit" has the meaning given to such term in section 15(h)(1) of the Export-Import Bank Act of 1945.

**SEC. 7. CAPITAL PROJECTS INTERAGENCY BOARD.**

(a) ESTABLISHMENT.—There is established the Capital Projects Interagency Board (hereafter in this section referred to as the "Board").

(b) COMPOSITION.—The Board shall consist of the following officers or their designees:

(1) The Administrator of the Agency for International Development, who shall serve as Chairman.

(2) The President of the Export-Import Bank of the United States.

(3) The Director of the Trade and Development Program.

(4) The Secretary of State, serving as an ex officio, nonvoting member.

(5) The Secretary of Commerce, serving as an ex officio, nonvoting member.

(6) The Secretary of the Treasury, serving as an ex officio, nonvoting member.

(c) STAFF FOR THE BOARD.—The Agency for International Development, the Export-Import Bank, and the Trade and Development Program shall make available to the Board such staff as may be necessary for the Board to carry out its duties.

(d) DUTIES OF THE BOARD.—The Board shall—

(1) establish criteria to determine when a mixed credit offer should be made, taking into consideration—

(A) how developmentally sound a project is, using as a standard criteria developed by the Development Assistance Committee of the Organization for Economic Cooperation and Development;

(B) the environmental impact of such offer;

(C) the cost of such offer; and

(D) all other factors used by the Export-Import Bank of the United States and by the Agency for International Development on the date of enactment of this Act in determining whether or not to make a mixed credit offer;

(2) monitor, to the extent feasible, the mixed credit offers, being made by other countries; and

(3) report to the Congress every 6 months on—

(A) mixed credit offers made;

(B) mixed credit offers completed; and

(C) any data received from the Organization for Economic Cooperation and Development (OECD) on mixed credit offers made by other OECD countries.

(e) EFFECT OF BOARD DECISIONS.—Each decision by the Board as to whether or not to make a mixed credit offer shall be considered as final.

**SEC. 8. UNITED STATES NEGOTIATING POLICY.**

(a) POLICY.—It is the sense of the Congress that United States representatives at meetings of the Organization for Economic Cooperation and Development (OECD), when putting forth the United States position on limiting tied offers made by other participants in the arrangement, should state that it is the United States position—

(1) to attempt to take the commercial incentive out of tied-aid offerings to the nations of Eastern Europe, making Eastern Europe in effect a tied-aid free zone;

(2) to carry out paragraph (1) in coordination with the OECD Center for Economies in Transition;

(3) to raise the grant element for mixed credit offerings from 35 percent to 50 percent;

(4) to move capital projects financing to the multilateral financial institutions as developing countries become more industrialized;

(5) to make certain that all nations follow established criteria as to what constitutes a developmentally sound capital project;

(6) to setup a monitoring mechanism within the OECD to determine compliance to the arrangement; and

(7) to setup procedures for the tracking of tied-aid offers and projects made by the signatories of the arrangement, establishing very specific criteria as to what constitutes a tied-aid offer, keeping statistics on all offers and agreements.

(b) REPORT.—The President shall periodically submit to the Congress a report on the progress of these talks, including the extent to which issues described in subsection (a) have or will become part of the arrangement and, in the case of those positions that have not been accepted, an analysis of why they have not been accepted.•

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By Mr. CRANSTON (by request):

S. 1535. A bill to amend title 38, United States Code, to improve the Health Professional Scholarship Program operated by the Department of Veterans Affairs; to the Committee on Veterans' Affairs.

MINIMUM SERVICE OBLIGATION UNDER HEALTH PROFESSIONAL SCHOLARSHIP PROGRAM

• Mr. CRANSTON. Mr. President, as chairman of the Veterans' Affairs Committee, I am today introducing, by request, S. 1535, a bill to establish a minimum service obligation of 2 years for individuals who receive assistance under the Health Professional Scholarship Program operated by the Department of Veterans Affairs. The Secretary of Veterans Affairs submitted this legislation by letter dated July 2, 1991, to the President of the Senate.

My introduction of this measure is in keeping with the policy which I have adopted of generally introducing—so that there will be specific bills to which my colleagues and others may direct their attention and comments—all administration-proposed draft legislation referred to the Veterans' Affairs Committee. Thus, I reserve the right to support or oppose the provisions of, as well as any amendment to, this legislation.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD at this point, together with the July 2, 1991, transmittal letter and enclosed bill analysis.

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

S. 1535

*Be it enacted by the Senate and the House of Representatives of the United States of America in Congress assembled,* That except as otherwise expressly provided, whenever in this Act an amendment is expressed in terms of an amendment to a section or other provision, the reference shall be considered to be made to a section or other provision of title 38, United States Code.

SEC. 2. Section 4312 is amended in subsection (c)(1) by striking the period at the end of clause (B) and inserting in lieu thereof ", but for not less than two years."

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THE SECRETARY OF VETERANS AFFAIRS,
*Washington, July 2, 1991.*

Hon. DAN QUAYLE,
*President of the Senate, Washington, DC.*

DEAR MR. PRESIDENT: There is transmitted herewith a draft bill "To amend title 38, United States Code, to improve the Health Professional Scholarship Program operated by the Department of Veterans Affairs." We request that it be referred to the appropriate committee for prompt consideration and enactment.

VA's Health Professional Scholarship Program was first authorized in 1980 to address two concerns: the growing national need for qualified health care professionals, and VA's need to compete effectively with other employers for scarce personnel resources. Over the years, the program has been very successful, providing scholarships to approximately 2,348 students, primarily nursing students. As a condition for the financial assistance, scholarship recipients must agree to fulfill a period of obligated service to the VA following completion of their education. As a result, VA has received many years of service from scholarship recipients, and has gained many valuable permanent employees through the program.

The statute which initially authorized VA's scholarship program provided that scholarship recipients serve one year for each year of support provided, with a minimum obligation of two years. In 1988, Congress amended the law to make the scholarship program part of the larger Health Professionals Educational Assistance Program, which also includes a tuition reimbursement program for nurses, and a stipend program for members of the Selected Reserve. The same amendments to the law reduced the minimum period of service obligation for scholarship recipients from two years to one year. This action was apparently taken to align the period with the one-year service requirement applicable to the Nurse Education Tuition Reimbursement Program. This draft bill would restore the minimum service obligation period to two years.

Once they are on the job, new graduates in health-care professions generally require twelve to sixteen weeks of orientation, and for most disciplines up to six months of on-the-job training. Thus, it is typically seven to eight months before a scholarship recipient can function independently, and before VA begins to recoup the full benefit of its scholarship investment. Thus, the two-year minimum which existed before 1988 yielded roughly only fourteen months of "journeyman" service before a graduate completed his/her employment obligation. It was consistent with VA's practical need for fully qualified and contributing health-care personnel and had proven effective in stabilizing staffing and reducing turnover. Moreover, past program participants perceived the two-year obligation as a reasonable exchange for the financial and educational benefits they received.

In the same legislation which reduced the minimum period of obligated service (Pub. L. No. 100-322 §216(b)) Congress also required that priority in choosing scholarship recipients be given to students in their last year of training. Thus, the majority of current scholarship awards are for one year, and recipients have only a one-year service commitment. That is a change from the past when VA awarded primarily two-year scholarships. Now that the majority of obligated service commitments are for only one year, it is even more important to have a minimum two-year service obligation.

Finally, the one-year minimum is often inadequate for new appointees to reach their full professional potential and allow VA a fair return on its investment. It also frustrates efforts to meet staffing needs, particularly in health-care disciplines, such as nursing and physical therapy, where VA continues to experience shortages. Restoring the two-year minimum would help assure the program's continued value for maintaining adequate health-care.

VA estimates that this draft bill will not impose any significant costs.

The Office of Management and Budget advises that there is no objection from the standpoint of the Administration's program to the submission of this legislative proposal to the Congress.

Sincerely yours,

EDWARD J. DERWINSKI.

ANALYSIS OF PROPOSED BILL

Section 2 would amend 38 U.S.C. §4312(c)(1)(B) to extend from one to two years the minimum period of obligated service that a scholarship recipient must satisfy. Section 4312(c)(1)(B) now provides that scholarship participants must enter into an agreement to serve as a VA employee for one calendar year for each school year or part thereof for which VA provided scholarship support. The draft bill would amend that section to require that the agreement also contain language that the participant will serve "for not less than two years."

When the scholarship program first began in 1980, participants were obligated for one year for each year of support received, with a minimum of two years. In 1988, Congress changed that to a one year minimum apparently to make it consistent with a tuition reimbursement program that was initiated that year. However, the tuition reimbursement program is very different in that students in that program are already VA employees. For that program a one year period of obligated service is reasonable. That is not the case for scholarship program participants who are generally new to the field and require a long period of orientation and training before they become fully effective employees. The change would not affect current program participants with agreements for a one-year minimum period of obligated service.

There are no costs associated with this proposal.●

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By Mr. ADAMS:

S. 1536. A bill to provide for worker and community assistance and for ecosystem conservation in Pacific Northwest Federal forest lands, and for other purposes; to the Committee on Finance.

PACIFIC NORTHWEST FOREST COMMUNITY RECOVERY AND ECOSYSTEM CONSERVATION ACT

Mr. ADAMS. Mr. President, I am appearing here today to introduce legislation to address the severe timber problem which has now reached crisis proportions in the Washington State area, and the Pacific Northwest region as a whole.

The timber supply crisis strikes at the very heart of our economy. It threatens the beauty and the future of Washington's natural ecosystem. It has caused human suffering among those who have lost their jobs. Thousands of workers and their families have already lost their jobs or live in daily fear of losing their source of income.

We in the Northwest have grappled with this problem for many, many years. We have had meeting after meeting.

I want to pay my respect to the members of the Washington and Oregon delegations in particular, for offering many, many suggestions, and for placing in the hopper on the House side a number of different bills. But at no time in our history have we experienced such different choices, choices that will set guideposts for our people and our environment, and our economy, for decades.

The approach embodied in my legislation calls for managing an entire ecosystem to produce logs, jobs, and a sound environment for the State of Washington.

I also hope that it will be adopted by and used in the entire Pacific Northwest and in California, since we have only one last chance to save the basic ecosystem of our ancient forests, which are the largest biomass of wood products left in the entire United States.

To reach these goals has been very difficult, and we have worked on this both as committees and then finally in my office I came to the conclusion that because we were marking up the Interior appropriations bill—where traditionally the amounts of timber have been set by simply setting a dollar figure—that I have to have an underlying bill that shows exactly where we thought we should be going in order to not only meet targets but to save our forests, and particularly our ancient forests.

To reach these goals I do several things. I offer incentives—and I will introduce the bill today so that it will be placed before all of the Members—for reforestation, for domestic processing of our wood resources, for exports of value-added wood products, and for protecting old growth as well as the salmon habitat. We have heard a lot about the owl and the owl has a problem. And it is a marker for the ancient forests. But we have a problem also that the salmon resources of the Pacific Northwest are rapidly reaching the point where they may become also an endangered species.

Title I of my bill provides adjustment assistance for certain dislocated workers, including extended unemployment benefits.

Title II is aimed at helping the majority of Washington counties whose economies are timber-dependent. The title establishes a special fund in the U.S. Treasury, funded by a portion of the timber sales receipts to assist communities in diversifying their economies, and to support worker retraining. It also provides grants to establish rural economic development magnet centers in timber-dependent communities.

Title III deals with exports. To help illustrate this point, I have prepared three graphics showing the growth of log exports from Washington. The first two charts reveal the increase in log exports compared with the total harvest. If you will notice, in 1970, it was only 26 percent of the total harvest; about one-quarter. But today it is 42 percent of the total harvest. That includes private and public.

There is no wonder that there is a shortage of product for use by people who do not own their own wood in the Pacific Northwest.

The third chart shows the ownership of the timber exported. Here we see private logs and how they make up the vast majority of exports from the State of Washington. If you will look at that chart, you will notice that, starting in 1970, this was 53 percent. The forest industry now has 65 percent.

So when we tried to correct the problem by closing off the export of logs to the Asiatic countries, particularly to Japan, by stopping the export from public lands, both State and Federal, we only affected a small portion of the problem.

I have wrestled long and hard with this problem, and have finally come up with this conclusion.

My bill gives Western States the authority—but does not require them—to limit log exports through whatever means the Governor may choose: A tax, an export quota, or another means. The people of Washington must have all of the options in front of them. My bill gives them all of the options. They can choose, but they must have Federal authorization to do that. That is why this is in title III, because this is the export in commerce of a product.

We are allowed to do this under our treaties and under GATT and under the international law, because we are suffering a shortage, and this shortage has exacerbated, as I showed by the charts, though the past few years, to a point now where our small mills are being put completely out of business, and our others are short of logs.

Title III of the bill begins to provide some of the sweetners to go with the sticks that are in the bill. Title III also provides incentives for exports of processed wood products through the Export-Import Bank and the U.S. Department of Agriculture's Commodity Credit Corporation.

TItle IV offers tax incentives for reforestation and would create a 2-percent tax credit for domestic processing. In other words, if the private landowners or the big companies send their logs for domestic processing, they receive a 2-percent tax credit, quite an incentive to see that we get a flow of logs that stays in the United States.

Title V proposes a comprehensive forest ecosystem conservation management plan. This is really the heart of the bill. It will establish a process for scientifically sound management of the whole forest ecosystem, so that we can produce both jobs and a sound environment in the State of Washington and, hopefully, in the other west coast States long into the future.

We are in danger, as a nation, of losing not just some species of wildlife, but our entire forests, for generations to come. My intent is to protect the overall health of the entire forest ecosystem, so that it can produce a balance of all resources on a long-term, sustainable basis.

Mr. President, my legislation is not the final word. It is the first comprehensive step toward helping the people and the environment of the State of Washington. I urge my colleagues to

give their fullest and most serious consideration to this. We want to produce, in our State, both wood and work. And we must preserve our heritage for our children, because if the ancient forests are once cut and completely gone, they cannot be replaced for 300 or 400 years.

So we have tried to work out a system that sees to it that any harvest starts with the younger trees and protects the ancient forests and, in between, examines scientifically how we can change our forest management system.

I want to finally indicate that this bill does not attempt to change the Endangered Species Act; it does not do away with judicial review. These things are an anathema to the State of Washington and to the Nation.

This is a bill of forest management, tax incentives, unemployment compensation, and diversification of an industry. So that we, as a nation, may save one of our most precious resources, I will introduce the bill today, Mr. President.

Mr. President, I ask unanimous consent that the table I referred to appear in the RECORD.

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

WASHINGTON LOG EXPORTS

[Volume in million board feet, log scale]

| | Volume exported | Total harvest | Percent exported |
|---|---|---|---|
| Year: | | | |
| 1990 | 2,265 | 5,413 | 42 |
| 1989 | 2,730 | 6,851 | 40 |
| 1988 | 2,668 | 7,045 | 38 |
| 1987 | 2,393 | 7,036 | 34 |
| 1986 | 1,944 | 6,556 | 30 |
| 1985 | 2,436 | 5,963 | 41 |
| 1984 | 2,300 | 5,802 | 40 |
| 1983 | 2,278 | 6,088 | 37 |
| 1982 | 2,154 | 5,079 | 42 |
| 1981 | 1,674 | 4,891 | 34 |
| 1980 | 2,191 | 5,720 | 38 |
| 1979 | 2,686 | 6,969 | 39 |
| 1978 | 2,369 | 6,783 | 35 |
| 1977 | 2,025 | 6,591 | 31 |
| 1976 | 1,974 | 6,971 | 28 |
| 1975 | 1,595 | 6,185 | 26 |
| 1974 | 1,618 | 6,876 | 24 |
| 1973 | 1,915 | 7,809 | 25 |
| 1972 | 1,913 | 7,080 | 27 |
| 1971 | 1,320 | 6,451 | 20 |
| 1970 | 1,697 | 6,460 | 26 |

Washington Department of Natural Resources Data computed from U.S. Forest Service Statistics.

OWNERSHIP SOURCE FOR TIMBER EXPORTED FROM WASHINGTON

[In percent]

| | Federal | Other public/State | Forest industry | Other private |
|---|---|---|---|---|
| Year: | | | | |
| 1988 | ..... | 20 | 65 | 15 |
| 1986 | ..... | 32 | 55 | 13 |
| 1984 | ..... | 22 | 65 | 13 |
| 1982 | 1 | 14 | 78 | 7 |
| 1980 | ..... | 21 | 62 | 17 |
| 1978 | ..... | 25 | 64 | 11 |
| 1976 | 2 | 28 | 61 | 9 |
| 1974 | 4 | 23 | 60 | 13 |
| 1972 | 5 | 26 | 57 | 12 |
| 1970 | 9 | 27 | 53 | 11 |

Computed from Washington Department of Natural Resources Data.

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By Mr. BROWN:

S. 1537. A bill to amend the National Trails System Act to designate the American Discovery Trail for study to determine the feasibility and desirability of its designation as a national trail; to the Committee on Energy and Natural Resources.

AMERICAN DISCOVERY TRAIL

Mr. BROWN. Mr. President, I am pleased to introduce today a bill to designate the American Discovery Trail for study to determine its desirability for designation as a national trail.

The American Discovery Trail would be our Nation's first coast-to-coast hiking trail. It would link together shorter segments of existing scenic and historic trails on public lands in the States of California, Nevada, Utah, Colorado, Kansas, Missouri, Illinois, Indiana, Ohio, West Virginia, Maryland, and Delaware, to form a 30,000-mile national trail network encompassing 27 States overall.

Today, the three-member American Discovery Trail Scouting Expedition arrived in Washington, DC, on its way to the Atlantic Ocean. Over a year ago, this team set out to map the American Discovery Trail which will span nearly 5,500 miles, from California to Delaware.

The American Discovery Trail will give the American people greater access to some of our country's most beautiful scenic vistas. It is my hope that the trail also will foster increased appreciation of and responsibility for our public lands, as well as heightened awareness of our cultural heritage.

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By Mr. DURENBERGER:

S. 1538. A bill to authorize a certificate of documentation for the vessel *Eric WC*; to the Committee on Commerce, Science, and Transportation.

DOCUMENTATION OF VESSEL "ERIC WC"

• Mr. DURENBERGER. Mr. President, today I am introducing legislation that would allow the Coast Guard to issue a valid certificate of documentation for the fishing vessel *Eric WC*, hull identification number 64103. The *Eric WC* is currently owned by Clyde Neumann of Two Rivers, WI. The boat was built in 1946 by the Matthews Co.

This legislation is needed because the current owner has been unable to verify that the boat was built by the Matthews Co. because a fire in the company offices destroyed all their files. Mr. Neumann is the fifth owner of this boat and has not been able to locate records from two of previous owners who are deceased. After a diligent and lengthy search by his lawyer, Mr. Neumann has been unable to establish the chain of ownership.

This legislation is needed in order to allow the Coast Guard to issue a certificate of documentation for the vessel *Eric WC* so that it can be used in the coastwise trade or domestic fisheries as a charter boat.•

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By Mr. LEAHY (for himself and Mr. JEFFORDS):

S. 1540. A bill to amend the Child Nutrition Act of 1966 to extend the special supplemental food program for women, infants, and children [WIC], and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

FULL FUNDING FOR WIC

• Mr. LEAHY. Mr. President, everyone in this Chamber is familiar with the successful nutrition program for pregnant women, infants and children we call WIC. But I do not think everyone knows that the benefits of this extremely effective program are refused to almost half of those it was created to serve. That's right. Due to insufficient funding, only 55 percent of all eligible women and children are reached by the WIC Program.

WIC is designed to increase infant birthweights and reduce birth defects by providing nutritious food to pregnant women. It is designed to combat the problems cited by the Surgeon General—that babies with low birthweights are at greater risk of having "developmental handicaps, birth defects, respiratory and other infectious diseases, behavior problems and [other] complications."—Surgeon General's Report on Nutrition and Health 1988.

The facts are indisputable. WIC reduces infant mortality; WIC improves prenatal care, and WIC reduces premature deliveries. WIC works by providing—to those who cannot otherwise afford it—the care and nutrition necessary for healthy pregnancies.

Unfortunately, there are other facts that are not so encouraging. Currently, only 55 percent of the women and children eligible for WIC are served. That leaves more than 3.5 million needy women and children with no benefits at all.

In the current budget climate, it is more important than ever to weed out the programs that do not work and hold on the ones that save us money. WIC is a proven success story.

A 1990 USDA study showed that for every WIC dollar spent on a pregnant woman, between $2.84 and $3.90 was saved in infant Medicaid during the first 60 days after birth. And, according to the Surgeon General, the average medical cost of a low birthweight baby can exceed $39,000. The average cost of the WIC package is $30 a month.

So with WIC, we can be a caring nation as well as a smart nation. WIC is an investment that pays for itself over and over again. Please join me in insuring that every eligible woman and child receive WIC benefits so as a nation, we all can benefit from this wise investment.

I ask unanimous consent that this bill be printed in the RECORD following my remarks.

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

S. 1540

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

**SECTION 1. SPECIAL SUPPLEMENT FOOD PROGRAM.**

The first sentence of section 17(g)(1) of the Child Nutrition Act of 1966 (42 U.S.C. 1786(g)(1)) is amended by striking "and such sums as may be necessary for each of the fiscal years 1991, 1992, 1993, and 1994" and inserting "such sums as many be necessary for fiscal year 1991, $2,700,000,000 for fiscal year 1992, $3,100,000,000 for fiscal year 1993, $3,500,000,000 for fiscal year 1994, $4,000,000,000 for fiscal year 1995, $4,500,000,000 for fiscal year 1996, and such sums as may be necessary for fiscal year 1997 and subsequent fiscal years".●

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By Mr. CHAFEE:

S. 1541. A bill to extend the temporary suspension of the duty on 2,5-dimethoxyacetanilide; to the Committee on Finance.

S. 1542. A bill to extend the temporary suspension of the duty on nitro sulfon B; to the Committee on Finance.

S. 1543. A bill to extend the temporary suspension of the duty on 3,4-diaminophenetole dihydrogen sulfate; to the Committee on Finance.

S. 1544. A bill to extend the temporary suspension of the duty on chloramino base; to the Committee on Finance.

S. 1545. A bill to extend the temporary suspension of the duty on 4-chloro-2-nitroaniline; to the Committee on Finance.

S. 1546. A bill to extend the temporary suspension of the duty on amino sulfone BR; to the Committee on Finance.

S. 1547. A bill to extend the temporary suspension of the duty on N-acetylsulfanilyl chloride; to the Committee on Finance.

SUSPENSION OF DUTY ON CERTAIN CHEMICALS

● Mr. CHAFEE. Mr. President, today I am introducing seven bills to extend the duty suspensions on the importation of seven chemicals that are precursors used in the production of printing inks and dyes for textiles. These particular chemicals are not produced in the United States and the extension of the current duty suspensions will lower the overall cost of producing textiles in this country.

As we are all aware, the textile industry has been hit especially hard by imports. I want to do all I can to keep this American industry on a fair competitive footing with its foreign competition. Our foreign competitors can print and dye their textiles without the added costs that these duties impose, thus these duties would place our domestic industry at a competitive disadvantage.

The International Trade Commission has confirmed that there is no domestic production of these chemicals to be adversely affected by a continuation of these duty suspensions. It would be senseless to allow the current duty suspensions to expire at the end of next year. By extending these duty suspensions now, we can provide assurance to our domestic industry that they will be able to continue to obtain printing inks and dyes at a lower cost.

These bills would extend the duty suspensions for these seven chemicals from their current December 31, 1992, expiration date through December 31, 1994. These duties have been suspended for less than 3 years, since the enactment of the Omnibus Trade and Competitiveness Act of 1988, Public Law 100-418. These extensions will provide 2 additional years and will give us time to study the effects of these duty suspensions on the chemical industry to determine if we should then repeal the duties outright or continue the suspensions for another period.

Mr. President, I ask unanimous consent that the seven bills be printed in the RECORD.

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

S. 1541

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

**SECTION 1. 2,5-DIMETHOXYACETANILIDE.**

(a) IN GENERAL.—Heading 9902.29.52 of subchapter II of chapter 99 of the Harmonized Tariff Schedule of the United States is amended by striking "12/31/92" and inserting "12/31/94".

(b) EFFECTIVE DATE.—The amendment made by subsection (a) applies with respect to articles entered, or withdrawn from warehouse for consumption, after December 31, 1992.

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S. 1542

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

**SECTION 1. NITRO SULFON B.**

(a) IN GENERAL.—Heading 9902.29.07 of subchapter II of chapter 99 of the Harmonized Tariff Schedule of the United States is amended by striking "12/31/92" and inserting "12/31/94".

(b) EFFECTIVE DATE.—The amendment made by subsection (a) applies with respect to articles entered, or withdrawn from warehouse for consumption, after December 31, 1992.

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S. 1543

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

**SECTION 1. 3,4-DIAMINOPHENETOLE DIHYDROGEN SULFATE.**

(a) IN GENERAL.—Heading 9902.29.45 of subchapter II of chapter 99 of the Harmonized Tariff Schedule of the United States is amended by striking "12/31/92" and inserting "12/31/94".

(b) EFFECTIVE DATE.—The amendment made by subsection (a) applies with respect to articles entered, or withdrawn from warehouse for consumption, after December 31, 1992.

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S. 1544

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

**SECTION 1. CHLORAMINO BASE.**

(a) IN GENERAL.—Heading 9902.29.42 of subchapter II of chapter 99 of the Harmonized Tariff Schedule of the United States is amended by striking "12/31/92" and inserting "12/31/94".

(b) EFFECTIVE DATE.—The amendment made by subsection (a) applies with respect to articles entered, or withdrawn from warehouse for consumption, after December 31, 1992.

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S. 1545

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

**SECTION 1.4-CHLORO-2-NITROANILINE.**

(a) IN GENERAL.—Heading 9902.29.25 of subchapter II of chapter 99 of the Harmonized Tariff Schedule of the United States is amended by striking "12/31/92" and inserting "12/31/94".

(b) EFFECTIVE DATE.—The amendment made by subsection (a) applies with respect to articles entered, or withdrawn from warehouse for consumption, after December 31, 1992.

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S. 1546

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

**SECTION 1. AMINO SULFONE BR.**

(a) IN GENERAL.—Heading 9902.29.61 of subchapter II of chapter 99 of the Harmonized Tariff Schedule of the United States is amended by striking "12/31/92" and inserting "12/31/94".

(b) EFFECTIVE DATE.—The amendment made by subsection (a) applies with respect to articles entered, or withdrawn from warehouse for consumption, after December 31, 1992.

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S. 1547

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

**SECTION 1. N-ACETYLSULFANILYL CHLORIDE.**

(a) IN GENERAL.—Heading 9902.29.97 of subchapter II of chapter 99 of the Harmonized Tariff Schedule of the United States is amended by striking "12/31/92" and inserting "12/31/94".

(b) EFFECTIVE DATE.—The amendment made by subsection (a) applies with respect to articles entered, or withdrawn from warehouse for consumption, after December 31, 1992.●

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By Mr. CHAFEE:

S. 1548. A bill to extend the temporary suspension of the duty on 1-chloro-5-hexanone; to the Committee on Finance.

S. 1549. A bill to extend the temporary suspension of the duty on theobromine; to the Committee on Finance.

SUSPENSION OF DUTY ON CERTAIN CHEMICALS

● Mr. CHAFEE. Mr. President, I am introducing two bills today for the purpose of extending the current duty suspensions for two chemicals—theobromine and chlorhexanone. These two chemicals are used in the manufacture of pentoxifylline, which is the active ingredient in the product "Trental" used in the treatment of arterial disease.

I have been advised that neither theobromine nor chlorhexanone is commercially available in the United

States, and thus any duty on these two chemicals would be an unnecessary added expense for the domestic manufacturing industry. These two chemicals are used in the production of pentoxifylline by the Pharmaceutical Production Division of Hoechst Celanese Corp., which is located in Coventry, RI. Pentoxifylline is used in the production of the final product, Trental, in Bridgewater, NJ. By continuing the duty suspensions for these two chemicals, this U.S. company will be more competitive with foreign manufacturers of products that compete with Trental.

These bills would extend the duty suspensions for theobromine and chlorhexanone from the current December 1, 1992, expiration date through December 31, 1994. These duties have only been suspended since last year and this extension will provide 2 additional years and will give us time to study the effect of these duty suspensions on the pharmaceutical industry to determine if we should then appeal the duties outright or continue the suspensions for another period.

Mr. President, I ask unanimous consent that these two bills be printed in the RECORD, following my statement.

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

S. 1548

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

**SECTION 1. 1-CHLORO-5-HEXANONE.**

(a) IN GENERAL.—Heading 9902.30.20 of subchapter II of chapter 99 of the Harmonized Tariff Schedule of the United States is amended by striking "12/31/92" and inserting "12/31/94".

(b) EFFECTIVE DATE.—The amendment made by subsection (a) applies with respect to articles entered, or withdrawn from warehouse for consumption, after December 31, 1992.

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S. 1549

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

**SECTION 1. THEOBROMINE.**

(a) IN GENERAL.—Heading 9902.31.01 of subchapter II of chapter 99 of the Harmonized Tariff Schedule of the United States is amended by striking "12/31/92" and inserting "12/31/94".

(b) EFFECTIVE DATE.—The amendment made by subsection (a) applies with respect to articles entered, or withdrawn from warehouse for consumption, after December 31, 1992.•

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By Mr. CHAFEE:

S. 1550. A bill to extend the temporary suspension of the duty on lasamid; to the Committee on Finance.

EXTENSION OF DUTY SUSPENSION ON LASAMID

• Mr. CHAFEE. Mr. President, I am pleased to offer legislation today that would extend a temporary duty suspension on lasamid. Lasamid is a chemical used in the manufacture of furosemide, a widely used potent diuretic, primarily prescribed in the treatment of patients who have suffered from congestive heart failures.

Furosemide is currently sold in the United States by Hoechst-Roussel Pharmaceuticals, Inc. [H-RPI] and by several other generic drug companies. However, the only company which manufactures furosemide in the United States is H-RPI's parent, Hoechst Celanese Corp. All other furosemide sold in the United States is imported.

Hoechst Celanese produces furosemide in my State of Rhode Island by a process which involves the intensive treatment of the precursor chemical lasamid. There are no known American producers of lasamid, and its only use is as a precursor to the production of furosemide. Since there are no domestic producers of lasamid, no domestic interests would be adversely affected by this bill. By continuing the duty suspension for lasamid, this U.S. producer will be more competitive with foreign producers, thereby benefiting the American workers who manufacture this product. It will also contribute to keeping down medical costs, by reducing costs to produce a major drug relied upon by many Americans.

This bill would extend the duty suspension for lasamid from its current December 31, 1992, expiration date through December 31, 1994. This duty has been suspended for less than 3 years, since the enactment of the Omnibus Trade and Competitiveness Act of 1988, Public Law 100-418. This extension will provide 2 additional years and will give us time to study the effect of the duty suspension on the pharmaceutical industry to determine if we should then repeal the duty outright or continue the suspension for another period.

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

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

S. 1550

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

**SECTION 1. LASAMID.**

(a) IN GENERAL.—Heading 9902.29.86 of subchapter II of chapter 99 of the Harmonized Tariff Schedule of the United States is amended by striking "12/31/92" and inserting "12/31/94".

(b) EFFECTIVE DATE.—The amendment made by subsection (a) applies with respect to articles entered, or withdrawn from warehouse for consumption, after December 31, 1992.•

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By Mr. HELMS:

S. 1551. A bill to amend the Internal Revenue Code of 1986 to provide that income of certain spouses will not be aggregated for purposes of the limitations of section 401(a)(17) and 404(1) of such Code; to the Committee on Finance.

TAX TREATMENT OF CERTAIN RETIREMENT PLANS

Mr. HELMS. Mr. President, today I am introducing legislation, identical to legislation introduced on February 21 in the House of Representatives by Congressman HOWARD COBLE, to amend section 401(a) of the Internal Revenue Code to allow an exemption for couples where both spouses are licensed to perform services in the same professional field on a full-time basis for the same employer.

The necessity of this legislation was brought to my attention by Drs. James and Cynthia Matthews of Greensboro, who are being severely penalized pursuant to the Tax Reform Act of 1986 because they happen to be married to each other.

Both are licensed physicians practicing in a five-person medical group. The organization's corporate stock is divided equally among the members, and each participates in a tax-qualified retirement plan.

Mr. President, section 401(a)(17) of the Tax Code limits the annual compensation for each employee participating in a retirement plan to $200,000. This figure is adjusted annually for inflation. In lay terms, compensation is computed on the basis of the amount of money attributed each year to an employee who participates in such a retirement plan. As a practical matter, compensation is the basis from which the employee draws his or her benefits upon retirement.

The provision harms working couples with a further restriction: Any 5-percent owner of an affected company or employee who is one of the 10 highest-paid company workers in a given year, his or her spouse, and any of their lineal descendants who have not attained 19 before the close of the year are considered one employee for the purpose of section 401(a)(17). (In effect, this means that the Matthews, by virtue of their marriage, cannot participate in their retirement plan as individuals to the same extent as the other three group members.)

Mr. President, Congress enacted this measure primarily to discourage small businesses from padding their payrolls and pension plans with spouses and children of key employees who do little, if any, work. This scenario necessarily contrasts with that involving the Matthews, both of whom routinely devote 70 hours or more per week to their practice. Given this background, the limitations imposed on legitimately hard-working couples by section 401(a)(17) hardly seem fair.

My bill corrects this problem in a narrowly confined and straightforward way. For the purposes of determining each employee's compensation, the restriction attributing compensation between spouses will not apply if both spouses are licensed to perform services in the same professional field and

perform these services on a full-time basis for the same employer. This slight adjustment will ensure that both spouses are treated equitably and equally, relative to each other as well as their coworkers. It should be noted that my bill would retain the section 401(a)(17) restriction in all other cases.

In this regard, I more than welcome any suggestions from my colleagues, especially those serving on the Finance Committee, as to how the overall abuse leading to the creation of section 401(a)(17) can be eliminated in just a manner.

Mr. President, while selective application of section 401(a)(17) of the Tax Code may not be on the front-burner issue of the 102d Congress, it does speak to a basic concern which permeates all our work: fairness. I urge Senators to support this endeavor.

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By Mr. BIDEN (for himself, Mr. WOFFORD, Mr. ROTH, and Mr. SPECTER):

S. 1552. A bill to amend the Wild and Scenic Rivers Act by designating the White Clay Creek in Delaware and Pennsylvania for study potential addition to the National Wild and Scenic Rivers System, and for other purposes; to the Committee on Energy and Natural Resources.

WHITE CLAY CREEK STUDY ACT

• Mr. BIDEN. Mr. President, today I am joined by Senators WOFFORD, ROTH, and SPECTER in introducing a bill to study the White Clay Creek in Delaware and Pennsylvania for designation as a Wild, Scenic, and Recreational River. The White Clay Creek has already benefited from a unique bi-State effort to protect its beauty. The study we are calling for builds on this strong local and regional interest in protecting White Clay Creek.

The White Clay Creek watershed is a remarkable environment, an oasis of natural beauty within easy reach of the urban sprawl that has overwhelmed areas from New York City to Washington, DC. The diversity of natural resources is astounding. A 1984 study by the National Park Service found, in just one portion of the watershed, a range of resources that merited special protection.

Among the findings of the Park Service report were that the area studied contains and is adjacent to an unusually rich variety of habitats and plant communities ranging from marshy lowland meadows to mature beech woodlands.

The report also noted "an extraordinarily rich bird habitat, especially during periods of migration. The White Clay Creek property is within the range of many northern species and at the northern limits of many southern species."

The report's conclusion stated: "That a property containing all these natural and cultural resource values has been assembled and conserved, in a rapidly growing area near such large population centers as Philadelphia, Wilmington, and Baltimore, is a matter of good fortune for the people of Pennsylvania and Delaware. The White Clay Creek property is a unique area and a rare opportunity that should not be lost."

The natural treasures identified by the Park Service for just one portion of White Clay Creek in the 1984 report are found throughout the entire watershed. Local support for an even more comprehensive study is strong. I ask that letters of support from the White Clay Creek Preserve, the White Clay Fly Fishermen, the director of the University of Delaware's Water Resources Center, the Delaware Audubon Society, and Jay D. Hair, president of the National Wildlife Federation be printed in the RECORD at the conclusion of my remarks.

Local interest in protecting the White Clay Creek is not a recent development. I have supported efforts to protect this valuable area since my days as a New Castle County Councilman. And, in 1979, I introduced Federal legislation to study the White Clay Creek watershed.

At that time, I cited an earlier report from the Department of the Interior which found that "* * * we feel there is still a great potential to develop a worthwhile conservation strategy for the White Clay Creek. The dedication of the people concerned with its future is remarkable and provides a solid foundation for stream protection."

That dedication remains. As I described in 1979, the efforts of determined citizens fended off proposals to dam the creek and to traverse it with a beltway to relieve Newark, Delaware's traffic problems. Those same strongly held convictions about the beauty of the White Clay Creek led the Watershed Association to call for another study for the Creek's inclusion in the Wild and Scenic River System.

Why should another study be expected to yield different results? The reason is simple—the study process has changed. The standards by which the White Clay Creek will be measured in the 1990s are different from those in the 1970s. The natural resource values of the area will be measured by a more realistic yardstick as will the characteristics of surrounding areas. It is clear that many experts believed then that the White Clay Creek was worthy of protection, as many believe so today.

The bill we introduce starts that process forward. The first step is a Federal study of the characteristics of the creek watershed and its eligibility for designation. The second step is to recommend classifications for various segments of the river. I would expect that the portions of White Clay Creek that are deemed eligible will be split between scenic and recreational quality.

The third step is to establish boundaries, in concept, for areas that will be designated. This is one of the most demanding steps in the process and the one which can easily jeopardize the entire process if done improperly. It cannot be emphasized enough, especially with citizens who are not familiar with the process, that boundaries are only advisory at this point and that public input is crucial.

The fourth step is to evaluate various alternatives to river protection for those segments that are deemed eligible. Again, it is important that all citizens in the watershed understand what the range of viable alternatives are and which ones they support.

Development of a draft management plan can also be done at this point. This plan will have absolutely no legal bearing, but may be developed so residents will better understand how designation of certain river segments may or may not affect them. Public input is not only central, but should drive this portion of the process.

Recommendations developed at this part of the process will help guide New Castle County, Chester County and local governments in efforts to manage White Clay Creek.

I outline the procedures that will be followed in the Wild and Scenic River process because the experience of other studies shows that citizens involvement and understanding is important from the start. Misunderstanding about what is being proposed or what is being studied can set back the entire process for no good reason.

It should be clear from previous actions and from the support for this proposal that residents of the watershed are very interested in this study and in gaining the designation. They have worked hard on their own over the years to protect the White Clay Creek. The study initiated when this bill is signed into law will bring important resources to bear on an area that has tremendous ecological values.

I hope we can act quickly on this bill so the White Clay Creek Watershed can receive the protection it needs and deserves.

I ask unanimous consent that the text of our bill be printed in the RECORD, along with letters of support.

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

S. 1552

*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 "White Clay Creek Study Act".

**SEC. 2. FINDINGS.**

Congress finds that—

(1) the White Clay Creek watershed is one of only a few relatively undisturbed areas remaining within one of the most densely populated areas in the country;

(2) the Creek and several of its tributaries were placed on the Nationwide Rivers Inven-

tory List by the National Park Service for initially meeting the criteria of the Wild and Scenic Rivers Act (16 U.S.C. 1271 et seq.);

(3) the concerns and interests of those people who live, work, and recreate within the watershed will be reflected in the development of a study and management plan by the Secretary of the Interior pursuant to this Act; and

(4) the conservation of the watershed, and its outstanding natural, cultural, and recreational values, is important to the residents within the watershed and to the residents within the surrounding suburban and urban areas of Delaware and Pennsylvania.

**SEC. 3. STUDY RIVER DESIGNATION.**

Section 5(a) of the Wild and Scenic Rivers Act (16 U.S.C. 1276(a)) is amended by adding at the end the following new paragraph:

"(112) WHITE CLAY CREEK, DELAWARE AND PENNSYLVANIA.—The headwaters of the river in Pennsylvania to its confluence with the Christina River in Delaware, including the East, West, and Middle Branches, Middle Run, Pike Creek, Mill Creek, and other main branches and tributaries as determined by the Secretary of the Interior (hereinafter referred to as the White Clay Creek).".

**SEC. 4. STUDY AND REPORT.**

Section 5(b) of the Wild and Scenic Rivers Act (16 U.S.C. 1276(b)) is amended by adding at the end the following new paragraph:

"(11)(A) The study of the White Clay Creek in Delaware and Pennsylvania shall be completed and the report submitted not later than 3 years after the date of enactment of this paragraph.

"(B) In carrying out the study, the Secretary of the Interior shall prepare a map of the White Clay Creek watershed in Delaware and Pennsylvania, and shall develop a recommended management plan for the White Clay Creek. The plan shall provide recommendations as to the protection and management of the White Clay Creek, including the role the State and local governments, and affected landowners, should play in the management of the White Clay Creek if it is designated as a component of the National Wild and Scenic Rivers System.

"(C) The Secretary shall prepare the study, including the recommended management plan, in cooperation and consultation with appropriate State and local governments, and affected landowners.".

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NATIONAL WILDLIFE FEDERATION,
*Washington, DC, July 19, 1991.*

Hon. JOSEPH BIDEN,
*U.S. Senate, Washington, DC.*

DEAR SENATOR BIDEN: Perhaps fewer things are more universally enjoyed than experiencing the natural beauty of a lake or stream and its surroundings. With more and more land taken to satisfy perceived development needs, the number of places offering this experience has been sadly reduced. We can be thankful that there are still a few areas where the description "wild and scenic" can be applied, and where wildlife can find needed habitat.

I am pleased that you will likely be introducing legislation to provide for a study of the White Clay Creek in Pennsylvania and Delaware for potential addition to the National Wild and Scenic Rivers system.

The National Wildlife Federation has 5.5 million members and supporters and 51 state and territorial affiliates, including the Wildlife Federation of Delaware and the Pennsylvania Federation of Sportsmen's Clubs. On behalf of these people who believe in preserving and managing wisely what can be saved of our country's natural heritage, I want to express strong support for the proposed study. It is not only as the Federation's president that I would like to see this particular creek protected, however. I knew White Clay Creek as a boy, and in our house, it was "The River."

As you are aware, approval has been granted to include White Clay in the Delaware Estuary Program Demonstration Project regarding nonpoint source pollution and agribusiness. The White Clay Watershed Association and the Stroud Research Center have already gathered significant data on the river's resources. The endangered bog turtle has been found in the area. The three-year study may yield many additional reasons for offering protection against unnecessary encroachment on the river's unspoiled attributes. Designation under the Wild and Scenic Rivers Act is definitely worth exploring. Thanks again for your interest.

Sincerely,

JAY D. HAIR.

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DELAWARE AUDUBON SOCIETY,
*Wilmington, DE, May 9, 1991.*

Hon. JOSEPH R. BIDEN, Jr.,
*Wilmington, DE.*

DEAR SENATOR BIDEN: The Delaware Audubon Society respectfully requests you to support the White Clay Watershed Association's initiative to obtain a study of the White Clay Creek and Watershed under the Wild, Scenic and Recreational Rivers Act.

A free-flowing stream in the midst of a rapidly developing urban setting, White Clay Creek provides easily accessible recreational opportunities for a large population. Just minutes from their homes, people in the surrounding metropolitan areas can experience a wild setting that offers welcome respite from the pressures of the urbanized world. It is clear that there must be a continuing effort to maintain the quality of the White Clay Creek system, not only for the people in the surrounding suburban areas but from the pressures of exploitation for commercial gain.

We would appreciate your assistance in having the White Clay Creek and Watershed included in the list of rivers to be studied by the National Park Service under the Wild, Scenic and Recreational Rivers Act.

Thank you very much for your time and assistance. I look forward to your reply.

Sincerely,

IRENE G.J. GOVERTS,
*President.*

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UNIVERSITY OF DELAWARE,
*Newark, DE, May 24, 1991.*

Hon. JOSEPH R. BIDEN, Jr.,
*Wilmington, DE.*

DEAR SENATOR BIDEN: The Delaware Water Resources Center requests your support for the White Clay Watershed Association's initiative to study the White Clay Watershed under the Wild, Scenic and Recreational Rivers Act—the outcome of which may be protection for a most beautiful tract in our state's vanishing natural lands.

The quality of our lives depends in part on access to natural settings, but the recent rapid development of northern Delaware threatens to whittle away the remaining unsettled areas, replacing them with suburban sprawl. We cannot leave it to Pennsylvania, New Jersey, and Maryland to provide natural areas for our use; Delaware must retain its own open land as a balance to the increasingly densely populated areas.

To accomplish this, we would appreciate your assistance in adding the White Clay Creek to the rivers to be studied under the Wild, Scenic and Recreational Rivers Act. Thank you for any help you can provide.

Sincerely,

ROBERT D. VARRIN,
*Director.*

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WHITE CLAY CREEK PRESERVE,
*July 17, 1991.*

Hon. JOSEPH R. BIDEN, Jr.,
*U.S. Senator, Wilmington, DE.*

DEAR SENATOR BIDEN: We represent the Bi-State Advisory Council for the White Clay Creek Preserve of Pennsylvania and Delaware. At our recent meeting, we unanimously agreed to formally support the White Clay Creek Watershed Association initiative for a study of the White Clay Creek Watershed for possible inclusion in the Wild, Scenic and Recreational Rivers System.

This study is critical so we have management practices in place to protect this watershed. This study would identify the various factors which are not being adequately addressed now, what we need to know, and how to get everyone involved in the preservation effort. This effort has to be a joint effort with townships, municipalities, businesses and private land owners. The White Clay Creek Preserve's 1,700 acres and many miles of stream are central to this effort.

We urge your support for a study of the White Clay Creek Watershed for possible inclusion in the Wild, Scenic and Recreational Rivers System. Thank you for your consideration.

Sincerely,

GARY SCHROEDER,
*Chairperson.*

DOROTHY MILLER,
*Vice Chairperson.*

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WHITE CLAY FLYFISHERMEN,
*Avondale, PA, June 10, 1991.*

Hon. ARLEN SPECTER,
*Hart Senate Building, Washington, DC.*

DEAR SENATOR SPECTER: The White Clay Fly-fishermen is a group of interstate flyfishermen (PA, DE and NJ) who have adopted the White Clay Creek as a part of the PA Fish Commission Adopt A Stream Program. Since 1970 we have undertaken a number of projects to improve this fine resource. There are few streams of this quality located near such large metropolitan areas.

The Bi-state White Clay Preserve has greatly enhanced the use of this area by hikers, boaters, bird watchers, fishermen and hunters. Increased development of the area threatens the quality of the White Clay Creek Watershed.

Therefore we are requesting that you support the initiative of The White Clay Watershed Association to obtain a study of the watershed authorized under The Wild Scenic and Recreational Rivers Act.

We support this Bi-state study which would serve as a model for exploring nonpoint-source pollution and the carrying capacity of the water resource. This study would be extremely useful and is needed as the threat to the resource increases with each passing day.

Sincerely,

THOMAS F. SHAW,
*Secretary.*•

• Mr. ROTH. Mr. President, I rise today to join my colleague from Delaware, Senator BIDEN, and my colleagues from Pennsylvania, Senators SPECTER and WOFFORD, in introducing legislation to designate the White Clay Creek and its tributaries in Delaware and Pennsylvania to be studied for po-

tential inclusion in the National Wild and Scenic Rivers System. Similar legislation is being introduced in the House of Representatives by Mr. CARPER and Mr. SCHULZE.

I have long been concerned about the future of the White Clay Creek Valley, which, according to the Coalition for Natural Stream Valleys, Inc. is located in the midst of a rapidly developing urban setting and has for many years provided easily accessible recreational opportunities for a large part of the Delaware and Pennsylvania citizenry. In addition, the coalition indicates that the river system's flora and fauna has been studied extensively, has been documented in several studies, and has been the subject of two landmark publications: Water Resources as the Basis for Comprehensive Planning and Development in the Christiana Basin, and Water Resources Protection Measures in Land Development: A Handbook.

Mr. President, this legislation requests that the Department of Interior undertake a study to determine what sections of the White Clay Creek watershed should be included within several categories of Wild and Scenic Rivers System designation. I support this effort, and feel that it will make a significant contribution to our efforts to realize that without the wise use of our natural resources we will not have an environmental legacy to pass on to our future generations.

Although many more challenges remain, in our ongoing efforts to preserve this river system. I think this legislation is a good start. I look forward to working with my colleagues on this proposal, and I would like to commend the White Clay Creek Watershed Association for their hard work, and support for this effort.•

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By Mr. CRANSTON (for himself, Mr. SPECTER, Mr. DECONCINI, Mr. GRAHAM, Mr. AKAKA, Mr. DASCHLE, and Ms. MIKULSKI):

S. 1553. A bill to establish a program of marriage and family counseling for certain veterans of the Persian Gulf war and the spouses and families of such veterans; to the Committee on Veterans' Affairs.

FAMILY COUNSELING FOR PERSIAN GULF WAR VETERANS

• Mr. CRANSTON. Mr. President, as chairman of the Committee on Veterans' Affairs, I have today introduced legislation, S. 1553, designed to address a very important need among our veterans of the Persian Gulf war and their families. Joining me in introducing the bill is the committee's ranking Republican member, ARLEN SPECTER, as well as committee members DENNIS DECONCINI, BOB GRAHAM, DANIEL K. AKAKA, and THOMAS A. DASCHLE, and Senator BARBARA A. MIKULSKI.

This legislation would authorize VA to provide marriage and family counseling services to certain veterans who served in or during the war and to their family members. On July 16, our committee held a 5-hour hearing on the readjustment needs of Persian Gulf veterans and their families, and the testimony we received clearly established that this legislation is needed to address significant real and potential problems among our newest group of wartime veterans.

BACKGROUND

Mr. President, nearly 22 years ago, as a freshman Senator, I began a series of hearings to identify how the Government was responding to the needs of veterans returning from Vietnam. That first hearing, and many followup hearings over the next several years, helped Congress and the Nation understand that the experiences and health care needs of Vietnam veterans were in many ways different from those of veterans of earlier wars. This led us to reexamine what the Government had to do to fulfill its profound obligations to those new veterans.

Regrettably, it was a full 10 years after the 1969 hearings before my legislation establishing readjustment counseling through Vet Centers was finally enacted into law.

My purpose in convening hearings, the first of which was on July 16, on the readjustment needs of Persian Gulf war veterans is to identify the effects of the Persian Gulf war—on those who participated and on their families—and to help make sure that the Government's response is much more timely than it was after Vietnam. Among the many lessons learned from Vietnam is the fact that the problems and needs of one generation of veterans may be very much different than those of their predecessors.

Americans who fought this most recent war were unlike any others in our history. In February 1991, the General Accounting Office [GAO] issued a report, "Military Personnel: Composition of the Active Duty Forces by Race or National Origin Identification and by Gender," which provided a current demographic profile of the Armed Forces and similar information for 1972. According to GAO, in 1972, men comprised 98 percent of the active duty forces; now women account for a full 11 percent. There are over 220,000 women on active duty, and, according to DOD, more than 40,000 women served in the Persian Gulf. Also since 1972, representation in the active duty forces by nonwhite individuals has increased from 16 percent to almost 30 percent. The percentage of active duty servicemembers who are parents also has risen significantly.

Mr. President, at the committee's July 16 hearing, the witness representing the National Military Family Association [NMFA] testified that over 50 percent of active duty servicemembers and approximately 70 percent of the members of the Reserve Force have dependents. NMFA also testified that 1.8 million dependent children of active duty personnel are under the age of 13 and that over 16,000 single parents and 1,200 dual military couples with children were deployed to the gulf.

Mr. President, under current law, VA has very limited authority to provide counseling services to family members of eligible veterans. Essentially, such counseling may be provided only if it is determined to be essential to the effective treatment, readjustment, or rehabilitation of the veteran.

For active duty military personnel and their families, the Department of Defense provides, directly and through the CHAMPUS system, a range of health and mental health care services, including marriage and family counseling. Members of the Reserves and the National Guard and their families are generally eligible for such services only during periods of active duty service. After separation from active duty, Reserve and Guard members may receive DOD health care services, either directly or through CHAMPUS, for only 30 days.

Thus, marriage and family counseling is available for those who remain on active duty, but it is not generally available for servicemembers, and family members of servicemembers, who are either deactivated from the Guard or the Reserves or discharged from the regular Armed Forces after service during the Persian Gulf war and in need of counseling for difficulties related to service, it is not available through VA. The legislation we are introducing today is intended to ensure that deactivated and discharged personnel, and their families, have similar access to counseling services that may be needed for problems resulting from active duty service during the Persian Gulf war.

DESCRIPTION OF PROVISIONS

Specifically, this legislation would:

First, require VA, within 30 days after enactment, to establish a program of marriage and family counseling for certain Persian Gulf war veterans and their families. The program would expire on September 30, 1994.

Second, authorize VA to provide, either directly or by contract, marriage and family counseling to, first, veterans who were awarded campaign medals for active duty service during the Persian Gulf war and their spouses, children, and parents; and second, veterans who were members of reserve components who were activated during the Persian Gulf war and their spouses, children, and parents.

Third, permit VA to provide only marriage and family counseling that the Secretary determines—based on an assessment by a mental health professional designated by the Secretary—is necessary for the amelioration of psychological, marital, or familial difficulties that resulted from the veteran's active duty service.

Fourth, require that the marriage and family counseling be furnished, first, directy by VA personnel who the Secretary determines are either appropriately certified or otherwise qualified to provide such counseling; or second, through contract arrangements with marriage and family counselors whom the Secretary determines are appropriately qualified to provide such counseling.

Fifth, authorize VA to employ counselors to provide marriage and family counseling under the program and pay them at the rates prevailing for such counseling among non-VA professionals in the locality in which such counselors provide such counseling, as determined by the Secretary.

Sixth, authorize the appropriation of $1 million for fiscal year 1991 and $10 million for each of fiscal years 1992, 1993, and 1994 and declare that the funds are emergency requirements for the purposes of section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, but provide that the funds could be used only if the President designates the appropriation as an emergency requirement.

Seventh, require that the Secretary submit by January 1, 1994, a report on the program which includes a description and evaluation of the program and any recommendations that the Secretary considers appropriate.

HEARING TESTIMONY

At the committee's July 16, 1991, hearing, much of the testimony focused on the impact upon families of an individual's active duty service during the war. Individual servicemembers, representatives of mental health professionals organizations, and representatives of military family support organizations testified that there exists a need for the counseling among deactivated and discharged Persian Gulf war veterans and their families.

The needs seem particularly strong among Guard and Reserve members. These individuals and their families experienced considerable stress as a result of being called up with little advance notice, not being as accustomed to deployments as regular active duty personnel, and the fact they were leaving their civilian jobs. Moreover, they and their families often did not benefit from the extensive predeployment and reunion services that the Armed Forces provides for active duty personnel and families.

The VA's Chief Medical Director, Dr. James W. Holsinger, Jr., testified that under current law VA has "a narrow eligibility standard to treat family members—only when adjunct to the treatment of a veteran himself or herself." In response to a question as to VA's ability to provide marriage and family counseling to eligible Persian Gulf war veterans and their families, Dr. Holsinger stated that VA, "with appropriate legislative support, including funding * * * would be able to mount such an effort" and could do so rapidly.

Mr. Robert Silberman, Principal Deputy Assistant Secretary of Defense for Force Management and Personnel, stated that DOD had relied upon close relations with private organizations such as the American Red Cross, the United Way, and the Salvation Army, in situations where a deactivated Guard member or reservist had contacted DOD for assistance that was unavailable from DOD. In response to a question I posed, Col. Joe Fagan of the Army Medical Corps noted that, if an active duty servicemember's child was displaying behavioral problems upon the servicemember's return from the gulf, there would be "several opportunities for the servicemember to receive appropriate services" and cited the availability of child psychiatry clinics, social work services, psychology services, family counselors, chaplain service, and pediatricians for the servicemember and child.

Mr. President, I believe that DOD's provision of a range of mental health services, including marriage and family counseling, for active duty personnel and their families and its close attention to the psychological needs of returning servicemembers and their families reflect, as Deputy Assistant Secretary Silberman stated at the July 16 hearing, "a concentrated effort to support the mental well-being of both the servicemembers and their families." My concern, however, is that the many men and women reservists and National Guard members who served during the Persian Gulf war and their families—along with regular active duty personnel who were discharged very soon after returning from the gulf—will not benefit from DOD's considerable efforts once they are separated from active duty and no longer eligible for DOD services.

Our legislation would authorize the appropriation of $1 million for fiscal year 1991 and $10 million for each of the fiscal years 1992, 1993, and 1994 for this program and would provide that such funds would be considered as emergency requirements for the purposes of section 251(b)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, but can be used only if the President designates the appropriation as an emergency requirement.

Mr. President, I believe this $10 million annual authorization is a modest figure based on what are, at this point, necessarily preliminary data regarding the potential need for marriage and family counseling. In light of the limited data that are available at this time, I plan to monitor closely the implementation of this new authority in order to assess on an ongoing basis the sufficiency of the funding level.

I note that, under this program, counseling would be available with respect to both veterans who were awarded campaign medals for active duty service during the Persian Gulf war and veterans who were activated from the Reserves or the National Guard during the war. The broader coverage for reservists and Guard members has been included in recognition of the fact that, although they may not have served in the theater of operations, their families may have experienced significant stresses from the rapid mobilization, deployment, separation, financial hardship, and reunion.

CONCLUSION

Mr. President, I am convinced that, for veterans of the Persian Gulf war who may no longer avail themselves of the counseling and other services provided by the Department of Defense, there is a clear need for marriage and family counseling services to be provided by VA. I have heard of this need from the veterans themselves, from organizations that provide support for military families, and from experts in the field of mental health. The support that the Nation has shown to the men and women who served must not end with the welcome-home parades. For those whose lives have been disrupted in service, we must respond quickly and effectively to whatever problems remain.

I urge my colleagues' strong support of this measure.

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

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

S. 1553

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

**SECTION 1. PROGRAM FOR FURNISHING MARRIAGE AND FAMILY COUNSELING.**

(a) REQUIREMENT.—The Secretary of Veterans Affairs shall conduct a program to furnish to the persons referred to in subsection (b) the marriage and family counseling services referred to in subsection (c). The Secretary shall commence the program not later than 30 days after the date of the enactment of this act. The authority to conduct the program shall expire at the end of September 30, 1994.

(b) PERSONS ELIGIBLE FOR COUNSELING.—The persons eligible to receive marriage and family counseling services under the program are—

(1) veterans who were awarded a campaign medal for active-duty service during the Persian Gulf War and the spouses, children, and parents of such veterans; and

(2) members of the reserve components who were called or ordered to active duty during the Persian Gulf War and the spouses, children, and parents of such members.

(c) COUNSELING SERVICES.—Under the program, the Secretary may provide marriage and family counseling that the Secretary determines, based on an assessment by a mental-health professional employed by the Department and designated by the Secretary (or, in an area where no such professional is available, a mental-health professional designated by the Secretary and performing

services under a contract or fee arrangement with the Secretary) is necessary for the amelioration of psychological, marital, or familial difficulties that result from the active duty service referred to in subsection (b) (1) or (2).

(d) MANNER OF FURNISHING SERVICES.—(1) The Secretary shall furnish the marriage and family counseling services under the program as follows:

(A) By personnel of the Department of Veterans Affairs who are qualified to provide such counseling services.

(B) By appropriately certified marriage and family counselors employed by the Department.

(C) By appropriately qualified marriage and family counselors pursuant to contracts with the Department.

(2) The Secretary shall establish the qualifications required of personnel under subparagraphs (A) and (C) of paragraph (1) and shall prescribe the training, experience, and certification required of appropriately certified marriage and family counselors under subparagraph (B) of such paragraph.

(3) The Secretary may employ counselors to provide marriage and family counseling under paragraph (1)(B) and shall pay such counselors at the rates prevailing for such counseling among non-Department healthcare professionals with similar training, experience, and certification in the locality in which such counselors provide such counseling, as determined by the Secretary.

**SEC. 2. DEFINITIONS.**

For the purposes of this Act, the terms "veteran", "child", "parent", "active duty", "reserve component", "spouse", and "Persian Gulf War" have the meanings given such terms in section 101(2), (4), (5), (21), (27), (31), and (33) of title 38, United States Code, respectively.

**SEC. 3. AUTHORIZATION OF APPROPRIATIONS.**

There is authorized to be appropriated $1,000,000 for fiscal year 1991 and $10,000,000 for each of fiscal years 1992, 1993, and 1994 to carry out this Act. Funds authorized to be appropriated under this section shall be considered to be emergency requirements for the purposes of section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901(b)(2)(D)(i)), but may be obligated for the program conducted pursuant to section 1 only if the President designates an appropriation under this section as an emergency requirement pursuant to such section 251(b)(2)(D)(i).

**SEC. 4. REPORT.**

Not later than January 1, 1994, the Secretary shall submit to Congress a report on the program conducted pursuant to section 1. The report shall contain a description and evaluation of the program and shall include such recommendations with respect to the program as the Secretary considers appropriate.●

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By Mr. BENTSEN (for himself, Mr. PACKWOOD, Mr. RIEGLE, Mr. SPECTER, Mr. MITCHELL, Mr. SEYMOUR, Mr. BRADLEY, Mr. CHAFEE, Mr. SASSER, Mr. SARBANES, Mr. ROCKEFELLER, Mr. METZENBAUM, Ms. MIKULSKI, and Mr. BREAUX):

S. 1554. A bill to provide emergency unemployment compensation, and for other purposes; to the Committee on Finance.

EMERGENCY UNEMPLOYMENT COMPENSATION ACT

● Mr. BENTSEN. Mr. President, for many months now, the administration and the Congress have been in a state of watchful waiting, hoping that this recession would be short and shallow, and that few American families would face hard times.

But in June the number of unemployed workers climbed to 8.7 million, 2.2 million more than in June a year ago. The unemployment rate rose to 7 percent, up from 5.3 percent in June 1990, and the highest in almost half a decade.

For the men, women, and children behind these statistics, the times are hard indeed. For many workers—1.2 million in June—unemployment has meant long-term unemployment, half a year or more.

Also in June, as in each of the preceding months of 1991, some 300,000 workers exhausted their 26 weeks of regular unemployment benefits, leaving them without a source of regular income support, while facing a tightening labor market.

Even though some economic indicators are turning up, we know that unemployment is a lagging indicator, If history is any guide, more and more workers will continue to run out of unemployment benefits even after the recession is technically over. During the recession of 1981-82, for example, the number of workers who ran out of unemployment benefits peaked half a year after the end of the recession.

Furthermore, the reality is that the recovery from this recession may well be erratic, far less robust than the usual 6.5-percent growth rate characteristic of postwar recoveries. That means unemployment will remain an emergency problem longer than usual in the past.

Contributing to this problem, Mr. President, is the fact that the program created back in 1970 to deal with the kind of situation we have today is simply not working.

Let's examine what is happening under present law.

We have a Federal-State Extended Benefits Program that is supposed to pay up to 13 weeks of benefits to workers who have exhausted their 26 weeks of regular benefits.

But at the present time, despite the National unemployment rate of 7 percent—and even higher rates in many States across the country—only three States: Alaska, Maine, and Rhode Island, are triggered on to the Federal-State Extended Benefits Program [EB]. That's down from a recession high of eight States a few weeks ago.

The problem, Mr. President, is that the test for triggering on the EB Program is just too tough to meet. And the proof of that is the more than $8 billion we have sitting unused in the Federal extended benefits account.

That $8 billion is money paid by employers across this Nation precisely for the purpose we are addressing here today—helping America's long-term unemployed workers at a time of need.

Now let's talk about the kind of help we propose to provide to long-term unemployed workers under this bill—workers who have exhausted their regular benefits.

Based on data for the 6-month period December 1991 to May 1992—and Senators should be aware that for purposes of this map we are using a rolling average that will change over time—here is what would occur:

Unemployed workers in seven States—those with an unemployment rate of 8 percent or higher—would be eligible for 20 weeks of emergency benefits;

Unemployed workers in 10 States—those with an unemployment rate of 7 to 8 percent—would be eligible for 13 weeks of emergency benefits;

Unemployed workers in 19 States—those with an unemployment rate of 6 to 7 percent—would be eligible for 7 weeks of emergency benefits; and

Unemployed workers in 14 States—all those remaining—would be eligible for 4 weeks of benefits.

I would note that most of the $5.2 billion cost of the emergency benefits proposal is targeted toward workers living in States with higher unemployment rates. The cost of the provision giving 4 weeks of benefits for all remaining States is modest in relation to other components of this proposal—a total of $455 million.

We provide benefits for States with unemployment rates below 6 percent because we know that even in States with relatively low rates on a statewide basis there can be very serious pockets of unemployment. Minnesota, for example, has an unemployment rate of around 5 percent, but Clearwater County has a rate of more than 17 percent. South Dakota has a rate of 3.4 percent, but Corson County has a rate of nearly 12 percent.

And we know that a recession often hits particular industries in a way that can cause pockets of difficulty in States that otherwise have only moderate unemployment. For example, if the automobile industry suffers, that obviously drives up unemployment in Michigan. But there are automobile plants in other States as well, and an auto worker in, say, Oklahoma or Tennessee may find that there is no work for which he is qualified in the area where he lives, particularly if the auto plant is the major employer there.

The benefits we're talking about in this bill would be fully federally-funded, paid for out of the existing extended benefits account. The money is there, as I indicated earlier, and under present law the fund will be steadily replenished so as to assure payment of benefits in any future recession.

In determining how many weeks of benefits a State will receive, we use a measure of total unemployment. At the present time, the measure used for the Extended Benefits Program is the insured unemployment rate. But this measure includes only those individuals who file for unemployment benefits. It excludes workers who have exhausted their benefits—the very people we want to help in this bill. It also excludes new entrants and reentrants into the labor force. The rate we use in this bill—the total unemployment rate—does include these individuals, and is thus a better indicator of the overall condition of the labor market in the State.

Although the bill will pay benefits only during the 9-month period October 1, 1991, through June 1992, it will reach back to pick up unemployed workers whose benefits expired since April 1 of this year, thus providing additional weeks of benefits to the very long-term unemployed who are most in need of help.

This "reach back" provision applies only to States experiencing higher unemployment rates—those with 6 percent or higher—recognizing that it is in those States where jobs are hardest to find, and very long-term unemployment is most likely to occur.

In addition to the provisions for additional weeks of benefits for all workers, the bill includes a provision to give equity to our Nation's service men and women. At the present time, Desert Storm veterans and others who leave the service are required to wait 4 weeks before they are eligible for benefits, and when they get these benefits they only get half as many weeks as other unemployed individuals—13 weeks as opposed to the normal 26. I cannot imagine that we would willingly continue this kind of inequity after the inspiring performance we witnessed just a few months ago in the Middle East.

In this bill we also provide for establishing an Unemployment Compensation Advisory Council. As I have watched the lack of responsiveness of the Unemployment Compensation Program over recent months, I have become convinced that the system urgently needs long-term restructuring.

One of the reasons we have such an arcane and illogical system is that we tend not to focus on the program except when we come to a serious recession. And then we haven't done the homework, and there isn't time to undertake real structural improvements.

This bill establishes an advisory council to help deal with these kinds of questions. It would be analogous to the respected and successful Social Security Advisory Council and would examine the purpose, the goals, and the functioning of the unemployment compensation system, and make recommendations for improvements. That way we will have an ongoing examination of the program, and have an opportunity to address problems before they become too difficult to resolve.

Finally, Mr. President, let me address the question of why we are moving this bill under the "emergency" authority provided in last fall's budget agreement rather than following the rules for "pay-as-you-go."

I agree with the chairman of the Budget Committee that this emergency authority was established precisely to enable the Congress and the President to respond to the kind of situation we face today, where rapid action is necessary to meet unforeseen needs.

When we were negotiating the 5-year budget agreement last October, it was far from clear that this recession would inflict the high degree of financial distress on American workers that has subsequently occurred. Nor did we anticipate that the Nation's Unemployment Compensation Program would prove to be as unresponsive to the needs of long-term unemployed workers as has been the case.

The budget rules require the President to concur with the Congress in designating any piece of legislation as an emergency, and therefore exempt from the usual budget restraints. I would urge the President to concur with the Congress on this bill.

Earlier this year the President asked the Congress to pass emergency legislation providing economic assistance to the Kurds, the Israelis, and the Turks. We went along with him. Now we're asking him to go along with us, recognizing that American workers also need our help in time of trouble.

Mr. President, I hope the Senate will shortly have the opportunity to vote on this bill, and Senators will be able to show their support for the working men and women of America who have suffered seriously from this current recession and who now need our help.

I ask unanimous consent that the text of the bill be inserted in the RECORD at this point.

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

S. 1554

*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 "Emergency Unemployment Compensation Act of 1991".

**SEC. 2. FEDERAL-STATE AGREEMENTS.**

(a) IN GENERAL.—Any State which desires to do so may enter into and participate in an agreement under this Act with the Secretary of Labor (hereafter in this Act referred to as the "Secretary"). Any State which is a party to an agreement under this Act may, upon providing 30 days written notice to the Secretary, terminate such agreement.

(b) PROVISIONS OF AGREEMENT.—Any agreement under subsection (a) shall provide that the State agency of the State will make payments of emergency unemployment compensation—

(1) to individuals who—

(A) have exhausted all rights to regular compensation under the State law;

(B) have no rights to compensation (including both regular compensation and extended compensation) with respect to a week under such law or any other State unemployment compensation law or to compensation under any other Federal law (and are not paid or entitled to be paid any additional compensation under any State or Federal law); and

(C) are not receiving compensation with respect to such week under the unemployment compensation law of Canada; and

(2) for any week of unemployment which begins in the individual's period of eligibility (as defined in section 7(2)).

(c) EXHAUSTION OF BENEFITS.—For purposes of subsection (b)(1)(A), an individual shall be deemed to have exhausted such individual's rights to regular compensation under a State law when—

(1) no payments of regular compensation can be made under such law because such individual has received all regular compensation available to such individual based on employment or wages during such individual's base period; or

(2) such individual's rights to such compensation have been terminated by reason of the expiration of the benefit year with respect to which such rights existed.

(d) WEEKLY BENEFIT AMOUNT.—For purposes of any agreement under this Act—

(1) the amount of emergency unemployment compensation which shall be payable to any individual for any week of total unemployment shall be equal to the amount of the regular compensation (including dependent's allowances) payable to such individual during such individual's benefit year under the State law for a week of total unemployment;

(2) the terms and conditions of the State law which apply to claims for extended compensation and to the payment thereof shall apply to claims for emergency unemployment compensation and the payment thereof, except where inconsistent with the provisions of this Act, or with the regulations or operating instructions of the Secretary promulgated to carry out this Act; and

(3) the maximum amount of emergency unemployment compensation payable to any individual for whom an account is established under section 3 shall not exceed the amount established in such account for such individual.

(e) ELECTION.—Notwithstanding any other provision of law, the Governor of a State, which is in a 7-percent period or an 8-percent period (as defined in section 3(c)), is authorized to and may elect to trigger off an extended compensation period in order to provide payment of emergency unemployment compensation to an individual who has exhausted his rights to regular compensation under State law.

**SEC. 3. EMERGENCY UNEMPLOYMENT COMPENSATION ACCOUNT.**

(a) IN GENERAL.—Any agreement under this Act shall provide that the State will establish, for each eligible individual who files an application for emergency unemployment compensation, an emergency unemployment compensation account with respect to such individual's benefit year.

(b) AMOUNT IN ACCOUNT.—

(1) IN GENERAL.—The amount established in an account under subsection (a) shall be equal to the lesser of—

(A) 100 percent of the total amount of regular compensation (including dependents' allowances) payable to the individual with respect to the benefit year (as determined

spect to the benefit year (as determined under the State law) on the basis of which the individual most recently received regular compensation, or

(B) the applicable limit times the individual's average weekly benefit amount for the benefit year.

(2) APPLICABLE LIMIT.—For purposes of this section—

(A) IN GENERAL.—Except as provided in this paragraph, the applicable limit shall be determined under the following table:

| In the case of weeks beginning during a: | The applicable limit is: |
|---|---|
| 8-percent period ..... | 20 |
| 7-percent period ..... | 13 |
| 6-percent period ..... | 7 |
| Other period ..... | 4. |

(B) APPLICABLE LIMIT NOT REDUCED.—An individual's applicable limit for any week shall in no event be less than the highest applicable limit in effect for any prior week for which emergency unemployment compensation was payable to the individual from the account involved.

(C) INCREASE IN APPLICABLE LIMIT.—If the applicable limit in effect for any week is higher than the applicable limit for any prior week, the applicable limit shall be the higher applicable limit, reduced (but not below zero) by the number of prior weeks for which emergency unemployment compensation was paid to the individual from the account involved.

(3) REDUCTION FOR EXTENDED BENEFITS.—The amount in an account under paragraph (1) shall be reduced (but not below zero) by the aggregate amount of extended compensation (if any) received by such individual relating to the same benefit year under the Federal-State Extended Unemployment Compensation Act of 1970.

(4) WEEKLY BENEFIT AMOUNT.—For purposes of this subsection, an individual's weekly benefit amount for any week is the amount of regular compensation (including dependents' allowances) under the State law payable to such individual for such week for total unemployment.

(c) DETERMINATION OF PERIODS.—

(1) IN GENERAL.—For purposes of this section, the terms "8-percent period", "7-percent period", "6-percent period", and "other period" mean, with respect to any State, the period which—

(A) begins with the second Sunday of the month after the first month during which the applicable trigger for such period is on, and

(B) ends with the Saturday immediately preceding the second Sunday of the month after the first month during which the applicable trigger for such period is off.

(2) APPLICABLE TRIGGER.—In the case of an 8-percent period, 7-percent period, 6-percent period, or other period, as the case may be, the applicable trigger is on for any week with respect to any such period if the average rate of total unemployment in the State for the period consisting of the most recent 6-calendar month period for which data are available—

(A) equals or exceeds 6 percent, and

(B) falls within the applicable range (as defined in paragraph (3)).

Subparagraph (A) shall only apply in the case of an 8-percent period, 7-percent period, or 6-percent period.

(3) APPLICABLE RANGE.—For purposes of this subsection, the applicable range is as follows:

| In the case of a: | The applicable range is: |
|---|---|
| 8-percent period ..... | A rate equal to or exceeding 8 percent. |
| 7-percent period ..... | A rate equal to or exceeding 7 percent but less than 8 percent. |
| 6-percent period ..... | A rate equal to or exceeding 6 percent but less than 7 percent. |
| Other period ..... | A rate less than 6 percent. |

(4) SPECIAL RULES FOR DETERMINING PERIODS.—

(A) MINIMUM PERIOD.—Except as provided in subparagraph (B), if for any week beginning after October 5, 1991, an 8-percent period, 7-percent period, 6-percent period, or other period, as the case may be, is triggered on with respect to such State, such period shall last for not less than 13 weeks.

(B) EXCEPTION IF APPLICABLE RANGE INCREASES.—If, during the 13-week period described in subparagraph (A), the applicable range for such State increases, the period in effect for such State shall be the period applicable to such range under the table in paragraph (3).

(5) NOTIFICATION BY SECRETARY.—When a determination has been made that an 8-percent period, 7-percent period, 6-percent period, or other period is beginning or ending with respect to a State, the Secretary shall cause notice of such determination to be published in the Federal Register.

(d) EFFECTIVE DATE.—

(1) IN GENERAL.—Except as provided in paragraphs (2) and (3), no emergency unemployment compensation shall be payable to any individual under this Act for any week—

(A) beginning before the later of—

(i) October 6, 1991, or

(ii) the first week following the week in which an agreement under this Act is entered into, or

(B) beginning after July 4, 1992.

(2) TRANSITION.—In the case of an individual who is receiving emergency unemployment compensation for a week which includes July 4, 1992, such compensation shall continue to be payable to such individual in accordance with subsection (b) for any week beginning in a period of consecutive weeks for each of which the individual meets the eligibility requirements of this Act.

(3) REACHBACK PROVISIONS.—(A) IN GENERAL.—If—

(i) any individual exhausted such individual's rights to regular compensation (or extended compensation) under the State law after March 31, 1991, and before the first week following October 5, 1991 (or, if later, the week following the week in which the agreement under this Act is entered into), and

(ii) a period described in subsection (c)(2)(A) is in effect with respect to the State for such following week,

such individual shall be entitled to emergency unemployment compensation under this Act in the same manner as if his benefit year ended no earlier than the last day of such following week.

(B) LIMITATION OF BENEFITS.—In the case of an individual who has exhausted such individual's rights to both regular and extended compensation, any emergency unemployment compensation payable under subparagraph (A) shall be reduced in accordance with subsection (b)(3).

**SEC. 4. PAYMENTS TO STATES HAVING AGREEMENTS FOR THE PAYMENT OF EMERGENCY UNEMPLOYMENT COMPENSATION.**

(a) GENERAL RULE.—There shall be paid to each State which has entered into an agreement under this Act an amount equal to 100 percent of the emergency unemployment compensation paid to individuals by the State pursuant to such agreement.

(b) TREATMENT OF REIMBURSABLE COMPENSATION.—No payment shall be made to any State under this section in respect of compensation to the extent the State is entitled to reimbursement in respect of such compensation under the provisions of any Federal law other than this Act or chapter 85 of title 5, United States Code. A State shall not be entitled to any reimbursement under such chapter 85 in respect of any compensation to the extent the State is entitled to reimbursement under this Act in respect of such compensation.

(c) DETERMINATION OF AMOUNT.—Sums payable to any State by reason of such State having an agreement under this Act shall be payable, either in advance or by way of reimbursement (as may be determined by the Secretary), in such amounts as the Secretary estimates the State will be entitled to receive under this Act for each calendar month, reduced or increased, as the case may be, by any amount by which the Secretary finds that his estimates for any prior calendar month were greater or less than the amounts which should have been paid to the State. Such estimates may be made on the basis of such statistical, sampling, or other method as may be agreed upon by the Secretary and the State agency of the State involved.

**SEC. 5. FINANCING PROVISIONS.**

(a) IN GENERAL.—Funds in the extended unemployment compensation account (as established by section 905 of the Social Security Act) of the Unemployment Trust Fund shall be used for the making of payments to States having agreements entered into under this Act.

(b) CERTIFICATION.—The Secretary shall from time to time certify to the Secretary of the Treasury for payment to each State the sums payable to such State under this Act. The Secretary of the Treasury, prior to audit or settlement by the General Accounting Office, shall make payments to the State in accordance with such certification, by transfers from the extended unemployment compensation account (as established by section 905 of the Social Security Act) to the account of such State in the Unemployment Trust Fund.

(c) ASSISTANCE TO STATES.—There are hereby authorized to be appropriated without fiscal year limitation, such funds as may be necessary for purposes of assisting States (as provided in title III of the Social Security Act) in meeting the costs of administration of agreements under this Act.

**SEC. 6. FRAUD AND OVERPAYMENTS.**

(a) IN GENERAL.—If an individual knowingly has made, or caused to be made by another, a false statement or representation of a material fact, or knowingly has failed, or caused another to fail, to disclose a material fact, and as a result of such false statement or representation or of such nondisclosure such individual has received an amount of emergency unemployment compensation under this Act to which he was not entitled, such individual—

(1) shall be ineligible for further emergency unemployment compensation under this Act in accordance with the provisions of the applicable State unemployment compensation law relating to fraud in connection with a claim for unemployment compensation; and

(2) shall be subject to prosecution under section 1001 of title 18, United States Code.

(b) REPAYMENT.—In the case of individuals who have received amounts of emergency un-

employment compensation under this Act to which they were not entitled, the State shall require such individuals to repay the amounts of such emergency unemployment compensation to the State agency, except that the State agency may waive such repayment if it determines that—

(1) the payment of such emergency unemployment compensation was without fault on the part of any such individual, and

(2) such repayment would be contrary to equity and good conscience.

(c) RECOVERY BY STATE AGENCY.—

(1) IN GENERAL.—The State agency may recover the amount to be repaid, or any part thereof, by deductions from any emergency unemployment compensation payable to such individual under this Act or from any unemployment compensation payable to such individual under any Federal unemployment compensation law administered by the State agency or under any other Federal law administered by the State agency which provides for the payment of any assistance or allowance with respect to any week of unemployment, during the 3-year period after the date such individuals received the payment of the emergency unemployment compensation to which they were not entitled, except that no single deduction may exceed 50 percent of the weekly benefit amount from which such deduction is made.

(2) OPPORTUNITY FOR HEARING.—No repayment shall be required, and no deduction shall be made, until a determination has been made, notice thereof and an opportunity for a fair hearing has been given to the individual, and the determination has become final.

(d) REVIEW.—Any determination by a State agency under this section shall be subject to review in the same manner and to the same extent as determinations under the State unemployment compensation law, and only in that manner and to that extent.

**SEC. 7. DEFINITIONS.**

For purposes of this Act:

(1) IN GENERAL.—The terms "compensation", "regular compensation", "extended compensation", "additional compensation", "benefit year", "base period", "State", "State agency", "State law", and "week" have the meanings given such terms under section 205 of the Federal-State Extended Unemployment Compensation Act of 1970.

(2) ELIGIBILITY PERIOD.—An individual's eligibility period shall consist of the weeks in the individual's benefit year which begin in an 8-percent period, 7-percent period, 6-percent period, or other period under this Act and, if the individual's benefit year ends within any such period, any weeks thereafter which begin in any such period. In no event shall an individual's period of eligibility include any weeks after the 39th week after the end of the benefit year for which the individual exhausted his rights to regular compensation or extended compensation.

(3) RATE OF TOTAL UNEMPLOYMENT.—The term "rate of total unemployment" means the average unadjusted total rate of unemployment (as determined by the Secretary) for a State for the period consisting of the most recent 6-calendar month period for which data are available.

**SEC. 8. PAYMENTS OF UNEMPLOYMENT COMPENSATION TO FORMER MEMBERS OF THE ARMED FORCES.**

(a) REPEAL OF CERTAIN LIMITATIONS.—Subsection (c) of section 8521 of title 5, United States Code, is hereby repealed.

(b) REDUCTION IN LENGTH OF REQUIRED ACTIVE DUTY BY RESERVES.—Paragraph (1) of section 8521(a) of such title 5 is amended by striking "180 days" and inserting "90 days".

(c) EFFECTIVE DATE.—

(1) IN GENERAL.—Except as provided in paragraph (2), the amendments made by this section shall apply to weeks of unemployment beginning after October 5, 1991.

(2) REACHBACK.—If—

(A) any individual exhausted the individual's rights to regular compensation after March 31, 1991, and before the first week following October 5, 1991 (or, if later, the week following the week in which the agreement under this Act is entered into), and

(B) a period described in section 3(c)(2)(A) is in effect with respect to the State for such following week,

such individual shall be entitled to emergency unemployment compensation under this Act in the same manner as if the individual's benefit year ended no earlier than the last day of such following week.

**SEC. 9. ADVISORY COUNCIL ON UNEMPLOYMENT COMPENSATION.**

Section 908 of the Social Security Act is amended to read as follows:

"ADVISORY COUNCIL ON UNEMPLOYMENT COMPENSATION

"SEC. 908. (a) ESTABLISHMENT.—Not later than February 1, 1992, and every 4th year thereafter (but not before February 1 of such 4th year), the Secretary of Labor shall establish an advisory council to be known as the Advisory Council on Unemployment Compensation (referred to in this section as the 'Council').

"(b) FUNCTION.—It shall be the function of each Council to evaluate the unemployment compensation program, including the purpose, goals, countercyclical effectiveness, coverage, benefit adequacy, trust fund solvency, funding of State administrative costs, administrative efficiency, and any other aspects of the program and to make recommendations for improvement.

"(c) MEMBERS.—

"(1) IN GENERAL.—Each Council shall consist of 11 members as follows:

"(A) 5 members appointed by the President, to include representatives of business, labor, State government, and the public.

"(B) 3 members appointed by the President pro tempore of the Senate, in consultation with the Chairman of the Committee on Finance.

"(C) 3 members appointed by the Speaker of the House, in consultation with the Chairman of the Committee on Ways and Means.

"(2) QUALIFICATIONS.—Of the members appointed under subparagraphs (B) and (C)—

"(A) 2 shall be representatives of the interests of business,

"(B) 2 shall be representatives of the interests of labor, and

"(C) 2 shall be representatives of the interests of State governments.

"(3) VACANCIES.—A vacancy in any Council shall be filled in the manner in which the original appointment was made.

"(4) CHAIRMAN.—The President shall appoint the Chairman.

"(d) STAFF AND OTHER ASSISTANCE.—

"(1) IN GENERAL.—Each council may engage any technical assistance (including actuarial services) required by the Council to carry out its functions under this section.

"(2) ASSISTANCE FROM SECRETARY OF LABOR.—The Secretary of Labor shall provide each Council with any staff, office facilities, and other assistance, and any data prepared by the Department of Labor, required by the Council to carry out its functions under this section.

"(e) COMPENSATION.—Each member of any Council—

"(1) shall be entitled to receive compensation at rates fixed by the Secretary of Labor (but not exceeding the rate of pay for level V of the Executive Schedule under section 5316 of title 5, United States Code) for each day (including travel time) during which such member is engaged in the actual performance of duties vested in the Council, and

"(2) while engaged in the performance of such duties away from such member's home or regular place of business, shall be allowed travel expenses (including per diem in lieu of subsistence) as authorized by section 5703 of title 5, United States Code, for persons in the Government employed intermittently.

"(f) REPORT.—Not later than January 1 of the 2nd year following the year in which any Council is required to be established under subsection (a), the Council shall submit to the President and the Congress a report setting forth the findings and recommendations of the Council as a result of its evaluation of the unemployment compensation program under this section.".

**SEC. 10. EMERGENCY DESIGNATION.**

(a) EMERGENCY DESIGNATION.—Pursuant to sections 251(b)(2)(D)(i) and 252(e) of the Balanced Budget and Emergency Deficit Control Act of 1985, the Congress hereby designates all direct spending amounts provided by this Act (for all fiscal years) and all appropriations authorized by this Act (for all fiscal years) as emergency requirements within the meaning of part C of the Balanced Budget and Emergency Deficit Control Act of 1985.

(b) EFFECTIVENESS.—Notwithstanding any other provision of law or any other provision of this Act, none of the preceding sections of this Act shall take effect unless, not later than the date of the enactment of this Act, the President submits to the Congress a written designation of all direct spending amounts provided by this Act (for all fiscal years) and all appropriations authorized by this Act (for all fiscal years) as emergency requirements within the meaning of part C of the Balanced Budget and Emergency Deficit Control Act of 1985.●

● Mr. PACKWOOD. Mr. President, I am pleased to rise today as an original cosponsor of the Emergency Unemployment Compensation Act of 1991.

In general, our national economy is improving. There are a number of economic factors that show improvement in recent months. World oil prices have declined; short-term interest rates have also declined; consumer spending has grown.

The turnaround, however, has not been as swift as we would have liked. There is a body of unemployed workers who have not yet felt the effects of the recovery.

Overall, the current system of providing unemployment benefits has been working well. Oregon, and a number of other States, has made good use of the extended benefits available under current law. When Oregon's unemployment rate met the required thresholds, we triggered on to extended benefits and were able to provide additional help to the long-term unemployed in the State. And when the statewide unemployment rate went down, we triggered off those benefits. However, there are pockets of unemployment in my State that could still use some help.

In Oregon, we have timber workers and loggers who have been out of work

for a long time. Many of them have exhausted the unemployment benefits available to them under the current system simply because they haven't worked in so long.

I'm very hopeful that Oregon will be able to find a way to address the special needs of the long-term unemployed and displaced timber workers. But until we are able to find long-term answers to this problem, we need to do what we can to help out during the rough times.

That's why I support Chairman BENTSEN's bill. This legislation provides temporary, supplemental unemployment benefits now, when those who are out of work need it. This isn't a new approach. Congress has enacted federally funded supplemental unemployment benefits during a recession before. Back in 1974, Congress passed the Emergency Unemployment Compensation Act to provide Federal supplemental benefits. And again in 1982, we provided Federal supplemental compensation to help out with the effects of a recession.

This bill doesn't try to make wholesale reforms to the unemployment insurance system. It simply provides a shot in the arm when it's needed most.

And it does so in the most sensible way. Unlike other unemployment insurance reform proposals in Congress, this bill does not require new taxes on employers to pay for the supplemental benefits. Instead, it uses some of the surplus that has accumulated in the unemployment insurance trust funds to pay for the temporary extension of benefits. It makes no sense to require employers to pay enormous new taxes during a recession to finance any new benefits. It does make sense to spend some of the money out of a trust fund that you have purposely collected and saved to handle an emergency.

This bill also includes a provision creating an advisory council to study the unemployment insurance program and from time to time make recommendations for change. The council will engage in continued research and investigation to help improve a program that provides essential help to our workers.

The good sense in this bill is that it provides targeted relief to the right group of people now when the need is evident. Up to 45,000 Oregonians could benefit from this program before it sunsets in June 1992. Hopefully, the benefits in this bill will provide enough help to wait out the difficult times until the economy is fully up and rolling.●

● Mr. BRADLEY. Mr. President, I rise to join my colleague from Texas, the chairman of the Senate Finance Committee, in introducing legislation to provide additional unemployment benefits to those hardest hit by the current recession.

This new program will provide 20 weeks of extended unemployment benefits in those States with an unemployment rate that is 8 percent or higher, 13 weeks in those States with a 7 percent unemployment rate; 7 weeks in those states with a 6 percent unemployment rate, and 4 weeks for all other States. Under current law, the unemployed in most States are only eligible for 26 weeks of benefits. New Jersey now provides 6½ weeks of extra benefits for the long-term unemployed; this program would provide the long-term unemployed in New Jersey with an additional 7 weeks of benefits, for a total of 38½ weeks.

The proposal also would change the way in which ex-service members are treated, so that they are treated the same as other unemployed workers. Under present law, unemployed former members of the Armed Forces receive 13 weeks of unemployment benefits. Other unemployed workers receive 26 weeks of benefits. Under this proposal, unemployed ex-service members would receive unemployment benefits on the same basis as unemployed civilians. In addition, reserve members who have been called to active duty would be eligible for unemployment benefits after serving a continuous period of 90 days, instead of having to meet the current 180-day requirement.

Mr. President, nationally, the unemployment rate has now reached 7 percent. New Jersey's unemployment rate has averaged about 6.7 percent for several months—about 40 percent higher than a year ago. And there are no signs that the unemployment rate will significantly decline in the near future.

For many families—expecially the long-term unemployed—this recession has been disastrous. There are almost 1.2 million workers in America who have been out of work for more than half a year. Currently, about 40,000 of the unemployed in New Jersey have been out of work for so long that their unemployment benefits have run out. We need to fix the Federal Government's unemployment compensation rules so we can provide more benefits to families in need. This bill does just that, and I urge my colleagues to support it.●

● Mr. CHAFEE. Mr. President, I am pleased to cosponsor the legislation introduced by Senator BENTSEN to provide emergency unemployment compensation benefits. This is an important piece of legislation and one that many States, especially my home State of Rhode Island, desperately need. This bill will provide relief to the many workers around the country who find themselves out of work as a result of the recession. Nowhere has this been more keenly felt than in Rhode Island.

In the past 2 years, New England has lost 254,000 jobs, a decline of 4 percent. This accounts for 20 percent of all jobs lost in the United States, although only 5 percent of the population resides in New England. Not only have new businesses in New England been on the decline since 1987, but business failures have increased. In fact, in 1990, business failures increased by 193 percent in New England, compared to a national rate of 14.5 percent. As a result, the New England States have some of the highest unemployment rates in the country. In my home State of Rhode Island, the total unemployment rate is now 8.1 percent, up from May's rate of 7.7 percent. The State government has already been forced to shut down because they simply do not have enough money to stay in operation. Clearly, something must be done to help those who simply cannot find jobs. I believe this legislation will at least provide some temporary relief.

Under current law, unemployed workers are paid up to 26 weeks of unemployed benefits. In States with very high unemployment rates, workers may receive up to 13 weeks of additional assistance, known as extended benefits, when they have used up their State benefits. Unfortunately, the formula which is used to trigger a State's eligibility for extended benefits is very strict and is based not on the total unemployment rate, but rather on the insured unemployment rate. This means that under current law, extended benefits are calculated on the basis of how many workers in a State are receiving benefits, rather than the number of people who are actually out of work and trying to enter or reenter the job market. It is no wonder then, that only three States and Puerto Rico are currently triggered onto the Extended Benefits Program.

This legislation would correct this problem. It would provide up to 20 weeks of emergency unemployment benefits to workers in States with a total unemployment rate of 8 percent. The goal of the bill is to provide temporary relief to long-term unemployed workers, to tide them over until they can find work.

Now, Mr. President, these additional benefits are not free. This bill would cost $5.8 billion over the designated 5-year period. This is money well-spent, but I have serious reservations about how this will be financed. Under the current proposal, the money would be taken out of the extended unemployment compensation account of the unemployment compensation trust funds. Ultimately, this will be charged against the deficit. I do not think this is wise, and I plan to work closely with the sponsors of the bill to find a way to offset this cost.

In the meantime, Mr. President, I want to commend the Senator from Texas for coming forward with this important proposal. I hope my colleagues will support this initiative. Thank you Mr. President.●

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By Mr. RIEGLE (for himself and Mr. LEVIN):

S. 1555. A bill to provide disaster assistance to fruit and vegetable producers, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

FRUIT AND VEGETABLE PRODUCERS EMERGENCY ASSISTANCE ACT

• Mr. RIEGLE. Mr. President, I rise today along with Senator CARL LEVIN to introduce the Fruit and Vegetable Producers Emergency Assistance Act of 1991. This legislation is designed to provide disaster relief to Michigan and our Nation's farmers who have been hard-hit by inclement weather in either the 1990 or 1991 growing season.

Michigan fruit and vegetable farmers have been especially hard hit by a deadly April frost and violent thunderstorms this year, with drought-like conditions last year. Already, there has been serious damage done to tart and sweet cherries, plums, apples, asparagus, peaches, and other fruits. Some Michigan producers have no fruit to pick at all.

In fact, this year the weather has been so bad that it has caused over $75 million in agriculture losses to fruit and vegetable crops in Allegan, Antrim, Benzie, Berrien, Cass, Grand Traverse, Ionia, Iosco, Kent, Leelanau, Manistee, Mason, Monroe, Muskegon, Newaygo, Oceana, Ottawa, and Wayne Counties in Michigan. It is clear that, as harvest time nears, other counties will need agricultural disaster assistance.

Last week, Sen LEVIN and I wrote U.S. Agriculture Secretary Edward Madigan urging him to designate areas adversely affected by inclement weather agriculture disaster areas. Michigan Gov. John Engler also issued the same request. It is my understanding that Secretary Madigan plans to reject our requests. That is simply unacceptable.

So to rectify this situation, my legislation will override the need to have the President or the Agriculture Secretary declare any part of the United States as a disaster area before any appropriation can be made. It appears that is the only option my colleagues and I have.

SUMMARY OF KEY PROVISIONS

Let me explain what my legislation accomplishes.

First, the bill will authorize the Secretary of Agriculture to provide a three-tier disaster assistance program to eligible fruit and vegetable producers who have been adversely affected by damaging weather in either 1990 or 1991 crop years.

If a producer suffered at least a 30-percent crop loss based on a 5-year average, the producer's disaster payment will equal up to 85 percent of the producer's normal crop yield. If a producer suffers more than 30 percent but less than 70 percent total crop damage, the producer is eligible to receive 65 percent of the producer's normal crop yield. And finally, if a producer suffers 71 percent to 100 percent of their normal crop yield, the producer is eligible to receive 70 percent payment of the crop's market value.

In addition, the Secretary shall make the disaster payments on a crop-by-crop basis and develop separate payment levels insofar as is practicable. The Secretary shall provide prevented planting credit with respect to farmers unable to plant due to damaging weather in the 1990 or 1991 planting seasons.

In this legislation, I have ensured that 50 percent of the payments fall on the shoulders of the Federal Government. I am sure that any money we can put forward to help State governments will be of great help and should give State governments a great step forward in assisting our Nation's farmers.

Another important part of this legislation is the section that requires disaster program participants to enroll into the Federal Crop Insurance Program or another suitable program. For decades, this institution has struggled with the question, "Do we provide disaster payments or do we provide crop insurance for our Nation's farmers?" This legislation addresses that question. Simply, if a farmer takes disaster assistance then he must enroll in a crop insurance.

Specifically, this legislation will require that producers who take the Federal disaster assistance obtain multiperil crop insurance under the Federal Crop Insurance Act for the 1992 and 1993 crops. And to increase participation in the out years, the producer will be able to receive a 5-percent increase in disaster payments this year for each year the producer enrolls after 1994, 1995, and 1996.

Another innovative part of this legislation is the section that deals with loan guarantees for rural businesses affected by inclement weather up to $500,000, with the program not exceeding $300 million. As many of my colleagues from farm States know, rural disasters not only affects producers but the suppliers to producers, such as feed store owners, tractor dealers, parts supply stores, and a variety of other agriculture-related business. My colleague and I have worked hard to ensure those affected receive loans at the lowest possible rates with the longest repayment periods.

There are two more sections in my legislation that I would like to highlight. One section would provide up to $75,000 for farmers whose trees are not killed but in need of rehabilitation. Rehabilitation is expensive and can take years. This section will help offset those costs and allow producers to avoid unnecessary replants while rehabilitating their crops.

Second, this legislation authorizes emergency grants to assist low-income farm workers and packinghouse workers who have been displaced by inclement weather. These workers have historically traveled from the southern and western sections of the United States to the northern sections of the United States to harvest fruit or vegetables during the summer months. In the winter months, the workers have returned to southern States.

Mr. President, the State of Michigan is suffering from this and last year's severe weather. This bill encourages farmer assistance without breaking the back of the Federal Government. The legislation also encourages farmers to be prudent in their long-term planning by mandating their enrollment in crop insurance.

Most of all, this measure offers hope to many who have no hope at all.

Mr. President, I ask unanimous consent that the full text of the bill be printed in the RECORD along with a section by section analysis.

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

S. 1555

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

**SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

(a) SHORT TITLE.—This Act may be cited as the "Fruit and Vegetable Producers Emergency Assistance Act of 1991".

(b) TABLE OF CONTENTS.—The table of contents of this Act is as follows:

Sec. 1. Short title; table of contents.
Sec. 2. Definitions.

TITLE I—EMERGENCY CROP LOSS ASSISTANCE

SUBTITLE A—FRUITS AND VEGETABLES

Sec. 101. Fruits and vegetables.
Sec. 102. Crop quality reduction disaster payments.
Sec. 103. Effect of Federal crop insurance payments.
Sec. 104. Crop insurance coverage for 1992 and 1993 crops.
Sec. 105. Transfer of funds.
Sec. 106. De minimis yields.
Sec. 107. Producer eligibility.
Sec. 108. No double payments on replanted acreage.

SUBTITLE B—ADMINISTRATIVE PROVISIONS

Sec. 121. Timing and manner of assistance.
Sec. 122. Use of Commodity Credit Corporation.
Sec. 123. No duplicative benefits.
Sec. 124. Emergency designation of outlays.
Sec. 125. Regulations.

TITLE II—OTHER EMERGENCY PROVISIONS

Sec. 201. Disaster assistance for rural business enterprises.
Sec. 202. Rehabilitation of trees.
Sec. 203. Emergency grants to assist low-income farmworkers and packinghouse workers.

**SEC. 2. DEFINITIONS.**

As used in this Act:

(1) DAMAGING WEATHER.—The term "damaging weather" includes but is not limited to drought, hail, excessive moisture, freeze, tornado, hurricane, earthquake, excessive wind, or any combination thereof.

(2) RELATED CONDITION.—The term "related condition" includes but is not limited to in-

sect infestations, plant diseases, or other deterioration of a crop of a commodity, including aflatoxin, that is accelerated or exacerbated naturally as a result of damaging weather occurring prior to or during harvest.

(3) SECRETARY.—The term "Secretary" means the Secretary of Agriculture.

## TITLE I—EMERGENCY CROP LOSS ASSISTANCE

### Subtitle A—Fruits and Vegetables

**SEC. 101. FRUITS AND VEGETABLES.**

(a) DISASTER PAYMENTS.—

(1) IN GENERAL.—Effective only for the 1991 crops of fruits and vegetables, if the Secretary determines that, because of damaging weather or related condition in 1990 or 1991, the total quantity of the 1991 crop of the commodity that the producers on a farm are able to harvest is less than the result of multiplying 70 percent of the yield established by the Commodity Credit Corporation under subsection (d) for the crop by the sum of the acreage planted for harvest and the acreage for which prevented planted credit is approved by the Secretary for the crop under subsection (b), the Secretary shall make a disaster payment available to the producers.

(2) RATES.—Subject to paragraph (3), the payment shall be made to the producers at a rate equal to—

(A) 65 percent of the applicable payment level under paragraph (4), as determined by the Secretary, for any deficiency in production greater than 30 percent, but not greater than 70 percent, for the crop; and

(B) 70 percent of the applicable payment level under paragraph (4), as determined by the Secretary, for any deficiency in production greater than 70 percent for the crop.

(3) BONUS FOR ADDITIONAL CROP INSURANCE COVERAGE.—Subject to section 104, the percent of the applicable payment level prescribed under paragraph (2) shall be increased by 5 percentage points for each additional crop year the producers on a farm agree to obtain multiperil crop insurance under the Federal Crop Insurance Act (7 U.S.C. 1501 et seq.) for the 1994, 1995, or 1996 crops.

(4) PAYMENT LEVEL.—For purposes of this subsection, the payment level for a commodity shall equal the simple average price received by producers of the commodity, as determined by the Secretary subject to paragraph (5), during the marketing years for the immediately preceding 5 crops of the commodity.

(5) METHOD OF DETERMINING PAYMENTS.—

(A) CROP-BY-CROP BASIS.—The Secretary shall make disaster payments under subsection (a) on a crop-by-crop basis, with consideration given to markets and uses of the crops, under regulations issued by the Secretary.

(B) SEPARATE CROPS.—For the purposes of determining the payment levels on a crop-by-crop basis, the Secretary shall consider as separate crops, and develop separate payment levels insofar as is practicable for, different varieties of the same commodity for which there is a significant difference in the economic value in the market.

(b) PREVENTED PLANTING CREDIT.—

(1) IN GENERAL.—The Secretary shall provide prevented planting credit under subsection (a) with respect to acreage that producers on a farm were prevented from planting to the 1991 crop of the commodity for harvest because of damaging weather or related condition in 1990 or 1991, as determined by the Secretary.

(2) ACREAGE LIMITATION.—The acreage may not exceed the greater of—

(A) a quantity equal to the acreage on the farm planted (or prevented from being planted because of damaging weather or other condition beyond the control of the producers) to the commodity for harvest in 1990 minus acreage actually planted for harvest in 1991; or

(B) a quantity equal to the average of the acreage on the farm planted (or prevented from being planted due to damaging weather or other condition beyond the control of the producers) to the commodity for harvest in 1988, 1989, and 1990, minus acreage actually planted to the commodity for harvest in 1991.

(3) ADJUSTMENTS.—The Secretary shall make appropriate adjustments in applying the limitations contained in paragraph (2) to take into account crop rotation practices of the producers.

(c) CROP INSURANCE.—Payments provided under subsection (a) for a crop of a commodity may not be made available to the producers on a farm unless the producers enter into an agreement to obtain multiperil crop insurance, to the extent required under section 104.

(d) SPECIAL RULES.—

(1) FARM YIELDS.—

(A) IN GENERAL.—The Commodity Credit Corporation shall establish disaster program farm yields for fruits and vegetables.

(B) BASIS.—The yield for a farm shall be based on proven yields, if the producers on the farm can provide satisfactory evidence to the Commodity Credit Corporation of actual crop yields on the farm for at least one of the immediately preceding 5 crop years. If the data do not exist for any of the 5 preceding crop years, the Commodity Credit Corporation shall establish a yield for the farm by using a county average yield for the commodity or by using other data available to it.

(2) DEMONSTRATION OF LOSSES.—It shall be the responsibility of the producers of fruits and vegetables to provide satisfactory evidence of crop losses resulting from damaging weather or related condition in 1990 or 1991 in order for the producers to obtain disaster payments under this section.

**SEC. 102. CROP QUALITY REDUCTION DISASTER PAYMENTS.**

(a) IN GENERAL.—

(1) PAYMENTS.—To ensure that all producers of 1991 crops covered under section 101 are treated equitably, the Secretary may pay the Federal share of additional disaster payments made to producers of the crops that suffer losses resulting from the reduced quality of the crops caused by damaging weather or related condition in 1990 or 1991, as determined by the Secretary.

(2) FEDERAL SHARE.—The Federal share of payments made under this section shall be 50 percent.

(b) ELIGIBLE PRODUCERS.—If the Secretary determines to make crop quality disaster payments available to producers under subsection (a), producers on a farm of a crop described in subsection (a) shall be eligible to receive reduced quality disaster payments only if the producers incur a deficiency in production of not less than 30 percent and not more than 75 percent for the crop (as determined under section 101).

(c) PAYMENT RATE.—The Secretary shall establish the reduced quality disaster payment rate at a level that equals the average commercial value of the crop during the marketing years for the immediately preceding 5 crops of the commodity.

(d) DETERMINATION OF PAYMENT.—The amount of payment to a producer under this section shall be determined by multiplying the payment rate established under subsection (c) by the portion of the actual harvested crop on the producer's farm that is reduced in quality by the damaging weather or related condition in 1990 or 1991, as determined by the Secretary.

**SEC. 103. EFFECT OF FEDERAL CROP INSURANCE PAYMENTS.**

In the case of producers on a farm who obtained crop insurance for the 1991 crop of a commodity under the Federal Crop Insurance Act (7 U.S.C. 1501 et seq.), the Secretary shall reduce the amount of payments made available under this subtitle for the crop to the extent that the amount determined by adding the net amount of crop insurance indemnity payment (gross indemnity less premium paid) received by the producers for the deficiency in the production of the crop and the disaster payment determined in accordance with this subtitle for the crop exceeds the amount determined by multiplying—

(1) 100 percent of the yield used for the calculation of disaster payments made under this subtitle for the crop; by

(2) the sum of the acreage of the crop planted to harvest and the acreage for which prevented planting credit is approved by the Secretary; by

(3) the simple average price received by producers of the commodity, as determined by the Secretary, during the marketing years for the immediately preceding 5 crops of the commodity.

**SEC. 104. CROP INSURANCE COVERAGE FOR 1992 AND 1993 CROPS.**

(a) REQUIREMENT.—Subject to subsection (b), producers on a farm, to be eligible to receive a disaster payment under this subtitle or an emergency loan under subtitle C of the Consolidated Farm and Rural Development Act (7 U.S.C. 1961 et seq.) for crop losses due to damaging weather or related condition in 1990 or 1991 must agree to obtain multiperil crop insurance under the Federal Crop Insurance Act (7 U.S.C. 1501 et seq.) for the 1992 and 1993 crops of the commodity for which the payments or loans are sought.

(b) CROP INSURANCE.—Producers on a farm shall not be required to agree to obtain crop insurance under subsection (a) for a commodity—

(1) unless the producers' deficiency in production, with respect to the crop for which a disaster payment under this subtitle otherwise may be made, exceeds 75 percent;

(2) crop insurance coverage is not available to the producers for the commodity for which the payment or loan is sought;

(3) if the producers' annual premium rate for the crop insurance is an amount greater than 125 percent of the average premium rate for insurance on that commodity for the 1991 crop in the county in which the producers are located;

(4) in any case in which the producers' annual premium for the crop insurance is an amount greater than 25 percent of the amount of the payment or loan sought; or

(5) if the producers can establish by appeal to the county committee established under section 8(b) of the Soil Conservation and Domestic Allotment Act (16 U.S.C. 590(b)), or to the county committee established under section 332 of the Consolidated Farm and Rural Development Act (7 U.S.C. 1982), as appropriate, that the purchase of crop insurance would impose an undue financial hardship on the producers and that a waiver of the requirement to obtain crop insurance should, in the discretion of the county committee, be granted.

(c) IMPLEMENTATION.—

(1) IN GENERAL.—The Secretary shall ensure (acting through the county committees

established under section 8(b) of the Soil Conservation and Domestic Allotment Act and located in the counties in which the assistance programs provided for under this subtitle are implemented and through the county committees established under section 332 of the Consolidated Farm and Rural Development Act (7 U.S.C. 1982) in counties in which emergency loans, as described in subsection (a), are made available) that producers who apply for assistance, as described in subsection (a), obtain multiperil crop insurance as required under this section.

(2) DEMONSTRATION OF COMPLIANCE.—Each producer who is subject to the requirements of this section may comply with the requirements by providing evidence of multiperil crop insurance coverage from sources other than through the county committee office, as approved by the Secretary.

(3) REDUCTION OF COMMISSIONS.—The Secretary shall provide by regulation for a reduction in the commissions paid to private insurance agents, brokers, or companies on crop insurance contracts entered into under this section sufficient to reflect that the insurance contracts principally involve only a servicing function to be performed by the agent, broker, or company.

(d) REPAYMENT OF BENEFITS.—Notwithstanding any other provision of law, if (prior to the end of the 1992 crop year for the commodity involved) the crop insurance coverage required of the producer under this section is canceled by the producer, the producer—

(1) shall make immediate repayment to the Secretary of any disaster payment that the producer otherwise is required to repay; and

(2) shall become immediately liable for full repayment of all principal and interest outstanding on any emergency loan described in subsection (a) made subject to this section.

**SEC. 105. TRANSFER OF FUNDS.**

The Secretary may transfer funds made available to the Commodity Credit Corporation during fiscal year 1991 to the Agricultural Stabilization and Conservation Service in such amounts as are necessary for salaries and other expenses incurred in carrying out this subtitle, except that this authorization shall be available only if funding for this purpose is not provided under an appropriations Act.

**SEC. 106. DE MINIMIS YIELDS.**

(a) IN GENERAL.—Any producer whose actual yield for a crop is equal to or less than the de minimis yield for the crop shall be considered as having an actual yield of zero for the purpose of calculating any reduced yield disaster payments for the crop under this subtitle.

(b) DETERMINATION BY SECRETARY.—

(1) IN GENERAL.—The Secretary may determine a de minimis yield for each crop eligible for reduced yield disaster payments under this subtitle.

(2) LEVEL.—The de minimis yield shall be set at a level that will minimize any incentive provided by the prospect of disaster payments to abandon crops that have a value that exceeds the cost of harvesting.

(3) MINIMUM.—In no case may the de minimis yield be less than the amount of production that, when valued at current market prices, equals the average cost of harvesting the crop, as determined by the Secretary.

**SEC. 107. PRODUCER ELIGIBILITY.**

A producer on a farm who produces any crop of a commodity for which disaster payments are made available under this subtitle shall qualify for a disaster payment if the total quantity of the commodity that the producer is able to harvest on that farm is reduced as a result of damaging weather or related condition in an amount that meets the criteria of section 101, even though the producers on the farm, collectively, may not meet the criteria.

**SEC. 108. NO DOUBLE PAYMENTS ON REPLANTED ACREAGE.**

(a) REDUCTION OF DISASTER PAYMENT.—Effective only for the producers on a farm who receive disaster payments under this subtitle for a crop of a commodity, the Secretary shall reduce the payments by an amount that reflects 5 percent of the value of any crop that the producers plant for harvest in 1991 to replace the crop for which disaster payments are received.

(b) REPLACEMENT CROPS.—For purposes of subsection (a), a crop shall be considered to be planted to replace the crop for which disaster payments are received if (because of loss or damage to the first crop due to damaging weather or related condition in 1990 or 1991) the second crop is planted on acreage on which the producers planted, or were prevented from planting, the first crop.

(c) ADMINISTRATION.—In carrying out this section, the Secretary shall—

(1) determine the value of the second crop based on the actual yield of the producers and average market prices for the second crop during a representative period; and

(2) take into account the historical cropping patterns of producers.

**Subtitle B—Administrative Provisions**

**SEC. 121. TIMING AND MANNER OF ASSISTANCE.**

(a) TIMING OF ASSISTANCE.—

(1) IN GENERAL.—Subject to paragraph (2), the Secretary shall make full disaster assistance available under this title as soon as practicable after the date of the enactment of this Act.

(2) COMPLETED APPLICATION.—Notwithstanding any other provision of law or of this Act, no payment or benefit provided under this title shall be payable or due until such time as a completed application for a crop of a commodity therefore has been approved.

(3) DEADLINE FOR APPLICATION.—A person eligible to receive payments under this Act shall make application for the payments not later than March 31, 1992, or such later date as the Secretary, by regulation, may prescribe.

(b) MANNER.—The Secretary may make payments available under this Act in the form of cash, commodities, or commodity certificates, as determined by the Secretary.

**SEC. 122. USE OF COMMODITY CREDIT CORPORATION.**

(a) USE.—The Secretary shall use the funds, facilities, and authorities of the Commodity Credit Corporation in carrying out this title.

(b) EXISTING AUTHORITY.—The authority provided by this title shall be in addition to, and not in place of, any authority granted to the Secretary or the Commodity Credit Corporation under any other provision of law.

**SEC. 123. NO DUPLICATIVE BENEFITS.**

A person eligible for assistance under chapter 3 of title XXII of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 1421 note) who is also eligible for assistance under this Act may elect to receive benefits under such chapter or under this Act, but may not receive benefits under both.

**SEC. 124. EMERGENCY DESIGNATION OF OUTLAYS.**

(a) FINDINGS.—Congress finds that in fiscal years 1990 and 1991 there have been excessive rains, often of unprecedented scope, in many sections of the United States, and serious drought conditions and other unusual weather conditions in many other sections of the United States that have caused major economic losses to producers of fruits and vegetables.

(b) FUNDING.—The funds of the Commodity Credit Corporation shall be available subject to the limitations set forth in subsection (c) to carry out this Act.

(c) EMERGENCY DESIGNATION.—The funds provided for in this Act are designated as an emergency requirement as provided for in section 252(e) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 902(e)).

**SEC. 125. REGULATIONS.**

The Secretary or the Commodity Credit Corporation, as appropriate, shall issue regulations to implement this title as soon as practicable after the date of enactment of this Act, without regard to the requirement for notice and public participation in rulemaking prescribed in section 553 of title 5, United States Code, or in any directive of the Secretary.

**TITLE II—OTHER EMERGENCY PROVISIONS**

**SEC. 201. DISASTER ASSISTANCE FOR RURAL BUSINESS ENTERPRISES.**

(a) LOAN GUARANTEES.—The Secretary shall guarantee loans made in rural areas—

(1) to public, private, or cooperative organizations, to Indian tribes on Federal and State reservations or other federally recognized Indian tribal groups, or to any other business entities, to assist them in alleviating distress caused to the entities, directly or indirectly, by the damaging weather or related condition in 1990 or 1991; and

(2) to the entities that refinance or restructure debt as a result of losses incurred, directly or indirectly, because of the damaging weather or related condition in 1990 or 1991.

(b) ELIGIBLE LOANS.—Loans that may be guaranteed under this section are loans made by any—

(1) Federal or State chartered—

(A) bank;

(B) savings and loan association;

(C) cooperative lending agency; or

(D) insurance company; or

(2) other legally organized lending agency.

(c) REPAYMENT.—In carrying out this section, the Secretary shall ensure, to the extent practicable, that a borrower of a loan guaranteed under this section may repay the loan over the longest possible term.

(d) LENDING LIMITS.—

(1) INDIVIDUAL GUARANTEES.—No guarantee under this section may exceed 90 percent of the principal amount of the loan. Guarantees made on loans to any eligible borrower may not exceed $500,000.

(2) TOTAL AMOUNT OF GUARANTEES.—The total amount of loan guarantees that may be made under this section shall not exceed $300,000,000.

(e) USE OF THE RURAL DEVELOPMENT INSURANCE FUND.—The Secretary shall use the Rural Development Insurance Fund established under section 309A of the Consolidated Farm and Rural Development Act (7 U.S.C. 1929a) for the purposes of carrying out this section.

**SEC. 202. REHABILITATION OF TREES.**

(a) IN GENERAL.—Section 2256(1) of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 1421 note) is amended by inserting after "replanting trees lost" the following: "and rehabilitation or restoring trees damaged".

(b) LIMITATION ON ASSISTANCE.—Section 2257(a) of such Act (7 U.S.C. 1421 note) is

amended by striking "$25,000" and inserting "$75,000".

**SEC. 203. EMERGENCY GRANTS TO ASSIST LOW-INCOME FARMWORKERS AND PACKINGHOUSE WORKERS.**

(a) EXPANSION OF PROGRAM.—Section 2281 of the Food, Agriculture, Conservation, and Trade Act of 1990 (42 U.S.C. 5177a) is amended—

(1) by inserting ", permanent," after "migrant" each place it appears;

(2) in subsection (a)—

(A) by striking "$20,000,000" and inserting "$30,000,000"; and

(B) by striking the period at the end of the second sentence and inserting ", including assistance for the payment of housing costs."; and

(3) in subsection (b)—

(A) by inserting "(including a packinghouse worker)" after "an individual"; and

(B) by inserting "or packinghouse work" after "farm work" both places it appears.

(b) CLERICAL AMENDMENTS.—

(1) The section heading of such section is amended to read as follows:

**"SEC. 2281. EMERGENCY GRANTS TO ASSIST LOW-INCOME FARMWORKERS AND PACKINGHOUSE WORKERS.".**

(2) The item relating to such section in the table of contents at the beginning of such Act is amended to read as follows:

"Sec. 2281. Emergency grants to assist low-income farmworkers and packinghouse workers.".

SECTION-BY-SECTION ANALYSIS OF THE FRUIT AND VEGETABLE PRODUCERS EMERGENCY ASSISTANCE ACT OF 1991

Section 1—Short Title; Table of Contents

Section 2—Definitions

Section 101—Authorizes the Secretary of Agriculture to provide a three-tier disaster assistance program to eligible fruit and vegetable producers who have been adversely affected by damaging weather in either 1900 or 1991 crop years. The schedule is as follows:

A. If a producer suffers a minimum of 30% crop loss based on a 5-year average, the producer's federal assistance payment will total 85% of the producer's normal crop yield averaged over 5 years.

B. If a producer suffers more than 30% but less than 70% total crop damage, the producer is eligible to receive 65% of the producer's normal crop yield averaged over 5 years.

C. If a producer suffers 71% to 100% of their normal crop yield, the producer is eligible to receive 70% payment of the crop's market value averaged over 5 years.

In addition, the Secretary shall make the disaster payments under a crop-by-crop basis and develop separate payment levels insofar as is practicable. The Secretary shall provide prevented planting credit with respect to farmers unable to plant due to damaging weather in the 1990 or 1991 planting seasons.

Section 102—Establishes a joint federal/state cost share program for states that are affected with low-quality fruit. The joint federal/state payment may equal up to 100% of the total value of the producer's crop.

Section 103—Ensures that the Secretary reduce the amount of payments made available to producers who obtained crop insurance for the 1990 and 1991 crop year to the extent that the amount is determined by adding the gross indemnity less premium paid by the producers for the deficiency in the production of the crop.

Section 104—Requires that producers who take the federal disaster assistance obtain multiperil crop insurance under the Federal Crop Insurance Act for the 1992 and 1993 crops. In addition, the producer will be able to receive a 5% increase in disaster payments for each year enrolled after 1994, 1995, and 1996.

Section 105—Gives the Secretary the authority to transfer funds to the Commodity Credit Corporation during 1991 for salaries and other expenses incurred in carrying out this program.

Section 106—Mandates that any producer's crop whose actual yield for a crop is equal to less than the de minimis yield will be considered a zero actual yield.

Section 107—Creates guidelines for producer eligibility.

Section 108—Disallows double payments on replanted acreage.

Section 121—Enacts guidelines for timing and manner of assistance for the Secretary to follow.

Section 122—Authorizes the CCC to carry-out this legislation.

Section 123—Disallows any duplicative benefits.

Section 124—Authorizes emergency designation of outlays.

Section 125—Issues regulations for the CCC or the Secretary to following in carrying out this legislation.

Section 201—Authorizes loan guarantees for rural businesses affected by inclement weather up to $500,000, while not exceeding $300,000,000 for the total program.

Section 202—Allows disaster assistance payment of $75,000 for tree rehabilitation.

Section 203—Authorizes emergency grants to assist low-income farmworkers and packinghouse workers who have been displaced by inclement weather.●

● Mr. LEVIN. Mr. President, the State of Michigan has been wracked once again by severe weather. Recently, thunderstorms rolled across the State uprooting trees and stripping the trees still standing of the ripe fruit that was ready for harvesting. This weather was a disastrous ending for a growing season that began in chaos for many of Michigan's agricultural producers. April brought cruel freezes that took a heavy toll on many fruits, especially cherries.

Mr. President, the senior Senator from Michigan and I are introducing legislation today to help Michigan growers recover from this devastating weather. Our bill allows growers the opportunity to receive disaster assistance commensurate with the damage that their crop has maintained. It includes special provisions to address income losses due to a decline in crop quality due to the weather, provides tree rehabilitation financial assistance, and others to treat the special needs of fruit and vegetable growers. And, the bill encourages disaster assistance recipients to obtain crop insurance in future years.

I remember 1986 and 1988. Those were tough years for the producers in Michigan and elsewhere due to flood and drought. While the scale of the emergency now in 1991 may appear somewhat less to those not directly affected, that perception could be changed by having a conversation with one of the fruit producers who has no fruit to harvest yet has to maintain trees in hopes of a better year next year.

Mr. President, fruits and vegetables are central to a healthy diet, yet Federal agricultural policy often overlooks their producers' contribution. This bill can help rectify that situation and address their needs in time of trouble.●

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By Mr. KASTEN (for himself, Mr. BROWN, Mr. LOTT, Mr. COATS, Mr. SYMMS, Mr. BURNS, Mr. SMITH, Mr. HELMS, Mr. D'AMATO, Mr. SPECTER, and Mr. MACK):

S.J. Res. 182. Joint resolution proposing a balanced budget amendment to the Constitution of the United States; to the Committee on the Judiciary.

BALANCED BUDGET AMENDMENT TO THE CONSTITUTION

Mr. KASTEN. Mr. President, today I am introducing the balanced budget/tax limitation amendment to the Constitution. Joining me as original cosponsors are Senators BROWN, LOTT, COATS, SYMMS, BURNS, SMITH, and HELMS.

The last time we had a balanced Federal budget was in 1969—over two decades ago. Today, the accumulated debt of our Government exceeds $3.5 trillion. This year's interest payment on the national debt will be nearly $200 billion, consuming 40 percent of Federal income tax receipts.

Identifying the problem is easy. The solution is more difficult. One point however, is very clear—the accumulation of this extraordinary debt has never been the result of inadequate tax revenues. Just from 1981 to 1990, Federal tax receipts experienced 28 percent real growth.

We have massive Federal budget deficits today for one simple reason: Congress's appetite for spending is rapidly outpacing even the extremely swift revenue growth of the 1980's. Federal spending grew 12.5 percent just from 1990 to 1991, and from 1981 to 1990 Federal spending, after inflation, grew over 41 percent.

The Federal Government is spending money faster today than it ever has before, and taxpayers can no longer keep up with the demand. This year—for the first time since World War II—the Federal Government will spend more than 25 percent of the wealth generated by the American people.

One thing is certain: tax increases will not reduce the size of government. They destroy jobs—and they lead to more Federal spending—and higher budget deficits.

Last fall, the so-called budget summit deal imposed one of the largest tax increases in history; but OMB recently reported that tax revenues actually fell—and the deficit went up instead of down.

Today, Congress is dreaming up new tax and spend schemes. The Ways and Means Committee wants to raise payroll taxes to spend more on unemployment benefits. House Democrats want

roll taxes to spend more on unemployment benefits. House Democrats want to raise gas taxes to fund the highway bill. The Senate Democrat health bill proposes new taxes on small business.

Mr. President, America's families and small businesses are already overtaxed.

Either we get Federal spending under control once and for all—or we condemn the American economy to high taxes and recession for as far as the eye can see.

Only the constitutional discipline of a balanced budget/tax limitation amendment can return fiscal sanity to our budget process.

My joint resolution would require a three-fifth's supermajority vote in Congress to approve deficit spending. But it would also require a three-fifth's vote to approve tax increases in excess of the level of economic growth.

This tax limitation provision is the most important part of the balanced budget legislation. Without it, Congress would simply raise taxes in the name of balancing the Federal budget—and use those revenues to raise spending.

Therefore, we could have a balanced budget with taxes and spending at high levels of GNP, but an unbalanced economy with reduced incentives, less private sector activity, and fewer job opportunities.

The key to economic growth and job creation is to limit both taxes and spending as a share of our economy, leaving more resources in the hands of the people.

The same legislation has been introduced in the House of Representatives where 111 Members are cosponsors. My joint resolution is supported by a broad coalition of small business and taxpayers groups including: the National Tax Limitation Committee, the National Federation of Independent Business, Citizens for a Sound Economy, the U.S. Business and Industrial Council, Citizens Against Government Waste, Americans for Tax Reform, the American Farm Bureau Federation, the Associated Builders and Contractors, Consumer Alert, Americans for a Balanced Budget, U.S. Chamber of Commerce.

The language of my legislation is essentially the same language that was in the balanced budget/tax limitation amendment passed by the Senate in 1982.

In summary, my joint resolution is designed to cut deficit spending, keep taxes low, and keep the economy moving. I call upon my colleagues to once again support this amendment.

I ask unanimous consent that the text of the joint resolution be printed in the RECORD.

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

S.J. RES. 182

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,* 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 —

"SEC. 1. Prior to each fiscal year, Congress shall adopt a statement of receipts and outlays for such fiscal year in which total outlays are not greater than total receipts. Congress may amend such statement provided revised outlays are not greater than revised receipts. Congress may provide in such statement for a specific excess of outlays over receipts by a vote directed solely to that subject in which three-fifths of the whole number of each House agree to such excess. Congress and the President shall ensure that actual outlays do not exceed the outlays set forth in such statement.

"SEC. 2. Total receipts for any fiscal year set forth in the statement adopted pursuant to the first section of this Article shall not increase by a rate greater than the rate of increase in national income in the second prior fiscal year, unless a three-fifths majority of the whole number of each House of Congress shall have passed a bill directed solely to approving specific additional receipts and such bill has become law.

"SEC. 3. Prior to each fiscal year the President shall transmit to Congress a proposed statement of receipts and outlays for such fiscal year consistent with the provisions of this Article.

"SEC. 4. Congress may waive the provisions of this Article for any fiscal year in which a declaration of war is in effect.

"SEC. 5. Total receipts shall include all receipts of the United States except those derived from borrowing and total outlays shall include all outlays of the United States except those for the repayment of debt principal.

"SEC. 6. The amount of Federal public debt as of the first day of the second fiscal year beginning after the ratification of this Article shall become a permanent limit on such debt and there shall be no increase in such amount unless three-fifths of the whole number of each House of Congress shall have passed a bill approving such increase and such bill has become law.

"SEC. 7. Congress shall enforce and implement this Article by appropriate legislation.

"SEC. 8. This Article shall take effect for the fiscal year 1997 or for the second fiscal year beginning after its ratification, whichever is later.".

Mr. BROWN. Mr. President, I am pleased to join Senators KASTEN, LOTT, COATS, SYMMS, BURNS, SMITH, and HELMS as an original cosponsor of the balanced budget/tax limitation amendment to the Constitution of the United States. The focus of this amendment is right where it should be, on restraining Federal spending in order to balance the budget. This amendment imposes the discipline Congress cannot seem to impose on itself.

The track record proves Congress needs the discipline. Last fall's budget agreement resulted in the biggest deficit in history. To help finance this new spending binge, taxpayers are being hit with the equivalent of a $2,300 tax increase per taxpayer from 1992–96. The new 1991 deficit, as reported by the Office of Management and Budget [OMB] in its recently released Mid-Session Review of the Budget, of $282 billion is over four times the $64 billion goal Congress originally set for 1991. The deficit for 1992 is now estimated to be $348 billion, a $67 billion increase over February estimates. Federal spending consumes 25 percent of our Nation's annual wealth, the highest level since the end of World War II.

Most individuals and families live within a budget, 49 States are bound by their constitutions to deliver a balanced budget, but not the Federal Government. The balanced budget tax limitation amendment would change this by holding the growth in receipts to the rate of economic growth by putting it to a vote in both Houses of Congress.

We simply must bring Federal spending in line with Federal receipts. American taxpayers pay 111 percent more in taxes to the Government than they did a decade ago, but Federal spending has outpaced it at 137 percent. We need this amendment to the Constitution to require Congress to balance the Federal budget.

## ADDITIONAL COSPONSORS

S. 284

At the request of Mr. BRADLEY, the name of the Senator from Colorado [Mr. BROWN] was added as a cosponsor of S. 284, a bill to amend the Internal Revenue Code of 1986 with respect to the tax treatment of payments under life insurance contracts for terminally ill individuals.

S. 401

At the request of Mr. DOMENICI, the names of the Senator from Maryland [Ms. MIKULSKI], the Senator from Tennessee [Mr. GORE], the Senator from Wisconsin [Mr. KOHL], and the Senator from Vermont [Mr. LEAHY] were added as cosponsors of S. 401, a bill to amend the Internal Revenue Code of 1986 to exempt from the luxury excise tax parts or accessories installed for the use of passenger vehicles by disabled individuals.

S. 474

At the request of Mr. DECONCINI, the names of the Senator from Iowa [Mr. HARKIN] and the Senator from Idaho [Mr. CRAIG] were added as cosponsors of S. 474, a bill to prohibit sports gambling under State law.

S. 493

At the request of Mr. KENNEDY, the name of the Senator from Utah [Mr. HATCH] was added as a cosponsor of S. 493, a bill to amend the Public Health Service Act to improve the health of pregnant women, infants, and children through the provision of comprehensive primary and preventive care, and for other purposes.

S. 544

At the request of Mr. HEFLIN, the name of the Senator from Utah [Mr. HATCH] was added as a cosponsor of S. 544, a bill to amend the Food, Agriculture, Conservation and Trade Act of 1990 to provide protection to animal research facilities from illegal acts, and for other purposes.

S. 651

At the request of Mr. GARN, the name of the Senator from Idaho [Mr. CRAIG] was added as a cosponsor of S. 651, a bill to improve the administration of the Federal Deposit Insurance Corporation, and to make technical amendments to the Federal Deposit Insurance Act, the Federal Home Loan Bank Act, and the National Bank Act.

S. 654

At the request of Mr. DECONCINI, the name of the Senator from New Mexico [Mr. DOMENICI] was added as a cosponsor of S. 654, a bill to amend title 35, United States Code, with respect to patents on certain processes.

S. 701

At the request of Mr. COATS, the name of the Senator from New Hampshire [Mr. SMITH] was added as a cosponsor of S. 701, a bill to amend the Internal Revenue Code of 1986 to increase the amount of the exemption for dependent children under age 18 to $3,500, and for other purposes.

S. 913

At the request of Mr. BAUCUS, the names of the Senator from Minnesota [Mr. DURENBERGER], and the Senator from Missouri [Mr. BOND] were added as cosponsors of S. 913, a bill to amend the Internal Revenue Code of 1986 to increase the amount of bonds eligible for certain small issuer exceptions, and for other purposes.

S. 1179

At the request of Mr. JOHNSTON, the name of the Senator from Alaska [Mr. MURKOWSKI] was added as a cosponsor of S. 1179, a bill to stimulate the production of geologic-map information in the United States through the cooperation of Federal, State, and academic participants.

S. 1243

At the request of Mr. HARKIN, the name of the Senator from Massachusetts [Mr. KENNEDY] was added as a cosponsor of S. 1243, a bill to restrict assistance for Guatemala, and for other purposes.

S. 1245

At the request of Mr. DASCHLE, the names of the Senator from South Dakota [Mr. PRESSLER], and the Senator from Mississippi [Mr. COCHRAN] were added as cosponsors of S. 1245, a bill to amend the Internal Revenue Code of 1986 to clarify that customer base, market share, and other similar intangible items are amortizable.

S. 1351

At the request of Mr. DOMENICI, the name of the Senator from Alabama [Mr. SHELBY] was added as a cosponsor of S. 1351, a bill to encourage partnerships between Department of Energy laboratories and educational institutions, industry, and other Federal laboratories in support of critical national objectives in energy, national security, the environment, and scientific and technological competitiveness.

S. 1372

At the request of Mr. GORE, the name of the Senator from Kentucky [Mr. FORD] was added as a cosponsor of S. 1372, a bill to amend the Federal Communications Act of 1934 to prevent the loss of existing spectrum to Amateur Radio Service.

S. 1466

At the request of Mr. ROTH, the name of the Senator from Oklahoma [Mr. NICKLES] was added as a cosponsor of S. 1466, a bill to amend the Congressional Budget Act of 1974 to ensure the neutrality of the Congressional Budget Office.

S. 1495

At the request of Mr. GRAHAM, the names of the Senator from Michigan [Mr. RIEGLE], the Senator from Connecticut [Mr. DODD], and the Senator from Georgia [Mr. FOWLER] were added as cosponsors of S. 1495, a bill to provide for the establishment of the St. Croix, Virgin Islands Historical Park and Ecological Preserve, and for other purposes.

S. 1498

At the request of Mr. BREAUX, the names of the Senator from Maine [Mr. MITCHELL], and the Senator from Colorado [Mr. WIRTH] were added as cosponsors of S. 1498, a bill to amend the Internal Revenue Code of 1986 to provide tax incentives for the establishment of businesses within Federal military installations which are closed or realigned for the hiring of individuals laid off by reason of such closings or realignments, and for other purposes.

S. 1503

At the request of Mr. NUNN, the name of the Senator from Maryland [Ms. MIKULSKI] was added as a cosponsor of S. 1503, a bill to amend the Higher Education Act of 1965 to provide more stringent requirements for the Robert T. Stafford Student Loan Program, and for other purposes.

S. 1505

At the request of Mr. DECONCINI, the name of the Senator from Iowa [Mr. HARKIN] was added as a cosponsor of S. 1505, a bill to amend the law relating to the Martin Luther King, Jr. Federal Holiday Commission.

SENATE JOINT RESOLUTION 8

At the request of Mr. BURDICK, the name of the Senator from Florida [Mr. MACK] was added as a cosponsor of Senate Joint Resolution 8, a joint resolution to authorize the President to issue a proclamation designating each of the weeks beginning on November 24, 1991, and November 22, 1992, as "National Family Week."

SENATE JOINT RESOLUTION 140

At the request of Mr. BREAUX, his name was added as a cosponsor of Senate Joint Resolution 140, a joint resolution to designate the week of July 27 through August 2, 1991, as "National Invent America! Week."

SENATE JOINT RESOLUTION 160

At the request of Mr. KERRY, the names of the Senator from New Jersey [Mr. LAUTENBERG], and the Senator from Vermont [Mr. LEAHY] were added as cosponsors of Senate Joint Resolution 160, a joint resolution designating the week beginning October 20, 1991, as "World Population Awareness Week."

SENATE JOINT RESOLUTION 163

At the request of Mr. COATS, the names of the Senator from Georgia [Mr. NUNN], the Senator from Rhode Island [Mr. CHAFEE], the Senator from Alabama [Mr. SHELBY], the Senator from Arkansas [Mr. PRYOR], the Senator from Delaware [Mr. ROTH], the Senator from Connecticut [Mr. DODD], the Senator from Illinois [Mr. SIMON], and the Senator from Mississippi [Mr. COCHRAN], were added as cosponsors of Senate Joint Resolution 163, a joint resolution designating the month of September 1991, as "National Gymnastics Month."

SENATE JOINT RESOLUTION 164

At the request of Mr. GORE, the names of the Senator from Massachusetts [Mr. KENNEDY], and the Senator from Illinois [Mr. SIMON] were added as cosponsors of Senate Joint Resolution 164, a joint resolution designating the weeks of October 27, 1991, through November 2, 1991, and October 11, 1992, through October 17, 1992, each separately as "National Job Skills Week."

SENATE JOINT RESOLUTION 166

At the request of Mr. DOLE, the names of the Senator from Wisconsin [Mr. KASTEN], and the Senator from Delaware [Mr. ROTH] were added as cosponsors of Senate Joint Resolution 166, a joint resolution designating the week of October 6 through 12, 1991, as "National Customer Service Week."

SENATE JOINT RESOLUTION 176

At the request of Mr. DIXON, the names of the Senator from Alaska [Mr. MURKOWSKI], and the Senator from California [Mr. SEYMOUR] were added as cosponsors of Senate Joint Resolution 176, a joint resolution to designate March 19, 1992, as "National Women in Agriculture Day."

SENATE RESOLUTION 82

At the request of Mr. SMITH, the names of the Senator from Nebraska [Mr. EXON], and the Senator from Missouri [Mr. BOND] were added as cosponsors of Senate Resolution 82, a resolution to establish a Select Committee on POW/MIA Affairs.

## SENATE RESOLUTION 157—RELATING TO REPRESENTATION OF EMPLOYEES OF THE SENATE

Mr. MITCHELL (for himself and Mr. DOLE) submitted the following resolution; which was considered and agreed to.

S. RES. 157

Whereas, the Department of Justice is seeking information from present and former employees of the Senate of the United States in connection with its inquiry relating to the conduct of Senator Dave Durenberger;

Whereas, by Senate Resolution 60 of the 102d Congress, the Senate previously authorized present and former employees of the Senate to testify and to produce records of the Senate, except concerning matters for which a privilege should be asserted, in connection with this inquiry;

Whereas, pursuant to sections 703(a) and 704(a)(2) of the Ethics in Government Act of 1978, 2 U.S.C. §§288b(a) and 288c(a)(2), the Senate may direct its counsel to represent employees of the Senate with respect to any subpoena, order, or request for information relating to their official responsibilities: Now, therefore, be it

*Resolved*, That the Senate Legal Counsel is authorized to represent present and former employees of the Senate regarding the provision of information in connection with the inquiry of the Department of Justice relating to the conduct of Senator Dave Durenberger.

## SENATE RESOLUTION 158—RELATING TO REPRESENTATION OF SENATE EMPLOYEES INVOLVED WITH THE AMERICAN CONTINENTAL CORP./LINCOLN SAVINGS & LOAN SECURITIES LITIGATION

Mr. MITCHELL submitted the following resolution; which was considered and agreed to.

S. RES. 158

Whereas, in In re American Continental Corporation/Lincoln Savings & Loan Securities Litigation, MDL Docket No. 834, pending in the United States District Court for the District of Arizona, defendants have requested the testimony of Kenneth A. McLean, a former employee of the Senate on the staff of the Committee on Banking, Housing, and Urban Affairs;

Whereas, pursuant to sections 703(a) and 704(a)(2) of the Ethics in Government Act of 1978, 2 U.S.C. §§288b(a) and 288c(a)(2), the Senate may direct its counsel to represent employees of the Senate with respect to any subpoena, order, or request for testimony relating to their official responsibilities;

Whereas, by the privileges of the Senate of the United States and Rule XI of the Standing Rules of the Senate, no evidence under the control or in the possession of the Senate can, by administrative or judicial process, be taken from such control or possession but by permission of the Senate;

Whereas, when it appears that evidence under the control or in the possession of the Senate is needed for the promotion of justice, the Senate will take such action as will promote the ends of justice consistent with the privileges of the Senate: Now, therefore, be it

*Resolved*, That Kenneth A. McLean is authorized to testify in In re American Continental Corporation/Lincoln Savings & Loan Securities Litigation, except concerning matters for which a privilege should be asserted.

SEC. 2. That the Senate Legal Counsel is authorized to represent Kenneth A. McLean in connection with his testimony in In re American Continental Corporation/Lincoln Savings & Loan Securities Litigation.

## AMENDMENTS SUBMITTED

## INTERNATIONAL SECURITY AND ECONOMIC COOPERATION ACT

### HELMS AMENDMENT NO. 808

Mr. HELMS proposed an amendment to the bill (S. 1435) to amend the Foreign Assistance Act of 1961 and the Arms Export Control Act, and related statutory provisions, to authorize economic and security assistance programs for fiscal years 1992 and 1993, and for other purposes, as follows:

On page 98, after line 19, add the following new section:

**"SEC. 514. REDUCTION IN THE AMOUNTS AUTHORIZED TO BE APPROPRIATED.**

(a) REDUCTION.—Notwithstanding any other provision of this Act, whenever a provision of this Act, or an amendment made by this Act, authorizes to be appropriated for certain purposes a specific dollar amount, such provision shall be deemed to authorize to be appropriated for those same purposes, in lieu of such specified amount, an amount equal to the specified amount minus 10 percent of such amount.

(b) TRANSFER.—

(1) EDUCATION SERVICES.—Notwithstanding any other provision of law, the authorization of appropriations to carry out the elementary and secondary education block grant is increased in each fiscal year by an amount equal to 50 percent of the amount determined under subsection (a) for such fiscal year.

(2) LAW ENFORCEMENT SERVICES.—Notwithstanding any other provision of law, the authorization of appropriation to carry out the programs under parts D and E of title I of the Omnibus Crime Control and Safe Streets Act of 1968 is increased in each fiscal year by an amount equal to 50 percent of the amount determined under subsection (a) for such fiscal year.".

### PELL (AND MCCONNELL) AMENDMENT NO. 809

Mr. PELL (for himself and Mr. MCCONNELL) proposed an amendment to the bill (S. 1435), supra, as follows:

On page 14, line 11, strike "The" and insert "(a) The";

On page 14, after line 16, insert the following:

(b) Section 103 of the Foreign Assistance Act of 1961 is further amended by adding the following new subsection:

"(g) The Congress finds that marine fisheries, aquaculture production and living aquatic resources are of significant importance to economic development and to the diets of people around the world. The Congress further finds that the world's fish catch is at, or near, its sustainable maximum, thereby requiring immediate attention to improve the management of these essential fishery resources. In the allocation of funds under this section, special attention shall be given to strengthening and expanding marine fisheries and aquaculture programs and projects.".

On page 15, line 7, strike "Section" and insert "(1) Section";

On page 15, line 9, strike "(A)";

On page 16, line 2, strike "organizations." and insert "organizations.".".

On page 16, strike lines 3 through 5 and insert in lieu thereof the following:

"(2) In each of fiscal years 1992 and 1993, forty-five percent of the amount provided in each such fiscal year for the purposes of section 104(c)(4) of the Foreign Assistance Act of 1961 should be provided directly to the World";

On page 16, line 8, strike "Organization.".'' and insert "Organization.".

On page 17, line 4, strike "$257,688,000" and insert in lieu thereof "$300,000,000".

On page 17, line 7, strike "$301,291,000" and insert in lieu thereof "$345,000,000".

On page 23, strike line 20 and all that follows through line 2 on page 24, and insert in lieu thereof the following:

"(d) Notwithstanding any other provision of law, none of the funds appropriated by this Act for programs administered by the agency primarily responsible for administering part I of this Act, may be made available for any project or activity except in accordance with the requirements of section 117(c) of this Act and the regulations issued pursuant thereto (22 CFR 2/6).".

On page 27, line 12, strike "appropriated" and all that follows through "Act" on line 15, and insert in lieu thereof "made available under chapters 1 and 10 of part I and chapter 4 of part II of this Act for use for activities described in sections 104(c)(2), 104(c)(3), 104(c)(4), or for environmental and energy activities".

On page 31, strike line 23 and all that follows through the end of line 5 on page 32, and insert in lieu thereof the following:

"SEC. 130. ECONOMIC REFORM AND ENVIRONMENTAL PROTECTION.—Economic policy reforms assisted with funds authorized to be appropriated by this Act shall also include appropriate provision to protect long-term environmental interests from possible negative consequences of the reforms.".

On page 34, after line 8, insert the following new paragraphs:

"(5) in subsection (b)(2), by amending subparagraph (G) to read as follows:

"(G) are directed to making available to business enterprises, especially to small business enterprises and cooperatives, necessary support and services not otherwise generally available.";

"(6) in subsection (b)(3)—

(A) by amending subparagraph (A) by striking out "$3,000,000" and inserting in lieu thereof "$6,000,000"; and

(B) by amending subparagraph (B)—

(i) by inserting "in loans" after "provided", and

(ii) by inserting "with loans" after "assisted";".

On page 34, by redesignating paragraphs (5), (6), (7), and (8), as paragraphs (7), (8), (9), and (10), respectively.

On page 34, strike lines 18 through 20, and insert in lieu thereof the following:

"(9) in subsection (e) (as redesignated by this section)—

(A) in paragraph (1), by striking "loans made to projects" and inserting in lieu thereof "loans, investments, and guarantees";

(B) in paragraph (2), strike "Loans guaranteed" and insert in lieu thereof "Guarantees";

through "amortizations within" and inserting in lieu thereof "Guarantees shall be issued for"; and

(ii) by striking out "guaranteed loan" and inserting in lieu thereof "guarantee";

(D) in paragraph (2)(C)—

(i) by striking out "loan guaranteed" to "guarantee"; and

(ii) by striking out "$3,000,000" and inserting in lieu thereof "$6,000,000";

(E) by striking out subparagraphs (E) and (H) and redesignating accordingly;

(F) in paragraph (4), by striking out "In the case of loans" and inserting in lieu thereof "In all cases hereunder"; and

(G) by striking out paragraphs (3) and (5) and redesignating accordingly; and".

On page 40, line 22, strike "and";

On page 40, after line 22 insert the following new subparagraph:

"(F) $12,000,000 for each of fiscal years 1992 and 1993 for the Organization of American States Development Assistance Programs; and;

On page 40, line 23, strike "(F)" and insert "(G)";

On page 41, line 2, strike "(E)" and insert "(F)".

On page 57, line 3, strike "the Agricultural" and all that follows through "1985," on line 6.

On page 113, line 8, insert ", including killings and kidnappings of civilians," after "acts of terror".

On page 119, line 13, strike "Secretary" and insert "President";

On page 120, lines 1 and 2, strike "Secretary" and insert "President".

On page 169, line 7, strike "or" and all that follows through "1954" on line 8;

On page 170, line 7, strike "and" and all that follows through "1954" on line 8.

On page 162, line 8, strike the comma and all that follows through "1954" on line 10.

On page 170, strike line 20 and all that follows through "Act." on line 25, and insert in lieu thereof:

"(a) Of the amounts authorized to be appropriated under chapter 1 of part I of chapter 4 of part II of the Foreign Assistance Act, $300,000,000 for each of fiscal year 1992 and 1993 may be made available for Andean countries.".

On page 172, strike lines 11 through 16 and insert in lieu thereof the following:

"(a) AUTHORIZATION OF APPROPRIATIONS.—Of the amounts authorized to be appropriated under chapter 2 of part II of the Foreign Assistance Act, $118,000,000 may be made available for each fiscal years 1992 and 1993 for Andean countries.".

On page 182, line 7, strike "by" and insert in lieu thereof "under the auspices of".

On page 187, line 20, strike "Coordinating" and insert in lieu thereof "Development Coordination".

On page 191, line 1, strike "assistance may be provided" and insert "assistance (including assistance from the Development Fund for Africa) may be transferred".

On page 214, insert "and" at the end of line 24;

On page 214, strike line 25 and all that follows through line 8 on page 215;

On page 215, line 9, strike "(3)" and insert "(2)";

On page 215, line 10, strike "or the" and all that follows through "asset" on line 11;

On page 215, line 11, strike "para-" and all that follows through "(2)" on line 12 and insert "paragraph (1)";

On page 215, line 13, strike "or asset";

On page 215, line 17, strike "or" and "asset" on line 18;

On page 215, line 24, strike "or" and all that follows through "Corporation" on line 25;

On page 215, line 25, strike "or asset";

On page 216, line 4, strike "neither";

On page 216, line 5, strike "nor" and all that follows through "shall" on line 6, and insert "shall not";

On page 216, line 8, strike "or asset";

On page 216, line 16, strike "or the Commodity Credit Corporation";

On page 216, line 21, strike "or the Commodity Credit Corporation";

On page 216, line 22, strike "or asset";

On page 217, lines 7, 10, 12, 15, and 18, strike "or asset";

On page 217, line 24, strike "or" and all that follows through "country," on line 1 of page 218;

On page 218, line 4, strike "or assets".

On page 222, line 5, strike "and" and insert after "714", "section 735, section 737, and title VI".

On page 223, strike lines 11 and 12.

On page 223, line 15, after "1971" insert "except for section 7".

On page 234, line 10, after "enable" insert "the volunteer experiences of";

On page 234, line 11, strike "share" and insert "be shared".

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## PELL (AND OTHERS) AMENDMENT NO. 810

Mr. PELL (for himself, Mr. HELMS, and Mr. MURKOWSKI) proposed an amendment to the bill S. 1435, supra, as follows:

On page 109, after line 25, add the following new section:

**SEC. 611. POLICY TOWARD THE FUTURE OF TAIWAN.**

(a) FINDINGS.—The Congress finds that—

(1) although peace has prevailed in the Taiwan Strait for the past decade, on June 4, 1989, the Government of the People's Republic of China showed its willingness to use force against the Chinese people who were demonstrating peacefully for democracy; and

(2) in the Taiwan Relations Act, the United States made clear that its decision to enter into diplomatic relations with the People's Republic of China rested upon the expectation that the future of Taiwan would be determined by peaceful means.

(b) SENSE OF CONGRESS.—It is the sense of the Congress that—

(1) the future of Taiwan should be settled peacefully, free from coercion, and in a manner acceptable to the people of Taiwan; and

(2) good relations between the United States and the People's Republic of China depend upon the willingness of the Chinese authorities to refrain from the use or the threat of force in resolving Taiwan's future.

On page 4, after the item relating to section 610, add the following new item:

Sec. 611. Policy toward the future of Taiwan.

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## ROTH (AND PELL) AMENDMENT NO. 811

Mr. ROTH (for himself and Mr. PELL) proposed an amendment to the bill S. 1435, supra, as follows:

At the appropriate place, insert the following new section:

**SEC. —. SUPPORT OF TAIWAN'S MEMBERSHIP IN GATT.**

(a) FINDINGS.—The Senate find that—

(1) on January 1, 1990, the Government of Taiwan formally requested the Secretariat of the General Agreement on Tariffs and Trade (GATT) to initiate the procedure necessary for its accession to the GATT;

(2) the Government of Taiwan has applied for membership in the GATT as a separate customs territory under GATT Article XXXIII under the name "The Customs Territory of Taiwan, Penghu, Kinmen and Matsu", to ensure that its application includes only those areas where the Government of Taiwan currently possesses full autonomy in the conduct of its external commercial relations;

(3) Taiwan is a significant participant in the global economy, being the thirteenth largest trading entity and maintaining the second largest foreign exchange reserves in the world, and is one of the last major market-based economies that is noticeably absent from the GATT;

(4) the United States and Taiwan maintain an important bilateral trading relationship, with Taiwan being the sixth largest trading partner of the United States and the United States being the second largest exporter to Taiwan;

(5) Taiwan has made substantial progress in its economic development, and has taken steps to open up its economy, including lowering its average tariff rates, reducing its barriers to foreign investment, and increasing its protection of intellectual property rights;

(6) the United States supports additional action by Taiwan to provide full open market access to United States goods and services and to ensure that United States intellectual property rights are fully enforced, and Taiwan's continued progress in these and other areas is mutually beneficial to the United States and Taiwan;

(7) the GATT is the premier multilateral body for regulating trade worldwide, and the United States and 100 other contracting parties of the GATT are in the final stages of the Uruguay Round of multilateral trade negotiations, which is the most ambitious effort ever undertaken by the GATT to expand, strengthen, and revitalize multilateral trade rules and principles;

(8) the successful conclusion of the Uruguay Round will establish multilateral and enforceable disciplines in key areas affecting bilateral trade between the United States and Taiwan, including the areas of services, intellectual property rights, and agriculture;

(9) Taiwan currently adheres to the guiding principles of the GATT on a de facto basis, is expressly committed to assuming greater international economic responsibility by its willingness to accede to the GATT as a developed economy, and has indicated its desire to join formally with other GATT contracting parties in implementing the final results of the Uruguay Round; and

(10) Taiwan's membership in the GATT will foster the further liberalization of Taiwan's economy along GATT lines, will serve as an exemplary model for other developing countries, will allow key United States-Taiwan trade issues to be addressed in the multilateral context, and will contribute to the overall strengthening of GATT rules of trade and of the GATT as an institution:

(b) POLICY.—It is the policy of the Senate that—

(1) the accession of Taiwan to the GATT is in the best economic interest of the United States and of the world trading system as a whole and should be achieved in an expeditious manner; and

(2) the Government of the United States should fully support Taiwan's accession to the GATT by requesting that the GATT Sec-

the GATT by requesting that the GATT Secretariat place Taiwan's accession request on the agenda of the next GATT Council meeting, by seeking the formation of a GATT Working Party, and by taking any additional steps deemed necessary to assure Taiwan's prompt membership in the GATT.

## ROTH (AND BRADLEY) AMENDMENT NO. 812

Mr. ROTH (for himself and Mr. BRADLEY) proposed an amendment to the bill S. 1435, supra, as follows:

At an appropriate place in the bill add the following new section.

**SEC. . TO EXPRESS THE SENSE OF THE SENATE REGARDING THE TREATMENT OF UNITED STATES COMPANIES OPERATING IN ANGOLA IN THE UNITED STATES INTERNAL REVENUE CODE.**

(a) FINDINGS.—The Senate finds that—

(1) section 901(j) of the United States Internal Revenue Code effectively subsects United States companies operating in Angola to double taxation;

(2) on May 31, 1991, the Government of Angola and the National Union for the Total Independence of Angola signed the Peace Accord for Angola in Lisbon, Portugal;

(3) the Peace Accords for Angola provide for: an internationally supervised cease-fire in Angola's civil war, the opening up of Angolan political life, and internationally supervised national elections;

(4) the Angolan economy offers a broad range of opportunities for United States companies.

(b) POLICY.—It is the policy of the Senate that—section 901(j) of the United States Internal Revenue Code should be amended to provide for a special rule for Angola so that United States companies operating in that nation shall be allowed a foreign tax credit for taxes paid to the Government of Angola.

## ROTH AMENDMENT NO. 813

Mr. ROTH proposed an amendment to the bill S. 1435, supra, as follows:

At the appropriate place insert:

That chapter 2 of part I of the Foreign Assistance Act of 1961 is amended by inserting after section 240A the following new section:

**"SEC. 240B. PROHIBITION OF NONCOMPETITIVE AWARDING OF INSURANCE CONTRACTS ON CERTAIN GOVERNMENT-SUPPORTED EXPORTS.**

"(a) PROHIBITION.—No insurance, reinsurance, guarantee, or other financing may be issued by the Corporation with respect to any investment in a project unless the appropriate investor, in every practicable case, first certifies to the Corporation that any contract for the export of goods as part of such investment shall include a clause requiring that United States insurance companies have a fair and open competitive opportunity to provide insurance against risk of loss of such export.

"(b) FAILURE TO PROVIDE CERTIFICATION.—In any case in which such certification is not made in a timely fashion, the investor shall include in the certification when made the reasons for the failure to make timely certification."

"(c) REPORTS BY UNITED STATES TRADE REPRESENTATIVE.—The United States Trade Representative shall review the actions of the Corporation under this section and, after consultation with representatives of United States insurance companies, shall report to the Congress in the report required by section 181(b) of the Trade Act of 1974 with respect to such actions.

"(d) DEFINITIONS.—For purposes of this section—

"(1) the term 'United States insurance company'—

"(A) includes an individual, partnership, corporation, holding company, or other legal entity which is authorized, or in the case of a holding company, subsidiaries of which are authorized, by a State to engage in the business os issuing insurance contracts or reinsuring the risk underwritten by insurance companies; and

"(B) includes foreign operations, branches, agencies, subsidiaries, affiliates, or joint ventures of any entity described in subparagraph (A);

"(2) United States insurance companies shall have had a 'fair and open competitive opportunity to provide insurance' if they—

"(A) have received notice of the opportunity to provide insurance; and

"(B) have been evaluated on a nondiscriminatory basis.".

**SEC. 2. EXPORT-IMPORT BANK OF THE UNITED STATES.**

The Export-Import Bank Act of 1945 (12 U.S.C. 635 et seq.) is amended by adding at the end the following:

**"SEC. 17. PROHIBITION ON NONCOMPETITIVE AWARDING OF INSURANCE CONTRACTS ON CERTAIN GOVERNMENT-SUPPORTED EXPORTS.**

"(a) PROHIBITION.—The Bank may not guarantee, insure, extend credit or participate in the extension of credit with respect to any export unless the Bank receives a certification that any contract relating to the export of goods shall include a clause requiring that United States insurance companies have a fair and open competitive opportunity to provide insurance against risk of loss of such export.

"(b) REPORTS BY UNITED STATES TRADE REPRESENTATIVE.—The United States Trade Representative shall review the actions of the Bank under this section and, after consultation with representatives of United States insurance companies, shall report to the Congress in the report required by section 181(b) of the Trade Act of 1974 with respect to such actions.

"(c) DEFINITIONS.—For purposes of this section—

"(1) the term 'United States insurance company'—

"(A) includes an individual, partnership, corporation, holding company, or other legal entity which is authorized, or in the case of a holding company, subsidiaries of which are authorized, by a State to engage in the business of issuing insurance contracts or reinsuring the risk underwritten by insurance companies; and

"(B) includes foreign operations, branches, agencies, subsidiaries, affiliates, or joint ventures of any entity described in subparagraph (A);

"(2) FAIR AND OPEN COMPETITIVE OPPORTUNITY TO PROVIDE INSURANCE.—The term 'fair and open competitive opportunity to provide insurance' means, with respect to a United States insurance company, that the company—

"(A) has received notice of the opportunity to provide insurance; and

"(B) has been evaluated on a nondiscriminatory basis.".

**SEC. 4. DETERMINATIONS OF DISCRIMINATION.**

(a) DETERMINATION BY THE UNITED STATES TRADE REPRESENTATIVE.—Whenever the United States Trade Representative determines that United States insurance companies have been denied a fair and open competitive opportunity to provide insurance against risk of loss in violation of section 240B of the Foreign Assistance Act of 1961, section 17 of the Export-Import Bank Act of 1945, or section 20 of the Commodity Credit Corporation Charter Act as added by this Act, then—

(1) the Overseas Private Investment Corporation may not insure, reinsure, finance, or otherwise assist in the investment in question,

(2) The Export-Import Bank may not guarantee, insure, extend, credit, or participate in the extension of credit with respect to the export in question, and

(3) the Commodity Credit Corporation, may not guarantee, insure, extend credit, or participate in the extension of credit with respect to the export in question of agricultural commodities,

unless the transaction involves a United States firm, subsidiary, or affiliate doing business in a foreign country with which the United States has an agreement regarding the insurance of international transactions.

(b) REGULATIONS REQUIRED.—The United States Trade Representative shall prescribe such regulations as may be necessary to carry out this section.

## ROTH (AND BRADLEY) AMENDMENT NO. 814

Mr. ROTH (for himself and Mr. BRADLEY) proposed an amendment to the bill S. 1435, supra, as follows:

In lieu of language, insert:

**SEC. . TO EXPRESS THE SENSE OF THE SENATE REGARDING THE TREATMENT OF UNITED STATES COMPANIES OPERATING IN ANGOLA IN THE UNITED STATES REVENUE CODE.**

(a) FINDINGS.—The Senate finds that—

(1) section 901(j) of the United States Internal Revenue Code effectively subjects United States companies operating in Angola to double taxation;

(2) on May 31, 1991, the Government of Angola and the National Union for the Total Independence of Angola signed the Peace Accord for Angola in Lisbon, Portugal;

(3) the Peace Accords for Angola provide for: an international supervised cease fire in Angola's civil war, the opening up of Angolan political life, and internationally supervised national elections;

(4) the Angolan economy offers a broad range of opportunities for United States companies.

(b) POLICY—It is the policy of the Senate that section 901(j) of the United States Internal Revenue Code should be amended to provide for a special rule for Angola so that United States tax credit for taxes paid to the Government of Angola.

The aforesaid tax benefits should not come into effect until national elections in Angola have been held. Those benefits will then be granted for the taxable year beginning in the calendar year of those elections.

## SIMON (AND OTHERS) AMENDMENT NO. 815

Mr. SIMON (for himself, Mr. HARKIN, and Mr. DOLE) proposed an amendment to the bill S. 1435, supra, as follows:

On page 11, line 8, insert "disability," after "poverty,".

On page 13, line 2, insert "and persons with disabilities" after "women".

On page 17, between lines 11 and 12, insert the following:

(a) Section 105 of the Foreign Assistance Act is amended by adding a new subsection (c) as follows:

"(c) Assistance provided under this section shall also be used to establish and expand programs to assist persons with disabilities, including persons with visual and hearing impairments, physical disabilities, mental retardation and mental illness, to achieve independence.".

On page 17, line 12, insert "(b)" before "The".

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## HELMS (AND OTHERS) AMENDMENT NO. 816

Mr. HELMS (for himself, Mr. MACK, and Mr. GRAHAM) proposed an amendment to the bill S. 1435, supra as follows:

On page 98, after line 19, add the following new section:

**SEC. 514 CONDITIONS ON ASSISTANCE TO THE SOVIET UNION.**

None of the funds made available under this Act, or under any amendment made by this Act, shall be available for disbursement to the Government of the Union of Soviet Socialist Republics unless the President has certified to the Speaker of the House of Representatives, the chairman, and the ranking member of the Committee of Foreign Relations of the Senate that the Soviet Union has ceased all direct or indirect military or economic assistance to Cuba.

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## KASTEN (AND OTHERS) AMENDMENT NO. 817

(Ordered to lie on the table.)

Mr. KASTEN (for himself, Mr. INOUYE, Mr. BURDICK, and Mr. LIEBERMAN) submitted an amendment intended to be proposed by them to the bill S. 1435, supra, as follows:

On page 234, line 24, add the following new title:

**TITLE XIII—MIDDLE EAST ENVIRONMENTAL COOPERATION AND RESTORATION ACT OF 1991**

**SEC. 1301. SHORT TITLE.**

This title may be cited as the "Middle East Environmental Cooperation and Restoration Act of 1991".

**SEC. 1302. FINDINGS.**

The Congress of the United States finds that—

(1) the Gulf War and the resulting damage to the environment of the Arabian Gulf graphically demonstrates the vulnerability of the natural environment of the Middle East and man's potential for inflicting untold damage on that environment;

(2) interdependence, rather than independence, characterizes the relationship of all parts of the Middle East, the natural environment, and the global community;

(3) environmental quality is an integral component of every nation's national security;

(4) through concerted, cooperative action the peoples of the Middle East can reverse the damage to their natural environment;

(5) regional cooperation is essential to the management, restoration and maintenance of the environment of the Middle East;

(6) the problems associated with environmental degradation affect all countries of the Middle East regardless of national income, religious orientation or political persuasion;

(7) environmental protection and stewardship of the earth is compatible with the major religious traditions of the peoples of the region;

(8) the President of the United States was correct in declaring before Congress on March 6, 1991 that regional cooperation will stand in the future as a central pillar of United States foreign policy in the Middle East; and

(9) there is an urgent need for the countries of the Middle East, in cooperation with the United States and other concerned parties, to address through enlightened action, the environmental problems of the region.

**SEC. 1303. ESTABLISHMENT OF THE MIDDLE EAST ENVIRONMENTAL DEFENSE NETWORK.**

(b) ESTABLISHMENT.—The President shall establish and direct, through the Agency for International Development, a program to be known as the "Middle East Environmental Defense Network" (hereafter in this title referred to as "Project EDEN").

(c) PURPOSE.—The purposes of Project EDEN are as follows:

(1) To develop a Middle East Regional Environmental Protection Plan.

(2) To assess the environmental problems affecting all Middle East states.

(3) To seek and advance ways in which all Middle East states can work cooperatively to ameliorate natural resource and environmental degradation.

(4) To promote national and, wherever appropriate, cross-boundary natural resource and environmental restoration and maintenance activities.

(5) To develop and disseminate educational programs to promote regional understanding and cooperation in all areas of environmental protection.

(6) To undertake and encourage both public and private initiatives to improve the quality, quantity, and management of natural resources and the environment through initiatives such as regional planning, joint infrastructure investment, water conservation, water quality management, air quality management, solid waste management, desalinization, reforestation, energy efficiency, and renewable energy utilization.

(7) To provide a framework for new interstate structures, institutions, and relationships which might be developed to further environmental and natural resource management in the Middle East region.

(8) To undertake and encourage the safe handling, minimization, substitution, and cleanup of hazardous substances as well as the restoration of degraded desert and marine ecosystems between regional states.

(9) To conserve, protect, manage, restore, maintain and promote the historical, cultural, social, archaeological, and geophysical resources and heritages of the peoples of the Middle East, where possible, within their natural environment.

(10) To conserve, protect, and enhance biodiversity, both in situ and ex situ, and to develop regional programs to advance these ends.

(11) To undertake and encourage the involvement of the private sector, governmental, nongovernmental, bilateral and multilateral organizations and entities in all aspects of environmental protection and rehabilitation.

(12) To promote environment-related technology transfer as well as identify new technologies which might contribute to environmental protection, management, restoration, and maintenance.

(13) To initiate and guide mutually beneficial environmental research and development projects between various Middle East countries.

(14) To research, investigate, document, and mitigate, wherever possible, the adverse effects on the public health and general welfare of environmental degradation.

(d) FUNDING.—(1) There are authorized to be appropriated to the President $10,000,000 for fiscal year 1992 and each fiscal year thereafter to carry out Project EDEN.

(2) Amounts appropriated pursuant to paragraph (1) are authorized to remain available until expended.

**SEC. 1304. ENVIRONMENTAL PLANNING COUNCIL.**

(a) ESTABLISHMENT.—There is established an interagency Environmental Planning Council (hereafter in this title referred to as the "Planning Council").

(b) COMPOSITION.—The Planning Council shall be composed of 8 members, or their designees, as follows:

(1) The Administrator of the Agency for International Development.

(2) The Secretary of State.

(3) The Administrator of the Environmental Protection Agency.

(4) The Administrator of the National Oceanographic and Atmospheric Administration (NOAA).

(5) The Secretary of Agriculture.

(6) The Secretary of the Interior.

(7) The Director of the National Academy of Sciences, Board on Science and Technology in Development (BOSTID).

(8) The Director of the United States Trade and Development Program (TDP).

(9) The Chairman of the Council on Environmental Quality.

(c) ADMINISTRATION.—(1)(A) The Administrator of the Agency for International Development, or his designee, shall serve as Chairman of the Planning Council and shall convene not less than four meetings of the full Planning Council each year.

(B) The Administrator of the Agency for International Development shall provide the Planning Council with a permanent staff, office space and any other support, as required by the Planning Council, from within the Agency for International Development.

(2) The Administrator shall—

(A) enter into contracts, grants, and other financial arrangements, as necessary on behalf of the Planning Council, in accordance with other applicable law, to carry out the work of the Planning Council and the purposes of Project EDEN;

(B) establish, coordinate, and fund a Project EDEN postgraduate fellowship program focused on issues of environmental public policy in the Middle East; and

(C) maintain and coordinate the work of the United States Environmental Center pursuant to section 1309(f) of this Act.

(d) PLANNING COUNCIL RESPONSIBILITIES.—The Planning Council, shall have the following responsibilities:

(1) To prescribe policies and procedures to establish and implement Project EDEN.

(2) To coordinate United States activities in support of Project EDEN with the Permanent Conference on Environmental Security and Cooperation and its Secretariat.

(3) To establish working groups, as necessary, to assist in the carrying out of Planning Council responsibilities and the purposes of Project EDEN.

(4) To prepare an annual 5-year strategic environmental plan for the Middle East which shall be presented to the Secretariat of the Permanent Conference on Environmental Security and Cooperation for annual review and then to the Permanent Conference on Environmental Security and Cooperation for ratification.

(5) To encourage the establishment of Environmental Planning Councils by each member state participating in Project EDEN.

(6) To recommend to the Administrator of the Agency for International Development

specific ways to enhance existing bilateral and multilateral programs of the United States established to promote the diffusion of knowledge on regional environmental issues through joint research and development, cooperative exchanges, education, and mutual assistance.

(7) To advise the Administrator on the operation of the United States Environmental Center.

(f) ANNUAL REPORTING REQUIREMENTS.—Not later than June 1 of each year, the Administrator of the Agency for International Development shall submit a report to the Committees on Appropriations of the Senate and House of Representatives and the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives, on the work and future agenda of Project EDEN, including—

(1) an evaluation of the progress Project EDEN is making to environmental management in the Middle East;

(2) a timetable, a budget, and an action plan for the execution of Project EDEN initiatives during the coming fiscal year; and

(3) a detailed accounting of the operating expenses of the Planning Council, the Permanent Conference on Environmental Security and Cooperation in the Middle East, and the Secretariat of the Conference.

**SEC. 1305. ACTIONS OF THE PRESIDENT OF THE UNITED STATES.**

The President is authorized to enter into negotiations and agreements with governments of Middle East for the purpose of concluding, by September 1, 1992, an international agreement establishing a Permanent Conference on Environmental Security and Cooperation, a Conference Secretariat, a Middle East Regional Environmental Fund, and Middle East Environmental Centers.

**SEC. 1306. THE PERMANENT CONFERENCE ON ENVIRONMENTAL SECURITY AND COOPERATION.**

(a) ESTABLISHMENT.—The President is authorized to enter into agreements with the governments of countries described in subsection (b) on the establishment of a Permanent Conference on Environmental Security and Cooperation in the Middle East (hereafter in this title referred to as the "Conference"), by September 1, 1992.

(b) COMPOSITION.—The countries referred to in subsection (a) are those countries designated in the Annual Report of the World Bank for 1991 as belonging to the Middle East or which choose to participate in Project EDEN.

(c) RESPONSIBILITIES AND OBJECTIVES.—The Conference should have the following responsibilities and objectives:

(1) To carry out the purposes of Project EDEN.

(2) To serve as the focus for substantive interaction on environmental matters among Project EDEN member states.

(3) To provide regional leadership in the advancement of new ideas for environmental management.

(4) To approve by a majority vote the annual operating budgets of the Conference and the Secretariat.

(5) To establish the Middle East Regional Environmental Fund.

(6) To approve by a majority vote of the members the projects to be funded from the income derived from the Middle East Regional Environmental Fund.

(7) To maintain a corpus within the Middle East Regional Environmental Fund of not less than the equivalent of $100,000,000 in United States dollars.

(8) To solicit from donor countries, multilateral institutions, private entities, the United Nations Iraq reparations account and other sources, initial funding and subsequent capital increases for the Middle East Regional Environmental Fund.

(9) To promote the maximum exchange of information and research data on the state of the environment in the Middle East.

(10) To involve and solicit the views of nongovernmental organizations.

(11) To coordinate the work of the national Planning Councils.

(12) To hold an annual meeting of Conference members.

(13) To approve and amend operating procedures for the Conference.

**SEC. 1307. SECRETARIAT TO THE PERMANENT CONFERENCE ON ENVIRONMENTAL SECURITY AND COOPERATION.**

(a) ESTABLISHMENT.—The President is authorized to enter into an agreement with foreign governments on the establishment of a Secretariat to the Permanent Conference on Environmental Security and Cooperation in the Middle East (hereafter in this title referred to as the "Secretariat"), by September 1, 1992. Such agreement should provide for the United States to serve as permanent head of the Conference Secretariat.

(b) RESPONSIBILITIES.—An agreement negotiated under subsection (a) should provide for the Conference Secretariat to—

(1) devise and recommend changes to the operating procedures of the Conference;

(2) manage the regular affairs of the Conference;

(3) establish the work plan for the Conference, including project solicitation, project development, project evaluation, preparation of an annual budget for the review and approval of the Conference, and the obligation and expenditure of funds;

(4) prepare an annual operating budget and a 5-year strategic plan for the Conference;

(5) exercise full oversight and accountability over Project EDEN by maintaining full financial disclosure and planning visibility through regular project audits and other mechanisms as may be necessary;

(6) prepare an annual report for the approval of the Conference;

(7) organize an annual public meeting of Conference members;

(8) establish and support scientific committees to study, evaluate, monitor and make scientifically based recommendations to the Conference on problems connected with the purposes of Project EDEN; and

(9) establish working bilateral and multilateral relationships with governmental and nongovernmental financial, development and other institutions.

(c) ROLE OF THE ADMINISTRATOR OF AID.—The Administrator of the Agency for International Development, or his designee, should serve as the permanent chair of the Conference and shall retain the right of veto over Conference decisions and appointments.

(d) COMPOSITION OF THE SECRETARIAT.—The daily operations of the Secretariat of the Conference should be managed by a Director-General with supervisory authority over a full-time professional staff appointed by the Director-General and approved by the Conference.

(e) DIRECTOR-GENERAL.—The position of Director-General should be held for a period not to exceed one 5-year term and should rotate among member states of Project EDEN.

(f) STAFF OF THE SECRETARIAT.—(1) The staff of the Secretariat shall be vested with the same responsibilities, rights and entitlements of civil servants employed by the International Bank for Reconstruction and Development.

(2) The professional staff of the Secretariat should be drawn from Project EDEN member states and should be persons of distinction in the fields of basic sciences, engineering, ocean and environmental sciences, education, research management, international affairs, health physics, health sciences, or social sciences.

(3) The number of full-time professional staff employed by the Conference Secretariat should not exceed 50. The number of clerical staff employed by the Conference Secretariat should be as required to support the work of the professional staff and the Conference.

(g) ANNUAL ENVIRONMENTAL ASSESSMENTS.—The Secretariat of the Conference should prepare and submit to the Conference, no later than May 1 of each year, a report on the state of the Middle East environment including measures indicating the progress, or lack of progress, made by each country in the Middle East in fostering environmental cooperation and in solving and managing the regional environmental issues addressed by Project EDEN.

**SEC. 1308. MIDDLE EAST REGIONAL ENVIRONMENTAL FUND.**

(a) ESTABLISHMENT.—The President is authorized to enter into agreements with foreign governments on the establishment of a Middle East Regional Environmental Fund (hereafter in this title referred to as the "Fund"), by September 1, 1992.

(b) PURPOSE.—It should be the purpose of the Fund—

(1) to finance Middle East environmental projects having a transnational dimension consistent with the purposes of Project EDEN and which are authorized by the Conference; and

(2) to finance the full operating costs of the Permanent Conference on Environmental Security and the Conference Secretariat.

(c) ORGANIZATION.—The Fund should be established and managed by the Conference Secretariat.

(d) CAPITALIZATION OF FUND.—The Fund shall be capitalized with contributions solicited by the Conference Secretariat from Project EDEN member states and pursuant to the terms of section 1308(f)(2) and section 1308(f)(3) of this Act.

(e) PURPOSES FOR DISBURSEMENT OF FUNDS.—Disbursements from the Fund should be made only for projects conforming to the purposes of Project EDEN and for the administrative costs associated with the work of the Conference and the Secretariat.

(f) AUTHORITY TO INCUR OBLIGATIONS.—Obligations against the Fund should be made by the Secretariat and should be subject to the review and approval of the Conference.

(g) USE OF IRAQI REPARATIONS.—The Secretariat, with the full cooperation and active leadership of the President of the United States, should work through the United Nations to ensure that not less than 25 percent of any future reparations paid by Iraq for war damages leading to, or resulting from, the Persian Gulf War is applied to the Middle East Regional Environmental Fund and used for environmental remediation, natural resource management, environmental research and environmental education.

(h) ANNUAL CONTRIBUTIONS.—The Secretariat, with the full cooperation and active leadership of the President of the United States should solicit annual contributions to the Middle East Regional Environmental Fund from national and multilateral entities, private donors, individuals and other sources as might be required to carry out the purposes of Project EDEN.

**SEC. 1309. MIDDLE EAST ENVIRONMENTAL CENTERS.**

(a) ESTABLISHMENT.—The President is authorized to enter into agreements with foreign governments for the establishment, by September 1, 1992, of Middle East Environmental Centers (hereafter in this title referred to as the "Environmental Centers") and an Environmental Data Network, within and between the sovereign member countries of Project EDEN.

(b) COORDINATION.—Coordination of the Environmental Centers should be carried out by and through the Conference Secretariat.

(c) PURPOSES.—The purpose of each Environmental Center would be to serve as a national focal point for regional environmental cooperation and the national support of environmental initiatives through the active fulfillment of the purposes of Project EDEN pursuant to section 1305(c) of this Act. The responsibilities of the Environmental Centers also should be, among others—

(1) to support and assist national environment ministries and regional environmental organizations and initiatives;

(2) to establish and maintain the Project EDEN Environmental Data Network through regional cooperation;

(3) to direct innovative environmental research and sustainable development initiatives;

(4) to establish and maintain a broad-based, active, and integrated early warning system for irregular or threatening interstate ecological, geophysical, biological, atmospheric, or maritime hazards;

(5) to serve as a crisis management coordination, communication, and information network between sovereign countries participating in Project EDEN, international organizations, and others;

(6) to establish and maintain a comprehensive inventory database of all significant biological, geophysical, historical and cultural resources on national lands to be freely available for public study and global dissemination; and

(7) to establish and maintain a water research authority to—

(A) monitor national water supplies;

(B) support study into more efficient means of water allocation, distribution and utilization;

(C) promote water conservation;

(D) study the environmental and social effects of water engineering projects;

(E) study the environmental and social effects of development projects on local and regional water availability;

(F) recommend new approaches toward managing or resolving local and regional water disputes; and

(G) contribute to the making of sound national water policies.

(d) ENVIRONMENTAL DATA NETWORK FOR THE MIDDLE EAST.—The Secretariat, in coordination with the permanent Conference Chair, shall establish the Project EDEN Environmental Data Network (hereafter in this title referred to as the "Data Network").

(e) RESPONSIBILITIES.—The purpose of the Data Network would be—

(1) to support the work of Project EDEN and the Middle East Environmental Centers in which it will be housed;

(2) to provide for a voice and data link between all participating Middle East, associated states, international agencies and entities, educational institutions and private organizations in Project EDEN.

(3) to serve as a means for providing real-time communications and dissemination of information on actual or potential environmental occurrences, hazards, accidents, and crises;

(4) to promote the wide distribution of technical, scientific, and information on environmental resources in the Middle East;

(5) to assist in providing and fostering environmental education and an appreciation for the importance of regional environmental awareness;

(6) to facilitate environmental research, evaluation, and testing; and

(7) to provide on-line access to the Project EDEN environmental data bank.

(f) THE UNITED STATES ENVIRONMENTAL CENTER.—It is the sense of the Congress that the President should establish within the Agency for International Development, an Environmental Center dedicated to the purposes of Project EDEN and linked fully to the Middle East Environmental Centers and the Data Network.

Mr. KASTEN, Mr. President, today I am offering an amendment with Senator INOUYE and others to create the Middle East Environmental Defense Network—Project EDEN.

Project EDEN will create an unprecedented mechanism for environmental cooperation and restoration in the Middle East.

The recent war in the Persian Gulf focused the world's attentions on the serious environmental problems of the Mideast. It also brought to our attention that the common environmental problems of the region could serve as a forum to promote cooperation. Without cooperation, these problems could likely be the subject of future conflicts.

Desert Storm also highlighted the leadership role of the United States in the region. We have a unique opportunity, to act now to promote environmental cooperation in the region.

Earlier this year I offered an amendment to the urgent supplemental to establish a Persian Gulf environmental restoration program. This amendment builds on those principles.

This amendment recognizes that there are extensive environmental problems in the region that can best be solved through cooperative efforts. It also recognizes that those are primarily Mideastern problems, that should be solved by the people of the region.

This funds authorized under this provision recognize those facts. These funds are restricted to supporting U.S. actions. We should not be paying for the restoration and management of the area—those cost should be born by the host nations—but we can serve as a catalyst for the action.

Mr. President, we are at a unique point in history. The world is focused on our leadership, we are keenly aware of the environmental problems of the Middle East, and there are more hopeful signs coming from the region than have in a long time.

This amendment is supported by the environmental community. I expect its inclusion in this legislation will be one of the hallmarks of the bill.

I ask consent that a copy of a one-page summary of this amendment be printed at this point in the RECORD.

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

PROJECT EDEN—MIDDLE EAST ENVIRONMENTAL DEFENSE NETWORK

The recent war in the Persian Gulf focused the world's attentions on the serious environmental problems of the Mid East. It also brought to our attention that the common environmental problems of the region could serve as a forum to promote cooperation. Without cooperation, these problems could likely be the subject of future conflicts.

Desert Storm also highlighted the leadership role of the United States in the region. We have a unique opportunity, to act now to promote environmental cooperation in the region.

Project EDEN (The Middle East Environmental Defense Network) provides for the following:

Establishes the Middle East Environmental Defense Network;

Establishes the Environmental Planning Council; an interagency coordinating committee to form U.S. environmental policy.

The responsibilities of the Council are to:

(1) Set policies to implement EDEN;

(2) Coordinate U.S. support for EDEN with the Permanent Conference on Environmental Security and Cooperation;

(3) Establish working groups;

(4) Prepare annual plans;

(5) Encourage establishment of Councils in each member state;

(6) Make recommendations on enhancing U.S. environmental programs in the region;

(7) File an annual report on implementation of the program; The Council is administered by AID.

Authorizes the President to negotiate the establishment of the Permanent Conference on Environmental Security and Cooperation. Responsibilities of the Conference include:

(1) Carry out purposes of Project EDEN;

(2) Host meetings between member states;

(3) Provide regional leadership on environment;

(4) Establish annual budget;

(5) Establish Middle East Regional Environmental Fund;

(6) Select projects for support;

(7) Promote maximum exchange of information between members;

(8) Involve and solicit views of NGOs;

(9) Hold annual meeting;

(10) Establish working groups on environmental problems.

The United States shall serve as the Secretariat of the Conference.

Project EDEN is to be funded through Iraqi war reparations. Other funding can come from member nation contribution or multilateral contribution. U.S. contributions to EDEN are only to support U.S. activities.

Mr. INOUYE. Mr. President, today I rise to address an issue of vital importance to our generation and generations to come. It is an issue as grave as war and equally as menacing. The issue of which I speak is the destruction of our natural environment. The region about which I am particularly concerned is the Middle East.

Mr. President, today I am offering an amendment to the fiscal year 1992 foreign aid authorization bill calling for the establishment of the Middle East

Environmental Defense Network—an initiative which I hope will be known in time by its acronym, Project EDEN. I am pleased to have my colleagues, Senator KASTEN, Senator BURDICK, and Senator LIEBERMAN join me as cosponsors of this amendment.

Project EDEN is the culmination of many months of effort to craft a new enviornmental vision for the Middle East—a vision that emphasizes international cooperation in the protection, conservation, cleanup, and restoration of the natural environment. It is an innovative and comprehensive initiative which recognizes the shared environmental destiny of the regions inhabitants and the urgent need to work together for the common good, regardless of the depth of political difference.

Mr. President, this amendment contemplates the establishment of Project EDEN as a working partnership among the countries of the Middle East and the United States. The President is authorized to negotiate such agreements as he deems necessary to bring about the creation of a Permanent Conference on Environmental Security and Cooperation. It is the purpose of this Conference to serve as the umbrella forum through which project funds are raised, regional environmental meetings are held, information is exchanged and priorities are set.

The daily work of Project EDEN will take place within the Conference Secretariat, a body made up of scientists and environmental professionals who will conduct research, plan conservation and cleanup strategies, budget project funding and maintain close cooperative ties with both government and nongovernmental organizations sharing an interest in environmental protection.

In the United States, Project EDEN is to be organized as a separate and distinct entity within the Agency for International Development. An interagency Environmental Planning Council, chaired by the USAID Administrator, will be the focal point for U.S. policy on Project EDEN and the source of recomendations on how best to fulfill its broad conservation mandate.

Tying Project EDEN together will be Middle East Environmental Centers which the President is authorized to encourage within each Middle Eastern country. The countries will be joined by a computer network intended to provide a real time data link for the research and analysis of regional environmental problems as well as to serve as an information and management tool for rapid intervention in environmental crises.

Mr. President, it is our hope that the United States can serve as a fair and impartial facilitator for Project EDEN, providing technical support and project guidance, as requested, to the Conference Secretariat and the countries of the region. However, I wish to emphasize that financial support for Project EDEN is to come principally from the countries of the region as well as from international organizations and Iraqi war reparations.

Mr. President, it has become commonplace today to say that we are living at a time of momentous change. The democratic transformation of Eastern Europe, the destruction of much of Iraq's war machine, the movement toward peace between Arabs and Israelis, all are hopeful reminders that we have the power to shape our own destinies. The creation of Project EDEN affords us just such an opportunity in the area of environmental protection.

In the Middle East, where severe water shortages, desertification, diminishing crop yields, rising population and industrialization threaten to permanently destroy the balance between man and nature, the 11th hour is upon us. I believe we must act now to save this fragile region of our plant—a region stretching from Morocco to Iran and covering approximately 17 million square miles.

Mr. President, at no time in our recent history have we been in a better position to argue for fundamental changes in the way environmental problems are addressed by nations of the developing world. Flush with victory and secure in our position as a trusted partner in the region, we can move forward with this proposal, boldly and energetically, to establish a comprehensive framework for environmental protection in the Middle East.

It is my hope and my prayer that the President will move swiftly to implement this initiative and will apply the same dedication and creativity to Project EDEN that he has so amply demonstrated in the Middle East peace process.

Mr. President, it is indeed an honor and a privilege to be able to offer for the consideration of this Congress, the President of the United States and the peoples of the Middle East, Project EDEN. Let it be our contribution to future generations, let it be our contribution to peace. I ask for your support, thank you.

Mr. LIEBERMAN. Mr. President, it gives me great pleasure today to speak on behalf of the Middle East Environmental Defense Network or Project EDEN. Project EDEN will establish, through the Agency for International Development, a Middle East regional environmental protection plan. The plan would involve a wide range of projects, including water conservation, water quality management, air pollution controls, solid waste management, desalinization, reforestation, and energy efficiency. Project EDEN would invite the participation and financial contributions of the states of the Middle East. As an original cosponsor, I believe that Project EDEN will make a significant contribution to the Middle East environment.

I have seen the need for Project EDEN through my work as chairman of the Gulf Pollution Task Force during the last 5 months. Senator BURDICK, chairman of the Environment and Public Works Committee created this task force to examine the environmental damage to the gulf region caused by Iraq's invasion and subsequent occupation of Kuwait. I am grateful that the chairman asked me to serve as chairman of this task force.

Mr. President, the task force's most recent advisory meeting was held on July 11. On that day we heard Ambassador Al-Sabah of Kuwait describe the horrific damage done to his country by Saddam Hussein. It was an incredible story. He also described the herculean effort Kuwait has begun to mitigate the environmental damage.

That evening, I turned on the television to watch the national news. The lead story that night was on the total eclipse of the Sun seen in many areas of the Western Hemisphere. But there was no mention of the total eclipse of the Sun in Kuwait that had occurred that day, or in the days before, or in the weeks before or in the months before. The Kuwait eclipse has not been caused by the Moon passing between the Earth and the Sun, but by the smoke from over 700 oil well heads systematically, methodically, and intentionally detonated by the forces of Saddam Hussein.

In my visit to Kuwait, I have seen how this black smoke turns the day to night. I have felt how it lowers day time desert temperatures by many degrees. I have experienced the burning eyes and lungs that is being caused by the smoke.

The task force has heard how fallout from the smoke is, in effect, paving the desert black. This paving is taking a great toll on the desert ecosystem as plantlife is covered and dies and the animals in the area lose food sources.

The impact of the smoke is not only poisoning the air of Kuwait, it is damaging the air of the entire region. In Bahrain, some 200 miles south, this spring has been the coldest on record. The cause of this temperature decrease has been linked to the pall of smoke from Kuwait's oil well fires. There are fears that the smoke will disrupt the region's growing seasons and that weather patterns may be interrupted.

The task force also has heard presentations from experts, both in and out of government, about the possible health effects caused by the smoke. The truly disturbing conclusion is that no one actually knows what health effects may result from long term exposure to the smoke. The U.S. interagency air assessment team sent to the gulf concluded that, "The fires may represent one of the most extraordinary manmade environmental disasters in recorded history."

The task force has also learned about huge lakes of oil in the Kuwait desert caused by the damage to oil wells. Some of these lakes of oil have grown to be over 1 mile long and up to 20 feet deep. The damage that these lakes of oil could cause to the desert are unknown. Already, birds in the area are mistaking the shining oil for water and landing in the oil lakes. Here, they are almost immediately coated in oil that results in a slow and agonizing death. Currently, there is nothing being done to prevent the birds from falling prey to Saddam Hussein's oily legacy. Further, there is a danger that these lakes of oil may either contaminate Kuwait's small underground aquifer or reach the gulf and further contaminate it.

Saddam Hussein's environmental terrorism was not confined to the oil fields and skies of Kuwait. He also deliberately dumped 6 to 8 million barrels of oil into the gulf, the largest oil spill in history. The gulf is a unique body of water that supports a wide variety of life. It is shallow, only 110 feet deep on average. This shallowness results in a unique physical and biological process that promotes vigorous growth of sea grasses and algae, the basic elements in the gulf food chain. Further, the shallowness of the gulf makes it ideal for migrating and wintering birds. All of the areas have been hit by the oil spill. The damage to the gulf has been catastrophic.

Administrator Reilly reported that the salt water marshes along the coast of Saudi Arabia may be lost forever. The damage to the sea grass and algae beds has been extensive. The body count of birds lost in the spill has climbed to over 20,000. This number is expected to increase as the summer migration of birds moves through the area.

No one was physically prepared to respond to an oil spill of this magnitude. Only favorable winds kept the oil from reaching desalination plants before oil booms could be put in place to protect them. Unfortunately, there were not enough booms and time to protect the 500 miles of shore that were reached by the spill.

Even under the best of circumstances, the gulf is vulnerable to oil spills. The gulf sees more movement of oil tankers than any other body of water in the world. Some officials estimate that a quarter of a million barrels of oil a year spill into the gulf. This figure does not take into account the amount spilled during the 8-year war between Iran and Iraq. This region should be prepared to respond to oilspills. In the August issue of the National Geographic, Tom Canby reports that two individuals in Kuwait, during the war, prevented the spill of 8.5 million barrels of oil by switching a valve indicator to open when the valve was actually closed. The Iraqis dynamited the Sea Island terminal to release the oil, but the valve held and the oil remained in their tanks.

If two individuals can prevent an 8.5 million barrel oilspill, just think what regional effort, such as Project EDEN, could do.

The war has also caused unknown damage to the desert ecology. Kuwaiti scientists and researchers were the leaders of research on the desert with vast amounts of data collected over the decades. However, Saddam Hussein's troops, overseen by Iraqi scientists who had worked side by side with the Kuwaitis before the war, stole or destroyed all of this research. Here again is a reason to support Project EDEN: to replicate and produce Kuwait's research that has been destroyed.

I have been talking about the environmental damage to the gulf for several minutes. As chairman of the task force I have heard hours of presentations on the gulf, I have seen volumes of information on the catasrophe. I invite my colleagues who have questions to talk to me about what the task force has learned. I also invite them to support Project EDEN. Project EDEN will bring the expertise and resources of the United States and participating Middle East countries to bear on the gulf. It will aid in the long-term renovation of the area's air, water, and agricultural land. Project Eden will be the first step down the long road toward normality for one of the most ravaged areas of the world.

It is also important to note that Project EDEN will deal with environmental problems throughout the Middle East, and not just the gulf. Water shortages will be increasingly important in the Middle East, as populations continue to grow and countries continue to industrialize. Rivers run through various countries and dams that help one country can hurt others. Water tables are also shared by neighboring countries. All these factors create potential conflicts and have led scholars of the region to speculate that the next war in the Middle East could be about water. Project EDEN will make such an eventuality less likely.

Poor agricultural productivity also plagues much of the Middle East. Project EDEN will encourage the development and distribution of better agricultural techniques and reforestation in order to improve productivity. Increased productivity will enable the peoples of the Middle East to live healthier lives and will stem the flood of immigrants to the Middle East's crowded cities.

Mr. President, we must bring to bear on the environmental problems of the Middle East, and particularly the gulf, the spirit of cooperation and purpose that infused the international effort to liberate Kuwait. Liberating Kuwait was only part of our challenge, the process must now begin to heal the environment that Desert Storm liberated.

If the Middle East can marshal the resources to overcome its growing environmental problems, this may also have an impact on the area's political conflicts. Project EDEN will encourage a spirit of cooperation throughout the Middle East. If the cooperation and effort to improve the Middle East environment can be duplicated and steered to other areas of concern, there is no telling what other problems may be solved by the cooperative efforts such as Project EDEN.

Mr. President, Project EDEN will be a step to demonstrate the commitment to clean up and protect the environment of the Middle East. It will take many nations working together to make this successful. I have full faith and confidence that this can be done. I am proud to be an original cosponsor of this amendment because I know its effect will be as far reaching and successful as Operation Desert Storm.

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## LIEBERMAN (AND OTHERS) AMENDMENT NO. 818

Mr. LIEBERMAN (for himself, Mr. McCAIN and Mr. BYRD) proposed an amendment to the bill S. 1435, supra, as follows:

At the appropriate place add the following:

TITLE XIII—SUPPORT FOR DEMOCRACY AND FREE MARKET ECONOMIES IN THE BALTIC AND SOVIET REPUBLICS

It is the sense of Congress that there should be established the position of special advisor for Baltic and Soviet Republic assistance.

The President should be authorized to appoint a special advisor for Baltic and Soviet Republics assistance. Such special advisor should make recommendations to the President regarding the coordination of United States assistance (other than section 1303(c)) for the Baltic Republics and the Soviet Republics authorized or supported by this Act.

**SEC. . BILATERAL PROGRAMS FOR THE BALTIC AND SOVIET REPUBLICS.**

(a) CITIZENS' DEMOCRACY CORPS.—Assistance should be provided under chapter 1 of part I of the Foreign Assistance Act of 1961 to the Citizens' Democracy Corps to establish a program for the Baltic and Soviet Republics, with an initial pilot program for the Baltic and Armenian Republics.

(b) POLICY REGARDING THE NATIONAL ENDOWMENT FOR DEMOCRACY.—It is the sense of the Congress that the National Endowment for Democracy, acting through the National Democratic Institute for Foreign Affairs, the National Republican Institute for Foreign Affairs, the Center for International Private Enterprise, and the American Institute for Free Labor Development should establish programs for the Baltic and Soviet Republics for the promotion of democracy and a free trade union movement, with a pilot program for the Baltic and Armenian Republics.

(c) GIFT OF DEMOCRACY.—Congress should: (1) endeavor to identify and secure the ways and means to implement an appropriate United States congressional gift of democracy to the Baltic and Soviet Republics in the form of equipment and training to help them establish a modern legislative process, with a pilot program of the Baltic and Armenian Republics; and

(2) coordinate this effort with private and public sector experts such as the National Democratic Institute for International Affairs and the National Republican Institute for International Affairs and with parliaments in Western Europe.

(d) ADDITIONAL AUTHORITIES FOR UNITED STATES AGENCIES.—The following United States agencies should establish the specified programs with any of the Baltic Republic or Soviet Republics and where appropriate to coordinate such projects with the Government of the Soviet Union:

(1) The Environmental Protection Agency should establish an environmental exchange program to help the Baltic and Soviet Republics to clean up their environment.

(2) The Department of Commerce should establish a trade program between the Baltic and Soviet Republics and the United States to promote trade and investment programs.

(3) United States Information Agency (USIA) should establish cultural and information exchange programs, including support for emerging private radio and television stations, as well as university-level exchanges in the Baltic and Soviet Republics.

(4) The Department of Justice, the Federal Reserve Board, and the Department of the Treasury should establish technical training programs for the Baltic and Soviet Republics in order to help them establish a functioning judicial system, financial system, and market economy.

(e) ASSIGNMENT OF COMMERCIAL OFFICER.—A commercial officer should be assigned to the United States Embassy in Moscow, for the purpose of developing better economic relations between the United States Government and business community and the Baltic and Soviet Republics.

(f) INTERNATIONAL EXECUTIVE SERVICE CORPS.—Assistance under chapter 1 of part I of the Foreign Assistance Act of 1961 should be provided to the International Executive Service Corps to develop and implement a program in the Baltic and Soviet Republics to advise private industry and, to the extent practical and useful, public industry, concerning how to make the transition to a market-based economy.

**SEC. . MULTILATERAL PROGRAMS.**

(a) POLICY REGARDING OECD STUDY.—(1) The United States Ambassador to the United States Mission to the Organization for Economic Cooperation and Development (OECD) should request the OECD Center for Economies in Transition to undertake a study of the economies of the Baltic and Soviet Republics, including a determination of the potential these republics have made toward developing a market economy and the amount of progress these republics have made in developing such an economy.

(2) Upon completion of the study described in subsection (a)(1), the Secretary of State should submit to the Congress a report setting forth the findings of that study.

(b) EUROPEAN BANK FOR RECONSTRUCTION AND DEVELOPMENT.—The United States Executive Director to the European Bank for Reconstruction and Development should discuss with the Bank's directors those programs that can be developed and carried out by the Bank to aid directly the Baltic and Soviet Republics. Not later than 180 days after the date of enactment of this Act, the Secretary of the Treasury shall submit a report to the Congress on the progress of such discussions.

**SEC. . DEFINITIONS.**

For the purposes of this title—

(1) the term "Soviet Republics" refers to all the constituent republics of the Union of Soviet Socialist Republics except for the Baltic Republics; and

(2) the term "Baltic Republics" means the republics of Lithuania, Latvia, and Estonia.

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## PRESSLER (AND OTHERS) AMENDMENT NO. 819

Mr. PRESSLER (for himself, Mr. DIXON, Mr. COATS, Mr. D'AMATO, Mr. WALLOP, Mr. MCCAIN, and Mr. MACK) proposed an amendment, which was subsequently modified, to the bill S. 1435, supra, as follows:

At the appropriate place in the bill add the following section:

**SEC. . LIMITATION ON ASSISTANCE**

(a) FINDINGS.—The Congress finds that—

(1) the long term national security of the United States, and of the peoples of the Soviet Union, would benefit greatly from the transformation of the Soviet Union to a fully democratic nation based on the principles of government by the people, respect for individual rights, and free market economic opportunity; and

(2) assistance provided by the United States to the Soviet Union should promote rather than retard this transformation.

(b) CERTIFICATION.—During fiscal year 1992 and fiscal year 1993, assistance may not be provided to the Soviet Union under the Foreign Assistance Act of 1961 unless the President certifies in a report to the Congress that the following conditions have been met:

(1) That the Government of the Soviet Union has taken meaningful steps toward observing human rights for all citizens, including the following:

(A) The Soviet Government has ceased its interference with the freedom of the press in the Baltic states and the republics.

(B) The Soviet Government has returned control of all buildings and other property which it has seized since January 1, 1991 within the Baltic states to the freely elected governments of those states and other lawful owners of such buildings and other property;

(C) The Soviet Government has made assurances that such assistance will be distributed equitably among the Baltic states and the Soviet republics, as shown through a detailed plan of proposed distribution.

(D) The Soviet Government has ceased the threat and use of force against democratic movements.

(E) The Soviet Government has entered into meaningful negotiations with leaders of the Baltic states and the republics to ensure a smooth transition to self-determination.

(F) The people of the Soviet Union have been empowered to elect in genuinely free, fair, and open elections the government that rules them.

(G) The Soviet Government has not only codified but honors in practice the right of its citizens to leave the Soviet Union and to move freely within its borders, consistent with international standards.

(H) The Soviet Government compels no republic or historically recognized nationality group with a history of self-determination to remain part of the Soviet Union involuntarily, and fully respects the right of self-determination stipulated in the Universal Declaration of Human Rights, to which the Soviet Union is a party.

(I) The Soviet Government has withdrawn the authorization issued by Valentin Pavlov, the prime minister, permitting the police and the KGB to raid the offices of joint ventures involving nationals of Western European countries and the United States, in violation of their civil rights;

(2) That the threat to the United States from the armed forces of the Soviet Union has been reduced, including—

(A) that the Soviet Union—

(i) has adopted a defense budget which will draw down the percentage of its gross national product that is allocated for military purposes to levels approximating those of the United States, and

(ii) is beginning to implement this defense budget; and (B) that the Soviet Union has curtailed its strategic forces.

(3) That the Soviet Union is no longer engaged in acts of subversion, or of support for international terrorism, that are directed at the United States or its allies.

(4) That the Soviet Union no longer provides assistance in the form of arms sales, military assistance, or any kind of grant, credit, commodity, or technology transfer to other countries, such as Cuba, North Korea, Afghanistan and Vietnam that are engaged in activities inimical to the national interests of the United States.

(5) That the Soviet Union has placed a high priority on reaching an accord in the Defense and Space Talks.

(6) That full transparency exists with respect to data necessary for the United States to determine the creditworthiness of the Soviet Union and its ability to repay debt, such as other sovereign borrowers, including disclosure of the sources and uses of Soviet hard currency, the value of the strategic gold reserves of the Soviet Union, and other key economic and financial data.

(7) That, in order to demonstrate its creditworthiness and to demonstrate a commitment to economic reform, the Soviet Union has adopted specific provisions with strict, short timeliness for deregulating most prices, selling to privately owned entities most government-owned assets, and introducing genuine competition into the Soviet economy.

(8) That the Soviet Union is committed to environmental restoration and rehabilitation of unsafe nuclear facilities that it continues to operate.

(9) That the Soviet Union will not transfer to any country any equipment, technology, or services to build any VVERS nuclear reactors. In particular, that the Soviet Union will no longer provide support in the form of funds, equipment, technology, or services for the Cienfuegos project in Cuba.

(10) That any assistance otherwise prohibited by this subsection will be provided, whenever feasible, to the democratically elected governments of the Baltic states and the republics.

(c) CERTAIN ASSISTANCE NOT AFFECTED.—Subsection (b) shall not prohibit assistance to the government of, or through nongovernmental organizations to, any of the Baltic states or any eligible recipient in the Soviet Union as defined in section 862(f).

(d) WAIVER IN THE NATIONAL INTEREST.—The President may provide assistance to the Soviet Union notwithstanding subsection (c) if—

(1) he determines such assistance to be in the national interest of the United States;

(2) he submits his determination, together with the reasons therefor, to the President of the Senate and the Speaker of the House of Representatives;

(3) ten days have elapsed since the determination is so submitted; and

Each submission under paragraph (2) shall include a description of the progress of the Soviet Union in meeting the conditions set in subsection (b).

LIEBERMAN AMENDMENT NO. 820

Mr. LIEBERMAN proposed an amendment, which was subsequently modified, to the bill S. 1435, supra, as follows:

At the appropriate place add the following:

TITLE XIII—INDUSTRIAL DEVELOPMENT FOR EASTERN EUROPE FOUNDATION

It is the sense of Congress that there may be established an entity to be known as Industrial Development for Eastern Europe Foundation (hereafter in this title referred to as the "Foundation"), to be governed by a Board of Governors as described in section 1304. It is the sense of the Congress that the President should negotiate with the governments of foreign nations for participation by such nations, consistent with section 1304, in carrying out the activities of the Foundation.

(b) PURPOSES.—The purposes of the Foundation may—

(1) to promote and support joint, nondefense, industrial research and development activities of mutual benefit to the nations involved with the Foundation and its activities;

(2) to develop nondefense high technology industry in these nations, particularly through joint and cooperative projects between firms in participating nations;

(3) to aid with the modernization of the economies of these nations by helping them to create a more sophisticated manufacturing base; and

(4) to help these nations to become economically viable by providing benefits to their industrial sector particularly through joint projects.

(c) PARTICIPATION OF OTHER NATIONS.—The President should negotiate with the governments of foreign nations for participation by such nations, consistent with section 1304 in carrying out the activities of the foundation.

SEC. . FUNCTIONS AND POWERS OF THE FOUNDATION.

(a) The Foundation may support and promote the purposes stated in section 1302(b) and research and development activities which—

(1) involve all applied science activities in the process through which an innovation becomes a commercial product; and

(2) assist with product engineering and manufacturing start up.

(b) The Foundation may work closely with, and to the extent practicable coordinate its activities with, the OECD and the European Bank for Economic Recovery and Development, drawing on the expertise of those institutions in achieving its purposes.

(c) The Foundation may be a legal entity and may have all the powers necessary to carry out its objective, including the power to—

(1) promote and support, by funding or otherwise, joint industrial research and development projects (hereafter in this title referred to as "projects"), in accordance with subsection (d);

(2) make loans and grants;

(3) enter into contracts;

(4) provide services;

(5) acquire, hold, administer, and dispose of real and personal property;

(6) receive, hold, and disburse funds, and open bank accounts;

(7) accept contributions of property, funds, and services; and

(8) employ personnel.

(d)(1) Foundation projects may be undertaken and otherwise supported through direct investment and joint ventures in order to develop the more advanced technology sectors of the economies of Foundation member nations.

(2) All technology and products developed as a result of the work of the Foundation may be freely transferable among the nations participating in a project.

(3) More than one member nation of the Foundation may participate in each Foundation project.

(4) All Foundation projects undertaken may be in compliance with the export control laws of the United States.

(e) Nothing in this title may be construed to prejudice other arrangements for scientific cooperation between the United States and other member states of the Foundation.

SEC. . BOARD OF GOVERNORS.

(a) A Board of Governors (hereafter in this title referred to as the "Board") may be the governing body of the Foundation and may be responsible for determining the Foundation's program, including the fields of cooperative research to be supported by the Foundation, and the Foundation's financial and managerial policies.

(b) The Board may consist of—

(1) the Secretary of State or his designee;

(2) the Secretary of Commerce or his designee;

(3) the Secretary of the Treasury or his designee; and

(4) a representative from the Foreign Ministry, Ministry of Finance, Ministry of Trade and Industry, and the national science foundation or its equivalent from the governments of Poland, Hungary, and Czechoslovakia.

(c) Subject to the provisions of this title, the Board may have the authority to—

(1) adopt bylaws and rules of procedure;

(2) establish regulations defining the policies, organization, and procedures of the Foundation;

(3) appoint an Executive Director;

(4) approve the annual budget and research program of the Foundation indicating, among other things, the research and development fields to which priority is to be given;

(5) accept contributions of property, funds, and services;

(6) establish the principal office of the Foundation in a neutral location.

(7) approve project and other expenditures by the Foundation and agreements pertaining to projects to be funded by the Foundation; and

(8) exercise and delegate any other power of the Foundation not otherwise assigned by this title.

(d) Each other East European country may be eligible for membership in the Foundation whenever the Board determines that such country has made sufficient progress toward marketization and democratization and is not in violation of section 502B of the Foreign Assistance Act of 1961.

(e) The chairman of the Board may be a United States national and may serve for a one-year term. The chairmanship may rotate among the three Board members designated under subsection 1304(b) (1), (2), and (3).

(f) The Board may meet at least twice a year, but meetings of the Board may be held at such times and places as the Board may from time to time determine.

(g) The Board shall act by a vote of at least two-thirds of its entire membership.

(h) Members of the Board may serve without compensation from the Foundation, but the Board may authorize the payment by the Foundation of the necessary expenses of any members in attending Board meetings and in performing other official duties for the Foundation. Acceptance of such payments by Board members of the Foundation for this purpose may not be deemed in violation of Ethics in Government Act for the purposes of carrying out this section.

(i) The Board may provide for annual audits by independent auditors of the accounts of the Foundation. The reports of such audits, which may be submitted to all member governments, may contain certification as the accounts of the Foundation and evaluate the Foundation's internal control and auditing system.

SEC. . ADVISORY COUNCIL.

(a) An Advisory Council (hereafter in this title referred to as the "Council"), may act in advisory capacity to the Board and the staff of the Foundation. The Council may

(1) help the Board and the Foundation staff evaluate projects; and

(2) make proposals as to which sectors of member nation economies offer the best opportunity for a favorable return on an investment.

(b) Recommendations made by the Council to the Board and the staff of the Foundation may not be binding.

(c) The Council may consist of three members from the business and finance community from each nation belonging to the Foundation. In the case of the United States, the President may appoint the members.

(d) The chairmanship of the Council may change on a yearly basis, rotating among the members of the panel and alternating among member countries.

(e) The Council may meet at least twice a year. To the extent practical, it may meet at the same time and place as the Board.

(f) Members of the Council may serve without compensation from the Foundation, but the Board may authorize the payment by the Foundation of necessary expenses of any members of the Council attending Council meetings and in performing other official duties for the Foundation.

SEC. . STRUCTURE OF THE FOUNDATION.

(a)(1) The Foundation may be administered by an Executive Secretariat. The Executive Secretariat may be headed by an Executive Director. The Executive Director should be a United States citizen, and—

(A) act as a liaison to the Board; and

(B) coordinate the activities of the Executive Secretariat and the Board.

(2) There may be three Deputy Directors one each for Poland, Hungary, and Czechoslovakia who may evaluate projects from each nation, making recommendations to the Board and the Executive Secretariat as to whether or not the Foundation may support the project; and

(3) Additional Deputy Directors may be created as more nations join the Foundation.

(b)(1) The Executive Director may be the chief executive officer of the Foundation. He may be responsible for the operations and staff of the Foundation, and may act in accordance with the policies, directives, and delegation of the Board.

(2) The Executive Director may employ, oversee, and dismiss the members of the professional administrative staff subject to the approval of the Board.

(3) The Executive Director may, among other things—

(A) evaluate proposals for projects submitted to the Foundation and prepare and submit recommendations and draft agreements concerning project proposals to the Board for its approval;

(B) prepare and submit to the Board for its approval an annual budget and research pro-

gram, including long-range plans for use of the Foundation's resources;

(C) prepare and submit to the Board for its approval an annual report, including an audited financial statement, on the activities of the Foundation; and

(D) implement decisions of the Board.

(4) Any power of the Executive Director under this title or delegated to him by the Board may be delegated by him to other officers of the Foundation, except as otherwise prescribed by the Board.

(5) The Executive Director may obtain assistance from outside professionals and experts for the purposes of evaluating proposals and auditing and monitoring projects sponsored by the Foundation. These professionals and experts may be given compensation by the Foundation for services rendered, as approved by the Board.

(6) The Executive Director may be permitted to organize various activities, such as consultant visits, information exchanges, and similar activities, to facilitate the achievement of the Foundation's objective. The Executive Director may be given a budget approved by the Board to undertake these activities.

(7) The Executive Director may maintain an appropriate system of internal control, including books and records which reflect the transactions of the Foundation and show the current financial condition of the Foundation. Such system may include adequate internal financial and operational audits. The books, records, and internal audit reports may be available for review by authorized representatives of governments involved with the Foundation.

**SEC. . OPERATIONS OF THE FOUNDATION.**

(a) The Foundation's operations may consist mainly of the selection, approval, and monitoring of projects funded in whole or in part by the Foundation. All proposals for such projects may be submitted through the Executive Director to the Board for approval.

(b) Each proposal considered by the Board may—

(1) be submitted by Foundation member entities;

(2) demonstrate the technical and economic feasibility of the project;

(3) contain evidence that the applicant is capable of carrying out the project, either alone or through the partial subcontracting to universities, industrial research institutes, or other qualified entities; and

(4) indicate that the applicant will contribute, from its own financial resources or resources available to it, some portion of the financial resources required to carry out the project.

(c) Each proposed project considered by the Board may—

(1) propose a tangible, direct benefit for the national economies of Foundation member nations, such as an increase in exports, value added or new markets;

(2) be of interest to Foundation member nations' industry;

(3) be of general interest to an entire industrial field;

(4) directly or indirectly contribute to additional development of products, processes, or markets; and

(5) have tangible benefits for nations involved with a project.

(d) For purposes of subsection (c)(5), a project having a tangible benefit may be one that—

(1) is submitted by one or more Foundation member firms or a joint venture between a United States firm and a member nation firm;

(2) will require expenditures for goods and services in nations involved with the project; and

(3) meets any other criteria established by the Board.

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## MACK (AND OTHERS) AMENDMENT NO. 821

Mr. MACK (for himself, Mr. GARN, Mr. RIEGLE, Mr. MCCAIN, Mr. LIEBERMAN, and Mr. DOMENICI) proposed an amendment to the bill S. 1435, supra, as follows:

On page 225, between lines 4 and 5, insert the following new section:

**SEC. 902. SOVIET ACCESS TO THE FINANCIAL RESOURCES OF INTERNATIONAL FINANCIAL INSTITUTIONS.**

(a) FINDINGS.—The Congress finds that—

(1) the Soviet Union has adopted a more cooperative posture on a range of international political issues that has moved East-West relations beyond the stalemate of the Cold War, assisted the cause of world freedom and peace, and permitted improved relations with the United States;

(2) at the same time, the course of internal political and economic developments in the Soviet Union has been far less clear, with increased political pluralism as represented by free elections in various Republics matched by instances of political repression, including armed intervention in the Baltic states;

(3) in the economic arena, tentative movements toward economic liberalization have produced a breakdown of the former command economy but little tangible evidence of movement toward a market economy;

(4) in its international trade and aid relationships, the Soviet Union continues to support repressive political regimes and to encourage regional instability through substantial economic support for Cuba, Vietnam, Afghanistan, and North Korea and continues to export substantial quantities of arms and unsafe nuclear technology, which represent a threat to regional stability and the world environment;

(5) it is in the interest of the United States to encourage Soviet cooperation on international problems and to promote adoption of a fully democratic form of government and economic transformation from a centrally planned to a free market economy in the Soviet Union;

(6) expanded economic ties with the West can advance the process of transformation by educating the Soviets to the benefits of political pluralism, market economics, and free trade;

(7) Western financial assistance could also potentially assist the process of transformation but it carries substantial risks on the Soviet side of delaying needed reform and propping up the failed structures and policies of the past and, on the United States side, of assuming unacceptable risks of default on taxpayer-financed credits;

(8) the study of the Soviet economy prepared by the International Monetary Fund, the International Bank for Reconstruction and Development, the Organization for Economic Cooperation and Development, and the European Bank for Reconstruction and Development concluded that without a major and comprehensive reform program additional financial transfers to the Soviet Union would be of little or no lasting value;

(9) given these views and concerns, no financial transfers should be provided to the Government of the Soviet Union by the Government of the United States nor should the United States support Soviet borrowing rights in any international financial institutions in excess of those to which the Soviet Union is already entitled until the Soviet Union has fundamentally changed its economic and political orientation and committed itself irrevocably to a major and comprehensive economic reform program.

(b) SOVIET ACCESS TO THE RESOURCES OF THE INTERNATIONAL MONETARY FUND.—The Secretary of the Treasury shall instruct the United States Executive Director to the International Monetary Fund to use the voice and vote of the United States to oppose Soviet membership in the Fund, and the United States shall support no future expansion of Fund quotas in which the Soviet Union would participate, until 30 days after the President certifies and reports to the Congress the following:

(1) ECONOMIC REFORM.—That, as an indication that the Government of the Soviet Union is implementing free market economic policies, the following actions have been taken:

(A) provision of all data necessary for the Fund and its members to accurately determine the size, composition, and creditworthiness of the Soviet economy;

(B) establishment of the right to own private property and engage freely in commerce, including progress towards the creation of a legal and administrative framework to permit the free exercise of such rights;

(C) implementation of effective procedures for privatization of government enterprises;

(D) significant progress in dismantling central planning mechanisms, in eliminating price controls, and in establishing a market-based pricing system; and

(E) adherence to international rules regarding trade, protection of foreign investors, and protection of intellectual property rights.

(2) ROLE OF THE CENTRAL GOVERNMENT.—That, as an indication that the Soviet Union is reducing the size and scope of government expenditures, especially categories of expenditure that threaten world security and divert resources from market-based economic reform, the following actions have been taken:

(A) implementation of a defense budget that achieves significant reduction in the percentage of gross domestic product devoted to military purposes including, in particular, reduction of strategic nuclear weapons arsenals and other weapons of mass destruction, with the objective of reducing such percentage to levels approximating those of the Western democracies; and

(B) termination of economic subsidies and military assistance, including an end to transfers of destablizing missiles, other sophisticated weapons systems and nuclear technology, to countries that have supported international terrorism, such as Syria, Libya, and Iraq, and that have participated in efforts to destabilize neighboring states, such as Cuba, North Korea, and Vietnam.

(3) POLITICAL REFORM.—That, as an indication that the Soviet Union has embraced democratic processes upon which successful economic development is predicated, the following actions have been taken:

(A) free and fair mulitparty elections for the national parliament and leadership;

(B) good faith negotiations between the Government of the Soviet Union and leaders of the Baltic states and other republics that have elected to become independent of the Soviet Union; and

(C) demonstrated sustained commitment to peaceful resolution of disputes with repub-

lican governments and democratic movements.

(c) EXPANDED SOVIET ACCESS TO THE RESOURCES OF THE EUROPEAN BANK FOR RECONSTRUCTION AND DEVELOPMENT.—The Secretary of the Treasury shall instruct the Executive Director to the European Bank for Reconstruction and Development to use the voice and vote of the United States to oppose expansion of access by the Soviet Union to the resources of the Bank pursuant to paragraph 4 of Article 8 of the Bank's articles of agreement unless the President has made the certification and report required under subsection (b).

(d) DEFINITION.—For purposes of this section—

(1) the term "Soviet membership" includes any association with the Fund involving contribution or borrowing of Fund resources, but excludes any association with the Fund as an observer or in an advisory status involving technical assistance; and

(2) the term "Soviet Union" includes all successor states (other than the Baltic states) to the Soviet Union.

## DIXON (AND OTHERS) AMENDMENT NO. 822

Mr. DIXON (for himself, Mr. DOLE, Mr. KOHL, Mr. MCCONNELL, Mr. GRASSLEY, Mr. LUGAR, Mr. SYMMS, Mr. DANFORTH, Mr. CRAIG, Mr. COATS, Mr. DURENBERGER, Mr. PRESSLER, Mr. KASTEN, and Mr. GLENN) proposed an amendment to the bill S. 1435, supra, as follows:

Strike out section 305 of the bill.

## BIDEN AMENDMENT NO. 823

(Ordered to lie on the table.)

Mr. BIDEN submitted an amendment intended to be proposed by him to the bill S. 1435, supra, as follows:

On page 88, between lines 13 and 14, insert the following:

**SEC. 415. MIDDLE EAST SECURITY AND DEMOCRACY.**

(a) SHORT TITLE.—This section may be cited as the "Middle East Security and Democracy Initiative Act of 1991".

(b) FINDINGS.—Congress finds that—

(1) United States arms sales policy in the Middle East should be designed to contribute to the stability and security of the region;

(2) in the absence of progress by governments in the region to build institutions that satisfy popular aspirations for democratic rights and economic development, arms sales alone will be insufficient to ensure the stability and security of the region and the defense of United States interests therein; and

(3) accordingly, the United States must pursue a multifaceted policy in the Middle East, emphasizing progress toward political pluralism and economic development within the security environment fostered by a sound arms sales policy.

(c) PRESIDENTIAL CERTIFICATION.—(1) Whenever the President submits to the Congress a numbered certification with respect to an offer to sell, or an application for a license to export, major defense equipment, defense articles, or defense services to a Middle East country under section 36(b)(1) or section 36(c) of the Arms Export Control Act, as the case may be, such certification shall include a report—

(A) analyzing the steps taken by the government of that country to build or maintain institutions that embody democratic principles, unless a certification is made with respect to such country under paragraph (2)(A)(i)(I); and

(B) in the case of any oil exporting country, analyzing the steps taken by the government of that country to invest and contribute, in a manner commensurate with its wealth, to the economic development of the region.

(2) Whenever a numbered certification with respect to a sale or export described in subsection (c)(1) to a Middle East country is submitted to Congress, the President shall include in such certification—

(A)(i) a certification—

(I) that the exercise of governmental power in that country is determined by free and fair elections and that such country is maintaining institutions that embody democratic principles; or

(II) that, in the case of a country that does not qualify for certification under subclause (I), such country has a record of continuing progress with respect to developing institutions that embody democratic principles; and

(ii) in the case of any oil exporting country, a certification that such country has a record of continuing and substantial achievement in making investments and contributions, in amounts commensurate with its wealth, to the economic development of the region; or

(B) a certification that the proposed transfer of such major defense equipment, defense articles, or defense services is of such compelling importance to the security interests of the United States as to warrant such transfer notwithstanding the President's inability to make the appropriate certifications required by subparagraph (A).

(d) DEFINITIONS.—For purposes of this section—

(1) the terms "defense articles", "defense services", and "major defense equipment" have the meanings given to such terms by paragraphs (3), (4), and (6), respectively, of section 47 of the Arms Export Control Act;

(2) the term "oil exporting country" means a country that exports petroleum extracted within its territory; and

(3) the term "Middle East" means the region which consists of Algeria, Bahrain, Egypt, Iran, Iraq, Israel, Jordan, Kuwait, Lebanon, Libya, Morocco, Oman, Qatar, Saudi Arabia, Syria, Tunisia, the United Arab Emirates, and Yemen.

On page 3, after the item relating to section 414, insert the following new item:

Sec. 415. Middle East security and democracy.

## NOTICES OF HEARINGS

### COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. JOHNSTON. Mr. President, I would like to announce for my colleagues and the public that the oversight hearing scheduled before the Committee on Energy and Natural Resources to receive testimony on the resettlement of Rongelap, Marshall Islands, has been postponed.

The hearing, which was originally scheduled for July 30, 1991, has been rescheduled to take place on September 19, 1991, at 9:30 a.m. in room SD-366 of the Dirksen Senate Office Building.

For further information, please contact Allen Stayman of the committee staff at 202-224-7865.

Mr. JOHNSTON. Mr. President, I would like to announce for my colleagues and the public that there has been a date change for a hearing that has been scheduled before the Committee on Energy and Natural Resources.

The hearing scheduled on Thursday, July 25, 1991, regarding S. 1351, the Department of Energy Science and Technology Partnership Act, has been moved to Tuesday, July 30, 1991 at 9:30 a.m. A second hearing on this same subject is still scheduled for July 31 at 2 p.m. For further information on these hearings, please contact Paul Barnett of the committee staff at 202-224-7569.

Both hearings will take place in room SD-336 of the Dirksen Senate Office Building, First and C Streets NE., Washington, DC.

## AUTHORITY FOR COMMITTEES TO MEET

### SUBCOMMITTEE ON COMMUNICATIONS

Mr. MITCHELL. Mr. President, I ask unanimous consent that the Subcommittee on Communications, of the Committee on Commerce, Science, and Transportation, be authorized to meet during the session of the Senate on July 24, 1991, at 9:30 a.m. on S. 1401, S. 1462, and S. 857 and computerized calls.

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

### COMMITTEE ON THE JUDICIARY

Mr. MITCHELL. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate on Wednesday, July 24, 1991, at 9:30 a.m., to hold a hearing on the nomination of Eugene E. Siler, Jr., to be U.S. circuit judge for the sixth circuit, William G. Bassler, to be U.S. district judge for the District of New Jersey, Jorge A. Solis, to be U.S. district judge for the Northern District of Texas, and James T. Trimble, Jr., to be U.S. district judge for the Western District of Louisiana.

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

### SUBCOMMITTEE ON COURTS AND ADMINISTRATIVE PRACTICE

Mr. MITCHELL. Mr. President, I ask unanimous consent that the Subcommittee on Courts and Adminsitrative Practice of the Committee on the Judiciary, be authorized to meet during the session of the Senate on Wednesday, July 24, 1991, at 2:30 p.m., to hold a hearing on special problems in bankruptcy.

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

### SUBCOMMITTEE ON TECHNOLOGY AND THE LAW

Mr. MITCHELL. Mr. President, I ask unanimous consent that the Subcommittee on Technology and the Law and the Subcommittee on Patents, Copyrights and Trademarks of the Committee on the Judiciary, be authorized to meet during the session of

the Senate on Wednesday, July 24, 1991, at 10 a.m., to hold a hearing on S. 1096, a bill to ensure the protection of motion picture copyrights, and for other purposes.

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

SELECT COMMITTEE ON INTELLIGENCE

Mr. MITCHELL. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on Wednesday, July 24, 1991, at 2 p.m., to hold a closed conference on the fiscal year 1991 intelligence authorization bill.

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

SUBCOMMITTEE ON ENVIRONMENTAL PROTECTION

Mr. MITCHELL. Mr. President, I ask unanimous consent that the Subcommittee on Environmental Protection, Committee on Environment and Public Works, be authorized to meet during the session of the Senate on Wednesday, July 24, beginning at 9:30 a.m., to conduct a hearing on the toxics use and source reduction provisions of S. 976, the Resource Conservation and Recovery Act Amendments of 1991.

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

COMMITTEE ON LABOR AND HUMAN RESOURCES

Mr. MITCHELL. Mr. President, I ask unanimous consent that the Committee on Labor and Human Resources be authorized to meet during the session of the Senate on Wednesday, July 24, 1991, at 10 a.m., for a hearing on "HealthAmerica: Economic Impact."

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

SPECIAL COMMITTEE ON AGING

Mr. MITCHELL. Mr. President, I ask unanimous consent that the Special Committee on Aging, be authorized to meet during the session of the Senate on Wednesday, July 24, 1991, at 9:30 a.m., to hold a hearing entitled "Low-Income Medicare Beneficiaries: Have They Been Forgotten?"

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

COMMITTEE ON FOREIGN RELATIONS

Mr. MITCHELL. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on Wednesday, July 24, 1991, at 10 a.m., to hold a hearing on three environmental treaties.

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

## ADDITIONAL STATEMENTS

### NOTICE OF DETERMINATION BY THE SELECT COMMITTEE ON ETHICS UNDER RULE 35, PARAGRAPH 4, PERMITTING ACCEPTANCE OF A GIFT OF EDUCATIONAL TRAVEL FROM A FOREIGN ORGANIZATION

• Mr. HEFLIN. Mr. President, it is required by paragraph 4 of rule 35 that I place in the CONGRESSIONAL RECORD notices of Senate employees who participate in programs, the principal objective of which is educational, sponsored by a foreign government or a foreign educational or charitable organization involving travel to a foreign country paid for by that foreign government or organization.

The select committee has received a request for a determination under rule 35 for Carlton E. Thomas, a member of the staff of Senator HARKIN, to participate in a program in the Soviet Union, sponsored by IRIS, a United States consortium of universities, and the Soviet Academy of Sciences, from August 1–8, 1991.

The committee has determined that participation by Mr. Thomas in the program in the Soviet Union, at the expense of IRIS and the Soviet Academy of Sciences, is in the interest of the Senate and the United States.

The select committee has received a request for a determination under rule 35 for Andrew Johnson, a member of the staff of Senator EXON, to participate in a program in China, sponsored by the People's Republic of China and the United States-Asia Institute, from August 3–18, 1991.

The committee has determined that participation by Mr. Johnson in the program in China, at the expense of the People's Republic of China, is in the interest of the Senate and the United States.

The select committee has received a request for a determination under rule 35 for Patricia McDonald, a member of the staff of Senator WALLOP, to participate in a program in China, sponsored by the People's Republic of China and the United States-Asia Institute, from August 3–17, 1991.

The committee has determined that participation by Ms. McDonald in the program in China, at the expense of the People's Republic of China, is in the interest of the Senate and the United States.

The select committee has received a request for a determination under rule 35 for Donald L. Hardy, a member of the staff of Senator SIMPSON, to participate in a program in the Netherlands, sponsored by the Atlantic Exchange Program of Rotterdam, from June 30–July 7, 1991.

The committee has determined that participation by Mr. Hardy in the program in the Netherlands at the expense of Atlantic Exchange Program of Rotterdam, is in the interest of the Senate and the United States.

The select committee has received a request for a determination under rule 35 for Kevin M. Dempsey, a member of the staff of Senator DANFORTH, to participate in a program in China, sponsored by the People's Institute of Foreign Affairs and the United States-Asia Institute, from August 5–16, 1991.

The committee has determined that participation by Mr. Dempsey in the program in China, at the expense of the People's Institute of Foreign Affairs, is in the interest of the Senate and the United States.•

### HONORING MILLER BREWING CO.

• Mr. KASTEN. Mr. President, in tough economic times it is important for a community to have business leaders it can count on. In Wisconsin, we can count on Miller Brewing Co. to contribute very important resources to our State economy.

In 1990, as the United States grappled with a serious recession, Miller contributed $706 million to the Wisconsin economy in the form of salaries, wages, and other expenditures. Miller employs more than 3,000 Wisconsinites, and is becoming more valuable to the people of our State than ever before. Miller also contributes nearly $1.5 million annually to charitable organizations.

Company president Leonard Goldstein and all the Miller employees deserve a vote of thanks from the people of Wisconsin.•

### BUDGET SCOREKEEPING REPORT

• Mr. SASSER. Mr. President, I hereby submit to the Senate the most recent budget scorekeeping report for fiscal year 1991, prepared by the Congressional Budget Office under section 308(b) of the Congressional Budget Act of 1974, as amended. This report serves as the scorekeeping report for the purposes of section 605(b) and section 311 of the Budget Act.

This report shows that current level spending is under the budget resolution by $0.4 billion in budget authority, and under the budget resolution by $0.4 billion in outlays. Current level is $1 million below the revenue target in 1991 and $6 million below the revenue target over the 5 years, 1991–95.

The current estimate of the deficit for purposes of calculating the maximum deficit amount is $326.6 billion, $0.4 billion below the maximum deficit amount for 1991 of $327.0 billion.

The report follows:

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
*Washington, DC, July 22, 1991.*

Hon. JIM SASSER,
*Chairman, Committee on the Budget, U.S. Senate, Washington, DC*

DEAR MR. CHAIRMAN: The attached report shows the effects of Congressional action on

the budget for fiscal year 1991 and is current through July 19, 1991. The estimates of budget authority, outlays, and revenues are consistent with the technical and economic assumptions of the Budget Enforcement Act of 1990 (Title XIII of P.L. 101-508). This report is submitted under Section 308(b) and in aid of Section 311 of the Congressional Budget Act, as amended, and meets the requirements for Senate scorekeeping of Section 5 of S. Con. Res. 32, the 1986 First Concurrent Resolution on the Budget.

Since my last report, dated July 15, 1991, there has been no action that affects the current level of spending and revenues.

Sincerely,

ROBERT D. REISCHAUER,
*Director.*

THE CURRENT LEVEL REPORT FOR THE U.S. SENATE, 102D CONG., 1ST SESS., AS OF JULY 19, 1991

[In billions of dollars]

| | Revised on-budget aggregates [1] | Current level [2] | Current level +/− aggregates |
|---|---|---|---|
| On-budget: | | | |
| Budget authority | 1,189.2 | 1,188.8 | −0.4 |
| Outlays | 1,132.4 | 1,132.0 | −.4 |
| Revenues. | | | |
| 1991 | 805.4 | 805.4 | (3) |
| 1991–95 | 4,690.3 | 4,690.3 | (3) |
| Maximum deficit amount | 327.0 | 326.6 | −0.4 |
| Direct loan obligation | 20.9 | 20.6 | −0.3 |
| Guaranteed loan commitments | 107.2 | 106.9 | −0.3 |
| Debt subject to limit | 4,145.0 | 3,452.9 | −692.1 |
| Off-budget: | | | |
| Social Security outlays: | | | |
| 1991 | 234.2 | 234.2 | |
| 1991–95 | 1,284.4 | 1,284.4 | |
| Social Security revenues: | | | |
| 1991 | 303.1 | 303.1 | |
| 1991–95 | 1,736.3 | 1,736.3 | |

[1] The revised budget aggregates were made by the Senate Budget Committee staff in accordance with section 13112(f) of the Budget Enforcement Act of 1990 (title XIII of Public Law 101–508).

[2] Current level represents the estimated revenue and direct spending effects of all legislation that Congress has enacted or sent to the President for his approval. In addition, full-year funding estimates under current law are included for entitlement and mandatory programs requiring annual appropriations even if the appropriations have not been made. In accordance with section 606(d)(2) of the Budget Enforcement Act of 1990 (title XIII of Public Law 101–508) and in consultation with the Budget Committee, current level excludes $45.3 billion in budget authority and $34.6 billion in outlays for designated emergencies including Operation Desert Shield/Desert Storm; $0.1 billion in budget authority and $0.2 billion in outlays for debt forgiveness for Egypt and Poland; and $0.2 billion in budget authority and outlays for Internal Revenue Service funding above the June 1990 baseline level. Current level outlays include a $1.1 billion savings for the Bank Insurance Fund that the committee attributes to the Omnibus Budget Reconciliation Act (Public Law 101–508), and revenues include the Office of Management and Budget's estimate of $3.0 billion for the Internal Revenue Service provision in the Treasury-Postal Service Appropriations Bill (Public Law 101–509). The current level of debt subject to limit reflects the latest U.S. Treasury information on public debt transactions.

[3] Less than $50,000,000.

THE CURRENT LEVEL REPORT FOR THE U.S. SENATE, 102D CONG., 1ST SESS., SENATE SUPPORTING DETAIL, FISCAL YEAR 1991 AS OF CLOSING OF BUSINESS JULY 19, 1991

[In millions of dollars]

| | Budget authority | Outlays | Revenues |
|---|---|---|---|
| I. Enacted in previous sessions: | | | |
| Revenues | | | 834,910 |
| Permanent appropriations | 725,105 | 633,016 | |
| Other legislation | 664,057 | 676,371 | |
| Offsetting receipts | −210,616 | −210,616 | |
| Total enacted in previous sessions | 1,178,546 | 1,098,770 | 834,910 |
| II. Enacted this session: | | | |
| Extending IRS deadline for Desert Storm troops (H.R. 4, Public Law 102–2) | | | −1 |
| Veterans' education, employment and training amendments (H.R. 180, Public Law 102–16) | 2 | 2 | |
| Dire emergency supplemental appropriations for 1991 (H.R. 1281, Public Law 102–27) | 3,823 | 1,401 | |

THE CURRENT LEVEL REPORT FOR THE U.S. SENATE, 102D CONG., 1ST SESS., SENATE SUPPORTING DETAIL, FISCAL YEAR 1991 AS OF CLOSING OF BUSINESS JULY 19, 1991—Continued

[In millions of dollars]

| | Budget authority | Outlays | Revenues |
|---|---|---|---|
| Higher education technical amendments (H.R. 1285, Public Law 102–26) | 3 | 3 | |
| OMB domestic discretionary sequester | −2 | −1 | |
| Emergency supplemental for humanitarian assistance (H.R. 2251, Public Law 102–55) | (1) | | |
| Total enacted this session | 3,826 | 1,405 | −1 |
| III. Continuing resolution authority | | | |
| IV. Conference agreements ratified by both Houses | | | |
| V. Entitlement authority and other mandatory adjustments required to conform with current law estimates in revised on-budget aggregates | −8,572 | 539 | |
| VI. Economic and technical assumption used by Committee for budget enforcement act estimates | 15,000 | 31,300 | −29,500 |
| On-budget current level | 1,188,799 | 1,132,014 | 805,409 |
| Revised on-budget aggregates | 1,189,215 | 1,132,396 | 805,410 |
| Amount remaining: | | | |
| Over budget resolution | | | |
| Under budget resolution | 416 | 382 | 1 |

[1] Less than $500,000.

Note.—Numbers may not add due to rounding.•

## SEEDS OF HOPE FROM SOUTH CAROLINA

• Mr. HOLLINGS. Mr. President, I submit for the record an article from today's New York Times describing the entrepreneurial success of Mr. Felder Freeman and Mr. Robert E. Murray, both farmers from the Sea Islands of South Carolina. Working with Seeds of Hope, a project started by the Washington Methodist Church in Columbia, SC, Mr. Freeman and Mr. Murray are taking fresh South Carolina vegetables to New York City, where they have found a receptive market among city people homesick for good Southern food.

I applaud Mr. Freeman, Mr. Murray, and the Seeds of Hope project for seeking new markets for South Carolina's agricultural products. Their efforts truly are providing seeds of hope for increased opportunity for the families in our State who want to continue farming and be able to make a living off the land.

Mr. President, I ask that the article be reprinted in the RECORD, but I warn you—it will make your mouth water for some South Carolina gumbo.

The article follows:

[From the New York Times, July 24, 1991]

GUMBO MAKINGS FROM CAROLINA

(By Florence Fabricant)

On a sunny afternoon two weeks ago, Clara Davidson was sorting through a pile of broad green butter beans at the Greenmarket at 125th Street and Adam Clayton Powell Jr. Boulevard. Mrs. Davidson, a native of Lawrence, S.C., who has lived in New York since 1942, bought several pounds. "I never see these things up here and I do miss them," she said.

Her comment was typical of the shoppers at the display, which also included field peas, sweet and hot peppers, ripe tomatoes, squash, corn, okra, watermelons and cantaloupes—a down-home harvest that two farmers from the Sea Islands in South Carolina had trucked to New York. In the North, the butter beans are better known as lima beans.

"You have everything for a lowcountry gumbo here except the shrimp," said one of the farmers, Robert E. Murray, of Johns Island, S.C. He and Felder Freeman had driven a truck for 15 hours with two and a half tons of fresh produce.

Venturing to New York was an experiment in direct marketing for these men, who are among 50 farmers from the Sea Islands who belong to Seeds of Hope, a self-help project run by a church in Columbia, S.C. Because they had been delayed by highway construction, arriving in New York around 2 P.M. instead of 8 A.M., they decided to stay overnight.

The next day, administrators of the New York City Greenmarket program gave them space at the Albee Square Greenmarket in Brooklyn, where they found buyers for most of their remaining produce. They gave the rest to Hale House in Harlem.

Theirs were the first field tomatoes in any of the New York City Greenmarkets, beating the local season by a good two weeks. The regular Greenmarket farmers, like Christine Jordan of Migliorelli Farms in Tivoli, N.Y., did not mind. "We specialize in greens so they're not any kind of competition for us today," she said.

The idea of traveling to New York appealed to Mr. Freeman and Mr. Murray. "A lot of the people in these neighborhoods have their roots down where we live," said Mr. Freeman, a farmer for more than 30 years. "These people really want this stuff but they can't get it."

Seeds of Hope helps farmers sell produce directly to consumers through churches and 11 farmers' markets, including one in Charleston, S.C. The Washington Street Methodist Church in Columbia began the program in 1987 after the 1986 drought left many farmers near ruin.

Finding that even before the drought the farmers were struggling because of their dependence on middlemen and a lack of reliable markets, the church set up a farmers' market in its parking lot. Then the South Carolina Christian Action Council, representing 6,000 churches, became involved. The project received a $12,000 grant this year from the Presbyterian Hunger Program of the Presbyterian Church (USA) to cover administrative costs.

Donna Bryan, director of Seeds of Hope, said the idea of selling produce in New York was the result of a conversation her husband, Charles, a doctor, had with a colleague at Memorial Sloan-Kettering Cancer Center in Manhattan, who told him about New York City's Greenmarkets. Although the Greenmarkets limit participation to farmers in New York and New Jersey, they were willing to make an exception for Seeds of Hope.

Mr. Freeman and Mr. Murray made $2,800, a little less than they had hoped. "Once people know we're coming," Mr. Freeman said, "they'll come out for us."

Mr. Murray said that for him it was "like coming home." He attended Boys High School in Brooklyn and left New York in 1968. "When I was living up here, you didn't have stands selling fresh vegetables," he said.

The farmers will return to Brooklyn on Saturday. From 10 A.M. to sunset they will be at the market outside the Mount Sinai Cathedral of the Church of God in Christ, 1918 Fulton Street (at Ralph Avenue), in the Bedford-Stuyvesant section. It is sponsored by the East Fulton Street-Saratoga Square Seeds of Hope with money from the 21st Century Partnership, a Brooklyn community group.●

## SOUTH CAROLINA'S FAMILY OF THE YEAR

● Mr. HOLLINGS. Mr. President, I rise to extend my warm congratulations to the Patrick family of Charleston for being honored as South Carolina's Family of the Year for 1991. Dr. Paul Dickson Patrick III and his wife Carol have four sons: Michael Dickson Patrick, age 17; Mark Smoak Patrick, age 14; Matthew Kingman Patrick, age 11, and Paul David Patrick, age 8.

Mr. President, the Patricks are the typical, all-American family and, in that respect, perhaps they are increasingly atypical. They are extremely close knit, make a point of having dinner together each evening, attend Westminister Presbyterian Church together each Sunday, and do volunteer work with Habitat for Humanity, and the local homeless shelter. Dr. Patrick is a veterinarian with practice at Meeting and Adison Streets. Mrs. Patrick is a full-time homemaker who takes tremendous and justified pride in her successful family.

Mr. President, I have long had a theory that there is no particular magic or mystery to raising a good family. It's like growing tomatoes; there is a simple formula for success, and it includes an abundance of love and respect, a strong sense of discipline and structure, plus an accent on values. It sounds so simple, and yet it seems like fewer and fewer parents are willing to invest the time and energy to make this time-honored formula work. On that score, Mr. President, we owe a debt of gratitude to Paul and Carol Patrick, for setting a superb example of just how good and fulfilling a family can be. I salute their achievement, and congratulate them on being named my State's Family of the Year.●

## PROGRAM

Mr. MITCHELL. Mr. President, and Members of the Senate, for the information of Senators planning their schedules for the next several days, there are a number of matters remaining for Senate action, including the pending bill and several other measures which have been previously set forth by me on several occasions. I urge Senators, to expedite the business of the Senate, to be prepared to offer their amendments during the day so that late evening sessions are not required.

However, since next week is the last week prior to the August recess, Senators should anticipate that votes will occur on Monday at or shortly after 5 p.m., and votes could occur well into the evening on each of the remaining days next week through and including Friday, if necessary, to complete the business before the Senate.

We will do our best to accommodate the schedule of every single Senator. As everyone knows, those often conflict, but it is imperative that we complete the business before us. That means that Senators should be prepared for votes on Monday beginning as early as 5 p.m., and well into the evening or night, if necessary, on each of the remaining nights next week up through and including Friday if that becomes necessary.

## ORDERS FOR TOMORROW

Mr. MITCHELL. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in recess until 8:30 a.m., on Thursday, July 25; that following the prayer, the Journal of proceedings be deemed approved to date and the time for the two leaders be reserved for their use later in the day; that there then be a period for morning business not to extend beyond 10:30 a.m., with Senators permitted to speak therein, with the time from 8:30 a.m. to 9:30 a.m., under the control of the majority leader or his designee and the time from 9:30 a.m. to 10:30 a.m., under the control of the Republican leader or his designee, and that at 10:30 a.m., the Senate resume consideration of S. 1435, the foreign aid authorization bill.

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

## RECESS UNTIL 8:30 A.M., TOMORROW

Mr. MITCHELL. Mr. President, if no other Senator is seeking recognition, and there is no further business to come before the Senate, I ask unanimous consent that the Senate stand in recess as under the previous order until 8:30 a.m. on Thursday, July 25, 1991.

There being no objection, the Senate, at 8:34 p.m., recessed until Thursday, July 25, 1991, at 8:30 a.m.

## NOMINATIONS

Executive nominations received by the Senate July 24, 1991:

### DEPARTMENT OF STATE

JOHN CHRISTIAN KORNBLUM, OF MICHIGAN, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, FOR THE RANK OF AMBASSADOR DURING HIS TENURE OF SERVICE AS HEAD OF DELEGATION TO THE CONFERENCE ON SECURITY AND COOPERATION IN EUROPE (CSCE).

### THE JUDICIARY

LACEY A. COLLIER, OF FLORIDA, TO BE U.S. DISTRICT JUDGE FOR THE NORTHERN DISTRICT OF FLORIDA, VICE A NEW POSITION CREATED BY PUBLIC LAW 101-650, APPROVED DECEMBER 1, 1990.

ANNE C. CONWAY, OF FLORIDA, TO BE U.S. DISTRICT JUDGE FOR THE MIDDLE DISTRICT OF FLORIDA, VICE GEORGE C. CARR, DECEASED.

WAYNE R. ANDERSEN, OF ILLINOIS, TO BE U.S. DISTRICT JUDGE FOR THE NORTHERN DISTRICT OF ILLINOIS, VICE STANLEY J. ROSZKOWSKI, RETIRED.

RONALD E. LONGSTAFF, OF IOWA, TO BE U.S. DISTRICT JUDGE FOR THE SOUTHERN DISTRICT OF IOWA, VICE A NEW POSITION CREATED BY PUBLIC LAW 101-650, APPROVED DECEMBER 1, 1990.

JOHN W. LUNGSTRUM OF KANSAS, TO BE U.S. DISTRICT JUDGE FOR THE DISTRICT OF KANSAS, VICE DALE E. SAFFELS, RETIRED.

STEWART R. DALZELL, OF PENNSYLVANIA, TO BE U.S. DISTRICT JUDGE FOR THE EASTERN DISTRICT OF PENNSYLVANIA, VICE A NEW POSITION CREATED BY PUBLIC LAW 101-650, APPROVED DECEMBER 1, 1990.

TERRY R. MEANS, OF TEXAS, TO BE U.S. DISTRICT JUDGE FOR THE NORTHERN DISTRICT OF TEXAS, VICE DAVID O. BELEW, JR., RETIRED.

### DEPARTMENT OF TRANSPORTATION

ARTHUR J. ROTHKOPF, OF THE DISTRICT OF COLUMBIA, TO BE GENERAL COUNSEL OF THE DEPARTMENT OF TRANSPORTATION, VICE PHILLIP D. BRADY.

### NATIONAL LABOR RELATIONS BOARD

MARY CRACRAFT, OF KANSAS, TO BE A MEMBER OF THE NATIONAL LABOR RELATIONS BOARD FOR THE TERM OF 5 YEARS EXPIRING AUGUST 27, 1996. (REAPPOINTMENT)

# EXTENSIONS OF REMARKS

## VIC FAZIO PRESENTED THE FIRST ANNUAL AMERICAN CULTURAL PRESERVATION AWARD

### HON. TED WEISS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, July 24, 1991*

Mr. WEISS. Mr. Speaker, last evening, our colleague VIC FAZIO was the first recipient of the annual American Cultural Preservation Award established by the National Arts Education Program. This award is presented to a Member of Congress who has distinguished himself or herself in supporting the preservation of our cultural heritage. The Pacific Telesis group very generously supported the first presentation of this award and is to be commended for its recognition of the importance of preserving our national cultural legacy.

All forms of American culture—including the visual and performing arts—are a record of our Nation's collective heritage. The preservation of his cultural legacy is important because it teaches future generations an appreciation and understanding of our Nation's past as well as enriches their lives as these same art forms have enriched our lives.

Congressman FAZIO is the perfect choice to be the first recipient of this award. Throughout his years in elected office, VIC has combined his personal interest in the arts with his role in public service. He has served as a champion of the arts of every discipline and has helped to preserve and protect the environment in which the arts may thrive in our Nation.

He is a supporter of the National Endowment for the Arts and has been a dedicated member of the congressional arts caucus for a decade. His interest in the arts preservation ranges from his legislative efforts to preserve a century-old historic opera house in Woodland, CA, which was in danger of being destroyed; to securing appropriations to restore the U.S. Capitol and the Library of Congress, two of our country's most cherished buildings. In fact, the glorious refurbishment of the rooms of the Library of Congress—such as the Southwest Curtain in which the ceremony was held—was largely possible because of VIC's commitment to preservation even in difficult times and his work on the Legislative Appropriations Subcommittee.

Members of the congressional arts caucus joined other guests last evening at the Library of Congress to pay tribute to Mr. FAZIO who has distinguished himself as such a dedicated advocate of the arts. Special recognition was also given to Lindy Boggs for her efforts in cultural preservation throughout her rich and illustrious congressional career.

Both of our colleagues have given extraordinary time and attention to preserving our national culture and to sowing the seeds for future generations to enjoy the rich heritage of our country.

I would like now to insert Congressman FAZIO's comments on receiving the first American Cultural Preservation Award:

REMARKS BY CONGRESSMAN VIC FAZIO

I would like to extend a special thank you to all of you gathered here tonight, and especially to those at the Pacific Telesis group who made this evening possible. I am also very pleased to see so many of my fellow Arts Caucus members here. Every one of the caucus' members has made a contribution to the arts in this nation, and I share with you all the honor that I have received tonight. The members of the Arts Caucus share a common conviction that the government should take an active role in nurturing the arts and have had the courage to take a stand for freedom of expresion in this country.

I would be remiss if I did not note what an honor it is to be recognized in conjunction with Lindy Boggs. Her work in cultural preservation has served as a inspiration to me in my years in Congress, and her legacy continues to live on in these halls. As a fellow member of the Appropriations Subcommittee on the Legislative Branch, Lindy played an integral role in the efforts of the subcommittee to preserve the artwork of the Capitol, and continues her dedication to this cultural preservation work as cochair of the Capitol Preservation Commission.

Recently, the National Gallery of Art sponsored an exhibit in honor of the museum's Fiftieth anniversary entitled "Art for the Nation." This magnificent exhibit contained artistic masterpieces that spanned the globe and hundreds of years of time. In my work in Congress, I have strived to do my part to preserve what I will call the "Art of our Nation." America does not have crown jewels kept in a remote glass box, but living, working institutions. One of our greatest national cultural and artistic treasures belongs to all of us—the United States Capitol.

Our nation's Capitol is a living museum of the people's art, and the conservation and restoration of these national treasures is a project that I cherish. Brumidi's masterpiece on the canopy of the rotunda, "The Apotheosis of George Washington"; the majestic frieze depicting the course of our Nation's history; and the Statue of Freedom atop the Capitol dome—all are the art of our nation. But the Capitol is not simply a museum. It is part of our history, part of the foundation of our nation. The Capitol is a building where thousands of school children come every year to walk the corridors that our nation's founders walked before them, and for those of us who are so very fortunate, a place in which we conduct the business of the nation.

And yet another national treasure is this beautiful building we are in tonight, our own Library of Congress. Again, this is not a stuffy building with furniture covered in slipcovers, but a living, working institution. This building houses the American Folklife Center, which promotes research, scholarship and training in American folklife; a wealth of resources on arts of all disciplines; and a copyright office which oversees the intellectual property of the creative sector in this nation.

It is also in the Library of Congress that we are able to preserve some of the most recent contributions to our national cultural heritage—motion pictures. This has been an especially important project to me because of the significance of preserving a form of the creative arts which is an original American art from. Because of the instability of film used until 1951, over half the films produced before this time have been lost forever. In order to prevent any further decay of our nation's motion pictures, the National Film Preservation Act was enacted to establish a film preservation laboratory within the Library. It is with great pride that the Library of Congress can now boast of the largest film preservation laboratory in the United States, and has done more film conversion and preservation work than any other archive in America.

I would like to once again thank all of you gathered here tonight for this honor, and most if all, thank you for the vision we share. Cultural preservation is a duty that falls on all of our shoulders. Whether it be as simple an act as visiting a local museum, or as grand as the renovation of this beautiful building, we must remember the importance of preserving our nation's treasures, the art of our nation.

## A CONGRESSIONAL SALUTE TO MR. RONALD J. PIAZZA

### HON. GLENN M. ANDERSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, July 24, 1991*

Mr. ANDERSON. Mr. Speaker, I rise today to pay tribute to Ronald J. Piazza, a good friend of Southern California Commerce. On July 24, Mr. Piazza will be honored for his year of service as the 47th president of the Lakewood Chamber of Commerce. This occasion gives me the opportunity to express my deepest appreciation for his dedicated service to the chamber of commerce and the citizens of Lakewood.

During his tenure as president of the chamber of commerce, Ron served with professionalism and distinction. His tremendous understanding of Lakewood Commerce provided an ideal foundation for comfortably stepping in as president. His leadership and dedication was instrumental in the continued success of events such as the golf tournament, Las Vegas Night, Luck "O" the Irish Auction, Cardiac Arrest, Miss Lakewood Pageant, and the seventh annual Chili Cook-Off, and Car Show.

In addition to his commitment and service to the chamber of commerce, Ron has been a role model for business owners and citizens of Lakewood for quite some time. He is held in high regard for the business management abilities he has displayed as owner and operator of five Lakewood McDonald's Restaurants. Ron is also a greatly respected family man. This respect was never more evident than

when the Piazzas were recently honored as "Family of the Year" by the Long Beach Family Service Center.

My wife, Lee, joins me in extending our thanks for Ron Piazza's contributions to the community. He is truly a remarkable individual who has devoted his talents and energies to the cultivation of Lakewood Commerce. We wish Ron, his wife Nancy, and their children, all the best in the years to come.

## MACY FOUNDATION CALLS FOR ACTION ON MINORITY HEALTH CONCERNS

### HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, July 24, 1991*

Mr. TOWNS. Mr. Speaker, the New York City-based Josiah Macy, Jr. Foundation is a private philanthrophy whose funding has been directed primarily to programs designed to enhance the education of health professionals, especially physicians. Since 1965, the foundation's major programs have included efforts to increase the number of underrepresented minorities and women in the medical profession.

I commend to all Members the following statement made by Thomas H. Meikle, president of the Josiah Macy, Jr. Foundation, on minority health care issues. Dr. Meikle's statement eloquently summarizes the current conditions and the contributing factors that have led to the deplorable health of minorities in this country. The infant mortality rate for blacks was more than twice the rate for whites in 1987. Black women are eight times more likely than white women to die from AIDS, and black men die from AIDS at triple the rate of white man.

Poverty and racial discrimination are key contributing factors, however, limited access to health care is an especially large problem. Dr. Meikle points to the continuing underrepresentation of minorities in the medical profession as one of the most important reasons for limited access and the overall lower level of health among minorities.

Not enough can be said about this problem, and the statement by Dr. Meikle comes from one of the Nation's leading health care philanthropies.

PRESIDENT'S STATEMENT

(By Thomas H. Meikle, Jr., M.D.)

Despite dramatic improvements in health services which have benefited most of American society, large numbers of black, Hispanic, and Native Americans suffer from distressingly poor health.

This continuing neglect of non-white Americans contradicts democratic beliefs in liberty, equality, and justice and will, if left uncorrected, ultimately threaten society's stability, weaken its economic productivity, and undermine its moral conscience.

THE DISMAL DATA

Infant and maternal health data for 1987 show the gravity of the problem. The infant mortality rate for blacks was more than twice the rate for whites, and black infants were over three times more likely than white infants to die from pneumonia and influenza.

This pattern is strongly related to the mother's economic status and age. Mothers who are themselves children tend to be poor, to have most frequent medical complications, and to have less access to medical services. The percentage of live births to young adolescent black mothers was nearly eight times that of live births to young adolescent white mothers. In addition, black infants were more than twice as likely as white infants to have low birthweights. The risk of having a low birthweight infant is roughly three times as high for women with no prenatal care as it is for women who start prenatal care in the first trimester; black mothers received prenatal care only half as often as white mothers.

The mortality data for black adults confirm the seriousness of the problem. For example, black women are three times more likely than white women to die from the complications of diabetes and eight times more likely than white women to die from AIDS. Black men die from AIDS at triple the rate of white men.

Although they receive lower levels of health services, blacks have greater need for these services. Blacks were three times more likely than whites to experience severe hypertension, and obesity was twice as prevalent among black women as white women.

While violent crime may not be regarded as a medical problem, violent behavior is an increasing concern of preventive medicine and psychiatry. Black women were more than four times as likely as white women to be victims of murder, and black males were seven times more likely to be homicide victims than white males.

These conditions, which contribute to higher rates of illness and lower life expectancy, do not go unrecognized; in assessments of their own health in 1988, almost twice as many blacks (16.4 percent) as whites (8.5 percent) rated their health as poor.

Similar data are available for Native Americans. Compared to all other Americans, Native American mortality rates were over six times greater from tuberculosis, more than three times greater from alcoholism, and more than twice as great from suicide, accidents, and diabetes. Available data for Hispanic Americans are too sparse for comparisons.

WHY SUCH DISPARITIES IN HEALTH?

Although many socio-economic factors, including poverty and racial discrimination, contribute to the poorer health of minorities, limited access to physicians and to professional health care is an especially distressing factor—and one that can be corrected.

In 1988, a physician's office was the usual site of health care for only 48 percent of blacks compared to 70 percent of whites; the average annual number of visits per person to a physician was 15 percent greater for whites (5.5) than for blacks (4.8).

One important reason for the limited access of many minorities to physicians and their lower level of health care is the continuing, severe underrepresentation of minorities in the medical profession. White minorities constitute about 20 percent of the total U.S. population (12 percent black, 7 percent Hispanic, and 0.6 percent Native American), these groups contributed only 3 percent of practicing U.S. physicians in 1986.

A number of studies have shown that minority physicians are more likely than nonminority physicians to practice among minority populations and in communities that are economically disadvantaged and underserved by physicians. In 1988, a survey by the Association of American Medical Colleges (AAMC) found that significantly more minority than non-minority medical school graduates planned to practice a primary care specialty and to practice in a socio-economically deprived area, many of which have large minority populations.

The racial composition of the medical profession is largely the direct responsibility of the medical schools that select and educate its members. Yet even the discouraging statistic that a mere 3 percent of the current generation of practicing physicians are minorities overstates the contribution of American medical schools: a significant proportion of minority physicians graduated from foreign medical schools.

In the late 1960s, many American medical schools seriously attempted to increase the numbers of blacks, Hispanics, and Native Americans among their students. Their efforts succeeded: by 1978 medical schools had more than doubled their minority enrollments, from 3.0 to 7.9 percent.

Unfortunately, after this initial spurt, the rate of improvement slackened during the following decade. By 1988, minority representation in medical schools had increased to only 8.9 percent, just 13 percent above the level of a decade earlier. Since the U.S. minority population increased by 20 percent during that same period, what looks like a slight growth actually represents a step backwards. Medical schools have been falling further behind.

WHY SO LITTLE PROGRESS

Why have medical schools failed to graduate more minority physicians? Medical schools argue that the principal problem is the lack of academically acceptable minority applicants for admission. They contend furthermore that the quality of the applicant pool is beyond their control.

The argument that too few minority students are adequately prepared appears to be supported by the data. A far lower proportion of black and Hispanic than white high school graduates complete four or more years of college. There has been no improvement in this ratio over the last ten years even though the number of baccalaureate degrees awarded to underrepresented minorities increased 8 percent compared to a 5 percent increase for white students.

The overall number of degrees awarded, however, is less important than the number of degrees awarded in the natural sciences, which reflects the largest single source of applicants to medical schools. The number of baccalaureate degrees awarded to minority students in the natural sciences increased 5 percent while the number of natural science baccalaureates awarded to non-minorities declined 23 percent.

Despite this modest but important increase in the number of minority college graduates with natural science baccalaureates, the percentage of minority applicants to medical school declined 9 percent. This trend suggests that medical schools have made inadequate efforts to recruit minority applicants from an expanding pool of minority college graduates well prepared for medical school. Most medical schools have made only minimal efforts to establish comprehensive recruitment programs to attract minority students. Opportunities have been missed not only in colleges and universities, but also in high schools with special honors programs in science, such as those supported by the Macy Foundation for the past 10 years.

Other recent data appear to contradict the contention of medical schools that there is a

scarcity of minority applicants with competitive academic credentials.

In 1989, U.S. medical schools accepted and matriculated 70 percent of minority applicants with college science grade point averages (GPAs) of 3.0 or higher, compared to 73 percent of non-minority applicants with the same range of GPAs. Between 1978 and 1989, the percentage of non-minority applicants with science GPAs of 3.0 or more who were accepted to medical school rose to 73 percent from 55 percent, whereas the percentage of minority applicants with 3.0 or higher GPAs who were accepted increased only to 70 percent from 62 percent. These data suggest that medical school admissions committees are not comparably and equitably accepting minority applicants with competitive academic credentials. Indeed, the data show that admissions have become easier for non-minority applicants and harder for minorities.

Similarly, although the performance of a minority applicant on the quantitative and reading sections of the Medical College Admissions Test (MCAT) is known to be a powerful predictor of an applicant's ability to complete medical school, the comparatively greater improvement in minority MCAT performance over the past decade has not been translated into proportionate increases in their acceptance rates. From 1978 to 1989, the increase in the percentage of white applicants who scored in the upper half on MCAT's reading or quantitative skills tests and who were accepted by medical schools was triple the increase in the percentage of comparable minority applicants who were accepted.

Concerns about the bias of medical school admissions committees are reinforced by the continuing discrepancies between the percentage of minorities in the applicant pool and the percentage of minorities among those applicants accepted for admission. For every year since 1975, the percentage of minorities in the applicant pool has risen significantly from 7.8 percent in 1975 to 11.3 percent in 1989, whereas the percentage of minorities in the acceptee pool has lagged, rising slowly from a low of 8.7 percent in 1977 to 9.6 percent in 1989.

In addition, for every year since 1977, the percentage of minority applicants accepted to medical school from the total pool of minority applicants has been significantly lower than the percentage of non-minorities accepted from the pool of non-minority applicants. These continuing discrepancies reflect, at a minimum, inadequate affirmative action by medical school admissions committees. Nor is this the end of the problem.

INDEBTEDNESS

The fear of onerous debt is a significant deterrent to all students considering medical school, but is a particular worry for minority medical students who emerge more indebted on graduation than non-minorities. The mean debt of all students remained essentially the same throughout the early 1980s, but began to diverge in 1985.

By 1989, the mean debt of indebted minority graduates ($48,168) was 15 percent greater than that of all indebted graduates ($41,846). In addition, the percentage of graduates with debts greater than $50,000 increased from less than one percent in 1980 to approximately 24 percent for all graduates and to more than 36 percent for minority graduates in 1988. Financial support is less available now to all medical students, and both public and private scholarship funds are used less frequently to support affirmative action. As a result, minority students from economically disadvantaged backgrounds are being forced to borrow disproportionately in order to complete medical school.

MINORITY FACULTY

The environment and culture of many medical schools remain inhospitable to minority students. This is due, in part, to a continuing failure of medical schools to increase the appointment of minority faculty members who can serve most effectively as mentors, counselors, and role models, while enhancing the cultural diversity of each medical school and influencing the institution to be more responsive to a broader community.

Excluding the comparatively larger numbers of minority faculty members at the minority-oriented medical schools (Howard, Meharry, Morehouse, Drew, Ponce, Central del Caribe, and the University of Puerto Rico), only 3.8 percent of the faculty at the other 120 U.S. medical schools in 1988 were minorities. Even including the minority-oriented medical schools, however, less than 3 percent of departmental chairs at all U.S. medical schools were underrepresented minorities.

RETENTION AND GRADUATION

The poor record of retaining and graduating minority students also raises questions about the commitment of medical schools to affirmative action. Every year between 1978 and 1983 the percentage of entering medical students who subsequently graduated has averaged about 90 percent for minority students compared to 97 percent for non-minorities. This record has changed little despite the relative improvement in the academic preparation of minority medical students.

In fact, the record is worse than the aggregate data suggest because a few schools account for most of the minority enrollments: seven schools enroll more than 80 percent minorities; ten to twelve other schools consistently enroll and graduate more than 10 percent minorities.

Most U.S. medical schools have failed to provide equitable access to medical education to underrepresented minorities or to act affirmatively to increase the numbers of minority graduates and minority faculty members. More than half of all American medical schools had the same or even lower minority enrollments in 1985 as in 1978. Considering the critically important role of minority physicians in attacking the national crisis in minority health care, the failure of medical schools to increase the supply of minority graduates necessitates concerted remedial action now.

WHAT CAN BE DONE TO ADDRESS THESE PROBLEMS?

Corrective measures are the responsibility of the medical schools themselves and the national organizations that directly regulate medical education. The national agenda must:

First, establish national targets for the number of minority physicians to be graduated from U.S. medical schools.

The Association of American Medical Colleges has commendably assumed leadership in this mission by announcing its commitment to increase the number of minority matriculants from 1,708 in 1988 to 3,000 by the year 2000. This target should be endorsed strongly and supported with appropriate resources by the American Medical Association, the Liaison Committee on Medical Education, the National Medical Association, the Association of Minority Health Professions Schools, the Association for Academic Minority Physicians, Aspira of America, and federal and state programs.

Second, initiate a major national fundraising campaign to provide scholarships for economically disadvantaged minority premedical and medical students.

This campaign should be coordinated with the National Medical Fellowships, Inc., and should be preceded by a careful analysis of the amount needed to be raised. Without a significant increase in scholarship funds, the desired graduation goals for minority medical students will be unachievable.

Third, obtain a commitment by federal, state, and local governments together with private organizations to strengthen the fiscal and clinical resources of the seven minority-oriented medical schools, especially Meharry and Morehouse.

These schools have large numbers of students from low income families and generally provide medical care to low income populations, generating less revenue from tuition and patient care services than other medical schools. Together these schools educate about 25 percent of the minority physicians graduated by all U.S. medical schools. In 1988, the number of minority graduates from such schools (455) equaled the number of minority graduates from seventeen other medical schools with the largest number of such graduates.

Fourth, develop a major new minority-oriented program in medical education.

A new two-year clinical campus with a dual commitment to minority medical education and health care could be developed in close affiliation with an established medical school that has the capacity to expand its preclinical educational program. A model is the program developed by the University of California Los Angeles and the Charles R. Drew University of Medicine and Science. Underrepresented minorities have constituted more than 80 percent of the graduates of this program in which students receive the first and second years of preclinical instruction at UCLA and the third and fourth years of clinical instruction at Drew, after which they are awarded the M.D. degree jointly by UCLA and Drew. A combination of private and public sponsorship and funding would be necessary, and sites in urban centers in the Northeast or Midwest should be considered.

In addition, the Sophie Davis School of Biomedical Education at the City College of New York could be developed into an M.D. granting institution. Designed to educate physicians for primary care practice in underserved communities, this school enrolls about 25 percent black and Hispanic students. It provides an integrated three-year collegiate premedical curriculum and a two-year medical school preclinical curriculum, after which students transfer to one of several New York State medical schools for the remaining two years of clinical instruction. The development of the Sophie Davis School into the City University of New York Medical School, perhaps in affiliation with a municipal hospital in New York City, could secure its future and contribute significantly both to minority medical education and to the health of the medically underserved in New York City.

At the local level, the responsibility for increasing the number of minority graduates represents an immense challenge to individual medical schools, especially during a period of fiscal constraint and reduced national commitment to equal opportunity and affirmative action. The national crisis in minority health, however, demands that highest priority be given to implementing a comprehensive minority student program. To es-

tablish a comprehensive program, a medical school should:

Define specific goals or targets for the numbers of minority students to be admitted and graduated:

Appoint an associate dean in charge of minority affairs and responsible for liaison with "feeder" high schools and colleges, recruitments of minority students, and support services provided to minority students—only one third of U.S. medical schools currently appoint an associate dean, assistant dean or director of minority affairs;

Establish specific targets and timetables for the recruitment and appointment of additional minority faculty members;

Review and revise the student admissions process, including criteria for accepting applicants, the membership of the admissions committee, and the procedures for maintaining contact with and recruiting applicants accepted for admission;

Establish formal programmatic relationships with high schools and colleges that have rigorous science programs for minority students and that represent continuing sources of competitive minority applicants—medical schools can offer these students practical career counseling and opportunities for medically-related part-time employment;

Strengthen the support service available to all students, but especially disadvantaged minority students, including prematriculation orientation, remedial tutoring, flexible curricula and timetables for graduation, and career counseling; and

Increase scholarships and grants-in-aid for economically disadvantaged minority students, with no strings attached.

The poor health of large numbers of black, Hispanic, and Native Americans is, in part, the result of an inadequate supply of minority physicians. American medical schools have not responded aggressively to this crisis. Despite an expanding pool of appropriately prepared applicants, medical schools have not recruited minorities vigorously. They have not equitably accepted and enrolled minorities compared to non-minority applicants, and have insufficiently supported minority students who were matriculated in medical schools.

Comprehensive programs by medical schools at both national and local levels are urgently needed to recruit, admit, retain, and graduate minority students, especially those from economically disadvantaged backgrounds.

Correcting the discouraging national deficit in minority physicians will require the commitment and collaboration of federal, state, and local governments and private individuals, industry, and philanthropic organizations.

Since its establishment in 1930, the activities of the Josiah Macy, Jr. Foundation have been guided by the views of its founder, Mrs. Kate Macy Ladd, that "no sound structure of social or cultural welfare can be maintained without health." For the past sixty years, much of the Foundation's funding has been based on the conviction that improving the education of health professionals, especially physicians, can have the greatest multiplier effect in improving people's health.

Since 1965, over 25 percent of the Foundation's funds have been directed toward increasing the number of minorities in the medical profession. Until 1980, the Foundation primarily supported projects in colleges and medical schools that were designed to assist the development of academic programs and support services for minority students. From 1981 to the present, with the objective of enlarging the pool of minority high school graduates who are well prepared for admission to competitive colleges and later to medical school or graduate programs, the Foundation shifted most of its funding to enhance the curricula and support services in minority high schools.

These programs have been highly successful, as described elsewhere in this annual report. The Foundation's commitment to improving science education in minority high schools continues through the recent establishment of Ventures in Education, which will expand and enhance these activities significantly.

The continuing failure of U.S. medical schools for the past 15 years to graduate substantially more minority physicians, however, represents a special challenge to all organizations concerned about the poor health of minority people in America. The Josiah Macy, Jr. Foundation is interested in exploring ways to encourage and assist American medical schools in addressing this critical problem.

## CYPRUS AND THE NEW WORLD ORDER

### HON. WM. S. BROOMFIELD

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, July 24, 1991*

Mr. BROOMFIELD. Mr. Speaker, in the aftermath of the Persian Gulf crisis, much has been said about building a new world order in which justice prevails and disputes are solved through diplomacy, and not by the barrel of a gun. There is now a chance for peace on the long-troubled island of Cyprus, and I encourage the administration to aggressively seize the moment before it is lost forever.

Turkey invaded Cyprus in 1974 and still occupies the north with 30,000 troops. Many Cypriots were killed in the conflict, over 1,619 are missing, and 200,000 Cypriots were displaced to become strangers in their own land. A green line, manned by the United Nations, divides the island. The only country in the world to recognize the breakaway state of northern Cyprus, Turkey has paid a high political cost for its position on this international conflict. In light of Turkey's illegal presence on Cyprus, European governments routinely label it "the only European country to occupy another state." The European Community has clearly told Turkish officials that resolution of the Cyprus dispute will win Ankara significant support and benefits from that organization. For many years, Congress has also shown its unhappiness with Turkey's refusal to solve the problem by maintaining in law a 7:10 ratio in United States military assistance levels to Greece and Turkey. Turkey has much to gain by putting the dispute behind it.

For 17 years, the Cyprus problem has stood out like a sore thumb on the international landscape. It has defied solution. Past administrations have essentially put it at the bottom of their regional priority list, while telling Congress that Cyprus had the undivided attention of the Secretary of State. I have told the current administration, however, that our great Nation, that has done so much good for the world in the name of evenhandedness and fairness, should never accept the status quo on Cyprus and that this problem, unlike some other conflicts, can, in fact, be resolved.

Fortunately, President Bush and Secretary Baker have greatly raised the profile of this difficult issue. Recent talks in Athens and Ankara produced promising results. A U.N. conference on Cyprus, involving the parties to the dispute and others, may be held at the United Nations in September. I encourage the administration to continue its positive actions and also strongly urge our negotiators to be tough with our ally, Turkey. President Ozal must use his obvious influence on the Turkish Cypriot leader, Rauf Denktash, to convince him to abandon his intransigence and make reasonable concessions.

Let us all hope that the players in the Cyprus dispute will be flexible, willing to negotiate, and responsive to America's active involvement in the issue. A solution to this complex problem could enhance the international reputation of President Bush as a peacemaker and be an impressive next step in building the new world order.

I commend to my colleagues an editorial on Cyprus in today's Washington Post.

[From the Washington Post, July 24, 1991]

YEAR OF CYPRUS

It was practically inevitable that the roving eye of an American president fascinated by foreign affairs would fall on Cyprus. It's the small Mediterranean island that Britain, retiring from empire, set up as a combined Greek and Turkish state. Rocky from the start, this experiment in cross-ethnic partnership altogether collapsed in the 1970s, when mainland Greeks put the minority Turkish Cypriots in fear of community survival and mainland Turks responded by sending in the invasion/protection force that sits on the island to this day.

Many would say that, though harsh, the resulting physical separation of the two communities represented the best available solution to their demonstrated inability to live side by side. Nonetheless, international diplomacy has treated the division intermittently as an offense against political order that needs to be repaired.

This is the target of diplomatic opportunity that President Bush raised to his personal agenda last week in Europe. He said the dispute was important to solve, and to solve "this year"—a warning to the parties that his time, along with that of the retiring United Nations secretary general, an old Cyprus hand, is valuable. A solution would restore a nation sundered by arms and ethnic passions. It would ease strains between NATO members Greece and Turkey, and incline Athens to stop blocking Turkey's way into the European Community, among other boons.

It remains to be seen, however, whether either Cypriot community can go half way. Greek Cypriots, who control the internationally recognized government of Cyprus, would have to yield their claim to be the dominant element on the island and instead become one in a loose federation of two equal communities. Turkish Cypriots, who run a little rump state that only Ankara recognizes, would have to yield the protective certainties represented by the "Turkish Republic of Northern Cyprus," by that entity's occupation of some Greek Cypriot territory and by the continued presence of 30,000 Turkish troops.

Greeks, conditioned to look to outsiders, hope to induce the United States to roll back

the Turkish invasion. Turks, emphasizing their strategic links to America, play on a presumed American sympathy for the Turkish Cypriots' pre-invasion persecution. Both sides should understand that for Washington, arranging a new deal in a context where the sides themselves seem ambivalent lies in Category B: desirable but not so vital as to be worth endless and urgent American striving.

## INTRODUCTION OF A BILL TO AMEND THE FEDERAL POWER ACT

### HON. PATSY T. MINK

OF HAWAII

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, July 24, 1991*

Mrs. MINK. Mr. Speaker, I rise today to offer a bill to amend the Federal Power Act to remove the Federal Energy Regulatory Commission's [FERC] jurisdiction over hydroelectric projects on Hawaii's streams. This bill is similar in intent and language to an amendment offered by Senator AKAKA of Hawaii to S. 1220, the Senate's omnibus energy bill.

Mr. Speaker, last year the Supreme Court decided in California versus FERC that the FERC has preemptive authority over a State's surface water for purposes of licensing and regulating hydroelectric projects. Hawaii, along with all 48 other States, supported California in the Supreme Court. The Court based its decision upon Congress' intent in passing the Federal Power Act.

I am greatly concerned about the impacts of this decision on the surface streams in the State of Hawaii. In my State the situation is particularly acute because unlike in the mainland States, there are no interstate electrical power grids or interstate commerce concerns that warrant Federal intervention.

Moreover, Mr. Speaker, unlike the continental United States, Hawaii's streams are short and flashy, and do not flow through other States. Federal stream management of our streams is highly inappropriate. With the creation of the Hawaii Water Commission in 1987, my State has taken the lead in the management of our surface waters and streams.

The U.S. Supreme Court decision establishes jurisdiction in the FERC to regulate surface waters and to issue hydroelectric permits and licenses to parties who voluntarily apply, even if not required to obtain a permit or license.

Hawaii faces a direct challenge now under this decision. For Hawaii, a State surrounded by saltwater, our freshwater resources have always been precious and critical to sustaining life. As an island State, we are more aware than anyone of the importance of proper regulation of these vital resources. I feel it is very important that the threat of FERC preempting State authority be prevented.

Therefore, Mr. Speaker, I ask my colleagues to join me in supporting this measure.

## EASTMAN KODAK AND PARTNERSHIP FOR A DRUG-FREE AMERICA PLAY MAJOR ROLE IN FIGHTING DRUG WAR

### HON. FRANK HORTON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, July 24, 1991*

Mr. HORTON. Mr. Speaker, today I rise to give special recognition to a company and an organization that deserve a great deal of credit for the success we are seeing in the changing attitudes about drug use in this country. The Partnership for a Drug-Free America is a nonprofit, private sector coalition of media volunteers who are pooling their expertise in advertising, marketing, production, and research to create a series of powerful messages that are changing the way our society thinks about drug use. Nearly all of us have seen these compelling advertisements on local and national television. One very memorable ad that has gained acclaim compares an egg sizzling in a frying pan to a person's brain on drugs. Over the last several years, such creative ads have played a major role in the declining acceptability of drugs in our society. The message reaching millions of people each day is that drug use is just not cool anymore.

The success of the partnership's campaign is directly attributable to the businesses who recognize the importance of corporate responsibility—who, by volunteering time, creativity, and resources, strive to make this society a better place to live and work. As one of the original sponsors of the parnership's efforts which continues to donate its resources, Eastman Kodak Co. exemplifies this responsibility. Since the partnership's inception in 1986, the Eastman Kodak Co. has contributed almost all of the film used in creating its 80 television messages. Kodak estimates the total dollar contribution to the partnership at $175,000—nearly 350,000 feet or 70 miles of film. We may soon be seeing the results of Kodak's latest donation of 200,000 feet of film in the partnership's newest effort—dramatic antidrug messages in movie theaters.

The drug scourge in this country has been devastating and continues to threaten national productivity and quality of life. But as demonstrated by the efforts of the partnership and responsible-minded companies like Kodak, we can effect positive change. I ask my colleagues to join me in giving special recognition and thanks to the partnership for a Drug-Free America and Eastman Kodak Co. for their important contributions to the war on drugs and for the example they set.

## MANHATTAN BEACH WINS NATIONAL SECONDARY SCHOOL RECOGNITION

### HON. MEL LEVINE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, July 24, 1991*

Mr. LEVINE of California. Mr. Speaker, I rise today to ask my colleagues in the U.S. House of Representatives to salute the outstanding work of the Manhattan Beach Intermediate School, located in this beautiful beachside city which is an important part of my 27th Congressional District.

The Manhattan Beach City School District recently received notification from the Secretary of Education, Lamar Alexander, that Manhattan Beach Intermediate School was selected as an exemplary school based on the criteria established for the National Secondary School Recognition Program. Manhattan Beach Intermediate School was one of 18 schools in Los Angeles County to receive this recognition. Nationwide, 222 secondary schools representing all but seven States, received recognition. Of those, 169 were public schools, and 53 were private schools.

Manhattan Beach Intermediate is an example of the high quality of education provided in California. The school principal, Ms. Billie Jean Knight; Superintendent Gerald Davis and school board trustees, Mr. Gary Collins, Mrs. Kathy Campbell, Mrs. Barbara Dunsmoor, Mr. Bernard O'Connor and Mrs. RosaLee Saikley are to be commended for their dedication to quality education in our public schools.

The future of this great country lies in the hands of our youth. What they learn and how they learn will influence our leaders to come. We must support and encourage our students, teachers and schools to ensure their continued strength.

## THE OCCUPATION OF CYPRUS

### HON. ROBERT E. ANDREWS

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, July 24, 1991*

Mr. ANDREWS of New Jersey. Mr. Speaker, yesterday many of our colleagues took part in a special order to mark the 17th year of occupation for the People of the Republic of Cyprus. Unfortunately, I had to leave Washington at 2 p.m. yesterday afternoon in order to testify before a Federal judge in Philadelphia about the future of the Philadelphia Naval Shipyard. This facility employs 5,000 south Jersey residents and is unfairly slated for closure. Since I was not able to participate in yesterday's special order proceedings, I would like to add my remarks about the occupation of Cyprus to the RECORD today.

President Bush has promised us a New World Order in which the naked aggression of nation against nation will not be tolerated. This was our motivation for liberating Kuwait. The administration seems to forget this worthy goal, however, once we turn our attention to the Baltic States, or to the democratic protesters in China, or to the people of the Republic of Cyprus. I urge the President to show the same resolve in ending the occupation of Cyprus that he demonstrated in Kuwait.

After 17 years the time has come for the occupation to end. The President should use his leverage to bring Turkish President Turgut Ozal to the bargaining table, and Congress should help the President's efforts by reevaluating the level of monetary aid that we send to Turkey each year.

Mr. Speaker, I hope that we can look to our President for strong leadership to end the oc-

cupation of Cyprus, so that one year from now we will be celebrating a new birth of freedom, rather than another anniversary of aggression.

## A TRIBUTE TO WILLIAM PUGH AND THE TENNESSEE SOCIETY OF CERTIFIED PUBLIC ACCOUNTANTS

### HON. JOHN J. DUNCAN, JR.

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, July 24, 1991*

Mr. DUNCAN. Mr. Speaker, I would like to acknowledge one of my constituents, William Pugh of Knoxville, who was recently elected as the new president of the Tennessee Society of Certified Public Accountants.

The TSCPA is a 5,200-member organization statewide.

The Society is dedicated to the encouragement of further training for certified public accountants. It offers higher education programs across the State. Furthermore, the TSCPA has helped Tennessee to become a leader in improving the educational requirements for taking the CPA exam.

Mr. Pugh graduated from the University of Tennessee in 1961 and began his career in Knoxville for the Internal Revenue Service. In 1981 he started his own business, Pugh & Pugh Co., which has since grown to become one of the largest Knoxville-based accounting firms.

Hard work and innovation through education have continually marked the successes of Mr. Pugh's impressive career.

Mr. Pugh began his term as president on June 28. He certainly deserves due recognition and support as he works to further enhance the quality of business across the State of Tennessee and this country as well.

I ask that an article that appeared in the Knoxville News-Sentinel be printed in the RECORD.

ACCOUNTANTS GAIN NEW IMAGE—KNOX FIRM'S CHIEF LEADS STATE GROUP

(By Laura Simmons)

The image of the accountant hunched over ruled books and adding columns of numbers is obsolete, says the new president of the Tennessee Society of Certified Public Accountants.

"The computers have really changed our work considerably. It has eliminated a lot of the pencil pushing we had when I first started," said Will Pugh, president of Pugh & Co., a downtown Knoxville accounting firm.

"It's not a monotonous as a lot of people would perceive it to be," he said.

Today's accountant spends more time dealing with clients and today's accounting firms offer more services. Pugh & Co., for example, advises clients on setting up office computer systems.

"You are communicating with clients on a continuous basis. We are business advisers as well as auditors and tax people," Pugh said.

The profession is challenging because accountants learn how many different industries are managed when they provide services to their clients, he said.

"One day you're working on a bank and the next day you're working on a grocery business," Pugh said.

A 1961 University of Tennessee graduate, Pugh, 58, started his accounting career at the Internal Revenue Service in Knoxville. After six and a half years with the IRS, he entered public accounting with Jim Hickman.

In 1981, Pugh formed Pugh & Co., based in the First American Center on Gay Street. With eight partners and 84 employees, it is one of Knoxville's largest locally owned accounting firms. The firm also has a Gatlinburg office with four employees.

Pugh took office as head of the 5,200-member Tennessee Society of Certified Public Accountants on June 28.

Many people confuse the professional organization with the State Board of Accountancy, a government office that administers the state accounting laws, administers the state CPA exam, registers accountants and hears complaints concerning professional responsibility and ethics, he said.

One of TSCPA goals is to encourage continuing education and training, and the organization offers continuing education courses across the state.

The group also has initiated a quality review program to review smaller firms and to help them improve and to keep up with the rapid changes in the accounting profession.

"In our work, things have changed so much in the past 10 years, it requires more taining and education and updating than it ever did," Pugh said.

"Tax laws have changed almost every year since 1981, and there was a very substantial change in 1986," he said.

In addition, the accounting standards by the American Institute of CPAs have undergone numerous changes in the past several years as well, Pugh said.

The state has been a leader in upgrading the educational requirements for taking the CPA exam, and in 1993, new laws take effect which increase the number of college course hours and accounting course hours required to take the exam.

"I think if anything, the society is trying to upgrade the quality of its members across the state," he said.

One issue of concern to the organization is the trend toward increasing liability exposure of accountants.

"The cost of liability insurance is very high compared to what it was a few years ago," Pugh said.

Recent surveys indicate about 50 percent of accounting firms do not carry liability insurance, and the chief reason is because costs are so high, he said.

"Part of it is just the fact that such big awards have been made in a lot of cases," he said. "The insurance companies, if they have a million dollars on a claim, or $2 million or $10 million, . . . they have to pass that on to the ones who are covered."

The American Institute of CPAs advocates legislative reforms that would protect defendants from paying more than their proportionate share in a court judgment. When a business fails, claimants often go after the business' accounting firm in court because it is the only party that has any funds, Pugh explained.

## SURVIVORS OF GUANTANAMO BAY

### HON. ILEANA ROS-LEHTINEN

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, July 24, 1991*

Ms. ROS-LEHTINEN. Mr. Speaker, the "Survivors of Guantanamo Bay" is an organization designed to educate and inform the public of one of the most epic chapters in the history of the fight for freedom in the world, the saga of Guantanamo Bay. The organization was established in January of this year and its members consist of Cubans who gained their freedom through Guantanamo Bay and our American naval base. "Survivors of Guantanamo Bay" is a nonprofit benefit organization which is organized exclusively for charitable/educational purposes.

The members of "Survivors of Guantanamo Bay" are planning to construct a monument in the name of those who died while attempting to escape communism through Guantanamo Bay. The land being used for the memorial, at S.W. 8th Street and 13 Avenue in Miami, FL, was donated by the city of Miami. The group also works in identifying the many Cubans who acquired their freedom by escaping through the Guantanamo Naval Base in Cuba. The organization will provide education and other assistance to help the members and their families in the United States. In addition, "Survivors of Guantanamo Bay" want to compile a list and denounce all past and present violators of human rights by using proper forums.

Many people should be thanked for working on the "Survivors of Guantanamo Bay" project. The president, Diego L. Mella; secretary, Ramon Rodriguez; vice president, Johnny Vizo; treasurer, Manuel Prieres; vice secretary, Rafael Martinez, and its directors including Ramon Cros, Rafael Tellez, Alfredo Giro, Salvador Perez, Adalberto Paruas, Oscar Hernandez, Angel Socarras, Medardo Martinez, Thomas Perez of Tampa, Jorge Pol of Connecticut, Jose Pando of Chicago, Dr. Rene Tol of New Jersey, Orlando Pila of California, and Elio Borges, Jr. of Puerto Rico.

## HISTORIC HELEN HUGHES CHAPEL OF SILVER BAY, NY, IS ARCHITECTURAL TREASURE

### HON. GERALD B.H. SOLOMON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, July 24, 1991*

Mr. SOLOMON. Mr. Speaker, if ever I had the pleasure of entertaining you and other Members in my district, one of the sites I would take you to see is the Helen Hughes Memorial Chapel in Silver Bay.

The 24th District of New York is justly famous for the number and variety of its old churches. They are virtual museums of local history and architectural styles.

The Hughes Chapel, named for the daughter of Glens Falls native and former U.S. Supreme Court Justice Charles Evans Hughes, is the heart of the Silver Bay Association, one of the most important institutions in the Northeast. The chapel itself is built in what is called the Norman style, which predated the Gothic. Naturally, it would be almost impossible to duplicate today.

I could go on, Mr. Speaker, but I will instead place in today's RECORD an excellent article in my hometown newspaper, the Glens Falls Post-Star. In it is told the fascinating story of this beautiful and unique chapel:

SILVER BAY CHAPEL PROVIDES A RUSTIC SETTING FOR WORSHIP

(By Janet Marvel)

SILVER BAY.—It was the vision of Dr. Paul Micou that lead to the building of a stone chapel on the campus of the Silver Bay Association. Throughout its 68-year existence, the chapel has become the heart of the Silver Bay Association.

In the spring of 1919, a rough-hewn oak cross was erected at the campus with the cross providing a quite forest retreat for meditation and contemplation. An inscribed Bible and a book for listing spiritual quotations, enclosed in a weatherproof case, lay near the cross.

During one summer day in 1921, Dr. Micou sat at the foot of the cross, deep in thought. He visualized a woodland chapel at the site and, sketching on a piece of lined paper, he designed a beautiful, rustic church that could stand next to the existing cross. The sketch was passed on to C.C. Michener, association president, who within a week became chairman of the Chapel Fund with support from Micou and others.

The fund grew throughout that winter through the work of Mrs. C.C. Michener and exceeded Micou's modest sketch. An architect from New York, whose name is not listed in association histories, selected the site and planned the building.

Named for Helen Hughes, the daughter of Chief Justice (and Glens Falls native) and Mrs. Charles Evans Hughes, the chapel was built in 1923 from native stone in the Norman style of architecture.

Helen Hughes, born in 1892, was deeply interested in the Christian student activities of the Silver Bay Association, which was founded in 1902 as an ecumenical conference center and also as an autonomous YMCA.

A graduate of Vassar College, in 1914 Hughes was a pioneer in founding high school girls clubs, sponsored by the YWCA.

Charles Clifford King Jr.'s book, "Andia-Ta-Roc-Te" (the title, translated as "where-the-mountains-close-in," is the Indian name for Lake George) describes Hughes as she directed the girls clubs: "Here her rare combination of attributes brought quick response in her dealings with fellow leaders and girls. She loved girls, understood them, was one of them. Her radiant nature was needed in broader fields, for behind it was the earnest, keen-witted director who fostered her appointment as chairman of all the Washington, D.C. Clubs.

"In this official capacity, never held by one so young, her irresistible sense of humor smoothed out many a troublesome situation. Combining her work with a brilliant social life, her field of service was greatly magnified," King wrote.

Hughes also spoke through an interpreter to the deaf students of Gallaudet College, and many of those students later contributed to the Chapel Fund in her memory. She served from 1916–1919 as a member of the National Board of the YWCA and served as Field Student Secretary in the Middle Atlantic states and New England.

Hughes died in 1920, probably of consumption, Johnson said.

King describes the Hughes Chapel as the "embodiment of two fundamentals in that splended girl's personality—simplicity and strength. Hers was a life of service."

The simplicity in Hughes' life is found in the architecture of the church.

The modified nave and chancel, the slate altar and the detail of the wrought iron sconse lights and wooden organ screens show the simple and unadorned style of the chapel, King wrote.

King, whose parents were teachers at the Silver Bay Boys School, designed those organ screens to cover the organ works, said Mark C. Johnson, executive director of the Silver Bay Association. The school was a part of the association's campus from 1918–1934, he said.

The chapel is the "Heart of Silver Bay," and is the center of an institution "dedicated to the furthering of Christian leadership in the world," King wrote.

Glens Falls architect Robert J. Joy, who has worked with Silver Bay's more modern deisgns, describes the chapel as the most "elegant" building on the campus. "Its simple lines, cut stone arches and heavy slate roof bespeak a permanence that is hard to duplicate today."

Joy describes the architecture as early Norman, of the 1066 to 1180 period. Norman is the Romanesque style of architecture that predates Gothic, he said.

Norman architecture and the Hughes Chapel is characterized by a low roof line, rounded arches as seen in the main doorways and rounded timber arches in the roof that bracket the stone walls, Joy said. The nave is in the shape of a cross, he said.

The stained glass windows were given in Hughes' memory by the Welch people of the U.S. The Hughes family originated in Wales.

A group of three windows stand above the altar. A framed hand-painted description explains that the central figure depicts a noble woman wearing a crown as the Queen of Thuringia, who rose to sainthood by her generous, forbidden giving of gifts to prisoners and the poor. When challenged by a prison guard, she opened her cloak and her gifts miraculously changed to roses.

The angel on one side holds a heavenly crown and on the other, an angel holds roses.

Beneath the rose strained glass window in the rear of the chapel is a simple tablet: "This Chapel is Erected In Loving Memory of Helen Hughes 1892–1920."

Smith writes that the tablet should also state: "By the 32,000 friends who in the stones of this building count a few of the kind deeds that made her life an ideal for them to follow."

The rose window is lit every night, Johnson said.

The chapel's two-manual 34-stop organ was installed in April 1931, at a cost of $11,500 and was placed there by many donations made in memory of Spencer Paine, whose parents founded the Silver Bay Boys School in 1918. A small addition to the chapel's south wall was built to house the organ motor.

A virtual "Who's Who" of organists have performed since New York organist Andres Tietjen played the dedicatory concert, accompanied by vocal soloist Antoinette Halstead.

Johnson recalls that organist Virgil Fox "wandered in" and played the organ and piano.

In the 1960s, John Obetz was musical director and organist. In 1984, Hugh Allen Wilson, a resident of Bolton and professor of music and organ at Union College performed in concert. In 1989 and 1990, Atlanta-based organist Robert Simpson played as did Timothy Albrecht, a performer, composer and teacher at Emory University. Paul Fleckenstein, organist and director of music at Wilton Congregrational Church, in Wilton, Conn., also played.

This 60th anniversary year will show performances by Obetz and Horace Fishback, retired professor of music at Fairleigh Dickinson University and an association musical director and organist.

Fishback played a concert on Saturday in the chapel. "Benedictus," the last piece in his suite entitled "Chapel Reflections," was performed in dedication to Hughes, Fishback said.

The organ is housed in the unheated stone chapel and is used only during the warm seasons. The organ withstands the rigors of the cold temperatures, but many small animals have died after being trapped in the wooden organ pipes, Johnson said.

Sonic noise generators were installed and metal corner protectors were placed over the leather stops that the animals were eating.

The organ was rebuilt in 1980–1981 with a gift from Elizabeth Tayor of Schenectady, in memory of her parents. Her father was a music teacher at Union College. It would cost $400,000 to replace the organ today, Johnson said.

Recently central lights were installed to illuminate the main aisle of the church, Johnson said.

This summer, new hymnals were place in the chapel. Gifts last year included red carpet, a new platform before the altar and new chancel curtains, he said.

## HUMAN RIGHTS IN PERU

### HON. TED WEISS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, July 24, 1991*

Mr. WEISS. Mr. Speaker, under the terms of the International Narcotics Control Act of 1990, the United States may provide assistance to the Andean nation of Peru only after President Bush has issued a determination that a number of specific human rights standards have been met.

Those standards are divided into three parts: First, Peru's military and police forces may not be engaged in a consistent pattern of gross violations of internationally recognized human rights; second, the Peruvian Government must have made significant progress in ensuring that human rights abuses are not committed and that international organizations have an opportunity to investigate such abuses; and third, the Government of Peru must have effective control over police and military operations related to counternarcotics and counterinsurgency activities. Until President Bush determines that all of these standards have been met, United States aid may not be provided to Peru.

Evidence gathered by international human rights organizations, Peruvian human rights monitors, the United Nations—and even our own State Department—clearly indicates that Peru does not currently meet these standards.

For the fourth year in a row, the U.N. Commission on Human Rights has received more reports of disappearances following detention by security forces in Peru than from any other country in the world. Last year alone, nearly 3,400 Peruvians died as a result of political violence—almost equally divided between the Shining Path guerrillas and Peruvian security forces—and over 300 were reported missing or disappeared after forcible detention by security forces. According to the U.S. State Department's most recent human rights report, there was an overall increase in political deaths and summary executions in Peru last year.

Yesterday, a group of House and Senate Members sent President Bush a detailed letter which outlines this pattern of gross violations of internationally recognized human rights by Peru's military and security forces. In that letter—which was circulated on the Senate side by our colleague, Senator EDWARD KENNEDY—we urged the President to take this consistent pattern of abuses into account when considering human rights determination which must precede any U.S. aid.

Our letter expresses strong support for Peruvian President Alberto Fujimori, who is faced with many trying political and economic challenges. We also expressed our sympathy for President Fujimori's struggle against the violent and ruthless Shining Path guerrillas. The Government of Peru has a clear legal right—and indeed an obligation—to fight the Shining Path and to protect the people of Peru from their brutality and violence. The Government's struggle against the guerrillas, however, does not excuse the gross violations of human rights committed by the Peruvian military and police forces.

The International Narcotics Control Act is appropriately explicit and unambiguous about the human rights standards which must be achieved before United States may be provided. As a result of the actions of the Peruvian military and police forces, Peru simply does not meet these standards.

The text of our letter to the President follows:

CONGRESS OF THE UNITED STATES,
*Washington, DC, July 23, 1991.*

Hon. GEORGE BUSH,
*President of the United States, White House, Washington, DC.*

DEAR MR. PRESIDENT: We are writing to express our concern about the egregious human rights conditions in Peru and to urge you to recognize the pattern of gross violations of internationally recognized human rights by the Peruvian military and police forces in considering whether to provide military aid.

Although we are supportive of President Alberto Fujimori, and are sympathetic to his government's struggle against the violent and ruthless Shining Path guerrillas, we are concerned that the police and military are holding themselves above both civilian rule and the rule of the law. It is the importance that we attach to human rights and to civilian control over all parts of the government that prompts us to write this letter.

As you know, the United States and Peruvian governments signed an anti-narcotics agreement in May, 1991. This agreement provides for increased U.S. aid and training for Peru's police and armed forces for anti-narcotics and related counterinsurgency efforts. The State Department intends to provide $34.9 million in such aid to Peru during FY '91, and has requested an additional $39.9 million in aid for FY '92.

Before additional assistance can be delivered, however, a determination must be made that Peru has met the human rights standards set forth in the International Narcotics Control Act of 1990. Pursuant to this law, U.S. security assistance can be provided only if: (1) Peru's military and police forces are not engaged in a "consistent pattern of gross violations of internationally recognized human rights"; and (2) the civilian government has "effective control over police and military operations related to anti-narcotcis and counterinsurgency activities."

We believe that the Peruvian military and police forces have prohibited the Fujimori government from meeting these conditions. For the fourth year in a row, the United Nations' Commission on Human Rights has received more reports of "disappearances" following detention by security forces in Peru than from any other country in the world. Last year alone, nearly 3,400 Peruvians died as the result of political violence—almost equally divided between the Shining Path guerrillas and Peruvian security forces— and over 300 were reported missing or disappeared after forcible detention by security forces. According to the most recent State Department human rights report, in 1990 there was an overall rise in political deaths and summary executions in Peru.

Recently, the legal impunity of the army and the police force has been reinforced. Limits on habeas corpus have been decreed which reduce judicial authority in human rights cases and severely limit the legal recourse of individuals seeking justice for relatives who have disappeared or been imprisoned. A presidential decree has been issued mandating that all cases against security personnel operating in security zones be tried in military courts.

According to human rights groups, no military officer has ever been convicted of a human rights violation in Peru.

During the past year, the number of provinces deemed "emergency zones" has been expanded to include over 40 percent of the national territory and over 56 percent of the Peruvian population. In these zones, where civilian authority is subordinated to military control, human rights abuses are most concentrated.

In addition, the Narcotics Control Act states that Peru must make significant progress in permitting "unimpeded investigation of alleged violations of internationally recognized human rights, including access to places of detention by appropriate international organizations." Yet, international organizations are typically denied access into these emergency zones and have in no cases that we know of been permitted access to military barracks, where torture is reportedly commonplace.

Moreover, human rights activists and organizations have themselves become the target of violent attacks. Dr. Angel Escobar, a prominent human rights lawyer, disappeared last year, and a letter bomb attack against another highly-respected human rights lawyer, Augusto Zunigo, severed his forearm. In addition, the offices of the Andean Commission of Jurists, Amnesty International, and the Red Cross have been attacked.

Human rights violations committed by police and military forces in their counterinsurgency efforts against the Shining Path guerrillas are well-documented. The 1990 State Department human rights report notes "widespread credible reports of summary executions, arbitrary detentions, torture and rape by the military."

Just last month, a Peruvian television channel filmed policemen shoving two brothers into the trunk of their car. They were later found dead of multiple gunshots fired at close range. This blatant police brutality—an anomaly only because it was captured on camera—caused a national outcry.

Such unrestrained violence reflects the clear inability of the civilian government to control the military and police forces. Although the Shining Path guerrillas also have been responsible for gross and inexcusable abuses in their effort to undermine President Fujimori's democratic government, their abuses do not excuse security forces from their obligation to operate within the jurisdictions of Peruvian and international laws.

We believe that additional U.S. aid to the Peruvian security forces has the great potential for misuse.

Increasing aid to Peru's police and armed forces would send a signal that the United States is willing to tolerate their dismal human rights record. Such a signal would clearly diminish efforts designed to encourage the military and police to use self-restraint and would reduce the incentive of President Fujimori's civilian government to insist on accountability from the armed forces. These security forces must firmly demonstrate a commitment to holding those responsible for disappearances, torture, and extrajudicial executions and to ending the impunity with which those crimes are committed before they receive more military aid.

If the Andean Drug Initiative is to be effective, it must promote respect for human rights, democratic institutions, and political stability. At this point, additional funding for Peru's police and armed forces pursuant to the anti-narcotics effort would only undercut our long-term goal of preserving civilian control over Peru's fragile democracy and troubled economy.

Holding Peru's security forces accountable for their deplorable human rights record is consistent with the Administration's stated goal of improving human rights conditions throughout the world. We strongly encourage you to recognize that Peru has not met the requirements of the Narcotics Control Act. Before further military aid is provided to Peru, it must demonstrate its respect for fundamental human rights.

Sincerely,

Representative Ted Weiss, Senator Edward Kennedy, Representative Sam Gejdenson, Senator Alan Cranston, Representative Howard Berman, Senator Christopher Dodd, Representative Nancy Pelosi, Senator Paul Simon, Representative Gerry Studds, Senator Brock Adams, Representative Peter Kostmayer, Senator Alan Dixon, Representative Donald Payne, Senator John Kerry, Representative Jim McDermott, Senator Paul Wellstone, Representative John Conyers, Representative Jim Moody, Representative Eliot Engel, Representative James Oberstar, Representative Wayne Owens, Representative Esteban Torres.

## A CONGRESSIONAL SALUTE TO RAUL MEDINA

### HON. GLENN M. ANDERSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, July 24, 1991*

Mr. ANDERSON. Mr. Speaker, I rise today to pay tribute to Raul Medina, Worldport LA's "ambassador of the sea." Mr. Medina, a longtime resident of the San Pedro area, will retire after 33 years of service to the city and Port of Los Angeles. This occasion gives me the opportunity to express my deepest appreciation for his many years of community service to us all.

Raul Medina was born and raised in San Pedro, graduating from San Pedro High School as a talented student athlete. He responded to the call of our country in World War II by enlisting in the U.S. Navy. There, he served 3 years as one of the youngest petty

officers aboard the USS *Zeilin,* navigating small landing vessels in high-powered ground assaults. He was honorably discharged after receiving commendations and medals of valor for distinguished service.

From his brief stint in the Navy, Mr. Medina never really lost his love of the sea. Raul started his private career as a fisherman in a commercial fishing fleet. From there, he moved to crane operations at the Long Beach Naval Shipyard.

Captain Medina began his 33-year service with the city and Port of Los Angeles as a civilian patrol boat operator, assisting with police surveillance and other law enforcement activities. His skills in piloting a boat combined with his friendly personality led him naturally toward boat tours. He quickly rose to become senior boat operator for the Worldport LA; along the way providing a invaluable host to foreign dignitaries, foreign heads of state, military heroes, international business leaders, and media representatives. He has demonstrated such ability that when the port replaced the aging *Angelena* with a 70-foot vessel, the *Angelena II,* they asked Captain Medina to operate it.

My wife, Lee, joins me in extending our thanks to Captain Medina for this contributions to the port and this community. Worldport LA is losing an extremely valuable personality. We wish Raul, his wife Toni, his children Paul and Adela, and his grandchildren Martin, Christopher, Paul, and Gregory all the best in the years to come.

## INTRODUCTION OF A BILL TO AMEND THE AGRICULTURAL ADJUSTMENT ACT

### HON. PATSY T. MINK

OF HAWAII

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, July 24, 1991*

Mrs. MINK. Mr. Speaker, I rise today to offer a bill which will amend the Agricultural Adjustment Act by adding Hawaii solo-type papayas to the list of imported goods that must meet the minimum quality standards of domestically produced fruits, vegetables, and specialty crops. This bill is a companion measure to S. 568, introduced by the distinguished senior Senator from Hawaii, Mr. INOUYE.

Hawaii papaya growers take great pride in the quality of their product and have done much to make papayas popular across the Nation. Currently Hawaiian solo-type papayas are subject to the provisions of Marketing Order (7 CFR, part 928) as amended. This order regulates such things as size, quality, and maturity in order to protect the interests of American consumers, and Hawaii papaya growers are pleased to comply so that the best product reaches the market.

These regulations are sound and in keeping with a high regard for consumers in this country. However, imports of similar papayas of inferior quality have prompted American papaya growers to ask that these regulations apply to all such products whether produced domestically or imported.

When quality-conscious Americans purchase papayas they have a right to produce that meets minimum standards. In short, they should be satisfied that their money has been well spent.

Hawaii's papaya growers have no problem with competition in the marketplace since the consumer benefits and they do not seek protectionist legislation because they would love to see more Americans enjoy the flavor and nutrition of quality papayas. This bill seeks only to apply the same rules to all such produce.

I urge my colleagues to join me in supporting this measure.

## A TRIBUTE TO DR. HOWARD HOOPLE

### HON. FRANK HORTON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, July 24, 1991*

Mr. HORTON. Mr. Speaker, today I rise to pay tribute to Dr. Howard "Doc" Hoople who retired from his practice at the Wolcott Medical Center on June 30, 1991, after 42 years of dedicated service. As a family physician, Doc cared for four and five generations of Wayne County families.

As I stated to the local press,

> Howard Hoople is an institution, and an era will end with his retirement. Dr. Howard Hoople has served the Wayne County area with dedication and distinction for many years. This wonderful man is an exemplary doctor who is loved by all. Through the Wolcott Medical Center and the recruitment of Dr. Derek Chan, Howard Hoople has excelled in improving the quality of life for those he has served.

Born in Syracuse in 1923, Dr. Hoople attended Tilpon Preparatory School in New Hampshire, from where he graduated in 1941. Howard continued his education at Syracuse University, going on to the medical school in 1944. He opened his first practice in North Rose, NY, in 1949, when he and his partner, Dr. Robert Stuck, purchased the old Wolcott Hospital. Dr. Hoople dealt with any and every medical problem until the 1960's when new State regulations forced the closing of the Wolcott Hospital in 1967, which then became Doc's private practice.

When Doc's partner left, Doc attempted to bring to the United States, Dr. M.C. Derek Chan. Dr. Chan had studied in England and had extensive contacts with colleagues in Rochester and Syracuse.

However, the immigration quotas from British subjects from Hong Kong were filled for the next 10 years. Dr. Hoople mobilized his local friends and patients to lobby me to introduce a special bill in Congress to allow Dr. Chan to enter the United States. While this process is no longer available due to revised immigration laws, Dr. Chan and his family did arrive in this country by special executive order. Today, Dr. Chan still practices in the Wayne County area and is in close contact with Dr. Hoople.

In 1978, I helped dedicate the Wolcott Medical Center on Lawville Road. This 10,000-square-foot building was built with an economic development grant of $620,000. It houses physicians, x-ray and laboratory services, and a physical therapy facility. Dr. Hoople was instrumental in promoting the building of this outstanding facility which serves Wolcott and the surrounding area.

Dr. Howard Hoople is the epitome of the legendary country doctor of yesteryear. He never refused to treat a patient and took great satisfaction in all aspects of the medical profession. From delivering babies, diagnosing and treating difficult illnesses, and in general putting people back together, Dr. Hoople had dedicated his life to serving his upstate New York community.

I wish him well during his retirement years. Knowing Howard Hoople, working with him on various projects in the Wolcott area, and enjoying the friendship of this wonderful man, have been a privilege and a joy. Thank you, Howard "Doc" Hoople for your loyalty and your caring service to your fellow man. May you and your family experience health and happiness as you enter this new phase of your life.

## THE 1991 OUTSTANDING ACHIEVEMENT AND COMMUNITY SERVICE AWARDS

### HON. MEL LEVINE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, July 24, 1991*

Mr. LEVINE of California. Mr. Speaker, I rise today to ask my colleagues in the U.S. House of Representatives to join me in saluting the honorees of the 1991 Outstanding Achievement and Community Service Awards of the Anti-Defamation League, Pacific Southwest Medical Division.

Eugene Philip Adashek, M.D., a surgeon, has had three careers simultaneously. In 1946, he was recruited to create the Los Angeles-Orange Counties Regional Blood Program for the American Red Cross and to serve as its medical director, a position he and his brother, William, shared for 30 years. One of the first blood banks the Red Cross established, it grew under Dr. Adashek's direction to become one of the largest in the world.

Teaching has been another focus: From its founding in 1950 until the present, he has served on the clinical faculty of the UCLA Medical School, eventually becoming a full clinical professor of surgery. Much of this time he was also senior attending surgeon at Los Angeles County Harbor General Hospital and an attending surgical staff member at the V.A. Wadsworth General Hospital.

Finally, Dr. Adashek has his private surgical practice; he was affiliated with Cedars-Sinai Medical Center, UCLA Medical Center, and St. John's Hospital.

Dr. Adashek served for many years, at President Kennedy's request, on the Presidential Health Resources Advisory Subcommittee on Blood. Highly regarded by the medical community, he was elected president of the Los Angeles Surgical Society in 1987. In addition to supporting ADL and B'nai B'rith, Dr. Adashek performed surgery as a volunteer for residents of the California Home for the Aged at Reseda for nearly 15 years. Dr. Adashek and his wife, Bert, have two children.

Nathan Barshop, M.D., a surgeon, has had an active practice for 50 years and can point with pride to the part he played in building Sinai Hospital.

A graduate of Baylor University College of Medicine, Dr. Barshop had not been practicing long before he became a major in the Medical Corps of the U.S. Army. During World War II he participated in the Philippine and Bataan campaigns, was captured, and as a prisoner of war spent his time treating patients. For his efforts, he was awarded the Bronze Star and a Presidential Citation with two oak leaf clusters.

Later, he became a member of the teaching staff in surgery at USC Medical School-Los Angeles County General Hospital, where he taught for many years, all the while remaining a practicing surgeon. Dr. Barshop planned the original surgery at Mt. Sinai Hospital and Clinic, where he served for 25 years as chief of surgery and for several years as chief of staff.

Dr. Barshop's compassion for human beings extends beyond his patients to the community. He has long been a supporter of Jewish Federation, B'nai B'rith, ADL, Leo Baeck Temple, and two other organizations that have honored him for his generosity: Bonds for Israel and American Friends of Hebrew University of Jerusalem. In addition, he and his wife established the Nathan and Coe Barshop Foundation. Dr. Barshop and his wife, Coe, have three children and four grandchildren.

Morris Freidin, M.D., who practiced general surgery from 1947 until his retirement in 1988, has enhanced the health and well-being of not only thousands of patients but also numerous follow physicians.

With a bachelor's degree from UCLA, Dr. Freidin studied medicine at USC. Fresh from an internship he spent 4 years during World War II in the U.S. Army Air Force as a surgical resident.

Dr. Freidin completed his internship and residency at Cedars of Lebanon Hospital. Opening a private practice in Los Angeles in 1950, he always maintained close ties to Cedars, and later to Cedars-Sinai Medical Center.

Dr. Freidin has been active in the work of the Los Angeles County Medical Association [LACMA] and highly influential behind the scenes. Through his efforts, for more Jewish physicians have become involved in LACMA.

Dr. Freidin's greatest satisfaction has come from chairing the Committee for the Impaired Physician, a program of the LACMA, chairing a similar program at Cedars-Sinai, the Committee for the Well-Being of Physicians, and serving on the Divesionary Committee of the State Board of Quality Medical Assurance. Through these progressive programs, he helped many physicians who were victims of drug or alcohol addiction.

Dr. Freidin was elected by the California Medical Association to the board of trustees of California Blue Shield. He also served 15 years on a voluntary basis as surgical consultant to Gateways Hospital. Dr. Freidin and his wife, Eleanor, have a daughter.

Dan Golenternek, M.D., a gynecologist and obstetrician, measures his career by the approximately 3,000 babies he has delivered and the rewarding relationships he has built with patients and members of the medical profession.

A native of Texas, Dr. Golenternek received his bachelor's degree and his medical degree at the University of Texas, and completed his residency at Los Angeles County Hospital.

During World War II, he served in the U.S. Army Medical Corps. Captured by the Japanese, he treated patients as a prisoner of war in the Philippine Islands and in Japan from 1942 through 1945 and was later awarded a Bronze Star and a Presidential Citation with two Oak Leaf Clusters. From this experience, he said, he learned "the value of having friends around you—that it could make the difference beteween life and death."

Shortly after the war, Dr. Golenternek resumed his affiliation with Los Angeles County Hospital, from which he eventually retired as senior attending physician emeritus. He affiliated himself with Cedars of Lebanon Hospital, now Cedars-Sinai, where today he is attending physician. And he joined the medical faculty at USC, retiring as clinical professor of obstetrics and gynecology emeritus.

Dr. Golenternek has been a generous member of the Jewish community. A congregant of Temple Isaiah for many years, he has supported ADL; the Hebrew University of Jerusalem, which awarded him its Torch of Learning; and Israel Bonds, which honored him with its David Ben Gurion Award. Dr. Golenternek and his wife, Marion, have two children and two grandchildren.

Mr. Speaker, all of these men richly deserve this recognition. By their deeds they have demonstrated their commitment to making their community a better place in which to live. I ask my colleagues to join with me in honoring these outstanding members of the Los Angeles medical community.

## A TRIBUTE TO LT. ANDREA WEBB PHELPS, RECIPIENT OF THE CAPT. WINIFRED QUICK COLLINS AWARD

### HON. JOHN J. DUNCAN, JR.

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, July 24, 1991*

Mr. DUNCAN. Mr. Speaker, the great success our country experienced during Operation Desert Shield/Desert Storm was the result of the hard work by many dedicated and talented Americans. One such person, Lt. Andrea Webb Phelps, was recently recognized for her extraordinary service to her country. I am proud to say that my father nominated Andrea to the U.S. Naval Academy. She most certainly is a great credit to the Second District of Tennessee.

A native of Loudon County in East Tennessee, Lieutenant Phelps was presented with the Winifred Quick Collins Award for leadership.

She dutifully served as an officer aboard the USS *McKee* (AS–41). As the senior female officer aboard, she created many service manuals, assembled precise storekeeping programs, and subsequently served as a combat information center watch officer.

Aside from her work devoted to the USS *McKee*, Lieutenant Phelps successfully implemented the first hazardous waste management program in San Diego.

The valedictorian of her high school in 1981, she continued her education at the U.S. Naval Academy in Annapolis, MD. At the Academy, Lieutenant Phelps graduated 15th in her class of 1,049. She was the top female graduate in that class. She served as a battalion commander at the Academy.

In the future, Lieutenant Phelps intends to earn her law degree at the Marshall-Wythe School of Law of the College of William and Mary in Williamsburg, VA.

I commend Andrea Webb Phelps for her undying service and for her endless pursuit of excellence. Her work serves as a credit to the American spirit and industry.

I ask that an article that appeared in the Knoxville News-Herald be printed in the RECORD.

[From the Knoxville News-Herald, July 1, 1991]

DESERT STORM DUTY HELPS WIN LEADERSHIP AWARD

The job performed by Lt. Andrea Webb Phelps of Loudon as an officer of the Navy and during Operation Desert Storm earned her an "inspirational leadership" award from the U.S. Navy League in May.

The Captain Winifred Quick Collins Award was presented to Mrs. Phelps "for her remarkable and professional contributions" as an officer aboard the submarine tender USS McKee (AS–41) in both her assigned duties as a supply officer and in her collateral duties as an officer of the deck, combat information center watch officer and public affairs officer.

"Lt. Phelps has earned both the aviation supply warfare qualification and the surface supply warfare qualification," the award inscription noted. "A gifted and dynamic leader who has enhanced McKee's supply program, she implemented the first hazardous waste management program in San Diego.

"She developed a money-saving repairables management program, one of the best in the Pacific submarine force. She also developed a tender services manual in preparation for Operation Desert Storm, created a precision storekeeping program and, subsequently, served as a combat information center watch officer. Her leadership has reflected great credit upon herself, the Navy and, in particular, the women who served in leadership roles throughout the maritime services."

## "THEY WOULD RATHER DIE" ART EXHIBITION

### HON. ILEANA ROS-LEHTINEN

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, July 24, 1991*

Ms. ROS-LEHTINEN. Mr. Speaker, it is my pleasure to recognize an art exhibition entitled "They Would Rather Die" on display at the Opus Gallery in Coral Gables, FL. The exhibition will run from July 19 through August 1, it will display the rafts that were used by men and women to flee the shores of Castro's Cuba.

In addition to the display of rafts, a documentary, and paintings inspired by this issue will also be presented. Since 1959, approximately 17,000 men, women, and children, have escaped from Cuba using these make shift rafts and small boats. Though thousands

have reached the shores of freedom in south Florida, many have disappeared at sea. The Cubans who have died at sea will be remembered by a monument, "The Liberty Column," which will be built by the shoreline in downtown Miami next to the Intercontinental Hotel. The memorial will be a permanent testimony of the Cuban's historical odyssey and need to be free.

The documentary "They Would Rather Die" by Mr. Jorge Alea and director of photography, Mr. Adalberto Delgado, uses images and testimonies that reveal the struggles the rafters endure in order to escape the totalitarian regime that reigns in their homeland.

Paintings by acclaimed Cuban artists such as Mr. Juan Abreau-Felippe, Mr. Julio Antonio, Mr. Luis Cruz Azaceta, and Mr. Paul Sierra will also be on display. These paintings expose the ordeal Cubans are suffering and the uncertainty their families are left with once they are at sea.

Mr. Fredric Snitzer, owner and director of Opus Gallery and Diana Torre de Alba, his assistant, are to be commended for the hard work and effort they have invested in this presentation.

## NO AID FOR THE SOVIET UNION

### HON. GERALD B.H. SOLOMON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, July 24, 1991*

Mr. SOLOMON. Mr. Speaker, the United States and the Western World are under no obligation to assist the Soviet Union as long as Mr. Gorbachev clings to the Communist Party as his base of support. There simply is no such thing as reformed communism.

The former Soviet satellites in Eastern and central Europe have learned that Gorbachev refuses to learn—the road to political reform and economic recovery leads away from the Communist Party. Communism has to be thrown overboard before any true reform and rebuilding can take place.

It is these countries that have a moral claim on Western financial and technical assistance. It is the countries of Eastern and central Europe that have undertaken the necessary sacrifices and austerities, and that have kicked the Communists out of power.

Gorbachev's cries for help sound terribly hypocritical as long as the Soviet military-industrial machine keeps running at full steam. His pleas sound awfully hollow as long as he can still scrape my money to send to Castro. And his sweet talk sounds sickeningly false when the Kremlin drags its feet on troop withdrawals from the former satellites and makes dark suggestions about these former satellites remaining in a Soviet sphere of influence.

Gorbachev cannot give a really convincing demonstration of the fact that he is even calling the shots in the Soviet Union. Whenever something bad happens—like a violent crackdown in the Baltics—he disclaims knowledge and responsibility. Who then, is in charge?

Just as the fall of the Berlin Wall signaled an irreversible change in Eastern and central Europe, so the present situation in the Soviet Union calls for a dramatic and symbolic step. Why not remove Lenin's corpse from its mausoleum in Red Square? That corpse is the perfect symbol of what communism has accomplished in the Soviet Union. As long as Gorbachev clings to the vocabulary of Leninism, he doesn't deserve a penny's worth of our aid.

This week's edition of Newsweek magazine makes the case very well:

> After five years of talk, the Soviet economy remains a government-owned-and-operated failure that cannot make good use of its own money, let alone that of foreigners. . . . There are 17 million Communist Party members still on the job who are consciously or unconsciously working to choke off real reform. Until the communists are voted out and real reform happens, the West can't really help Gorbachev beyond advising his reformers and educating Soviet citizens in the techniques of capitalism.

Let's not rush in with premature assistance that the Soviet Union is not prepared to use properly. We should not throw good money after bad.

As much as we would like to help, let's not give in to any Soviet blackmail.

## A CONGRESSIONAL TRIBUTE TO GEORGE LOVE

### HON. GLENN M. ANDERSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, July 24, 1991*

Mr. ANDERSON. Mr. Speaker, today I rise to pay tribute to a man who has served his community with great distinction. It is my pleasure to take this opportunity to acknowledge the outstanding achievements of Mr. George Love.

On Wednesday, July 31, 1991, the maritime industry is sponsoring a retirement dinner to recognize the contributions and accomplishment of George Love. The event is intended to pay tribute to his tremendous service and dedication helping keep labor relations between the International Longshoreman's and Warehouseman's Union and the Pacific Maritime Association on an even keel.

Born in Texas, raised in Louisiana, George moved to Long Beach, CA in 1931 as a member of the U.S. Navy. Upon leaving the Navy in 1937 he became involved with the trade unions, first with the Sailor's Union of the Pacific and then the International Longshoreman's and Warehouseman's Union. He served as president of local 13 in 1951, and was elected to serve again in 1955. Becoming a foreman in 1956, he was once again elected president in 1961. The leadership experience and knowledge of the maritime industry gained during his service as president would later serve him well as the industry's area arbitrator.

As a long-time supporter of the maritime industry, I take great pride in joining with George's wife Geri, their five children, Jorja, Laurie, George, Marvin, Robert and all those who will be attending the celebration, to offer the gratitude and respect he so richly deserves.

Mr. Speaker, my wife, Lee, joins me in extending this congressional salute to George Love for his 54 years of devotion to the maritime industry. We wish him the best in the years to come.

## INTRODUCTION OF LEGISLATION CLARIFYING TAX TREATMENT OF AMOUNTS RECEIVED FROM THE VACCINE INJURY COMPENSATION TRUST FUND

### HON. BRIAN J. DONNELLY

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, July 24, 1991*

Mr. DONNELLY. Mr. Speaker, I am introducing legislation today to correct an oversight arising from legislation enacted in 1987. The legislation deals with the Vaccine Injury Compensation Trust Fund, and was called to my attention by a constituent. As a matter of fairness and equity, this oversight must be corrected.

Mr. Speaker, as part of the Omnibus Budget Reconciliation Act of 1987, Congress established the Vaccine Injury Compensation Trust Fund, which is funded by an excise tax imposed on certain vaccines. Individuals who are injured as a result of administrations of the vaccine are entitled to recover amounts from the trust fund.

Left unclear from the enactment of the 1987 provision is the tax treatment of amounts received from the trust fund. In my own State of Massachusetts, I am aware of at least one case where a young child was severely injured by the administration of a vaccine and received a payment from the trust fund. The child's parents are now faced with a potentially enormous tax liability, on top of the expenses of caring for a child with severe disabilities—all because Congress didn't address this most fundamental issue in 1987.

I believe that if Congress had focused on this issue, Congress would have clarified that amounts received from the trust fund are excludable from gross income. Such treatment is consistent with other provisions of the Internal Revenue Code which exclude from gross income similar payments. My bill would clarify that amounts received from the Vaccine Injury Compensation Trust Fund are not taxable.

Mr. Speaker, a technical description of my legislation follows:

TECHNICAL DESCRIPTION

PRESENT LAW

The Omnibus Budget Reconciliation Act of 1987 imposed an excise tax on certain taxable vaccines; proceeds from the excise tax are deposited into the Vaccine Injury Compensation Trust Fund. Amounts deposited into the trust fund are payable to individuals for vaccine-related injury or death.

Gross income does not include the amount of any damages received on account of personal injuries or sickness (section 104(a)(2) of the Internal Revenue Code of 1986). Under present law, it is unclear whether payments from the Vaccine Injury Compensation Trust Fund are "damages received on account of personal injuries or sickness" and thus excludable under section 104.

EXPLANATION OF PROPOSAL

The bill clarifies that amounts received from the Vaccine Injury Compensation Trust

Fund are excludable from gross income under section 104.

EFFECTIVE DATE

The provision is effective as if included in the enactment of the Omnibus Budget Reconciliation Act of 1987.

## IMPRESSIONS OF THE VOTERS

### HON. LEE H. HAMILTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, July 24, 1991*

Mr. HAMILTON. Mr. Speaker, I would like to insert my Washington Report for Wednesday, July 24, 1991 into the CONGRESSIONAL RECORD:

IMPRESSIONS OF THE VOTERS

I am impressed that people think that, although the world may still be a dangerous place, the most urgent threats to American democracy and our national security are now at home. They want the United States to turn inward and shore up its strength. They are persuaded that the U.S. has never been less threatened by foreign forces than it is today. They also believe that not since the Great Depression has the threat to domestic well-being been greater. A broad majority wants the U.S. to shift resources, attitudes, and attention from foreign to domestic concerns.

Every day the headlines seem to be on international affairs, but voters are far more troubled about what is going on at home. They worry about social issues like homelessness, poverty, hunger, health care costs, drugs, pollution, education, and crime. They also worry about the economic issues of unemployment, recession, the federal budget deficity, government spending, and high taxes. I am persuaded that the cadidates for president next year need to give serious attention, not just lip service, to domestic concerns. People think that the quality of our life at home is in serious trouble and needs attention.

Domestic Issues: Americans still give high marks to President Bush but they are also indicating concern, and in many cases pessimism, about the prospects and direction of the country. Many believe that America is on the wrong track. They see the nation slipping and the standard of living declining.

I am impressed with the number of people who speak to me about education even though education is more a state and local responsibility than a federal one. They point out that too many young people leave school without the knowledge or the foundation requred to find and hold a good job.

The voters think that the system of justice is ineffective in coping with crime. They do not have much confidence in the ability of the courts to convict and properly sentence criminals. The police generally get good grades, but the voters' main reaction to crime is simply to say, "Do something." They favor the death penalty and tighter restrictions on guns. Drugs remain a major concern, and there is widespread support for very stiff penalties for drug dealers.

Many voters believe that health care is either the first or second most important national issue. It comes up far more frequently than even the economy, education, or crime in my conversations with voters. People are worried about the high cost of health care. They have open minds about what form of governmental action should be taken, and are willing to consider solutions such as requiring employers to provide health benefits and increasing taxes to fund expanded coverage. Many favor adoption of a Canadian-style system of government-paid health care.

Increasing numbers of voters are worried about family arrangements and particularly about short-changing children. They are very clear that they want a world where children get treated well. I frequently hear that middle and lower income taxpayers should get a break and that benefits should be concentrated more on the parents of young children. There is a strong feeling that college opportunities and job training should be extended to the poor and the middle class alike.

People talk a lot about the importance of the middle class and its values. The word used most often is "responsibility". They dislike welfare and think the government plays down the importance of hard work and self reliance, but they also dislike government that lacks compassion. They want a welfare system designed to assist the really needy by getting them off public assistance and into jobs. People seem to me to be more tolerant and accepting of diversity, but at the same time they want to see a strong dose of good old-fashioned values and civic virtue. The civil rights debate on quotas is seen as evading the most important issues at stake, like jobs and training, in the battle for social and racial justice.

Economy: The people I talk to are not as optimistic as the experts about the economy coming back from the recession. They believe the recession will not end until later this year and they worry that the recovery may be a halting one. They are hesitant about making big purchases and are trying to pay off some of their debt. I hear only limited concern about inflation reigniting.

Their chief economic concern continues to be jobs and the quality of jobs. Many tell me they are working harder than ever but are no better off. They are concerned about the U.S. competitive position in the world. They are upset about other countries putting up barriers to our products and about foreign competitors muscling us out of markets. Most see increased foreign investment in the U.S. as undesirable.

Americans are concerned about fragility in the financial sector, and worry that their pensions may not be secure. They are worried about the long-term impact of the enormous federal budget deficits. They do not like taxes, but if taxes must be raised they think that requiring upper income people to pay more is the way to go. There is a widespread feeling that the gap between the rich and the poor in America is continuing to grow.

Politics: I still find a deep distrust, even disdain, for politics. The problem is less voter apathy than frustration. People just feel that they have been pushed out of the political process. They really do want to participate but they see little room for them. They have a sense of being squeezed out of the system by politicians, special interests, and the media. Many draw a sharp distinction between getting into politics in their own community, which they favor, and politics at the national or state level, which they feel is both beyond their influence and beyond redemption. They feel that as individuals they have little influence on the distant decisionmakers in Washington or Indianapolis. They think politicians do not listen to them and are out of touch with them and their concerns.

In sum, the American political system is in a state of some agitation. People increasingly are concerned about the direction of the country and the quality of life in America. This should leave a politician from either party off balance and uneasy.

## BALLARD CHOIR TRIUMPHS IN THE "CITY OF MUSIC"

### HON. ROMANO L. MAZZOLI

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, July 24, 1991*

Mr. MAZZOLI. Mr. Speaker, Monday on the House floor, I told our colleagues of a marvelous achievement by the Ballard High School Concert Choir of Louisville and Jefferson County, KY. Ballard's choir won both a choir award, as well as a State prize for its overall performance in the prestigious Vienna, Austria, International Youth and Music Festival.

On Monday evening, Mr. Speaker, the young men and women of the choir, the choir director, Mr. Perry Puckett, the choir accompanist, Ms. Paula Roberts, and several chaperones landed at Standiford Field, Louisville, to a roaring welcome from family, schoolmates, political and civic leaders.

The choir received well-deserved adulation from the crowd, congratulations from important Government officials—including a congratulatory note and a floor statement from me—and a possible invitation to sing for the President at the White House.

Mr. Speaker, the Louisville and Jefferson County community takes great pride in the accomplishments of the Ballard High School Concert Choir who prevailed in the stiff competition held in the "City of Music".

Mr. Speaker, I wish to include the names of the young men and women who participated in the competition in Vienna. I salute them, their leaders and all those who have contributed to the choir's success.

Sopranos: Tara Anderson ('93), Allison Brown ('93), Jennifer Demarsh ('93), Shelby Gregory ('92), Shea Hallenberg ('93), Jennifer Hellmueller ('93), Nikki Holland ('93), Ashley Holloway ('92), Kimberly Knight ('94), Monica Martinez ('92), Carrie Morrison ('92), Maria Novitsky ('93), Stephanie Peterson ('93), Kelly Temple ('92), Maria Tsataros ('93), Ashley Vines ('93), Jennifer Warren ('93), Janey Wessels ('92).

Altos: Julie Alpert ('92), Carrie Breeko ('92), Bradley Dick ('92), Elizabeth Fleming ('92), Allison Hatmaker ('93), Caroline Hauss ('93), Ashley Hoskins ('93), Jennifer Johnson ('93), Andrea Jones ('91), Kristiana Knight ('92), Tasha Kohlman ('91), Cassie Marrett ('93), Megan Metheny ('92), Janet Parrish ('92), Susan Reed ('92), Anne-Marie Taylor ('91), Sarah Watson ('93), Alison Werner ('92), Susan Wood ('92).

Tenors: Ted Bjorn ('93), Ethan Bond ('92), Eric Fulcher ('93), Kevin Kidd ('91), Eddie Struble ('91), Chad Wilfing ('93), Jack Wilholt ('91).

Basses: Chris Craxton ('92), Todd Fisher ('91), Troy Graybeal ('91), Damon Holland ('91), Adam Jewell ('92), Peter Lovett ('94), Richard Parrott ('91), Jeremy Podgursky ('93), Matt Shane ('92), Chad Spence ('93), Matt Taylor ('92).

## THE ROLE OF THE ARTS IN COMMUNITY REVITALIZATION

### HON. TED WEISS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, July 24, 1991*

Mr. WEISS. Mr. Speaker, in this past Sunday's New York Times, there was an excellent article on a "pioneering effort" to resuscitate the economy of an area of Chicago's old downtown. The centerpiece of this effort involves capital of a different sort—the talent of young people.

In what would lie as a vacant lot amidst what was once rundown movie theatres on the west and aging department stores on the east, an innovative company and the city's Department of Cultural Affairs have joined forces to establish an open-air arts education center for teenagers. Beneath tents serving as classrooms, as many as 260 inner-city teenagers come to learn painting, design, ceramics, scultpure, print-making and metal tooling for the summer. Often these works are sold, but, regardless, they are admired.

The project not only creates a great summer activity for talented and enthusiastic inner-city youth, filling them with pride in their artistic accomplishment; it has also bright new economic life and interest to the area and has helped to transform it into a thriving commercial center.

This is but one, innovative way in which the arts play an important role in building a sense of community and neighborhood pride and which, in turn, leads to economic revitalization.

I ask that the New York Times article on this tremendously positive artistic venture for youth and for the community be printed in the RECORD.

CHICAGO JOURNAL—ARTISTS TRY TO RECREATE A GREAT STREET

CHICAGO, July 18.—Under a giant tent in what used to be a vacant three-acre lot in the middle of downtown Chicago, 15-year-old Melvin Roberson is making plaster of Paris masks. They are inspired by the nightmares that roused him as a young child growing up in a tough neighborhood on the city's South Side. One has bloated eyeballs and dead bodies falling from its mouth.

Melvin and 258 other inner-city teen-agers are turning their life experiences into art in a pioneering effort to shoot some economic life into Chicago's old downtown—the city's original retail center before it was eclipsed by the glamor of North Michigan Avenue.

Instead of letting the land lie empty while securing tenants for a two million-square-foot office and retail complex that is planned for the lot on the State Street Mall, the city and the block's owner, FJV Venture, decided to build an open-air arts-education center to give teen-agers like Melvin the chance to create and sell their art.

Each day for six weeks, high school students go to a gravel-floored esthetic oasis named Gallery 37 for the number given the block on city maps. Seven tents serve as classrooms for painting, two-dimensional design, ceramics, sculpture, printmaking and metal tooling.

"We thought about ice-skating rinks and ferris wheels or a mini-golf course," said Lois Weisberg, the city's cultural affairs commissioner. "But the developer and our office wanted to do something meaningful."

The students, who were all recommended by art teachers in the schools, are paid $4.25 an hour for a six-hour day during the summer. And their work is sold to the public upon completion.

"This makes you feel like you're really doing something," said Dujuan Austin, 15.

Flanked by Daley Plaza and City Hall to the west and Michigan Avenue to the east, the mall area, in the city's North Loop, was once a flourishing urban hub. Government, retailing and business were rooted there and in time, grew outward like spokes. But a decade ago, many of the neigborhood's buildings had become decrepit and abandoned.

"State Street was a street of rundown movie theaters on the west and aging department stores on the east," says Michael A. Tobin, project director for FJV Venture, a partnership of two Chicago-based development companies, JMB Realty and Metropolitan Structures, and the Levy Organization, a restaurant management company. "There was no new investment since before the war."

In the last few years, however, the North Loop has seen an aggressive fight against deterioration. Two of the city's big retailers, Marshall Fields and Carson Pirie Scott, have pumped considerable amounts of money into their nearby State Street stores in the hopes of stealing back some of the business lost to Michigan Avenue. And a new player, Boston-based Filene's, will open a store just down State Street from Gallery 37 this fall.

Two blocks north of Gallery 37, Stouffer's Hotels, Chicago Title and Trust and the Leo Burnett Company, among several other corporations, have invested in real estate along the Chicago River within the last few years. "The downtown area is definitely on an upswing," Ms. Weisberg said. "Everybody's betting on it."

Before 1989, when demolition of the block that Gallery 37 now occupies began, about one-third of the buildings on the site were vacant, Mr. Tobin said. Some were abandoned, some were burned down and some still had ground-floor retail shops.

The lot remained empty for about six months before Maggie Daley, the Mayor's wife, proposed the art-program plan. Private and public sponsors contributed money, materials, services and instructors. All told, the project cost about $800,000, though the Department of Cultural Affairs could not say how much of that was city money.

It is hard to predict whether the pilot program will attain its long-term goals: to expose passersby to what some talented low-income teenagers can do and nudge the economy of the neighborhood. The sponsors of the program are hoping it will improve the image of the mall area, thereby fostering more interest among potential developers.

Even if it doesn't, it may at least develop a few promising careers in art.

Dujuan's oil pastel of the Chicago skyline, for example, is selling for $125. And he said he would keep on drawing.

"I never seen this many people doing art before," he said. "People notice you out here, a lot. It makes you feel big."

## A CONGRESSIONAL SALUTE TO ROBERT THOMAS WOLFEDEN

### HON. GLENN M. ANDERSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, July 24, 1991*

Mr. ANDERSON. Mr. Speaker, I rise today to pay tribute to Robert Thomas Wolfeden, a man who, in the American tradition, worked his way from part-time employee to full owner of a business, and then sought to return something back to the community. On July 25, Mr. Wolfeden will be honored for his year of service as the president of the Wilmington Chamber of Commerce. This occasion gives me the opportunity to recognize his many years of work and service in the Wilmington community.

Mr. Wolfeden started his career in 1968, as many of us do, as a part-time employee. But unlike some people, who remain as employees, he had a drive to learn the complete automotive business and the ambition to work for himself. His hard work and quick learning paid off just 2 years later when he operated his own automotive parts store. His strong business skills are shown by the fact that this shop is still in operation today.

For some, moving from part-time employee to sole operator might be a lifetime's work, but for Mr. Wolfeden, it was just a beginning. He embodies the true American ideal of applying hard work to make something of himself.

When he decided to move his attention from cars to residential and industrial property, Mr. Wolfeden did just as well. He took it upon himself to return to school to get a real estate brokers license in 1977. Starting again as an employee to learn the trade, he moved up the ladder quickly and now owns and operates his own construction company. But this is still not enough, he keeps learning more about his business in order to serve his customers better. In fact, just last year he was granted a general engineering license.

Concurrent with this amazing record of pulling himself up by the bootstraps, Mr. Wolfeden has found the time to give much back to his community. He has served in such diverse community enhancing organizations as the South Torrance Lions Club, Wilmington Boys and Girls Club, Harbor Interfaith Shelter, and Councilwoman Joan Milke Flores' citizen advisory committee, and of course, his recent term at the Wilmington Chamber of Commerce. Because he is stepping down as president does not mean he will turn away from community service; he has merely exchanged hats to become the new treasurer of the Wilmington Rotary Club.

My wife, Lee, joins me in extending our thanks for Robert Wolfeden's contributions to the community. He is truly a remarkable individual who has devoted his talents and energies in pursuit of the American dream and to the cultivation of the Wilmington community. We wish Robert, his wife Janet, and their children, including their new born Elisabeth, all the best in the years to come.

## VOICE OF DEMOCRACY AWARD-WINNING SPEECH

### HON. RICK BOUCHER

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, July 24, 1991*

Mr. BOUCHER. Mr. Speaker, I am pleased to call your attention to an award-winning speech delivered by one of my constituents, Ms. Tracey M. Hoffman, as an entry in the

Veterans of Foreign Wars' annual Voice of Democracy scriptwriting contest. Ms. Hoffman of Galax, VA, was this year's State winner. Her oration demonstrates the pride she feels in democracy, the trust she places in freedom, and the devotion she has for her country.

I would like to take this opportunity to share Ms. Hoffman's speech with my colleagues and the American people. Her speech reads:

DEMOCRACY—THE VANGUARD OF FREEDOM

(By Tracy M. Hoffman)

With my keen eyesight, I watch over the United States of America * * * that land of the proud, the land of the free, the land ruled by a system of democracy, government of the people, by the people, for the people.

In my right talon, I hold an olive branch of thirteen leaves and thirteen olives. In my left talon, I hold thirteen arrows. These symbolize the honor of our country. They stand for peace throughout the nation, but call upon the whole world to realize that the American people will stand to defend their rights, their beliefs, and their values at a call of war.

If I, the eagle on the Great Seal of the United States, were to fly out of an oval office window today and soar high over this proud nation, I would see all aspects of life in this age. I would see the poor, the homeless, the tired and the weary, the murderers, and the drug abusers, but I would also see the equality that these human beings are given in society. Each and every citizen, regardless of their sex, race, religion, or social standing, is given by our democratic government, the right to freedom of speech, freedom of press, and freedom of religion.

With my eyes, I would see a country full of ideas and programs preventing the destruction of the world. I would see people helping others to rebuild neighborhoods . . . making them better and safer for the next generation. I would see crisis centers established for the addicts and I would see open, caring arms to the homeless and the needy.

In 1776, the people of this nation declared their independence from England, giving us our democracy. The English writer, Shakespeare's Hamlet, equates death with being the equalizer for all mankind. Democracy, today, is the equalizer for all mankind in life.

Democracy gives the people of the United States of America the freedom of learning and assurance of opportunities that help to make the most out of abilities and knowledge. It is, in this sense, that democracy is the vanguard of freedom. Democracy is the driving force behind America's freedom to life, liberty, and the pursuit of happiness.

In by beak, I carry a scroll. On this scroll, I am proud to have this Latin phrase: "E Pluribus Unum" * * * one out of many. Democracy has built one nation out of many states.

As I fly over conflict stricken areas, I see the men and women in the Armed Forces that are serving their country. My chest swells with pride as those on the ground look up and realize that I am an eagle, a symbol of their unified country.

As I soar over mountains and valleys, I exclaim in what only my specie understands, but everyone know in their hearts * * * I am one of many of the United States of America's vanguards of freedom. I am a symbol of democracy.

Mr. Speaker, I am sure you will agree that this is a fine example of patriotism, and I have confidence that her words foreshadow the outstanding contributions she will make to this country.

## THE TOXIC CLEANUP EQUITY ACCELERATION ACT

### HON. ROBERT G. TORRICELLI

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, July 24, 1991*

Mr. TORRICELLI. Mr. Speaker, our Nation's cities and towns are currently under siege because of an unintended consequence of the Superfund statute. Lawsuits pending or threatened in a dozen States would force individual citizens, through their local governments, to pay huge settlements simply for sending regular household waste to their town's landfill. These lawsuits are the result of a devious campaign by industrial polluters to delay hazardous waste cleanups and shift the financial burden to local taxpayers and small business owners. Even though they may be defeated in the courts, they cost hundreds of thousands of dollars to defend and pose an insurmountable financial burden for many cash-starved cities and towns.

Today, Representative DAVID DREIER, and I, along with Representatives ATKINS, GALLO, HUNTER, MARTINEZ, MOORHEAD, SHAYS, SKAGGS, TORRES, and WELDON, are introducing the Toxic Cleanup Equity and Acceleration Act of 1991 to address this problem. This bill is designed to fine-tune the Superfund statute to block opportunistic lawsuits by large corporate polluters against cities and towns, small businesses and even such entities as the Girl Scouts of America, all of whom have been sued for their alleged contribution to a Superfund site solely because they transported or generated regular household garbage. What this bill does not do is alter the central notion of Superfund that it is the polluter who shall pay the price of hazardous waste cleanups.

In a provision adopted in 1986, the Superfund statute allows polluters named by EPA to bring contribution lawsuits against other polluters for help in paying cleanup costs. The intention was to equitably spread the cleanup costs among all persons who legitimately contributed to environmental contamination at a site. However, corporate polluters have used this provision to launch so-called third-party lawsuits against hundreds of local governments and small businesses across the country on the basis that these entities contributed household garbage or sewage sludge to a Superfund site.

While household garbage or sewage sludge can contain hazardous substances such as nail polish remover and paint thinner, studies show that such substances only account for about one-half of 1 percent of municipal solid waste. It is clearly ridiculous, therefore, to require local governments to pay the same to clean up a ton of garbage as a Fortune 500 chemical company pays to clean up a ton of concentrated toxic chemicals.

These suits have three ideas behind them. First, corporate polluters have identified local governments as having deep pockets, and they hope to use local government tax dollars as a means of defraying their own costs in multimillion dollar cleanup suits. Second, these polluters hope to delay cleanups as long as possible as numerous lawsuits make their way through the courts. Finally, they hope that by launching as many frivolous lawsuits against as many innocent parties as possible, they will be able to build a groundswell of support for overturning the entire Superfund statute. It is this scheme that we must fight to prevent, and it is this scheme that our legislation would rebuff by solving a legitimate problem with the Superfund statute while maintaining the overall sanctity of the polluter pays principle.

Specifically, the Toxic Cleanup Equity and Acceleration Act would block third party suits over ordinary garbage and sewage sludge. It would, however, preserve EPA's ability to bring suit against municipalities by codifying the agency's current policy, which allows such suits under exceptional circumstances. In those instances when a municipality is sued by EPA, it also allows the municipality to request a settlement with EPA that is expected to take place within 120 days. This time limitation would prevent lengthy cleanup delays and exorbitant legal fees. The bill would apply retroactively to pending or anticipated litigation, unless there has already been a final court decision ending the case.

EPA recently announced that it will develop a policy that will enable it to use its settlement authority to settle with local governments who have been sued in third-party suits over municipal waste. While this action is commendable, I believe that it is no substitute for legislation. EPA is struggling to solve this obvious problem, but it is limited by statutory language that allows such suits to occur. In order to truly address this problem, we need to change the law to clarify congressional intent that generators and transporters of municipal waste should not be subjected to frivolous lawsuits for those actions under Superfund. It is also necessary to ease our cities and towns from the costly burdens of these lawsuits now, rather than to merely commit to doing so at some time in the future.

Mr. Speaker, although Superfund is not up for reathorization until 1995, we cannot wait that long to plug this dangerous loophole, which is being used to delay enforcement and call into question the overall effectiveness of the Superfund statute. We must remember that no one in Congress ever intended to hold our citizens liable under Superfund for millions of dollars of cleanup costs simply for sending their household trash to the dump. The Toxic Cleanup Equity and Acceleration Act will clarify the intent of Congress, and it will protect the Superfund statute from the board-based assault that is sure to come from those who wish to overturn it entirely. A section-by-section analysis of the bill follows this statement. I urge my colleagues to lend it their support.

SECTION-BY-SECTION ANALYSIS OF THE TOXIC CLEANUP EQUITY AND ACCELERATION ACT OF 1991

SECTIONS 1 AND 2—SHORT TITLE AND CONGRESSIONAL FINDINGS

The short title of the legislation is the "Toxic Cleanup Equity and Acceleration Act of 1991" (TCEAA). The legislation contains amendments to the Comprehensive Environmental Response, Compensation, and Liability Act, 42 U.S.C. §§9601 *et seq.* Any reference to "CERCLA" or "Superfund" should be construed as a reference to that act. The purpose of the TCEAA is to protect citizens, municipalities, and other generators and trans-

porters of municipal solid waste and sewage sludge from lawsuits equating these substances with industrial hazardous wastes. The TCEAA will reaffirm the basic Superfund philosophy of requiring the polluter to pay for the cost of cleaning up the nation's old toxic waste sites.

SECTION 3—AMENDMENTS TO CERCLA DEFINITIONS

This section adds three definitions to CERCLA. The section does not alter any existing definitions under CERCLA and thus, for example, continues to define "person" as virtually any public or private entity or natural person, including federal, state, and local governments.

The section defines "municipal solid waste" (MSW) as including all waste materials generated by households and office buildings, as well as waste from other sources when it is similar to household waste. The definition also includes small amounts of hazardous waste that can legally become part of the municipal waste stream under the Resource Conservation and Recovery Act, 42 U.S.C. §6921(d). The term includes all constituent components of MSW, even though some of them might be deemed hazardous substances under CERCLA when they exist apart from MSW. The term does not include incinerator ash.

The section defines "sewage sludge" as essentially any residue removed during the treatment of waste water at a publicly-owned treatment works.

The section defines "municipality" to be any political subdivision of a state and includes individuals who act in an official capacity on behalf of a municipality.

SECTION 4—THIRD-PARTY SUITS FOR MSW OR SEWAGE SLUDGE

Under CERCLA, "potentially responsible parties" (PRPs) who have been notified by EPA that they may be liable for cleanup costs have the right to sue other parties who may also be responsible for the hazardous waste site. Such "third-party" or "contribution" suits provide PRPs a mechanism for making other polluters share the cleanup costs.

This section modifies CERCLA to prevent third-party contribution suits against municipalities or other persons if their only actions were related to the generation or transportation of MSW or sewage sludge. As used herein, "generation" or "generators" is meant to refer to actions or persons described by section 107(a)(3) of CERCLA and may include arranging for the transportation, treatment, or disposal of hazardous substances. "Transportation" or "transporters" is meant to refer to actions or persons described by section 107(a)(4). If municipalities owned or operated a facility, or generated or transported waste materials that do not meet the definitions of municipal solid waste and sewage sludge, the block on third-party suits does not apply.

This section also codifies EPA's Interim Municipal Settlement Policy, 54 Fed. Reg. 51071 (1989). It states that the President must not sue municipalities or other persons who merely generated or transported MSW or sewage sludge, unless "truly exceptional circumstances" exist. These circumstances exist when the President has reliable evidence from a particular site that hazardous substances have been released that are not ordinarily found in MSW or sewage sludge *and* that those substances have come from commercial, institutional, or industrial processes, not households. Truly exceptional circumstances also exist when the toxicity and volume of waste from commercial, institutional, and industrial sources is insignificant compared with the toxicity and volume of the MSW or sewage sludge, or when absent all the hazardous substances from commercial, institutional, and industrial sources, the hazardous substances from municipal solid waste or sewage sludge would be a significant cause of the contamination requiring the cleanup. When non-household trash at a site is alleged to be similar to ordinary household garbage, the President may require that the generators or transporters of the trash bear the burden of proving that similarity.

The section identifies two specific situations that can never amount to truly exceptional circumstances. First, when MSW or sewage sludge have been contaminated with hazardous substances at a waste transfer station, the generator or transporter of the original MSW or sewage sludge is not held responsible for the subsequent contamination (unless the generator or transporter also owned or operated the waste transfer station). Second, when sewage sludge has been approved by the President for "beneficial reuse" such as fertilizer, or would have so qualified at the time of disposal, such sludge cannot be the basis for the President bringing a lawsuit under Superfund.

The section defines one situation in which a municipality will not be liable under Superfund for exercising its regulatory power: when it owns a public right-of-way, such as a road or sewage pipeline, over which hazardous substances are transported.

SECTION 5—SETTLEMENTS

The section creates a special settlement opportunity for municipal generators and transporters of MSW and sewage sludge.

When a municipality is notified by any person that it may be sued for generating or transporting MSW or sewage sludge, the section permits the municipality to request the President to enter into a settlement for all or part of the municipality's potential liability. The section requires that the settlement must be reached within 120 days, unless specific conditions are met.

Once the municipality requests a settlement, a moratorium on administrative or judicial action against the municipality begins, and it continues until a negotiated settlement is reached or until the President publishes an explanation of why a settlement cannot be reached. A municipality may ask a federal district court to review the President's decision denying the request for settlement.

The section provides for only three acceptable reasons for failing to settle: the municipality refuses to pay according to specific cost allocation criteria (see next paragraph), the municipality refuses to agree to settlement terms routinely required by the President in settlement with parties who bear insignificant responsibility for sites, or there is insufficient information to allocate costs. If the President believes there is insufficient information, the moratorium is extended until enough information is obtained, but a completed remedial investigation/feasibility study (RI/FS) is deemed to provide sufficient information, at least for the portion of the site studied in the RI/FS. Also, if the President has settled with another party (other than a de minimis party), it is presumed that he has enough information to settle with the municipality regarding matters addressed in the prior settlement.

The section requires a municipality to pay for costs based on the portion of its MSW or sewage sludge that consists of hazardous substances, not on the total volume of the waste. MSW and sewage sludge are assumed to contain no more than one-half of one percent (0.5%) constituent hazardous substances unless the President obtains reliable site-specific evidence to the contrary.

The section also requires the President to limit the amount a municipality must pay if payments would force a municipality to dissolve, to declare bankruptcy, or to default on its debt obligations. A municipality can settle under this section even if it may face other liability for acts unrelated to its role as a generator or transporter of MSW or sewage sludge (although the settlement can ignore such other liability).

The section states that the settlement, which can take the form of a consent decree or administrative order, must include both a promise from the President (unless contrary to the public interest) not to sue the municipality again and protection from contribution suits or other claims under Superfund for matters addressed in the settlement.

The section provides that in the settlement the President cannot reserve any rights for further relief that he does not ordinarily reserve in settlements with parties who bear insignificant responsibility for sites. The President also cannot ask a municipality to indemnify the United States or require a municipality to violate laws about meeting its fiscal obligations. Finally, the President must encourage municipalities to contribute services instead of money and to make delayed payments or payments over time.

SECTION 6—PRELIMINARY ALLOCATION OF RESPONSIBILITY

This section provides that at the request of a municipality, the President must prepare a nonbinding preliminary allocation of responsibility, unless doing so would be contrary to the public interest. In such allocations, the volume of MSW and sewage sludge must refer to the portion of its MSW or sewage sludge that consists of hazardous substances, not on the total volume of the waste.

SECTION 7—RETROACTIVITY

This section provides that the TCEAA applies to all administrative of judicial actions that begin before the effective date of the TCEAA, unless a final court judgment has been rendered or a court-approved settlement agreement has been reached.

## A TRIBUTE TO THE RECIPIENTS OF THE BLACK FAMILY ACHIEVEMENT AWARDS

### HON. JOHN J. DUNCAN, JR.

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, July 24, 1991*

Mr. DUNCAN. Mr. Speaker, I would like to commend the Delta Sigma Theta sorority of Knoxville for its creation of the Black Family Achievement Awards. Furthermore, I would like to recognize my constituents who have received these awards.

The Black Family Achievement Award consists of three categories: the Ebony Pyramid, for the significant accomplishments of the single-parent family; the Silver Pyramid honors married couples of 10 to 25 years; and the Golden Pyramid signifying family achievements with 25 years of marriage or more.

The recipients of this year's Ebony Pyramid Awards are Clara Harris, Brendalyn Harris, and Pauline S. Cowan.

The Silver Pyramids were awarded to Harold and Sandra Spencer, Jonald and Alberta Jones, and James and Sherburne Martin.

William and Ruth Cowan, Dr. Robert and Edwina Harvey, and Dr. Marcia and Herbert Donaldson were presented with the Golden Pyramid Awards.

I would like to congratulate these people for their outstanding family achievements, because the family institution is what has made America such a great Nation.

Mr. Speaker, these families are what make up the backbone of our wonderful Nation, and I would like to acknowledge them for their successes and for what they represent.

I am inserting an article that appeared in the Knoxville News-Sentinel in the RECORD.

[The Knoxville News-Sentinel, May 19, 1991]

THE BLACK FAMILY ACHIEVEMENT AWARDS

Delta Sigma Theta sorority will have the third biennial Black Family Achievement Awards at 10 a.m. June 8 in the ballroom at the Hyatt Regency.

The awards were first presented in Knoxville in 1987 after a local sorority member picked up the challenge made by former national DST president Dorothy Height to counter negative media images of black families.

Three families are chosen in three categories, and a winner to be announced on June 8 will be selected from each of the three by a panel of judges:

The Golden Pyramid award honors a black couple married 25 years or more whose children have become successful in career and family life.

The Silver Pyramid award honors a couple married for 10 to 25 years who have created an atmosphere of success and achievement for their children.

The Ebony Pyramid award honors the accomplishments of a single-parent family.

GOLD

(By Barbara Aston-Wash)

It took a lot of heads—especially her own—to get Ruth Cowan through college. Six years out of high school, she began classes at Knoxville College, financing her way by working as a beautician. That meant doing plenty of hair.

"It took me 20 years to get my first degree, and then I got two more—one from a college in Denver and a special-education degree from the University of Tennessee," says Cowan, 72, who retired from teaching at Austin-East High School in 1983.

Meanwhile, her husband, William, 77, was working for the railroad, from which he is now retired.

Through the years, children—theirs and those they've treated as if they were—have spiced the lives of the couple.

Though they are now great-grandparents, their home at 200 Somerset Circle in Morningside is still filled with teenagers: Tatinytia Cowan, 17 this month; her brothers, Michael, 16 in June, and Reginald, who's 13; and an assortment of their friends.

The Cowans have been the children's guardians for 13 years.

The Cowans' natural son, Dmitri, is father of two daughters: Martini, a student at Knoxville College, and Darlene, a senior at Austin-East.

The Cowans' adopted daughter, Mary McClain, is mother of five. When Mary's daughter Aurora Lowery was sent to England with the Air Force, the Cowans helped care for her baby, Deserae, making three generations of children the Cowans have helped bring up.

Mary's sons Dmitri and Anthony are also in the Air Force, and son Sylvester is in the Navy. Daughter Sylvia attends Middle Tennessee State University in Murfreesboro.

Now that they are retired, the Cowans are busier than ever. She says she's a sports nut; she particularly loves to bowl and has been in two national tournaments. He likes working in the yard. In the evening they read and watch television.

At First AME Zion Church, he is treasurer of the steward board; she serves as vice president of the stewardess board and a deaconess.

She looks back to the children she's taught and says there is a difference in students today—in discipline, especially. "We need to go back into our homes, our churches, for basic teachings—not leave it to the public to lead our children. It is a poor image for the family and our country."

Dr. Robert and Edwina Harvey met when both were Knoxville College students.

She was majoring in English, and he was studying higher mathematics.

"There were probably 300 students on campus at the time we attended," Edwina Harvey, 66, estimates. "Only three or four students had cars. Today, there are more than 1,100 students and almost all have cars. A sign of the times, I guess."

Harvey remembers that students then were very serious about education. "Our lives were centered on campus, though we had no student union building. Everything took place in the gymnasium that was cultural or fun, and the more serious events, Christmas presentations and student recitals took place in McMillan Chapel. Now there's the wonderful Colston Center for the Performing Arts.

"Robert and I just drifted together at school and have been drifting along together ever since."

The Harveys have done more than drift. They were married 47 years ago come June 3 in Alexandria, La., where he was stationed during World War II, en route to Europe. She came home to Knoxville to stay with her parents until he was discharged.

After the service he went to Columbia University and the University of Rochester for his graduate degrees, and they came back to Knoxville in 1951 for him to teach at Knoxville College.

The Harveys brought up three children: daughter Sharon Carswell, now living in Decatur, Ala.; a son, Brian Harvey of Arlington, Va., father of two sons, Jason, 20 and Robert Benjamin, 7; and daughter Denise Harvey Roberson, who lives in New Orleans.

At 68, though officially retired, Dr. Harvey is a volunteer teacher in higher mathematics at Knoxville College; president of Northside Kiwanis; a faculty adviser for Knoxville College's Circle K; and a member of Eastside YMCA, the Kidney Foundation Board and the board of the Knoxville Symphony Orchestra. He still has time to grow vegetables while his wife grows flowers.

At 66, she is retired from 26 years as a school clerk at several Knoxville city schools. She is involved in the Senior Citizens Home Assistance Services, is a member of the Helen Ross McNabb Foundation Board and assists the nurse at the John T. O'Connor Senior Center, where she is a member of the Singing Seniors.

Though the cookie mongers at her house have grown up, Edwina Harvey still enjoys baking, and she keeps a caring eye on her father, Ulysses Powell, a retired elementary school principal, who at 97 lives alone.

Dr. Marcia and Herbert Donaldson have spent a lifetime involved in public work—public education for her, public safety for him.

"Herbert got the Silver Medallion Award in 1988 when he retired at 62 from TVA's department of public safety. The award was 'for outstanding contribution of unusual value,'" Marcia, 56, his bride of 36 years, says proudly. "Now he spends his time manicuring the lawn, delivering meals to the sick and shut-in, and helping people who cannot help themselves. He is a humanitarian."

Dr. Donaldson, who is with the Knox County Department of Public Instruction as a supervisor of elementary education and coordinator of the effective schools program, has been involved in education on two levels—personal and professional. She is an adjunct professor at Knoxville College, Maryville College and UT.

She and her husband brought up two artistic children: a son Herbert Jr., who plays bass, guitar, drums and trumpet, in addition to painting; and a daughter, Cora Annice Donaldson, an accomplished dancer of ballet, modern, tap and jazz, which she teaches as head of the dance department at Knoxville College, who also plays flute and piano.

Herbert Jr., a divorced father of two, recently came back to Knoxville from Chicago and is employed at Fort Sanders Regional Medical Center.

During the children's growing-up years, Marcia Donaldson, a graduate of Knoxville College who received her masters and doctorate degrees in education from UT, saw to the cultural addition to their education.

I'm a great appreciator of the arts. My father and great-grandmother tuned the radio to the Metropolitan Opera on Saturday when I was a child, and we listened together. It helped me develop a love of music and the arts. I count it my good fortune to have grown up in an extended family with grandmother and great-grandmother to nurture me.

She is a communicator—for the family clan and for the community, serving on the boards of the Beck Cultural Center, Project Excel and the Children's Center. Donaldson's a member of the National Education Association, the Association of Supervision and Curriculum, and Phi Delta Kappa.

"With so many dysfunctional families today, the task is difficult, yet not impossible. We must believe that all children can learn, regardless of circumstance, and must find and take advantage of the most teachable moments."

SILVER

(By Sibyl Jefferson)

If report cards were given on parents, Sandra Spencer feels certain her sons would give her and her husband passing grades. "In fact, we ask them occasionally if they like us, and they say they do," Spencer says jokingly. "They say we're doing OK as parents."

While that grade is important to the Spencers, she says what's perhaps more important is the impact she and husband Harold have in the boys' development.

"There are too many outside influences today," says Sandra Spencer. "It's important that family members show that they care about each other. That's why we let the boys know they are good kids and that they're turning out OK."

Married 15 years Harold and Sandra both are from West Virginia. They've lived in Knoxville since getting married, "so we feel like this is home," Sandra Spencer says.

"We have a strong philosophy of family support, and we've been there if any of our

family needed something," Sandra Spencer says. "We strongly support our children, although we make them realize they have to work for things in life because that builds character."

As evidence, Harold Jr., 14, has some jobs cutting grass in their West Knoxville neighborhood. Brother Richard, 13, isn't far behind, scouting for grass-cutting jobs as well.

Both boys play basketball, baseball and the piano.

"We taught them from day one that they had to do their homework before they could play or watch television," Sandra Spencer says. That's a priority in their lives now."

Harold Sr., 36, is an engineer, formerly with TVA. He coaches Little League baseball, is a second-degree black belt karate teacher, works outdoors and enjoys working with cars.

Sandra, 35, is employed by Home Federal Bank downtown. She enjoys sewing for wedding parties, directing weddings and reading romance novels.

"The only thing I can say is that we try to lead by example. We also have found that you can't just tell a child to do something, you have to explain. When you do that, they can better accept any kind of rules or limitations you have to place on them."

Alberta Jones says she and her family are "just ordinary people."

"Everybody is special. Ordinary people are special, too. I hope we can make an impact on someone," says Jones.

The Joneses have two children, Jonald Jr., 11, who they call "Jay," and 7-year-old Ashley.

"I don't think we're different from other families," Jones says. "Maybe we're a lot closer," something both she and her husband strive to achieve.

Alberta and Jonald, both 36, are both from broken homes but were reared by ministers—she by her grandfather and he by his stepfather.

"We struggle to keep our family together," Jones says. "We don't compromise. We stay together because we love each other."

The West Knoxville couple have been married 11 years. Both work for KUB.

"I try to teach my children that there's nothing too hard for them to do or to accomplish. Nothing is out of reach for them. They also are taught to have respect for others by treating people the way they want to be treated themselves.

"We just felt we wanted to raise our children right—in the right atmosphere and environment," Jones continues. "For one thing, we never go to bed without saying, 'I love you.' Kids need to hear it, and parents need to hear it, too.

"And don't just say it with your mouths. Show it," she adds.

The Joneses are members of the Biblical House of God. She chairs the pastor's care committee, heads children's church and is state secretary for the Biblical House of God.

Her husband is a trustee, a member of the bus committee and past chair for the annual men and women's day activities.

"What we want people to see is that there is some good in us," says Jones. "I try to live the life that I talk about."

Sherburne and James Martin always wanted six children.

She gave birth to five and miscarried another.

"We always say that William is that sixth child we never had," says Sherburne Martin, referring to the nephew the Martins are rearing.

The Northwest Knoxville couple have been married 16 years.

Aside from William, their children are Kenyatta, 15; Binta Naima, 13, Kieruka, 11; John, 8; and James Aaron, 5.

"I've always loved children," says Sherburne Martin. "I'm the middle of two brothers. Before I ever went off to college I used to dream of owning an early-child-hood-development center. I really get a joy out of kids, especially those from birth to 24 months old."

The closest Martin got to that dream was rearing her own children and those she has kept in her home for a time. Over the course of eight years, she kept 19 children on and off, she says.

At 39, Martin says her children are a subject she never tires of. James 40, also loves children.

"When we used to live in an apartment, the kids—those with and without fathers at home—would knock on our door to ask James to fix their bicycles," Sherburne Martin says.

Although they both have jobs outside the home—James as a maintenance coordinator for Dixie Cement Co. and Sherburne as a senior regional manager with Primerica Financial Services, the Martins have tried to instill a sense of family and values in all of their children.

"We have always tried to keep our priorities in order: God first, family second and business third," says Sherburne Martin.

"To some people it may sound silly, but we try to begin each day by kneeling beside the bed and praying openly together. Of course, there are days we get up late and have to scramble to get ready. Then we may not get to. But we try to pray together to strengthen each other and to strengthen the children."

The Martins both grew up in Lonsdale. She graduated from Tennessee Technological University in Cookeville, while he graduated from Knoxville College. During a Christmas break from college they started dating and later married.

Because the Martins seek to instill positive attitudes in their children, Sherburne feels confident the kids will achieve the goals each has set. Among those are concert pianist, engineer, surgeon and politician.

The latter comes from John, who wonders why Jesse Jackson continues to run for U.S. president. " 'I need to make him aware that I'm going to be the first black president of this country. And Mama, I hope the Lord lets you live to see it.'" Sherburne Martin recalls him saying.

Martin says the state of today's families concerns her.

"Husbands and wives barely make it five to 10 years. If they have children, they let things break down. One thing James and I remind each other is that we said 'until death do us part.' That's exactly what we intend for it to be."

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EBONY

(By Don Williams)

Clara Harris was at work that winter's day in 1965 when she learned that her husband, Harry, had had a heart attack while trying to push his stalled car out of a snowbank.

About two months later he had another one and was dead at age 43, leaving Clara Harris with five children, ranging from 9 months to 13 years old.

"After he passed away, I just got me two jobs and started working night and day and put my children through high school and college," says Harris.

For 36 years, Harris worked as a cook for city schools by day, mostly at Central and West high schools. She retired in 1987.

She worked part time at the University of Tennessee Medical Center in the X-ray division.

Harry Harris, a Navy man who later worked at UT Medical Center also, would be proud of her efforts.

"I always have tried to live the best I could and trust in the Lord," his widow says. "I tried to be associated with people who were concerned about me."

For example, Harris, 67, is a member of the senior choir at First Baptist Church of Roseberry City.

Her children have made her proud by their careers and families, Harris says. All attended the University of Tennessee.

Her daughter Larrissa Henderson, 39, is the assistant principal at Beaumont Elementary School. She has two children.

Harriett Martin, 38, a registered nurse, is a dialysis supervisor at St. Mary's Medical Center. She has one child.

Harry C. Harris Jr., 32, is in management at Martin Marietta Energy Systems. He has two children.

Vanessa Walton, 30, is a computer operator at Martin Marietta. She has three children.

Eric Harris, 26, is a deli clerk at Kroger. He is single.

"They've done pretty good by the help of the good Lord," says Harris. "I'm proud of them."

With two small children, facing an uncertain future, Brendalyn Harris looked with some trepidation upon the future 14 years ago.

Now, at 42, she looks back on a span of time that confirmed her brightest hopes and dashed her worst fears.

Harris' family consists of a daughter, Kimberly, 22, and a son, Brandon, 21.

Kimberly is working toward a degree in mechanical engineering at Tennessee Technological University. Brandon's in criminal justice and psychology at East Tennessee State University.

Both graduated from Karns High School. Both are single.

Brendalyn Harris has spent 15 years teaching English in county schools, most recently at Rule High School.

"I have no idea where I'll be in a few weeks," she says, referring to the latest round of school closings and classroom shufflings.

It isn't the first time she has faced the unknown. Following a "painful but inevitable" divorce, she forged a support network for her children.

"I got them involved in Little League sports, dance, scouting. My son continued his participation in sports through high school—football, basketball, track. My daughter was in modern dance for about nine years."

Still, the family managed to remain active in New Vision Church of God, where Harris "facilities" a women's Sunday school class and helps coordinate an adult-education program.

Harris looks back on years that have flowed by surprisingly easily, she says, in part because of constant support from her girlhood family in Atlanta, who have remained in touch through the years.

"I didn't see too many things as obstacles," says Harris. "After the divorce, I was just determined I could make it. It was difficult being three or four places at a time, but we made it.

"I have a firm belief in God and in prayer, and I just believe we've been blessed in that way. We've been able to hold on. I've not experienced any difficulty with my children as

far as getting on the wrong track. I try to instill positive values to contribute to their becoming strong adults."

When Pauline S. Cowan was left alone with three sons to rear, she had a reserve to fall back on.

"My mom, Iva Sheeley, who is 78, taught me all I needed to know—how to believe in God, to be strong, that I could overcome anything. And I did, really. I know God has been my mainstay. If it wasn't for him, I couldn't have done as much as I've done."

What Pauline Cowan, 47, has done is considerable.

She has seen three sons grow up to be responsible adults in an ever more complicated world, while she held down a job and remained active in her community.

Of her accomplishments, she is most proud of her sons.

Walter Cowan, 28, a graduate of the University of Tennessee at Chattanooga, is an accounts manager for Integra Tech, a financial corporation in Atlanta.

Patrick Cowan, 27, is chief chef and an assistant manager for Ruby Tuesday restaurant and chef for Applebee's restaurant. After high school he joined the Army, where he excelled, achieving the rank of first sergeant in just three years.

Kevin Cowan, 23, a graduate of Morehouse College, is a staff writer at The News-Sentinel.

"I've been divorced since my oldest was 7," says Pauline Cowan. "It hasn't always been easy. I think when I first began to put my sons through college was the hardest part. The financial part."

Still, the young men pulled their weight in part by winning scholarships. It wasn't enough. Cowan's salary was strained.

"I have been working since Kevin was 3," says Cowan. "I started as an aide with Headstart, worked with them for seven years, then applied for a job at KCDC. That's where I am now. I became an assistant teacher when I started with them. After taking some courses I moved up to supervisor, then teacher, so I've been with them now for 20 years."

Despite all her responsibilities, she has remained active in the community as a member of Citizens for a Better Community in the Mechanicsville area. She has been a member of Centertown Missionary Baptist Church on Millertown Pike since age 16.

She sings in the choir and is youth director.

About the nomination for a Black Family Achievement Ebony Award, she has this to say:

"I was really surprised, and then, after talking to my sons, they said I deserve it."

## FREDDIE MAC AND CAPITAL RESERVES

### HON. WILLIS D. GRADISON, JR.

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, July 24, 1991*

Mr. GRADISON. Mr. Speaker, I have long been concerned about the explosive growth in the contingent liabilities amassed by Government sponsored enterprises [GSE's] and the financial risk to the Federal Government that they represent. For too long, there has been little or no meaningful oversight of GSE activities either by the Congress or the executive branch.

The political and economic dynamics that tolerated such laissez-faire oversight have happily begun to change. In 1989, I joined with Representative PICKLE in an effort to require, as part of the Financial Institutions Reform, Recovery, and Enforcement Act, studies of GSE operations and associated risks. I was pleased with the results of those and other studies that have examined this question. I am particularly pleased that the administration has placed considerable emphasis on dealing with this problem. For example, the Department of Housing and Urban Development has recently exercised its long standing authority and discretion under current law to exert the appropriate regulatory authority over the Federal National Mortgage Corporation [Fannie Mae] and the Federal Home Loan Mortgage Corporation [Freddie Mac]. The committees of this House have also undertaken a serious examination of GSE's.

Nevertheless, in some quarters, considerable resistance to additional oversight, regulation, and financial requirements for GSE's remains. This is particularly true for the two largest GSE's—Fannie Mae and Freddie Mac. Any suggestion that capital requirements for either GSE be increased has met with fierce opposition. However, given the size of the implicit Federal guarantee of their securities and the economic effects of these two "800-pound gorillas" in the marketplace, the capital inadequacies of Fannie Mae and Freddie Mac can no longer be ignored.

In the August 6, 1991, edition of Financial World, Adrienne Linsenmeyer commented on the "wafer-thin" capital reserves held by Freddie Mac and the dangers that capital inadequacy poses for the taxpayer. Ms. Linsenmeyer's article is reprinted below. It is a sobering analysis. Stress tests are not enough; they give a false confidence and do not assure that enough capital will be on hand to deal with changes in the marketplace. With the taxpayer on the hook for hundreds of billions in contingent liabilities, Congress must address the safety and soundness of all GSE's.

FREDDIE'S HOUSE OF HORRORS—FREDDIE MAC'S WAFER-THIN CAPITAL RESERVES FINALLY ARE PROMPTING CONGRESSIONAL ACTION

(By Adrienne Linsenmeyer)

The staggering off-balance-sheet liabilities of Freddie Mac, more formally known as the Federal Home Loan Mortgage Corp., are now at the center of debates in Congress that every taxpayer should take notice of. Belatedly, perhaps, Congress and the Bush Administration have grown uneasy over the growing debts of Freddie Mac and other such government-sponsored enterprises. Freddie Mac has a $2.25 billion line of credit with the U.S. Treasury. But more than that, everyone from Administration officials to those at Freddie Mac says the government would bail Freddie Mac out of a crisis. The Administration is finally seeking to limit that exposure.

In heated testimony this past May, Freddie Mac Chairman and CEO Leland Brendsel blasted the chairman of the House Committee on Banking, Finance and Urban Affairs, Henry Gonzalez (D-Tex.), for suggesting that Freddie Mac's capital requirements be raised. Though created by government charter in 1970, Freddie Mac has been a publicly traded company since 1989. Any increase in its reserve requirements could smash earnings, to say nothing of its stock price, and might even threaten to wipe out stockholders' equity.

The beef against $42 billion-in-assets Freddie Mac stems from its huge volume of guarantees covering principal and interest on nearly half a trillion dollars of off-balance-sheet mortgage loans, according to a Freddie Mac internal report. The company's reserves for losses on this business, a fifth of the outstanding residential mortgages in the U.S., is but 0.12% while the national foreclosure rate, according to the Mortgage Bankers Association of America, averages 0.97%. Reserving at that level would cost Freddie Mac about $4 billion. That's almost twice the company's $2.1 billion of stockholders' equity.

While no one is suggesting such a drastic increase of its reserves, Freddie Mac could, nonetheless, be hard hit by any legislation. "We looked at various models of capital adequacy," says one Treasury official, who requested anonymity. "If you applied a bank's risk-based capital rule to Freddie Mac, they're not even close to complying. They would have to at least triple their capital."

Adding urgency to the congressional hearings is strong empirical evidence that Freddie Mac, either consciously or unconsciously, has been counting on a bailout occurring at some point in the future to backstop its phenomenal growth.

Given Freddie Mac's huge presence in the mortgage market, there seems no escaping the fact that the default rate on its guaranteed loans must eventually approach the national rate. And especially so, since Freddie Mac lets the banks and other mortgage originators from whom it buys the loans do the work of qualifying borrowers. In fact, during the years of Feddie Mac's most explosive growth (1988 through the first quarter of 1991), verifications weren't even made on 30 percent of the mortgagors' employment, income and other key underwriting information.

Failure to document borrowers' creditworthiness was no oversight, but a formal part of Freddie Mac's participation in the infamous "low-doc, no-doc" program of the late 1980s. It could be argued, of course, that any defaults would be at least partially offset by sales of foreclosed property and by mortgage insurance, which covers part of the value of higher-priced homes. But would any rational business undertake such foolhardy risks if there were no Treasury backup?

The no-doc, low-doc programs were supposed to cut red tape for lenders and enhance Freddie Mac's basic mission, which is to keep money flowing in the housing market by buying the mortgages that savings and loans and banks originate. But, sure enough, abuses ran rampant. One study found that almost a third of the home buyers misrepresented their incomes. Lending officials were found falsifying loan applications by, for example, hiding other loans taken out for down payments.

As a result, delinquency rates on these loans are beginning to skyrocket. Citi-corp's overall single-family delinquency rate rose to 4.8% at the end of March compared with 0.55% at Chase Manhattan, a bank that didn't participate in the no-doc loan program.

Whether Congress can deal effectively with Freddie Mac depends largely on the lawmakers' ability, and willingness, to cut through the nigh-impenetrable public relations smokescreen that stresses the company's historic ties to housing finance and is designed to obscure the fact that Feddie Mac's principal business is no longer what Congress intended.

From its founding in 1970 as an instrument of the Federal Home Loan Bank Board, and

up until 1980, Feddie Mac's main job was to buy residential mortgage loans from institutions that originated them. In providing a reliable secondary market for home loans, the company helped to assure the availability of mortgage money to home buyers.

The company also stood ready to sell loans to S&Ls and banks when local mortgage activity declined. And in the 1980s, as the popularity and demand for mortgage investments boomed, Freddie Mac stepped up the pace of packaging mortgages into multimillion-dollar chunks for sale to hungry institutional buyers. To improve the marketability of these pools, Freddie Mac attaches its own guarantees of principal and interest payments and charges a fee to the originator for this service.

Freddie Mac's loan guarantees have, in truth, moved it further from housing finance and closer to the insurance business. Its guarantee program bears striking parallels to the business of municipal bond insurers (FW, July 9), which attach guarantees to the public debt of cities and municipalities.

The notion of Freddie Mac as an insurance company becomes even more compelling when one looks closely at the underlying economics of its business. For example, guarantees attached to municipal bonds raise the securities' investment ratings, which, in turn, lowers the financing costs of the issuers. Guarantees attached to mortgages raise their standing in the eyes of the bank regulators who then reduce the amount of reserves banks are required to hold against them. This boosts the banks' profits.

Interestingly, state insurance regulators recently began to require that municipal bond insurers set aside annual contingency reserves equal to 50% of earned premiums. If similar reserves were required of Freddie Mac mortgage guarantees, annual earnings could be cut in half.

It's an open question how hard Congress will crack the whip on Freddie Mac. After all, the company is the solons' own Frankenstein monster of sorts. And like most such agencies, it is run and staffed with buddies from housing's good-old-boy-and-girl network. Still, given strong backing from the Administration, which is genuinely concerned, higher capital requirements are certainly in the offing for Freddie Mac.

And what does Brendsel think of the situation? "I want Congress to assure us that any regulator will take an approach with regard to Freddie Mac that reflects the unique characteristics of us and not approach us like a bank or thrift," he says.

With the Treasury on the hook for up to $483 billion in Freddie Mac loan guarantees, this hardly seems a reasonable request. Hand this man a hanky.

## H.R. 2893, THE AGRICULTURE DISASTER RELIEF ACT OF 1991

### HON. MIKE KOPETSKI

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, July 24, 1991*

Mr. KOPETSKI. Mr. Speaker, I rise in support of H.R. 2893, the Agriculture Disaster Relief Act of 1991. As you know, last December Oregon caneberry growers suffered a devastating freeze to the crop of Evergreen blackberries, marionberries, boysenberries, loganberries, and red and black raspberries. Due to the nature of the crop, the damage could not be assessed by growers until late this spring. In fact, information on the full impact of the damage is still being gathered as summer drought and heat stress take their toll on freeze weakened berry plants.

Mr. Speaker, the caneberry growers are in a desperate situation. In 1990 caneberries and their associated processing contributed well over $75 million to Oregon's economy. This year the average yield for all caneberries is estimated to be 45 percent of normal; that's crop loss of 55 percent. Loganberries are estimated to have a crop loss of 90 percent. In late June, Orgeon's Gov. Barbara Roberts declared a disaster with regards to caneberries in eight of our counties.

Mr. Speaker, it is important to remember that the majority of caneberries are produced on family farms averaging 25 acres. During Agriculture Committee markup I offered report language to specify caneberries as a nonprogram crop for the purposes of disaster assistance. The committee unanimously agreed to this language.

Mr. Speaker, the caneberry growers in Oregon need our help.

We have all heard that the President has promised to veto any appropriated disaster assistance. Yet we as a Congress upon recommendation from the White House have appropriated moneys this year for foreign aid for other countries. Let's hope that the President remembers the family farmer in America who lacks the resources to bounce back from such unpredictable twists of nature and supports this bill.

Mr. Speaker, I commend the distinguished chairman of the Agriculture Committee for responding to the plight of farmers all over America and bringing this vital piece of legislation to the floor.

## LET'S MAKE THE FOOD STAMP PROGRAM WORK FOR FAMILIES AND CHILDREN

### HON. ROBIN TALLON

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, July 24, 1991*

Mr. TALLON. Mr. Speaker, Washington is finally waking up to the reality that we need to take care of the Nation's kids. It is more than just politically correct these days to talk about children's issues as a national priority. It's a long-term investment that must be made.

In this time of budget constraints, there is a tendency to pay only lip service to the pressing needs of the day. But it is possible to do more to ensure that our focus remains on the nutritional, developmental, and educational well-being of our children. If we do not take care of them now by using all possible means, then this generation of America's children are destined to be nothing more than a herd of cattle at the mercy of an over burdened welfare trough.

There are programs and policies which are well directed toward assisting children through their formative years. Policy makers are speaking with a unanimous voice in calling for full funding for the Supplemental Feeding Program for Women, Infants and Children [WIC] and Head Start. The proposed $1,000 tax credit advocated by the National Commission on Children enables Federal policy to assist kids where they need the most help—at home.

In the spirit of making the most with what you have, we must also look at other programs which broadly impact children. The Food Stamp Program is a program whose infrastructure exists primarily to serve families with children. Eighty percent of the households that receive food stamps are families with children. Over half of the Nation's 23.4 million food stamp recipients are children.

Moreover, it is one of the most expensive social programs to the American taxpayer. Few taxpayers realize that the largest nutrition program for children is the Food Stamp Program. Whereas the School Lunch Program is only $6 billion a year, and the WIC Program is only a mere $2.5 billion program, the Food Stamp Program costs us a whopping $18 billion annually.

The point is simple; if the American taxpayer cares about feeding children first, then the American taxpayers ought to be concerned about the efficacy of the Food Stamp Program.

The truth is that a typical food stamp monthly allotment is not adequate to feed a typical American family. In fact, the average benefit is under 70 cents per person per meal. The underlying message in this inequity we are telling is that the Food Stamp Program is telling people to eat the cheapest, most available food without concern for nutrition.

However, in a family whose breadwinner suddenly becomes unemployed because of a lay off through no fault of his or her own and has no assets is not eligible for food stamps if they own a 1988 Ford Taurus station wagon worth over $4,500. That means that this family would have to give up its means of transportation in order to eat. In this country where personal transportation is a necessity for daily life, we are asking too many families, particularly rural families, to choose between transportation and food.

Likewise, we ask too many families to choose between housing and food in the Food Stamp Program. The Food Stamp Program only counts the first 50 percent of shelter costs when determining eligibility and benefit levels even if a family spends 80 percent.

That is why the passage of H.R. 1202, the Mickey Leland Childhood Hunger Relief Act, is absolutely necessary in making the Food Stamp Program adjust to the reality of the 1990's; that more and more working families with children are in desperate need of this nutrition assistance. The provisions of H.R. 1202 were part of the 1990 farm bill package last year.

The Agriculture Committee worked long and hard and held many hearings to ensure that the Mickey Leland bill passed as a benefit improvement package. But last year's infamous budget talks ended in failure for the Leland bill. At a cost of $5 billion over 5 years, the Leland bill was scrapped. This year, the House budget resolution did not include allowance for this much needed package, but these changes are still necessary and should be part of a congressional commitment to working families and children.

The Agriculture Subcommittee on Domestic Marketing, Consumer Relations, and Nutrition

which I chair intends to mark up H.R. 1202 before the August recess. I ask my colleagues in the House and in the leadership to take heed of this most urgent food stamp legislation to enable this program to respond to the need of families during today's tough economic conditions.

At the end of my statement, I would like to include for the RECORD a copy of a publication on the "Facts and Myths" of the Food Stamp Program:

FOOD STAMPS: THE CHILDHOOD NUTRITION PROGRAM—FACTS VERSUS MYTHS

MYTH NO. 1: TOO MANY NON-DESERVING FAMILIES GET FOOD STAMPS

The Facts: Almost all (97 percent) food stamp benefits go to households with gross incomes at or below the poverty level. More than half of all food stamp benefits go to households that have gross incomes at or below half the poverty level.

People who participate in the Food Stamp Program are poor and have few or no assets. Ninety-two percent of all food stamp households have gross incomes equal to or less than the poverty level. Thirty-seven percent have incomes below half the poverty level. Three-quarters of all food stamp households have no countable resources. [Countable resources include: money in cash or in the bank, inheritances, Individual Retirement Accounts (IRAs), and the market value of a car in excess of $4,500 (no matter what the household owes on the car).] Another 19 percent have resources of $500 or less. Even among the elderly, only six percent of food stamp households have $1,000 or more in resources.

The income and resource limits for eligibility in the Food Stamp Program are quite strict. Eligible households cannot have gross monthly incomes over 130 percent of the federal poverty level used in the Food Stamp Program (or $16,512 a year for a family of four in 1991). Eligible households must also have net monthly incomes (after deductions for a small part of the cost of housing, child care, work-related expenses, and other household expenses) less than the poverty level used in the Food Stamp Program, or $12,700 a year for a family of four. In addition, eligible households cannot have countable resources totalling more than $2000 (or $3000 for elderly households).

MYTH NO. 2: MOST FOOD STAMP RECIPIENTS ARE ABLE-BODIED ADULTS WHO SHOULD BE WORKING

The Facts: The Food Stamp Program is, to a large extent, a childhood nutrition program. It is also a program that targets the primary caregivers of children, the elderly and the disabled.

Fifty percent of all food stamp recipients are children, and 61 percent of food stamp households have children in them. Over 82 percent of all food stamp benefits are issued to households with children.

Eighty-seven percent of the participants in the Food Stamp Program are children, elderly, or women. Fifty-eight percent are young or old. Nineteen percent of all food stamp households have at least one elderly member, and eight percent of all food stamp households have disabled members.

MYTH NO. 3: FOOD STAMP BENEFITS ARE TOO HIGH

The Facts: Among all program participants, the average benefit is under 70 cents per person per meal.

The maximum food stamp allotment that a family of four can receive in 1991 is $352 per month—or 96 cents per person per meal. This maximum allotment is only received by 18 percent of all food stamp households.

MYTH NO. 4: PEOPLE ON FOOD STAMPS CAN OWN EXPENSIVE CARS

The Facts: Food stamp regulations severely limit the value of cars that can be owned by food stamp recipients.

The market value of a car in excess of $4,500 is considered a countable resource in the Food Stamp Program (See Myth No. 1). The Food Stamp Program counts the fair market value of a vehicle even if the household cannot sell the car because that household is paying off a car loan.

The current $4,500 limit on cars was written into law in 1977 and has not increased for inflation. As the result, many working and newly unemployed families are deemed ineligible for food stamps because of cars on which they depend to drive to or seek work.

MYTH NO. 5: FOOD STAMP RECIPIENTS ARE JUST TOO LAZY TO WORK

The Facts: All non-elderly adults in the Food Stamp Program who are able to work are required to be employed or to register for employment. In addition, many must participate in work, training, and job search programs.

Any persons required to work who are not meeting their work requirements are dropped from the program. Recipients who register for work must accept any job the food stamp office or employment agency finds for them. If a person quits a job while receiving food stamps or quits a job within 60 days of applying for food stamps, he or she can be denied benefits.

Every state must operate a work and training program. Many food stamp recipients must participate in this program in addition to meeting their other work requirements.

MYTH NO. 6: FOOD STAMP RECIPIENTS HAVE LARGE FAMILIES

The Facts: The average size of all food stamp households is 2.6 persons. The average size of food stamp households with children is 3.6 persons.

MYTH NO. 7: FOOD STAMPS BUILD WELFARE DEPENDENCY

The Facts: More than half of all food stamp households leave the program within seven months. The average length of continuous participation is 18 months.

In most cases, food stamps are a short-term remedy for households that have recently experienced a major change that affects their ability to feed themselves. Eighty percent of the households entering the Food Stamp Progam have recently experienced one or more of the following household changes: death of the head of household, young adults leaving home to create a new household, departure of an income-producing adult, addition of a child, divorce, or a drop in income of $500 or more.

Three-quarters of all food stamp households leave the program following remarriage, an increase in the number of adults in the household, a decrease in size of the household, or a $500 increase in income.

MYTH NO. 8: POOR PEOPLE WASTE THEIR FOOD STAMPS ON JUNK FOOD AND LUXURY ITEMS

The Facts: U.S. Department of Agriculture (USDA) research shows that food stamp shoppers, compared to shoppers in other income groups, obtain seven to 29 percent more of each of the eleven key nutrients studied for every dollar they spend on food.

Food stamps make a big nutritional difference for low-income families. USDA reports that food stamp participation increases nutrients in home food supplies by 20 to 40 percent. USDA also reports that for every one-dollar increase in food stamp benefits, a household's nutrient consumption is increased three to seven times over what it would have been by a one-dollar increase in cash income.

Households that participate in the program spend more on food, and purchase more food, than low-income non-participating households.

Food stamps can only be used to buy food, beverages, and food-producing seeds or plants. Food stamps cannot be used to buy alcohol, tobacco, pet food, soap, toothpaste, toilet paper or any other non-food items.

MYTH NO. 9: IT'S EASY FOR PEOPLE TO GET FOOD STAMPS

The Facts: In addition to meeting stringent income and assets standards, potential food stamp recipients must meet documentation and verification requirements.

To apply for food stamps, a person must file an application at the food stamp office (in some states these applications run more than 40 pages), be interviewed by a food stamp worker, and provide documented proof of at least the following: household income, utility bills, medical expenses, where they live, the identity of the applicant, disability benefits, information on students in the household, and the immigration status of aliens in the household.

Food stamp offices often ask for proof of other information on the application, including: rent, mortgage, taxes, fire insurance costs, household composition, child care costs, total household cash, savings, and loans received.

Food stamp offices are given 30 days from the time of application to provide eligible households with food stamps. Food stamps may be expedited for extraordinarily destitute households. Certification may run from one month to one year. Most households are certified for at least six months. At the end of the certification period, the household must reapply or stop receiving food stamps.

Food stamp households must report changes in income or assets within 10 days. Some food stamp recipients must file reports every month, regardless of whether anything has changed. If those households do not send in their monthly reports on time, or if changes in income or assets go unreported, the food stamp office cuts off benefits.

MYTH NO. 10: THE FOOD STAMP PROGRAM IS RIDDLED WITH FRAUD

The Facts: There are NO available data supporting the charge that fraud is widespread in the Food Stamp Program. In fact, there are many features of the Food Stamp Program that are designed to prevent fraud.

Extensive verification is required for information provided by food stamp applicants and those renewing applications (See Myth No. 9).

A "quality control system" run by the federal government fines states that provide food stamps to ineligible people or give people more food stamps than the amount for which they are eligible. According to the most recent available data, this overpayment rate (which includes both errors by food stamp offices and all errors by food stamp applicants—whether knowing or unintentional) is only 7.3 percent. This rate has steadily declined over the last few years. The rate of underpayment of benefits to eligible households is 2.5 percent.

Based on governmental investigations, a very small percentage of overpayments are due to the knowing provision of false or mis-

leading information by the recipient—.4 percent of all households making initial applications, and 1.9 percent of all participating households. These rates are far lower than the fraud rates in many other government programs.

If a household does get too many food stamps, it must pay back the excess. If these extra benefits are due to false or misleading statements provided knowingly by the household, the food stamp office can remove the person from the program who provided the misinformation and can take this person to court for fraud.

Sources: The information in this brochure is collected from publications prepared by the U.S. Department of Agriculture (USDA).

CAMPAIGN TO END CHILDHOOD HUNGER

The Food Research and Action Center (FRAC) has joined with anti-hunger groups across the country to launch the Campaign to End Childhood Hunger. Based on extensive research, FRAC estimates that 5.5 million American children under 12—one in eight—suffer from hunger.

The Campaign is designed to alert the public and policy-makers to the magnitude of the hunger problem in this country, particularly hunger's debilitating and lasting effects on children. With the support of a broad-based coalition from business, labor, Congress and the nonprofit sector, the Campaign is working to solve this critical problem, primarily through strengthening federal nutrition programs.

## DEMOCRACY—THE VANGUARD OF FREEDOM

### HON. BEN JONES

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, July 24, 1991*

Mr. JONES of Georgia. Mr. Speaker, I would like to submit for the RECORD an essay composed by Emily "Joanna" Young, the Georgia winner of the Veterans of Foreign Wars annual Voice of Democracy Script Writing Contest.

Her thoughts describe the challenges of American citizenship, freedom, and democracy. Ms. Young, a high school student at Rockdale County High School, reminds us that democracy provides us with a great deal of freedom, but that this freedom will not endure unless we participate and assume the responsibilities of citizenship.

DEMOCRACY—THE VANGUARD OF FREEDOM

(By Joanna Young, Georgia winner, 1990/91 VFW Voice of Democracy Scholarship Program)

From the beginning lines of one of our nation's most popular patriotic songs, "My country 'tis of thee/Sweet land of liberty," to the concluding ageless words which seem to echo, "from every mountainside/Let freedom ring," the words "liberty" and "freedom" ring clear and strong, giving a dominant impression of our vast and glorious country.

Tell me, why do you think these words are considered ageless? These words are ageless to me, because they still represent our land of freedom and democracy in the year 1990, as they did over 200 years ago in 1787. During this year, our young, yet expanding nation became a democracy, as our Constitution was ratified.

"Democracy: The Vanguard of Freedom." This statement is very true. A democratic government is a government "of the people, by the people, and for the people." It is a government which guarantees and protects the basic fundamental rights of all its citizens. Most of all, this government gives its citizens the awesome and unequaled privilege of freedom. Yes, this democratic government is the government of the United States of America—a democracy established by our forefathers, which has become the forerunner, or the "vanguard of freedom."

A simple democratic equation is that democracy plus constitutional guarantees equals freedom. Our Bill of Rights eloquently states, "We the People of the United States," not "We the Government" or "We the Rulers." It outlines each individual's fundamental human rights, and, at the same time, it ensures a democratic and just form of government. These precious freedoms include the right to express our opinions and beliefs, the right to print without censorship, the right to worship as we please, and the right to gather peacefully, without governmental interference.

For over two centuries, our democracy has encompassed every citizen's hopes, dreams, and desires. The Constitution has preserved and guaranteed these rights of freedom, yesterday and today, just as it will tomorrow, for future generations who shall count themselves blessed by being American!

It's amazing how our democracy has grown. Little did our forefathers realize that this democratic form of government would be envied and fought for by nations and its citizens worldwide. Little did our knowledgeable founding fathers know that democratic ideals would serve as a magnificent blueprint for other nations and other governments to aspire toward. Little did our forefathers predict that after twenty-eight years of separation and denial, the Berlin Wall would crumble, in the name of democracy and the cause for freedom.

We must never take our democracy or our freedoms for granted, since our democratic ideals are constantly being tested within our country and abroad. A recent example involves the unjust invasion of Kuwait by a tyrannical power. We, as a country, heard the cries for help, and now we are prepared to fight, at any moment, for the rights and freedom of others on foreign shores.

Citizens abroad see our country as a shining star, an example of the Utopian way of life. The ability to vote is a great opportunity within itself, as the citizens of the United States chose their leaders, who will, in turn, represent the people. People all over the world look up to our form of government, supported by ensured freedoms and its ideals.

An unidentified author once said, "To be born free is a privilege. To die free is an awesome responsibility." Yes, freedom is a privilege and a responsibility. Our democracy is the vanguard of our freedom, and we will settle for no less!

## DEMOCRACY—THE VANGUARD OF FREEDOM

### HON. EARL HUTTO

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, July 24, 1991*

Mr. HUTTO. Mr. Speaker, my constituent, Miss Lesha Denega, of Niceville, FL, recently competed as the representative for the State of Florida in the National VFW's Voice of Democracy scriptwriting contest. Lesha attends Niceville Senior High School and is interested in pursuing a career in chemical engineering.

I am pleased to submit for the RECORD the State of Florida's winner in the VFW Voice of Democracy scriptwriting contest.

DEMOCRACY—THE VANGUARD OF FREEDOM

(By Lesha Denega)

In the front line of battle, a group of soldiers work diligently. They labor for hours on a barricade, a shield, of sorts, to serve as a defense, and when the enemy comes they can only hope it will be strong enough. They have put precious time and effort into its making, and this vanguard is the only thing that will stand between their men and direct combat.

We too have a vanguard that protects us and people across the world. This defense secures our individual and collective rights against any who would try and take them away. Sometimes it succeeds, and sometimes it doesn't. This protection is democracy, and it is the vanguard of freedom. But like any fortification, it must be built before it can serve as a defense, and it takes the efforts of many to build the vanguard of freedom. Like the soldiers, we must labor a long time before our system of democracy is strong enough to completely protect us. It is an ongoing process, one that can be revolutionary, or stationary, radical, or conservative—one that is reflective of our changing society.

Let's take a look at the evolution of democracy right now, and try to see how we have come along in our struggle to build the vanguard of freedom.

One of the earliest examples of modern democratic government was ancient Greece. Ancient Greece is different from many modern democracies in that it did not use a republican, or representative form of government. Greece used direct democratic voting to pass its legislature, and they were able to do this because the populations were small enough. But ancient Greece was not without its flaws. Voting was limited to males of a certain wealth or class, citizens. But it was a start. Rule by the people is still a foreign concept in many lands, and democracy in Greece was the first block built in the vanguard of freedom. Democracy eventually failed in Greece because the voting restrictions allowed a certain class of people to come to power, and the government was thrown into discord. Ancient Greece can show us how a noble principle is not enough—you need a noble practice of that principle to go with it.

As the centuries pass, so do the forms of democracy. An example, in contrast to Greece, of the change in democracy is Great Britain. The democratic system in Great Britain is the result of a long chain of slow changes. The House of Lords and the Houses of Commons were the first steps in these changes toward democracy. These two houses were and still are collectively known as Parliament, and they were designed originally as checks on the power of the monarch, making the governmental system of Great Britain a constitutional monarchy. But over the years this check on the power of the monarch has, in fact, replaced the monarch's power in government, until Great Britain today is one of the most democratic nations in the world. The changes that occurred in Britain came about as the people's voice in the House of Commons grew stronger, until the House of Commons became the most powerful House of Parliament. Unlike

Greece, this time the group that rose to power was one that was elected by the people for the people, and continues to represent the people today. Every new piece of legislature is another change in the steps toward a better vanguard of freedom.

One of the greatest vanguards of freedom that we have today is the United States Constitution. It is indeed a barricade in defense of freedom. When it was conceived, it was one of the most radical documents of its time, a piece of paper that enumerated certain rights, privileges and duties specifically to the people, state, or federal government. It continues today to be reference point for the cause of democracy, a piece of the vanguard of freedom that can stand strong in defense of the rights of the people. But it didn't just come about out of nowhere—it was created by the founding fathers of the United States and it had to be ratified by the states before it was accepted. This piece of democracy was built by the people, for the people's rights, and we build on it constantly, through amendments and other laws and interpretations.

If we look back at these three examples there is a prevailing thread in all three—the thread of the people. The people were the instruments of the rise and fall of democracy in Greece. The people were the cause of the changes in the legislature in Great Britain and the people were the creators of the United States Constitution. Democracy is an abstraction, a thought, an idea. Only actual people and nations can make it substantial, and workable, and only through the efforts of all can we make it the vanguard of freedom.

## VOICE OF DEMOCRACY

### HON. BOB LIVINGSTON

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, July 24, 1991*

Mr. LIVINGSTON. Mr. Speaker, each year, the Veterans of Foreign Wars sponsors a "Voice of Democracy" contest in congressional districts throughout the country. It is a chance for high schoolers to express their thoughts on the wonders of freedom that American society bestows on them.

I take great pride in presenting for the RECORD the statement from Erin Schoenbachler of Metairie, LA. Her essay, "Democracy—the Vanguard of Freedom," is a stirring testament and tribute to the ideals of America and the Founding Fathers.

I include her essay in full in the RECORD:

DEMOCRACY—THE VANGUARD OF FREEDOM

(By Erin Schoenbaechler, Louisiana winner, 1990/91 VFW Voice of Democracy Scholarship Program)

Columbus discovers America. The Colonists unite and declare their independence. The American Revolution—the colonists win their long awaited freedom. these are a few of the many facts I learned about our country as a child. These formed my first limited, immature view of democracy. A child's views are dependent upon her education and background. These two factors provide the fundamental base upon which beliefs and values are built. Because I was raised in a democracy, my education and background provided a positive base for intellectual growth and human understanding. As a child, democracy represented a simplistic ideal. My understanding of democracy was simply that I was free to do as I wished. I was not concerned with why I was free, I was simply happy being so. I was not aware that I lived in a privileged society and that others did not share my freedom and joy. As I grew older and learned of current events, such as the Cold War, the arms race with the Soviet Union, and the controversy over the Vietnam War, I began to realize that what I had was special and should be cherished. This realization moved me to the next segment of my life.

As a teenager you discover many new concepts. I learned that all people do not share my comforts. As I matured, my understanding of democracy evolved into a strong feeling or belief. I began to feel special and believe democracy was the most precious possession I had. This strong feeling forced me to believe that freedom should be a virtue known to every person in the world. Freedom is too precious a commodity to be denied to any human being.

For my generation, current world events sway or influence our beliefs and feelings. The Revolution in China, the collapse of the Berlin Wall, which led to the unification of Germany, the unrest and impending change in the Soviet Union, and the crisis in the Gulf, are a few of the many noteworthy events my generation is living through. There is no doubt that at least one of these events has swayed or influenced the opinions of every member of my generation. The entire world is constantly changing, and every day democracy inches forward. The desire for freedom in the world cannot be suppressed. Current events are proof of this fact.

When the Chinese students united and demanded rights inherent to human nature, the entire world heard their cry for freedom. We grieved the loss of precious life as the Chinese totalitarian government tried to subdue their cries for freedom. Despite military action, the student's cry rang loud throughout the world.

The parents of my generation learned of the collapse of Germany as a result of World War II, yet I learned of the unification of Germany due to the collapse of the Berlin Wall. East Germans finally achieved their desire of freedom and set an example for the world. This event gave hope to other European countries which still thirst for freedom.

The Cold War with the Soviet Union seems to be approaching an end. The United States is encouraging changes and is willing to work with the Soviet Union instead of against them.

Recently as a result of the crisis in the Gulf, the United States has been forced to send troops to defend American interest and innocent people. this event has the potential to become the third World War. With the prospect of war on our doorsteps, my generation is forced to come to terms with our beliefs of democracy.

What impact will these changes have on the next generation's view of democracy? What will my children learn in history that will mold their minds? These are questions that must be raised when important, potentially future altering decisions are made. We must always keep in mind that these current world changes will have a direct influence on the next generation. What will China, the Soviet Union, Germany, and Iraq mean to future generations? This question cannot yet be answered. My only hope is that whatever the answer may be, it will instill a feeling of pride in my children for being free Americans.

Will the world I know change due to the direct influence of these global dilemmas? Will democracy prevail in the current global struggles? Is democracy the answer to the problems the world faced, is facing, and will face again?

The answer to each of these questions is "yes". The world will change because freedom is a constant in human nature and cannot be suppressed. Democracy will prevail and is the only answer, for it is the Vanguard of Freedom.

## CHOLERA AND THE COLD WAR

### HON. STEPHEN J. SOLARZ

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, July 24, 1991*

Mr. SOLARZ. Mr. Speaker, the subject of cholera may not immediately strike our colleagues as interesting reading. Yet in the hands of the gentleman from New Jersey [Mr. TORRICELLI], the distinguished chairman of the Subcommittee on Western Hemisphere Affairs, the current cholera epidemic in Latin America is brought home in a particularly riveting and eloquent way. "Cholera and the Cold War" was the title of an address which Mr. TORRICELLI recently gave at a conference at the University of Miami sponsored by the Pan American Health Organization and the University's North-South Center. I ask that his speech, which clearly elaborates the political, economic, and humanitarian issues at stake for the United States in this crisis in our Southern Hemisphere, be included in the RECORD.

[From the Miami Herald, July 21, 1991]

CHOLERA AND THE COLD WAR

(By Robert G. Torricelli)

Now that the Cold War has ended, we find ourselves facing the first of what could be a number of its residual effects. The current outbreak of cholera in Latin America cannot be tied directly to that greater international political struggle, but it deserves to be discussed in the same context.

Americans are now feeling more secure than at any time in a generation. Political threats are subsiding, leftist insurrections are defeated and communism has all but disappeared as a political option. But a new specter is rising. Now we are faced with a threat from the Middle Ages, a vicious disease that poses a greater challenge than ideology or philosophy, insurrection or revolution.

The only way to meet this threat is through international cooperation. It has become a truism to talk about interdependence. Many of the great hemispheric issues, including economic development, environmental protection, narcotics, and migration can only be addressed through cooperative action.

In fact, this cholera epidemic may force us to face the real meaning of interdependence. When a family in New Jersey gets cholera from poverty in Ecuador, that's interdependence. In the United States, at least 14 cases of cholera have already been reported. These are direct results of the Latin American epidemic. There could be no better evidence of the fact that any policy we develop offers no protection without international cooperation.

The dimensions of this problem are enormous. So far seven countries have been affected: Peru, Ecuador, Colombia, Chile,

Brazil, the United States and now Mexico. Two hundred and thirty thousand cases of cholera have been reported. More than 2,000 people have died. The enormous efforts of health officials have kept the death toll remarkably low. But that may radically change when the epidemic reaches the slums of Rio, Port-au-Prince, Mexico City, scores of other Latin American cities and, very possibly, U.S. border towns.

At a hearing of the House subcommittee on Western Hemisphere affairs, health experts and agencies of the U.S. government testified on the cholera epidemic and its human cost. Projections reached as high as 6 million cases and 40,000 deaths in the next few years. Some experts argued forcefully that the current wave of cholera could become endemic to the region, enduring into the 21st Century.

No amount of short-term aid will be enough. We must respond with both short-term and long-term measures. The short term will require that we provide adequate supplies of oral rehydration salts and other supplies necessary for treating the disease.

The Pan American Health Organization estimates that $600 million will be required over the next two to three years to control the epidemic and reduce the threat of major expansion. Half of this amount would be divided among the affected countries themselves.

Seen in this context, the U.S. response to the epidemic has been less than adequate. The U.S. Agency for International Development has committed only $10 million in additional funds to fight the disease.

OUR GREATEST FEAR

Our greatest fear, however, should not be that the United States, Europe or other donor nations won't do enough in the short run. It should be that, in the midst of this crisis, the long-term measures that will keep this from recurring again and again will be forsaken.

This cholera epidemic is not simply another round in the long struggle between peoples and plagues. It is different, and perhaps unique, because this is an epidemic of a disease that has been cured. Cholera is not an act of God or a new virus. It is neither AIDS nor cancer. Its cause is no mystery, its cure is no miracle.

Cholera is a sickness that strikes the poor. It is the result of inadequate health care, poor sanitation and contaminated water. It is an epidemic of human neglect, a disease of omission, caused by things that governments chose not to do. Cholera is the consequence of governments that weren't governed by the people. To be blunt, it is the consequence of civil conflict and wasteful, unproductive, criminal military spending and diverted resources.

The current crisis is the inevitable result of what is known as the "lost decade of development." It is the result of misguided economic policies and inadequate assistance. This lost decade has not ended. The policies that allowed this epidemic to happen have not been changed. But we do know what changes to make.

THERE'S NOTHING NEW

There is nothing new or unusual about the long-term answers to this epidemic. We have known them for years. Existing water and sanitation systems need repair and maintenance. New ones need to be built to serve the surging populations around the region's cities. Potable water should be available to everyone. Health-care systems should be extended to all citizens. In short, the answer is to take care of the elementary needs of the people. And that is the first responsibility of every government.

The Pan American Health Organization estimates that paying for these long-term solutions will cost $200 billion in the next 12 years. Seventy percent of that is to be borne by the afflicted nations themselves, and 30 percent is expected to come from external sources. As a comparison, that figure is less than the United States spent each year on global military assistance during the twilight years of the Cold War.

What we in the United States do about this problem will depend on how well we understand it. If we can't understand giving aid as a moral imperative, perhaps we can understand it in economic terms: The epidemic got its foothold because we continue to transfer capital in this hemisphere away from struggling nations that cannot provide adequate sewage treatment or potable water for their citizens.

If that argument is not persuasive, perhaps we can understand the problem in the Cold War language of national security. If cholera spreads to the large cities of Central and South America, devastating the population, its political effects could be more destablizing than any far-left insurgency.

Through most of modern history, North Americans have said that they offer their hand of friendship to their neighbors in the Western Hemisphere out of care and concern. The fact that our assistance came in an atmosphere of the war against fascism or communism was coincidence. We would have been helping just the same, no matter what the international environment.

Now we will see. Fascism was destroyed and communism is fading. Democracy rules the hemisphere. America faces no military threats in the region. In such an atmosphere, it will quickly become clear what kind of people we are.

We are being threatened by a medieval disease. It could do grave damage to our southern neighbors, and could be a harbinger of things to come. The threat is clear, the sources are evident, the remedy is obvious. We have made tremendous resources available to face past threats. Now we will see what will be made available to meet this one.

## FIGHTING FOR THE ECONOMIC FUTURE OF FAMILY FARMERS

### HON. BYRON L. DORGAN

OF NORTH DAKOTA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, July 24, 1991*

Mr. DORGAN of North Dakota. Mr. Speaker, this summer in Congress we have been working on many issues that directly affect the economic future of family farmers. I want to share with you some of my concerns, and present some of the challenges we face in defending the economic future of our Nation's family farmers.

UNFAIR TRADE PRACTICES

The flood of Canadian durum into this country is undercutting American durum producers and costing them millions of dollars in lost income. Healthy international trade in a free market environment is good for America, because our farmers are the best, most efficient producers in the world. But the massive shipments of durum from Canada represent unfair trade as Canadian durum moves to United States markets with a deep transportation subsidy.

In the year 1985 and prior, no Canadian durum was shipped to the United States market. Last year, 10 million Canadian bushels came into our country—up 30 percent from the previous year. And this year, Canadian durum imports will be up another 15 to 20 percent.

I think it is time for the U.S. Trade Representative, the administration, and Congress to stand up for the interests of American producers and demand an end to this unfair trade. I want the Department of Agriculture and the U.S. Trade Office to understand I am not going to quit fighting until we have put an end to unfair trade practices.

On a related subject, the behavior of our trade negotiators at the GATT talks in Geneva raises serious questions about how our farmers can survive our misguided trade policies. The farmers I represent are barely hanging on by their fingertips. Market prices for wheat and feed grains have collapsed, and over recent years, Federal support prices have decreased. All the while, the farmers' costs—to plant, to harvest, and to market their crops—have steadily gone up. Not surprisingly, more and more family farmers are being forced off the land because they cannot make a living under these unfortunate agriculture and trade policies.

Now our trade representatives are in Geneva trying to trade away the rest of the domestic farm program. They should be spending their time prying open foreign markets, and ending export subsidies and credits. My colleagues, our farmers cannot live on the current Farm Program, let alone live on less. We need to get a decent price for our agricultural commodities.

A NEW DAIRY PROGRAM

The first glimmer of hope for dairy farmers came last week in the markup of a new dairy bill that would provide for a $12.60 per hundred weight support price. Dairy farms in North Dakota and in many States are family operations, and no one works harder than these folks, 7 days a week, milking morning and night. Now, dairy operators have discovered that 30 percent of their income is washed away because milk prices have collapsed. We need to improve milk support prices, and I am pleased to have worked with, and supported the efforts started last week to develop a dairy program that improves prices. We have got to move quickly, and convince our colleagues in the House and Senate, and in the administration, to take aggressive steps to save dairy farmers across America.

MOST-FAVORED-NATION [MFN] STATUS FOR CHINA

A couple of weeks ago, we voted on most-favored-nation trade status [MFN] for China. A resolution was introduced to revoke most-favored-nation trade status for China, and I voted against the resolution. I did vote for a resolution that extends most-favored-nation trade status to China, but with conditions. I do not want to use trade as an instrument of foreign policy, and I do not want to create conditions in which we lose the opportunity to sell American grain to one of our largest purchasers. At the same time, we cannot, in good consience, ignore the massacre of Chinese

citizens by their government, and we must not condone that same government's transferring of nuclear technology to terrorist countries. By sending a message with the extension of most-favored-nation status, we have told China we will not ignore these issues.

China has a $10 billion trade surplus with us, and that is expected to grow to $14 billion this year. We should expect them to be purchasing more wheat from us—rather than our being nervous that they will buy less. My hope is that extension of most-favored-nation trade status, along with the conditions which will move China toward a democratic future, while assuring a trade relationship that is good for us, and good for agriculture.

A FARMER IRA

I have been working with my colleague JIM MOODY of Wisconsin to construct a new approach to solving the tax problem many family farmers face when they sell the farm after several decades of operation. Under today's Tax Code, farmers must pay a capital gains tax on the value of their farm when they sell it. I feel that farmers should be able to roll the proceeds of that farm sale into an IRA, and then pay taxes as they withdraw money from the IRA.

Unlike wage earners, whose incomes are relatively steady over a period of time, farmers are unable to plan for regular IRA contributions. Much of farmers cash flow must be put back into the farm during their lifetime. For that reason, they reach the end of their farming career and sell the farm without accumulating the same kind of IRA retirement pool available to other Americans. If we allow the rollover of the proceeds from a farm sale to an IRA, and allow farmers to withdraw from it and pay taxes over time, they will not be hit with the kind of tax burden that many of them face under current law. Congressman MOODY and I and others feel that this is the right approach, and we are going to continue to work to try to get this enacted.

## RYLAND'S DESERT STORM

### HON. BENJAMIN L. CARDIN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, July 24, 1991*

Mr. CARDIN. Mr. Speaker, I rise today to share with you the experience of one of the Nation's leading homebuilders—The Ryland Group Building. I am proud to have them headquartered in Maryland's Third Congressional District.

I would like to include in the RECORD an article from the Baltimore Sun that details Ryland's successful experience in Israel. The story of Ryland, and other United States companies like them, provide additional examples of the benefits of United States financial assistance to Israel.

With the arrival of over 180,000 Jewish refugees from the Soviet Union in 1990 and 15,000 refugees from war-torn Ethiopia 2 months ago, Israel desperately needs additional housing units. Over the course of the next several years, nearly 1 million Soviet Jews are expected to flee from religious persecution in the Soviet Union and immigrate to Israel. This huge influx of immigrants to Israel will exacerbate an already strained housing market.

Israel has turned to the United States to help alleviate the housing shortage. The United States Government has guaranteed $400 million in Israeli housing loans and may be asked to guarantee additional loans in the future.

A lot of confusion surrounds loan guarantees. It is important to point out that loan guarantees do not involve any transfer of funds from the United States Treasury to Israel. Instead, the United States Government cosigns loans that Israel arranges with banks throughout the world. Israel has a perfect record on repaying its loans. Therefore, it is highly unlikely that the United States would ever have any financial obligation related to these guarantees. The United States guarantees allow Israel to obtain the high volume of loans necessary with 30-year terms rather than the 7-year term that would otherwise be available.

Israel has also turned to American companies to assist in providing housing for refugees. Prior to 1990, the U.S. home export industry was never more than a $50 million a year industry. In 1990, the industry jumped to over $500 million. According to the Commerce Department, this includes roughly 75 percent of all the contracts awarded to supply prefabricated houses to Israel. This fantastic growth is expected to continue for the next several years. The U.S. home export industry is expected to be a more than a $1 billion a year industry for at least the next 4 years.

The Ryland Group Building, through its Ryland Trading Ltd. subsidiary, was quick to fill the demand for housing in Israel. Ryland took advantage of the slow down in the U.S housing industry to expand its international business. Thus, creating jobs here in America and providing a boost to our economy.

Mr. Speaker, I salute the work that Ryland, and other U.S. homebuilders, are doing across the globe.

[From the Baltimore (MD) Sun, July 7, 1991]

RYLAND'S DESERT STORM—COLUMBIA FIRM BUILDS BUSINESS IN ISRAEL

(By Alyssa Gabbay)

JERUSALEM.—The road to the Israeli city of Beersheba is hot and dry. Bedouin tents dot the landscape, their owners clothed in long robes against the sun's rays.

It seems like an unlikely place to find a Ryland home.

Nevertheless, a new subsidiary of the Columbia-based Ryland Group Inc., better known for its suburban tract houses, is leaving its mark on the Negev desert.

So far, the 4-month-old subsidiary, Ryland Trading Ltd., has shipped millions of dollars worth of materials that the Israelis are using to construct several hundred homes in the Negev city of Ofakim, about 15 miles from Beersheba. And now, Ryland Trading is negotiating a contract with two Israeli building companies to export materials for about 200 prefabricated duplex homes, according to Eli Alter, an Israeli builder who is overseeing much of the project.

The homes will be built to house Soviet Jewish immigrants in Nachal Ashan (Smoke River), a new neighborhood of Beersheba, a city of 110,000. Ryland has signed a tentative agreement for the project, and Mr. Alter hopes to see construction completed by November.

With about 200,000 Soviet Jewish immigrants arriving in Israel last year, and a similar number expected this year, the Jewish state is scrambling to provide housing for its new citizens. Amnon Neubach, minister of economic affairs at the Israeli Embassy in Washington, said that the Israeli government hopes to build as many as 120,000 new homes this year—a sharp increase from the 18,000 to 22,000 constructed in recent years.

U.S. manufacturers and homebuilders like Ryland, many of whom are suffering from the U.S. housing recession, have rushed to fill the demand. Almost one-fifth of U.S. panelized home producers expect to export materials to Israel this year, according to the February issue of Automated Builder. Israeli companies generally provide labor, utilities and foundations for the houses, while the Israeli Housing Ministry buys the completed homes from the builders and rents or sells them to new immigrants, Mr. Neubach said.

Two other Maryland companies want to help provide housing for immigrants. SACO Supply, a Timonium-based manufacturer of prefabricated homes, is negotiating with Israel Housing Investors Inc., a Rockville-based developer, to ship several hundred homes to Israel. Israelis involved in the venture would build and sell the homes to new immigrants.

The Ryland Group became involved in the venture last year when it was contacted by Sharbiv Ltd. of Haifa about providing materials for several hundred homes, said Vaike Talts, public relations coordinator for Ryland.

This February, Ryland, which previously had confined its activities to the U.S. market, created Ryland Trading to specialize in overseas activity. Shortly therafter, the new company began shipping wall panels, floor joists and roof trusses to the Israeli contractors from its plant in Fredericksburg, Va.

"Needless to say, a mass migration provides a need for immediate housing," said Thurman Bretz, prsident of Ryland Trading. "We're just trying to respond to that need." He declined to reveal sales figures for the Ofakim project.

Last October, Ryland Trading Ltd. embarked on its second Israeli venture when it began negotiating with Tishbahot Co. Ltd. and Canisra Group Ltd. about supplying materials for the Beersheba homes.

The homes for both projects are wood, one-story duplex units, Mr. Bretz said. Each 660-square-foot unit contains two bedrooms, one bathroom and a small kitchen.

"These are very small, simple, plain houses," said Mr. Bretz, who said the homes must conform to Israeli Housing Ministry regulations.

The Housing Ministry restricts the size of the houses in order to build them as cheaply and quickly as possible, according to Mr. Neubach.

The Israeli housing crisis is creating cramped living conditions for many Soviet immigrants. It is not unusual for two or more immigrant families to share one apartment, according to Enid Wurtman of the Public Council for Soviet Jewry. The council is an Israeli organization that works to help absorb Soviet immigrants into Israeli society.

"In many cases, multigenerational housing is happening, or families who are friends or strangers are living together," Ms. Wurtman said.

The Israeli government also has resorted to housing Soviet immigrants in hotels, where one family might live in a single room.

Ryland's move onto the world stage reflects the international orientation of the company's new chief executive officer, Roger Schipke, who was involved in overseas ventures when he was senior vice president of General Electric Applicances, Mr. Bretz said. Mr. Schipke became Ryland CEO in December.

At present, Mr. Bretz said, Ryland Trading's business makes up a "very modest" portion of the company's revenues, which reached $1.33 billion last year. He added that Ryland hopes to make international ventures a much bigger component of its business in coming years.

Although Israel seems to hold many prospects for business, Mr. Bretz said that he also is targeting other countries. Ryland has met with building contractors in Poland, Spain, Mexico and the Soviet Union about exporting housing materials.

"I think we recognize that there's an opportunity for homebuilding possibly worldwide," Mr. Bretz said.

## CORRECTION OF HOUSE REPORT 102-136 TO ACCOMPANY H.R. 2507—NATIONAL INSTITUTES OF HEALTH REVITALIZATION AMENDMENTS

### HON. J. ALEX McMILLAN

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, July 24, 1991*

Mr. McMILLAN of North Carolina. Mr. Speaker, when the committee report on H.R. 2507, the National Institute of Health Revitalization Amendments of 1991, was filed in the House—House Report 102-136—I joined with eight of my colleagues on the Energy and Commerce Committee in filing dissenting views opposing enactment of this bill.

In addition, because I felt that the question of fetal tissue research raised several issues which needed greater focus, I filed my own set of views on this subject. These views appear in the committee report on page 204. Due to a printing error by the Government Printing Office, however, my name was omitted as the author of these views.

In order to correct this error and bring these views to my colleagues' attention, I am inserting them in the CONGRESSIONAL RECORD at this point:

ADDITIONAL DISSENTING VIEWS ON H.R. 2507

I concur with the dissenting views expressed and wish to add the following points on the moratorium on fetal transplantation research.

The greater availability of fetal tissue is linked to the number of abortions performed in this country. However, just because there is a ready supply of fetal tissue as a result of legal elective abortion does not mean that using this tissue is justifable, particularly when we haven't fully examined alternatives; and its use is offensive to large segments of our population.

What is getting lost in this debate is the fact that a more limited supply of fetal tissue can be accessed and retrieved. Ectopic pregnancies must be terminated or both mother and child will die, and almost one in four pregnancies ends in miscarriage.

We need to focus on exploring the viability of using fetal tissue from ectopic pregnancies and miscarriages, and on ways to culture fetal tissue in the laboratory to meet the needs of medical research. A recent editorial by Emanuel Thorne and Julia Paradise in the Washington Post states: "Because we do not know to what extent fetal tissue can be proliferated in culture, we cannot estimate how much tissue might be needed for therapies using transplantion. Nor do we know at what stage of fetal development various tissues and organs can be used or what alternative tissues, such as tissue from spontaneous abortions (miscarriages) might be usable."

"The new legislation should include support for research into the usefulness of tissue obtained from spontaneous abortions . . . Whatever sense the research community may have that this tissue is not appropriate for transplantation, the question has not been investigated."

It is vital that this avenue be immediately researched, expecially in view of the reluctance of our political system to justify elective abortion or fund it. The lives of diabetics and Parkinson's victims are at stake.

## INTRODUCTION OF THE MEDICARE LOW-INCOME BENEFICIARY PROTECTION ACT OF 1991

### HON. FORTNEY PETE STARK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, July 24, 1991*

Mr. STARK. Mr. Speaker, I rise today to introduce the Medicare Low-Income Beneficiary Protection Act of 1991. This bill would expand Medicaid's current buy-in protection to assist Medicare beneficiaries with incomes up to 133 percent of the Federal poverty level.

According to a report issued by the "Commonwealth Fund Commission on Elderly People Living Alone, Medicare's Poor," one-third of near-poor elderly people are reduced to poverty by their out-of-pocket payments for medical care.

These people need our help. It is outrageous that we force near-poor seniors to a Hobson's choice of opting between essential medical services and paying their rent. This choice forces too many seniors into financial disaster.

Today, out-of-pocket medical costs remain a serious concern for millions of older Americans. Approximately 3 million near poor elderly persons have incomes that barely exceed the Federal poverty level, yet only 8 percent have Medicaid supplementary assistance. Consequently, near-poor seniors, with annual incomes of less than $7,200 per year—less than $140 per week—incur substantial out-of-pocket costs for their medical expenses that they simply cannot afford.

When compared to senior citizens in higher income groups, these near-poor seniors are particularly vulnerable. They tend to be the oldest of the old and in poorer health. They have more chronic conditions and functional impairments, use more prescription drugs and are more likely to incur substantial medical expenses. According to the 1987 National Medical Expenditures Survey [NMES], seniors who are near poor spend 15 percent more than the average Medicare beneficiary for prescription drugs.

In 1988, Congress enacted legislation requiring States to phase in buy-in coverage for low-income Medicare beneficiaries with incomes at or below 100 percent of the Federal poverty level. Under this provision, States are required to pay Medicare premiums, deductibles and coinsurance for eligible elderly and disabled enrollees. This provision was designed to eliminate financial barriers to medical care.

Under the 1988 law, States were required to extend coverage to individuals living in families with incomes up to 85 percent of poverty in 1989, 90 percent of poverty in 1990, 95 percent of poverty in 1991 and up to 100 percent of poverty in 1992.

The Omnibus Reconciliation Act of 1990 [OBRA 1990] accelerated by 1 year the schedule for phasing in the requirement that States cover Medicare cost-sharing for Medicare beneficiaries with incomes below 100 percent of poverty effective January 1, 1991.

In addition, OBRA 1990 required States to cover the part B premiums—but not deductibles and coinsurance—for Medicare beneficiaries with assets below twice the SSI level and incomes below 110 percent of poverty beginning January 1, 1993, and with incomes below 120 percent of the poverty level beginning January 1, 1995.

My proposed bill would require States to cover all Medicare cost-sharing requirements for seniors with incomes up to 133 percent of the Federal poverty level at the normal State-Federal matching rate.

The extended coverage would be phased in according to the following schedule. Beginning in 1993, Medicaid payments for Medicare cost-sharing requirements would be extended beyond premiums to cover deductibles and coinsurance for Medicare beneficiaries with incomes below 110 percent of poverty.

Beginning in 1994, all Medicare cost-sharing requirements would be covered for beneficiaries with incomes up to 120 percent of poverty. By January 1, 1995, Medicaid would cover all cost-sharing requirements for Medicare beneficiaries up to 133 percent of poverty.

Mr. Speaker, this bill is similar to a provision included in the Omnibus Budget Reconciliation Act of 1989 [OBRA 1989] that required all States to cover pregnant women and infants with family incomes of up to 133 percent of the Federal poverty level by April 1, 1990.

With the 1991 Medicare inpatient hospital deductible at $628, Medicare part B premiums at $29.90 per month, copayments for physician bills rising at the rate of 12 percent per year, the average near-poor Medicare beneficiary can expect to spend a significant share of annual income for medical care.

The bill has been drafted without the financing necessary to cover its costs. I anticipate that before this bill would be considered that it would have to be fully funded to comply with the existing pay-as-you-go budget requirements.

This bill would offer enormous assistance to the 3 million near-poor Medicare beneficiaries who struggle to pay their medical bills. I urge my colleagues to join this effort to assist these low-income senior citizens.

PIONEER DAY 1991

## HON. LARRY LaROCCO

OF IDAHO

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, July 24, 1991*

Mr. LAROCCO. Mr. Speaker, in the mid-19th century, hundreds of Mormon pioneers left their Midwestern homes to escape rising religious persecution. The pioneers, taking with them only what they needed to survive, traveled in covered wagons, pushed handcarts, or walked. While in search of a new place to settle, the Mormons suffered through impossible winters, drought, famine, disease, and often death. Finally, on July 24, 1847, the Mormon prophet, Brigham Young, arrived with his group at the foot of the Salt Lake Valley and declared, "This is the place."

The Mormon migration tested the courage and faith of all who ventured westward. Jane Pearce wrote in her journal at that time:

> Do not expect me to describe our road as they call it. It is a perfect succession of hills, valleys, bogs, mudholes, log bridges, quagmires, with stumps of trees a foot above the water mud so that without the utmost care, the wagons would be overturned 10 times a day.

Death of family and friends weighed heavily upon the hearts of the tired pioneers, but faith moved them onward.

Jane Pearce wrote:

> This day at 2:30, Sister Kempton died. She came with us from London and was in her usual state of good health until two days ago. Aunt Bateman and I laid her out and sewed her body up in a sheet. She was buried by the brethern at sunset on the summit of a small hill, where there are five other graves.

Within 10 years of arriving in the Salt Lake Valley, church leaders encouraged settlement in what is now the State of Idaho. The first settlement consisted of 23 men led by Thomas S. Smith. The men constructed a fort, houses, and a blacksmith shop. Eventually, settlers from Utah began migrating into the little colony. It appeared to be a huge success until a large band of Bannock and Shoshone Indians attacked the settlement, killed a few men, and scattered the livestock.

This tragic event did not stop the Mormon migration into Idaho. In 1860, what is now known as Franklin became the first of numerous permanent Anglo-Saxon settlements in Idaho. Early Idaho Mormons were farmers who raised cattle and livestock and grew such crops as wheat, potatoes, peas, and sugarbeets. The Mormons dealt with the threat of Bannock and Shoshone hostility through a display of brotherhood. Settlers taught the Indians agricultural skills and provided them with food and guns. In contrast to the hostile feeling the Indians had toward the white man, Mormons were looked upon as good friends.

Early Mormon pioneers were noted for their strong sense of community and their emphasis on educational and cultural development. Within the new settlements, singing and theatrics brought the community together and helped to lighten the burdens of pioneering. The women's organization within the church, known as "The Relief Society," educated themselves in nursing, health and social issues, and the arts.

Modern day Mormons are not crossing plains in covered wagons or fleeing religious persecution, but they strive to follow a heritage of courage and commitment. A heritage that responds to the call of duty, provides for the needs of the poor, and works together in unity to reach a higher goal.

Pioneer Day, observed on the 24th of July, is celebrated as a holiday in recognition of Brigham Young's first arrival in the Salt Lake Valley. In Idaho, where Mormon citizens make up nearly one-third of the population, parades, rodeos, fireworks, and barbeques are common ways to commemorate the crossing of the pioneers.

Finally, Pioneer Day is a time, not only for Mormons, but for all of us to celebrate our good fortune of living in a free nation where religious rights are guaranteed to all.

EFFORTS TO REDUCE LOCAL TRAFFIC CONGESTION MUST INCLUDE RURAL PRESERVATION

## HON. PETER H. KOSTMAYER

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, July 24, 1991*

Mr. KOSTMAYER. Mr. Speaker, the U.S. House of Representatives today approved a transportation spending bill that includes $2.75 million I requested for three transportation projects in my district. The three projects—SEPTA's Cross-County Metro rail line, a limited-access roadway along the Route 202 corridor, and a study of alternatives to reduce traffic congestion in the Quakertown area—are designed to ease gridlock in the suburbs north of Philadelphia.

One of the projects—the Quakertown effort—has come under fire by some local residents concerned about overdevelopment and the subsequent destruction of the countryside. I share that concern and would oppose any plan to deal with growing traffic congestion in the Quakertown area unless it received the official support of all municipalities which would be directly affected. No one who travels, as often as I do, through the Quakertown area can fail to note the negative effects of increasing gridlock as well as the need to preserve the rural quality of upper Bucks County. My intention in seeking this study is to develop a solution that meets the need to reduce that congestion, while at the same time protecting our rural landscape.

Central to this goal is the linking of proposed transportation projects to local land use and development plans. The Pennsylvania Department of Transportation [PennDOT], to its credit, is one of the few State DOT's that prides itself on heeding the concerns of local communities. In the case of Quakertown, this means, among other things, that the bypass will not be built through areas zoned for rural protection. The residents of Quakertown can be confident that PennDOT will not ram a highway down their throats.

However, to ensure that the priorities and concerns of localities are reflected in transportation policy, I have introduced legislation to require a strengthened link between comprehensive community planning and transportation project decisions. I am very pleased that much of my bill has been incorporated into the surface transportation reauthorization legislation currently being considered by the House.

In less than two generations, Federal transportation policy—for better and worse—has reshaped the American landscape. Too often, we have laid out our highways first and considered their effects afterward. The impact on metropolitan landscapes and natural resources has been devastating, as low density sprawl spreads out across the countryside. Growth and development are consuming open space at an unparalleled rate, destroying vast areas of farmland, wetlands, forest, wildlife habitat, rivers, and lakefronts. We are robbing communities of their distinctiveness and America of its natural landscape.

But while the contribution highways have made to sprawl is undisputed, it does not justify the simplistic notion that no new highways should be built anywhere. Rather, transportation projects must be intelligently planned and placed, considered in concert with—not in isolation from—local development plans. We must turn our transportation policy into a vehicle for preserving and enhancing our natural and manmade heritage and rebuilding livable communities.

It is my hope that a solution for the Quakertown area can be designed that will reduce traffic congestion without threatening our rural landscape. This can only be accomplished through the kind of close and careful study made possible under this legislation and with the cooperation of local municipal officials. Ultimately, any roadway construction should be contingent upon the clear support of the local governing bodies of all municipalities which it would traverse. By including such officials in the entire planning process, we will be able to determine those solutions that can best address local needs and concerns.

IMPROVEMENT NEEDED IN CALIFORNIA'S COURT SYSTEM

## HON. GEORGE E. BROWN, JR.

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, July 24, 1991*

Mr. BROWN of California. Mr. Speaker, today I am introducing legislation which I believe will significantly improve access to the Federal courts to inland residents of California's Central Judicial District. This bill would divide the district into two divisions—an eastern and a western—and establish a new place of holding court in the eastern division.

Southern California has experienced some of the most dramatic population growth in the Nation in recent years. While growth has brought prosperity to our region, it has also brought a whole host of problems: an increase in violent and drug-related crimes, air pollution, traffic, and pressure on public and social services. In the inland counties of San Bernardino and Riverside that growth promises to be even more dramatic in the coming years. San Bernardino County, geographically the largest county in the Nation, grew 58.5 percent from 1980 to 1990, while Riverside County's population increased 76.5 percent

over the same time period. The California Department of Finance predicts that in the next 15 years the populations of Riverside and San Bernardino Counties are expected to increase again by 70 percent and 67 percent, respectively.

Despite these population changes, inland residents have not seen a corresponding shift in the availability of Federal services. Increased traffic makes Federal offices on the coast inaccessible. The current offices in Santa Ana are approximately 40 miles from the inland empire, but daytime traffic turns this commute into a 2½-hour nightmare.

Although San Bernardino and Riverside residents could benefit from a whole host of Federal agencies and offices moving inland, the Federal court presents one of our most pressing needs. The local bar associations in the inland counties believe that there are many unreported and unfiled Federal court cases in Riverside and San Bernardino Counties. Lawyers discourage clients from taking their cases to Federal court because of the time and inconvenience that this involves. If a client decides to pursue a case in Federal court, he or she will be referred to a new lawyer whose office is close to the court. The client is then the one who bears the brunt of the standstill traffic, the long distance phone calls, et cetera. This says nothing about the inconvenience which inland residents must endure when they are called to jury duty.

Not only does the access problem affect civil cases, it ties into criminal cases as well. Fighting gangs and drugs is a primary concerns in the inland empire. One way of funding drug enforcement activities is through asset forfeiture, by which the assets of drug dealers and manufacturers become legal property of the police. These assets are generally sold and the profits are funneled into drug enforcement activities. Many of these cases must be filed in a Federal court. However, I am told that in San Bernardino and Riverside Counties only the most lucrative asset forfeiture cases are taken to court. The counties simply do not have the resources to prosecute the cases: staff time traveling to and from the courts would amount to at least 5 hours a day during rush hour traffic.

The caseload for the central district is extremely large. The Administrative Office of the Courts lists 10,360 pending cases in the central district for 1990. This is nearly twice as many pending cases than the California judicial district with the next largest workload—the northern district—and more than three times the pending cases of California's eastern district.

Dividing the central judicial district into two divisions and creating a new location inland for holding court would go far toward resolving the myriad problems caused by growth and difficult access to the Federal courts. Attorneys would be able to appear in court without having to contend with a daily 5-hour commute, and law enforcement would not be faced with disincentives to filing small asset forfeiture cases. In almost every way—access for inland attorneys and law enforcement, convenience for all filers, and overall effectiveness of the court—my proposal would enhance our current situation.

Dividing the central judicial district into two divisions would in no way affect the proposal to build a new courthouse in Santa Ana. My legislation proposes that the western division, which would comprise Los Angeles, Orange, San Luis Obispo, Santa Barbara, and Ventura Counties, would hold court in Los Angeles and Santa Ana. Court would be held for the eastern division, which would comprise San Bernardino and Riverside Counties, at a suitable site within the city of Riverside or San Bernardino, or within a 5-mile radius of either city.

The Federal Government has the responsibility to provide quality services which are readily accessible to the people it serves. The current court facilities in the Central Judicial District of California are presently inadequate, and current and projected growth exacerbate the problem. By creating two divisions within this district, and establishing an additional place of holding court inland, we can greatly improve the service which the Government is responsible for providing to all residents of the central judicial district.

## TRIBUTE TO THE HONORABLE JAMES R. DOOLEY

### HON. ESTEBAN EDWARD TORRES

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, July 24, 1991*

Mr. TORRES. Mr. Speaker, I rise today to recognize an extraordinary individual, the Honorable Judge James R. Dooley. Judge Dooley is retiring after 15 years of service to the U.S. Bankruptcy Court.

Judge Dooley was born in Anderson, SC. He is married to the former La Curtis Ruth Walls. Judge Dooley has one son, Jerold Richard Dooley. As valedictorian of both his high school and college graduating classes, Judge Dooley graduated magna cum laude from Benedict College, SC.

Upon graduation from the John Marshall Law School in Chicago, Judge Dooley was awarded numerous honors and prizes. Elected to the Order of John Marshall, Judge Dooley received the Bobbs-Merrill Co. Prize, the Illinois Constitutional Law Prize, and the Post-Graduate Scholarship, as well as many others, signifying his attainment of the highest rank each year of his graduate studies.

Judge Dooley served actively both in World War II and the Korean war. Rising from the rank of sergeant to first lieutenant in 1942, he was on active duty from 1942 to 1946 and again from 1951 to 1952 during the Korean war. Mr. Dooley served as a first lieutenant in the U.S. Army Reserve from 1945 to 1953 as well.

Judge Dooley was admitted to the Illinois Bar in November 1950 and to the California Bar 3 years later. He practiced privately for a short time in late 1953 and then served as assistant U.S. attorney for the U.S. Department of Justice in Los Angeles from 1953 until 1976.

During the years of his service, Judge Dooley continued to earn high praise from his colleagues, as he served in many positions of leadership. From 1962 until 1976 Judge Dooley served as first assistant chief of the Civil Division in the U.S. Attorney's Office. As a well liked and well respected member of the bar, Judge Dooley chaired the disciplinary board of the State Bar of California as well as the Federal Courts and Practice Committee of the Los Angeles County Bar Association in the early 1970's. Judge Dooley has served in many executive positions, including president, of the Los Angeles chapter of the Federal Bar Association as well. Appointed as bankruptcy judge in November 1976 Judge Dooley continued to uphold his high standards of dedication and service for which he has earned his honorable name.

Mr. Speaker, on February 2, 1992, civic leaders and members of the legal community will be gathered to praise the Honorable Judge James R. Dooley and bid farewell to this outstanding individual. I ask my colleagues to join with me in a salute to a dynamic leader and respected individual, James R. Dooley, for his distinguished record of achievement and public service both to the people of Los Angeles and to people of the United States as a whole. Let us all wish him a long, peaceful, and joyful retirement.

## MORE FUNDS NEEDED FOR HOSPICE ORGANIZATIONS

### HON. SAM GEJDENSON

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, July 24, 1991*

Mr. GEJDENSON. Mr. Speaker, I rise today to reintroduce a piece of legislation to create a new Medicare reimbursement rate for hospice organizations so that they may provide in-home respite care to terminally ill patients. Respite care consists of temporary, short-term, daytime or overnight health care so that family caregivers may have a few hours or days of rest from the stress of caring for a patient.

Hospice programs were first developed in my home State of Connecticut. This innovative method of care involves the coordination of health care providers and services to offer the most appropriate type of care to the terminally ill in their own homes. Pain relief and health care are provided by health professionals, with family support a crucial component of hospice care. In 1982, Congress initiated demonstration programs to study the suitability of federally supported hospice care. Medicare coverage of the hospice benefit was fully mandated in 1986 to give terminally ill individuals the option of a comfortable death at home.

Currently, Medicare part A beneficiaries may elect to receive hospice care in lieu of most other Medicare benefits for up to two periods of 90 days each, a subsequent period of 30 days, and an additional extension period if elected. The Health Care Financing Administration implemented a prospective payment methodology for hospice care. Under this system, hospices are paid one of four predetermined rates for each day a Medicare beneficiary is under the care of hospice. As this legislation originally was intended, hospices are meant to provide a few hours of respite under the routine home care rate. However, to

give the family more time to recover from the exertions of care, a hospice beneficiary can also opt to enter an inpatient facility to receive routine care and give the family a greater period of rest.

However, for many families, the 2 or 3 hours of respite they can receive from hospice caregivers under the routine home care rate is not enough to regain strength or to catch up on sleep. In addition, many families raise strong objections to the use of the inpatient respite option which requires the patient to move from the home to a hospice facility. Usually the caregiver will not allow that move until they are physically unable to provide pain relief for the patient at home. This throws the patient into a state of medical crisis requiring hospitalization. To illustrate how little this benefit is used, in 1989 the utilization rate for inpatient respite care in a hospice facility was 0.003 percent, whereas the inpatient hospital rate was used in 12 percent of the cases. For 1991, the inpatient respite care rate is set at $82.48 per day and the inpatient hospital care rate at $354.73.

My legislation would create a new respite reimbursement rate of $90 for each 5-hour period of care—increased by $10 for each additional hour of the period during which such care is continually provided—and is limited to a 40-hour total period of care. This legislation, for example, would provide a total of five 8-hour night shift periods of respite care. The legislated cap on hospice reimbursement would remain unchanged—the cap in 1989 was $9,010 although the average cost per beneficiary was $3,470.

Mr. Speaker, the intent of the hospice program was to keep terminally ill patients at home. Many of the spouses and family members of Medicare beneficiaries are elderly and may themselves be frail or unwell. It is vital that the option of keeping hospice patients at home with their loved ones be made available. Home respite care could be the linchpin that keeps a family strong, so that they can provide comfort and care for the dying individual, together with hospice care providers.

Dealing with the physical deterioration and death of a loved one is an incredibly difficult experience. Though we cannot relieve the pain of the passing of a loved one, passage of this legislation will make that process easier and less stressful for the family and the terminally ill patient.

I urge my colleagues to join me in support of this important legislation.

## TRIBUTE TO JOHN ANGELO

### HON. BARNEY FRANK

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, July 24, 1991*

Mr. FRANK of Massachusetts. Mr. Speaker, the men and women who staff our congressional offices work very hard at jobs which are intellectually and emotionally difficult, and they are generally compensated at less than what they would receive for comparable work in the private sector. I am therefore particularly pleased when individuals or organizations outside the Government of the United States take the trouble to recognize members of our staffs for the extraordinarily important work they do on behalf of others. I was particularly gratified, therefore, last month when John Angelo of my staff was invested with the Official Order of Merit of Infante D. Henrique. This very prestigious award was created in 1960 to commemorate the 500th year of the death of that great figure in world history, Prince Henry the Navigator of Portugal. It is the highest civilian order bestowed by the Portuguese Government and it is awarded to those who have done extraordinary service on behalf of Portuguese culture, history, and the values embodied therein.

John Angelo was born in Portugal and immigrated to the United States. He worked hard in the garment industry in Fall River and became an important member of the local structure of that outstanding organization, the International Ladies' Garment Workers' Union.

In 1982, when my district lines were changed to include the Fall River area, I was delighted to have the benefit of John's help and I was especially happy when he joined my staff in 1983. He has since then worked in my office on the myriad problems which those of us in Congress deal with on behalf of our constituents. John Angelo is a great asset to the people of the Fall River area, and I am very grateful to the Government of Portugal for recognizing the extraordinary service he performs and the distinguished manner in which he represents Portuguese culture.

## CENTRAL FLORIDA—A SOCCER HOTBED READY TO HOST THE WORLD CUP GAMES IN 1994

### HON. JIM BACCHUS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, July 24, 1991*

Mr. BACCHUS. Mr. Speaker, I am proud once again to lend my support and enthusiastic endorsement for central Florida's bid to host the World Cup—the Championship of Soccer—in 1994. Soccer is the youth sport-of-choice in the United States. Currently, one in every six Americans is associated with soccer either as a participant or through a family member.

When I am home in my district on weekends, I cannot pass a schoolground on a Saturday morning without witnessing a soccer game in progress. Seminole, Orange, Brevard, and Osceola Counties in central Florida have produced impressive and competitive youth soccer programs. Central Florida has several facilities that are home to soccer enthusiasts. One such facility, Cocoa Expo Center, is one of the finest in the country. Orlando's Citrus Bowl, already host to one of our finest college bowl games, is an ideal site for World Cup games. This commitment to soccer has produced some of our country's leading soccer superstars. For example, Ms. Michelle Akers-Stahl of Seminole County was voted most valuable female player for the Nation in 1990. Mr. Jeff Agoos from Orange County currently plays on the U.S. men's team and may qualify for the U.S. World Cup team.

I am proud of the effort and dedication of central Florida's government, business, and tourism leaders who are seeking to land the 1994 World Cup games. This is indeed a timely investment for the youth of central Florida. Soccer is their sport. FIFA, the international governing body of soccer, has adopted the motto of "Fair Play." What better way to show leadership to our young people than by welcoming the world's finest athletes to Orlando, the No. 1 family vacation spot. America's youth will certainly be watching.

## THE SOCIAL SECURITY AMENDMENTS OF 1991

### HON. BILL ARCHER

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, July 24, 1991*

Mr. ARCHER. Mr. Speaker, today I am introducing H.R. 3007, the Social Security Amendments of 1991. This bill, drafted by the Department of Health and Human Service, implements proposals in the President's fiscal year 1992 budget relating to title II and title XVI of the Social Security Act.

There are four proposals:

First, a modest increase in the Social Security earnings limit for workers over 65;

Second, magnetic media reporting requirements for certain payroll agents;

Third, authority for SSI overpayments—title XVI—to be collected from Social Security benefits—title II;

Fourth, a charge to certain States for the SSI State supplementation administered by the Social Security Administration.

Overall the bill produces savings of $500 million over 5 years. While I would prefer a more generous increase in the earnings limit than the $1,000 in the President's budget, I am mindful of the firewall created in last year's budget act. The Social Security provisions meet that $250 million test.

The other three provisions result in the net savings. The provisions relating to magnetic media reporting of wages, and the recoupment of SSI overpayments should improve program administration.

The final provision—a phase-in requirement that States pay the administrative costs of State supplementation—is, in my view, equitable. There is no reason that States which administer their own supplementation or States who have not opted to pay a supplement should subsidize those who rely on SSA to administer such supplementation.

These proposals are worth our consideration, Mr. Speaker, and I recommend them to my colleagues on the Ways and Means Committee.

## D.A.R.E. DAY

### HON. FRANK R. WOLF

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, July 24, 1991*

Mr. WOLF. Mr. Speaker, I rise in support of House Joint Resolution 217 designating September 12, 1991, as "National D.A.R.E. Day." I congratulate my colleague Representative

MEL LEVINE from California, for his efforts on this legislation and I thank the Post Office and Civil Service Committee for their expeditious movement of this resolution through the committee.

I would like to bring particular attention to the strong D.A.R.E. Program in the 10th District of Virginia, a program that effectively teaches children how to resist the pressure to experiment with alcohol and drugs through the discussion of such important concepts as development of high self-esteem and self-worth.

Since attending one of the D.A.R.E. classes, reviewing course material offered, and hearing positive feedback from children and adults who have participated in the D.A.R.E. Program, I am convinced more than ever that the D.A.R.E. Program, on both a local and national level, is an extremely positive approach to equipping our youngsters with the skills necessary to recognize and resist the pressures that influence them to experiment and use harmful drugs.

I salute the school districts and police departments around the country which have taken the D.A.R.E. concept and turned it into a working, effective substance abuse education program for their areas. I hope that through this resolution, individuals will come to know the positive effects of this program so that more children around the country will have the opportunity to participate in D.A.R.E. I urge the support of my colleagues for House Joint Resolution 217.

## THE PRICE OF FREEDOM: LCPL. JAMES M. LANG, USMCR

### HON. BEN GARRIDO BLAZ

OF GUAM

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, July 24, 1991*

Mr. BLAZ. Mr. Speaker, I rise today in tribute to a young man, a fellow marine and son of Guam, who made the ultimate sacrifice in defense of the principles upon which this country was founded. LCPL. James M. Lang, USMCR, survived the 100-hour ground war only to fall victim to its aftermath. The only son of James Lang and Evelyn Reyes Lang, this young man from Chalon Pago lost his life as a result of a grenade explosion while participating in boobytrap and mine-clearing operations in Kuwait on March 1.

Mere eloquence on my part can never fully describe the tragedy of this young man's death, and the resultant impact it will always have upon the lives of those who loved him. What can one say to a mother and father who cared so much for him? However right the cause for which he gave his life, there is little that I or others can say that will ease their pain.

I am no stranger to death in war; I have personally experienced war three times in my life, once as a civilian under Japanese occupation, and twice as a soldier. In Vietnam, I was responsible for giving orders that sometimes sent young men to their deaths. I will have to live with that for the rest of my life. As a casualty assistance officer, I made that long trip up the sidewalk to the front door over 300 times. Over 300 times I had to notify a mother, a father, or a wife, that their son or husband would not be returning home. I understand better than most the sadness that accompanies even the greatest of victories.

The parades are over now; the yellow ribbons have come down; the desert uniforms are being packed away. Some may fear that the sacrifices made during and after Desert Storm will fade into memory. The burden has now passed from the soldier to the civilian; it is our responsibility to remember men such as Lance Corporal Lang. He was willing to endure hardship and danger in order to guarantee for others—people whom he had never met—freedom, which we in this country enjoy and so often take for granted.

Who was Lance Corporal Lang? He was one of those individuals in uniform whom all of us see in airports, or at the train station, or on the bus, and barely notice. It seems that only when war threatens do we realize just how special these young people are, and how heavy the burden they bear for the rest of us. While we slept, Lance Corporal Lang and others like him were awake. Perhaps they walked a lonely sentry post in the early morning hours, or piloted a submarine through the ocean's depths, or guided a fighter back to its aircraft carrier and safety. As I speak, others carry on with these duties around the clock, 365 days a year. It is their devotion and professionalism that gives us the peace of mind and sense of security that we cherish so much.

Mr. Speaker, Guam will never forget Lance Corporal Lang or to what purpose he gave his life. A flag was flown in his honor over the capitol on March 12, the day that he was interred in that final resting place of heroes, Arlington National Cemetery. Harvest Christian Academy, his alma mater, is dedicating its school library in his name.

Neither will the Marine Corps forget. Just as service to one's country is an honored tradition on Guam, it is a marine's sole reason for existence. He will be doubly remembered.

It is a tradition within the military when an individual has participated in a historic or significant campaign or battle, for others to stand when he enters the room in recognition of the attendant sacrifice. If, after my time on this Earth is done, I should happen to be in the room when this young marine enters, I will be proud to stand and salute him. Without uttering a word, I will have said a thousand.

## "STARMAN, WISH ME LUCK"—DRAMATIC PRESENTATION ON CAPITOL HILL HIGHLIGHTS HOMELESSNESS

### HON. TOM LANTOS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, July 24, 1991*

Mr. LANTOS. Mr. Speaker, on July 22, Congresswoman LOUISE SLAUGHTER, Congressmen ROBERT MATSUI, GEORGE MILLER, JIM SLATTERY, BOB TRAXLER, BRUCE VENTO, and myself sponsored the presentation of the play, "Starman, Wish Me Luck," an urban folktale about homelessness.

Produced in association with Creative Ascent, the National Coalition for the Homeless, Hill Staffers for the Hungry and Homeless, and the House Legislative Assistants Association, the play was a smashing success. It helped to raise the awareness of homelessness here on Capitol Hill.

The plight of the homeless in America weighs heavily on the conscience of this Nation. While estimates vary, the number of Americans without adequate housing is intolerably high. The crisis of homelessness is daunting and at times seemingly intractable, but we must redouble our efforts to bring an end to this national disgrace.

I wish to thank Steve Grad and Cathy Simpson, who starred in the play, for their inspiring depiction of two homeless people. I would also like to extend my gratitude to my colleagues and to the organizations who helped in the production of "Starman, Wish Me Luck."

Most of all, Mr. Speaker, I would like to pay tribute to all of those who work tirelessly to fight for the most vulnerable among us: the homeless. It is my hope that Monday's performance will encourage greater efforts on behalf of those who have no place to go when the day is done.

## INTRODUCTION OF THE ALTERNATIVE JUVENILE INCARCERATION ACT OF 1991

### HON. MATTHEW J. RINALDO

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, July 24, 1991*

Mr. RINALDO. Mr. Speaker, I rise today to introduce legislation which would authorize appropriations for grants to States to demonstrate whether confinement in boot camp prisons rehabilitates and reduces recidivism of juvenile offenders.

Our juvenile correctional facilities are overflowing with young people who are usually found delinquent by our courts because of their involvement with drugs. Too many of these youthful offenders are released just to repeat their mistakes again. We may have an opportunity to break the tragic cycle of juvenile recidivism by creating innovative sentencing alternatives that offer a combination of punishment and rehabilitation.

Boot camp prisons, also referred to as shock incarceration programs, have been successful in rehabilitating a larger percentage of adult inmates than traditional correctional facilities. The use of boot camp prisons for first-time adult offenders who have committed nonviolent crimes, including drug-related offenses, has gained broad acceptance in recent years. Fourteen States currently operate adult boot camp prisons, while eight other States have started developing boot camps for adult inmates. The Justice Department has made funding available to States for these projects, and the administration advocates the use of boot camp prisons as part of its antidrug strategy.

Young people need punishment that is harsh enough to deter them from criminal conduct, but they also need to have positive experiences that will teach them personal responsibility, self-discipline, self-esteem, useful skills, and the value of hard work. The boot

camp concept will help to return larger numbers of these youthful offenders to their families and our communities to live meaningful, productive lives.

I urge my colleagues to support this bill so that States will be able to institute this constructive sentencing approach for juvenile offenders.

## THE SMALL BUSINESS ECONOMIC OPPORTUNITY ACT OF 1991

### HON. THOMAS H. ANDREWS

OF MAINE

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, July 24, 1991*

Mr. ANDREWS of Maine. Mr. Speaker, this Nation faces a crisis. Small businesses and entrepreneurs cannot obtain the seed money they need to get their ideas from the drawing board to the finished product. They have difficulty maintaining or expanding their businesses. The recession has further worsened the flow of funds.

In my State of Maine for example, a coastal businessman told me he had to go to 20 banks before he could get a loan. Several owners of family businesses with good credit records spanning generations have had their lines of credit cut off. It seems everyone from Maine and throughout the rest of New England has a horror story to tell.

Mr. Chairman, I am pleased to announce introduction of the Small Business Economic Opportunity Act of 1991, which amends section 7 of the Small Business Act with a new demonstration loan program. This is companion legislation to S. 1426, the Small Business Economic Opportunity Act of 1991, introduced by Senator DALE BUMPERS and Senator GEORGE MITCHELL. I applaud the leadership of Senator MITCHELL as majority leader and Senator BUMPERS as Chair of the Senate Committee on Small Business, and appreciate their initiative to introduce legislation to benefit women, minority and low-income entrepreneurs.

The Small Business Economic Opportunity Act will assist entrepreneurs who have promising plans for starting or maintaining successful businesses but who have particular difficulties in getting those plans off of the ground. The health and vitality of small business is essential for future economic growth. Monetary assistance in the form of microloans is one way to foster that health and vitality.

As a member of the Small Business Committee, I am very aware of the problems of credit availability in New England and the Nation, after participating in four credit crunch hearings in Washington, Boston, and my district of Maine. The credit crunch is real. It is affecting several small businesses. And, in rural States like Maine, whose economic base consists primarily of small businesses with less than 20 employees, my constituents have suffered from the unavailability of credit due to economic downturns.

Access to capital at both the public and private levels is limited. Traditionally, banks are adverse to providing small loans to individuals seeking to start small businesses, due to administrative costs in providing assistance, as well as the processing and servicing costs of loans. The risk involved in starting a new business places additional limits on a small business or entrepreneur attaining a loan.

This must change. Small businesses are getting a double hit: a recession and a credit crunch. A double remedy is needed: available credit and capital. The Small Business Economic Opportunity Act of 1991 will assist entrepreneurs by providing both credit and capital to cover initial business expenses through microloans. In addition, providing individuals with intensive marketing, management, and technical assistance will enable microentrepreneurs to develop and maintain small businesses. Management and technical support will help reduce the risk of loan defaults.

Although there are a variety of good loan programs such as the Small Business Administration's 7(a) Loan Program, none currently exist in the microloan category. Several private, nonprofit community development corporations throughout the Nation have experience in microlending to women, minority, and low-income individuals. They have targeted and worked with microenterprises in the past. They are also capable of supplying technical and managerial assistance. Because of their expertise, private, nonprofit community development corporations are best suited to handle the microloan demonstration program.

The current economic condition is more than a matter of economics. It is a matter of quality of life for present and potential owners of small businesses throughout our Nation. Microloaning is targeted to individuals who are closed out of traditional financial markets. It therefore fosters job creation and enables people to play a more active role within their local economy. As a result, individuals become more self-sufficient, and are better prepared to enter more traditional financial markets in the future.

Again, I commend the leadership of Senators MITCHELL, BUMPERS, BAUCUS, HARKIN, WELLSTONE, and LIEBERMAN for their dedication to microentrepreneurs in drafting and cosponsoring S. 1426. I look forward to working with both the House and Senate Small Business Committees in approving this important piece of legislation.

Small business is the nest egg of our Nation's future prosperity. We have to nurture and support it. And if we do, it will pay us back many times over in the future.

## TRIBUTE TO CAPT. HOMER G. SAENZ

### HON. SOLOMON P. ORTIZ

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, July 24, 1991*

Mr. ORTIZ. Mr. Speaker, it is with great pride that I rise today to pay special tribute to Capt. Homer G. Saenz. He is retiring from the Brownsville Police Department and has served his community well. He will leave behind a legacy of commitment and leadership.

Mr. Saenz has dedicated much of his life to his community and his country. He served in the U.S. Army during World War II and has been a loyal member of the Brownsville Police Department for 33 years, working his way up from patrolman to acting chief of police in the absence of the police chief.

Mr. Saenz made many outstanding contributions in the field of narcotics law enforcement as a past member of the Texas Narcotic Officers Association. His endless dedication to the war on drugs has helped many individuals and the community as a whole.

Captain Saenz has received numerous awards and certificates during his tenure with the Brownsville Police Department. He was awarded the DEA Certificate of Appreciation for outstanding contributions in the field of drug law enforcement and a certificate of merit from the Knights of Columbus in 1981. He was also the recipient of the "Officer of the Year" awarded by the Knights of Columbus in 1978–79. He has earned the respect and gratitude of his fellow officers, his family, and his community.

Mr. Speaker, I hope that you and the Members of the U.S. House of Representatives will join me in saluting Mr. Homer Saenz for his many years of outstanding service to his community. His contributions of time and energy are to be commended. Certainly his accomplishments are greatly appreciated and will be long remembered in the area he served so well.

## TRIBUTE TO NELLIE REYNOLDS AND PEGGY JONES

### HON. WILLIAM H. GRAY III

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, July 24, 1991*

Mr. GRAY. Mr. Speaker, I rise today to pay tribute to two truly remarkable people, Nellie Reynolds and Peggy Jones, who are being recognized by the Philadelphia Housing Authority for lifetime achievements and outstanding service. I wish to bring to the attention of this body the committment and accomplishments of these women who have devoted their lives in service to their community.

Mrs. Reynolds is a commissioner of the Philadelphia Housing Authority [PHA], and Mrs. Jones is a resident member of the PHA Board of Commissioners. They are being honored not only for service rendered to the housing authority, but for lifetime achievements in helping to improve the lives of others.

Mrs. Reynolds, as a community leader and housing activist, has been a role model for the Philadephia community. She is president and exective director of the oldest public housing group in the country, the Resident Advisory Board of Philadelphia. She is vice president of SHARE of Philadelphia, on the board of Philadelphia Citizens for Children and Youth, on the board of Public Interest Law Center of Philadelphia, and a trustee for Community Legal Services. She serves on the Marcus A. Foster Community Health Center, the Philadelphia Council for Neighborhood Education, the board of the Housing Association of Delaware Valley, the Pew Charitable Trust Advisory Committee, is a committeewoman and serves on the 32d Ward Democratic Executive Committee as chairperson. She is a member of PHA's Drug Task Force at-large, a member of

PHA's Drug Task Force at-large, a member of the National Tenants Organization, National Association of Housing and Redevelopment Officials, and attends the Zion Baptist Church. She is the recipient of numerous community service awards.

Peggy Jones has served as treasurer of the Haverford Community Center, as a member of the Mantua Community Developers Board of Directors, as secretary/treasurer of the Philadelphia Housing Authority Board of Commissioners, as president of the Citywide Tenant Coalition, as a member of the Philadelphia Clearing House board of directors, as a member of the Eastern Region Tenants Association, as a member of the National Tenants Association, as a member of the Mass Union of Public Housing, as a member of the National Association for Housing and Redevelopment Officials, as a member of the National Association of Resident Management Corporations, and is founder of the Mantua Scattered Sites Tenant Council. She is the recipient of many awards for humanitarian and civic service.

Both Mrs. Reynolds and Mrs. Jones are deeply committed to the Philadelphia community, and have made singularly great strides in providing and overseeing youth and housing programs. The city of Philadelphia owes a great debt to Nellie Reynolds and Peggy Jones for their dedicated service, warmth, humanity, and tenacity. The changes they have effected have improved countless lives, and they have been relentless in the pursuit of their goals.

Please join me in paying tribute to these two very special woman who have committed themselves to improving the quality of the lives of Philadelphians. We in Pennsylvania will always remember their worthy contributions.

## CONGRESSMAN KILDEE HONORS DALE REID

### HON. DALE E. KILDEE

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, July 24, 1991*

Mr. KILDEE. Mr. Speaker, I rise today to urge my colleagues in the U.S. House of Representatives to join me in paying tribute to Dale Reid who has served nearly two decades as a dedicated public servant of the people of Almont, MI. Dale retired May 7, 1991, after serving the village of Almont as a council member for nearly 20 years. Mr. Reid will be honored on Saturday, July 27, 1991, when the village of Almont Council will recognize July 27, 1991, as "Dale Reid Day."

Dale Reid has served Almont faithfully and diligently as a council member. During his tenure that began March 21, 1972, Mr. Reid has actively participated in the development of major village public works projects, including the extension of the water supply from Detroit, the construction of the $4 million waste water treatment plant, the creation of the downtown development authority, the construction of the village and township municipal building, and many water, sewer, and paving projects.

Dale Reid knows the meaning of the word commitment. In addition to his nearly 20 years of service to Almont, he has also been a committed and dedicated family man for 33 years. Mr. Reid has three children, and five grandchildren. He is deeply appreciated by his family and friends as well as the whole Almont community.

Mr. Speaker, it is indeed an honor and a pleasure for me to rise before the U.S. House of Representatives to pay tribute to Dale Reid. He has served tirelessly for his community for nearly two decades. For that, the village of Almont will express its gratitude and appreciation by proclaming July 27, 1991 to be "Dale Reid Day." I urge my colleagues to join me in wishing Dale and his lovely wife Doris a fruitful and prosperous retirement. May they pursue new challenges in their lives.

## THE CHRISTIANSTED BYPASS

### HON. RON de LUGO

OF THE VIRGIN ISLANDS

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, July 24, 1991*

Mr. DE LUGO. Mr. Speaker, I rise to express my sincere appreciation to my colleagues who have supported my efforts to secure initial funding for the long-sought Christiansted bypass project on St. Croix.

I particularly wish to thank the great chairman of the Appropriations Committee's Subcommittee on Transportation, BILL LEHMAN, for his sympathetic understanding of the true need for this important project on behalf of the people of St. Croix. I want to commend him for his hard work and for the superb legislation that he brings to the House.

I also wish to thank a long-time personal friend of mine and friend of the Virgin Islands, the gentleman from Pennsylvania [Mr. GRAY], who made the Christiansted bypass a special project.

Finally, I give my thanks to the ranking Republican on the Transportation Subcommittee, the gentleman from Pennsylvania [Mr. LAUGHLIN], whose support for this project was truly gratifying.

It is extremely heartening to know that these distinguished gentlemen appreciate the infrastructure necessities facing the Virgin Islands, where years of steady growth have placed particular strain on existing road systems. The Christiansted bypass will improve significantly the potential for the growth of commerce and industry on St. Croix and it will help insure a higher quality of life for both residents and visitors.

## SENIOR ATHLETES SALUTED

### HON. DON SUNDQUIST

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, July 24, 1991*

Mr. SUNDQUIST. Mr. Speaker, a few weeks ago, I had the pleasure of welcoming to Washington a lively and active group from Henderson, TN. They were on their way to New York to take part in the National Senior Games, where, I might add, they did very well.

This group of friends has come to mean a great deal to me. I have visited their senior citizen center in Chester County on several occasions, have joined in their sing-a-longs, and simply enjoyed their good company. I share their story with my colleagues because I find it inspiring and encouraging to see these older citizens still active, still engaged, still young at heart and fresh in spirit. It gave me a lift to visit with them.

I want to briefly recognize their participation and accomplishment at the National Senior Games. Lillian Maness won the gold in shuffleboard doubles, a silver in shuffleboard singles, a bronze medal in both the discus and the horseshoe pitch. Arlie Ivy took the bronze in both discus and shotput, and added a fourth-place ribbon in shuffleboard singles. Edith Hooper took fourth place in both the shotput and the discus, and Easter Howard took fourth in shuffleboard doubles. In addition, Mamie Austin and Moselle and Robert Jones competed in shuffleboard, Evie Patterson took part in the shotput, and Tylene Seaton participated in the racewalk and discus.

I ask my colleagues to join me in saluting all of these fine senior athletes. I salute the tireless effort of Joanne Brewer, the director of the Chester County Senior Citizens, Inc., who played such a vital role in organizing the trip. And I look forward to visiting again with my friends in Henderson.

## TALENTS AND ACHIEVEMENTS OF MATTHEW RICHARD SNYDER

### HON. GEORGE W. GEKAS

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, July 24, 1991*

Mr. GEKAS. Mr. Speaker, I rise today to recognize the talents and achievements of an extraordinary young man from my district. This young man is Matthew Richard Snyder, son of Rodney and Lana Snyder, of McClure, PA.

Matthew, a junior at West Snyder High School, has always been dedicated to community service. That dedication now culminates in his reaching the rank of Eagle Scout.

Matthew has been involved in Scouting for 8 years, starting with Cub Scout Troop No. 3408 of McClure and moving onto Troop 408 before attaining his latest honor. Through Scouting, Matthew has had the experiences of attending the 1989 National Scout Jamboree and being an assistant patrol leader, quartermaster, patrol leader, and senior patrol leader for his local troop. For qualification as an Eagle Scout, Matthew chose to help his church, St. John's Lutheran Church, by organizing an effort to refinish its picnic pavilion and tables.

Matthew plans to study physical therapy after graduating from high school. With the industriousness and generosity of spirit that this young man has already shown, Matthew cannot help but succeed in the future. I ask my colleagues to join me in congratulating Matthew on his successes and in wishing him the best in his future.

## TRIBUTE TO THE CARPENTERS AND JOINERS' LOCAL 248 ON THEIR 50TH ANNIVERSARY

### HON. MARCY KAPTUR

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, July 24, 1991*

Ms. KAPTUR. Mr. Speaker, on August 9, the Carpenters and Joiners' Local 248 in Toledo, OH will celebrate its 50th anniversary. I would like to take this opportunity to pay tribute to my friends at the carpenters union and commend Local 248 for 50 years of outstanding service to Ohio's Ninth District.

In August 1941, 10 carpenters from Toledo, OH received a local union charter from the United Brotherhood of Carpenters and Joiners of America to form what became Local #248. Since that time, the union has been joined by the Lathers Local Union 24–L in 1980 and the Floorlayers Local 1457 in 1988. Local 248 has now grown to include 600 skilled craftspeople.

Mr. Speaker, Ohio's Ninth District is full of talented, hardworking men and women who have contributed so much to our community. Over the past 50 years, the men and women of the United Brotherhood of Carpenters and Joiners' Local 248 have made our area a better place to live, and we are all tremendously grateful for their contributions over the past half-century.

In addition to the men and women who are members of Local 248, I would like to pay tribute to the officers of the union. Special congratulations to president, Jack Kenney; vice president, Homer Shank; recording secretary, Ron Krzyminski; financial secretary, Ron Romes; treasurer, Mike Null; trustees Bill Michalski, John Trapp, Terry Bishop; warden, Jon Williams; conductor, Mike Grimes; and business representative Bob Sopher. A special thank you to Mac Huguelet who worked long and hard to make this 50th anniversary celebration a success.

Congratulations to all the members of local 248, and best wishes from the Congress of the United States for another 50 years of prosperity.

## TRIBUTE TO JOHN J. DALE, JR.

### HON. MIKE PARKER

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, July 24, 1991*

Mr. PARKER. Mr. Speaker, I stand today in the Halls of Congress, to speak in favor of my friend and fellow Mississippian, Mr. John J. Dale, Jr., of Wilkinson County. He has formally announced his retirement as county agent beginning on August 9, 1991.

John began working as assistant to the former county agent, J.R. Hamilton, when he graduated from Mississippi State University in 1960. After only 1 year as assistant, John assumed the position of county agent, a position which he has held for the last 30 years. He is one of two men that have ever served in this position, the other being his predecessor who served for 31 years.

Mr. Dale has been thoroughly involved in his community where he is a well respected member. His time and dedication to the community and to the State of Mississippi deserve recognition. Therefore, I ask that you join me in commending Mr. John J. Dale, Jr., on the occasion of his retirement.

## THE CONFEDERATE FLAG AND CLARENCE THOMAS

### HON. WILLIAM (BILL) CLAY

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, July 24, 1991*

Mr. CLAY. Mr. Speaker, apparently there seems to be some confusion regarding the flag Supreme Court nominee Clarence Thomas displayed in his office while serving as a Missouri assistant attorney general. At first identified as a Confederate flag, it is now being described as the Georgia State flag.

It's newsworthy that Joel Wilson's belated letter describes the flag as Georgia's State flag. Others, however, who worked in the same office with Mr. Thomas, stated publicly and were quoted in the press as saying it was a Confederate flag. However, several years ago when the incident occurred, the flag was identified as Confederate and Mr. Thomas was reported to be proud of what it symbolized. Only after his recent public nomination have great pains been taken by a high price public relations firm to diffuse issues and distort facts.

Richard Wieler, a lawyer who worked in the same office with Clarence Thomas when he served as an assistant attorney general, was quoted in the St. Louis Post Dispatch as saying, "All the years that he worked there * * * he had a Confederate flag hanging behind his desk." Wieler said the flag was Thomas' way of saying, "Don't put me in an ideological corner, because I might not sit."

Personally, I believe there is no intelligent reason for a black person to fly the colors of a rebel Confederate flag or the "rebellious" Georgia State flag.

## TRIBUTE TO GEORGE JOHNSTON

### HON. BOB TRAXLER

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, July 24, 1991*

Mr. TRAXLER. Mr. Speaker, I rise to pay tribute to George Johnston of Saginaw, MI, who has been general manager of the Central Foundry Division since 1985. He has been promoted to general manager of Delco Marine and Delco Products Division in Dayton, OH, and will soon be moving there. He will be greatly missed, particularly because of his efforts to make the foundry in Saginaw a world class model.

As a member of the Saginaw County Chamber of Commerce, George was on the forefront of Saginaw's search for economic expansion. He was also an active participant in the United Way where he was a leader in recruiting voluntary aid for those individuals in our community who most needed help. Of great importance to George were his efforts to improve America's environment for youth through the Boy Scouts of America, Lake Huron Area Council. Besides his contributions to our community, he served in the U.S. Marine Corps during the Korean conflict.

Saginaw is not the only area that recognizes George's fine character. His talents have been recognized by General Motors since 1957. He has worked his way up through various supervisory assignments in manufacturing, process engineering, and personnel. George has served in the Muncie, IN, battery plant, nine plants in Anderson, IN, and facilities in Dayton, OH and Lockport, NY.

George was born in Anderson, IN, on January 11, 1932, and graduated from Indiana University with a bachelor of science degree in management in 1955. He also attended the Harvard University Business School Advanced Management Program in 1978. George and his wife, Nancy, have two sons.

Please join me in wishing the very best of success to George Johnston. He is a valuable contributor to Saginaw and to General Motors. We will remember him well.

## SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate on February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place, and purpose of the meetings, when scheduled, and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Thursday, July 25, 1991, may be found in the Daily Digest of today's RECORD.

### MEETINGS SCHEDULED

JULY 26

9:00 a.m.

Labor and Human Resources

Education, Arts, and Humanities Subcommittee

To hold hearings on current educational television programming and to examine new technologies which could impact the future of educational television.

SD–430

9:30 a.m.

Labor and Human Resources

Labor Subcommittee

To hold hearings on S. 353, to require the Director of the National Institute for Occupational Safety and Health to conduct a study of the prevalence and issues related to contamination of workers' homes with hazardous chemicals and substances transported from their

workplace and to issue or report on regulations to prevent or mitigate the future contamination of workers' homes.

SD-226

10:00 a.m.
Environment and Public Works
Environmental Protection Subcommittee
To hold hearings on S. 58, to establish a national policy for the conservation of biological diversity.

SD-406

Finance
Health for Families and the Uninsured Subcommittee
To hold hearings to examine Medicaid rules on voluntary donations and taxes, reorganization of the Maternal and Child Health Services Block Grant program, and the Medicaid buy-in program for low-income Medicare beneficiaries.

SD-215

Joint Economic
To resume hearings to examine the economic outlook at midyear.

SD-628

JULY 29

9:30 a.m.
Environment and Public Works
Superfund, Ocean and Water Protection Subcommittee
Business meeting, to mark up S. 792, to authorize funds for programs of the Indoor Radon Abatement Act of 1988, S. 455, to establish a national program to reduce the threat to human health posed by exposure to contaminants in the air indoors, and S. 1278, to authorize funds for fiscal years 1992, 1993, and 1994 for the Office of Environmental Quality.

SD-406

10:00 a.m.
Environment and Public Works
Superfund, Ocean and Water Protection Subcommittee
To hold hearings on proposed legislation relating to superfund problems facing municipalities.

SD-406

2:00 p.m.
Environment and Public Works
Water Resources, Transportation, and Infrastructure Subcommittee
To hold hearings on oversight of the General Services Administration's (GSA's) planning and management procedures and the condition of the Federal Building Fund.

SD-406

4:30 p.m.
Foreign Relations
To hold hearings on the nominations of Arthur Hayden Hughes, of Nebraska, to be Ambassador to the Republic of Yemen, and Christopher W. S. Ross, of California, to be Ambassador to the Syrian Arab Republic.

SD-419

JULY 30

9:30 a.m.
Energy and Natural Resources
To hold hearings on S. 1351, to encourage partnerships between Department of Energy laboratories and educational institutions, industry, and other Federal laboratories in support of critical national objectives in energy, national security, the environment, and scientific and technological competitiveness.

SD-366

Environment and Public Works
Environmental Protection Subcommittee
To hold hearings to examine and evaluate recent developments relating to international negotiations on global climate change and stratospheric ozone depletion.

SD-406

Judiciary
Constitution Subcommittee
To hold hearings on issues relating to abortion as contained in Rust vs. Sullivan.

SR-332

10:00 a.m.
Commerce, Science, and Transportation
Business meeting, to consider pending calendar business.

SR-253

2:00 p.m.
Environment and Public Works
Superfund, Ocean and Water Protection Subcommittee
To hold hearings on S. 1445, to revise the Safe Drinking Water Act to reduce human exposure to lead in drinking water.

SD-406

2:30 p.m.
Energy and Natural Resources
Mineral Resources Development and Production Subcommittee
To hold hearings on S. 1179, to stimulate the production of geologic-map information in the United States through the cooperation of Federal, State, and academic participants, and S. 1187, to revise the Stock Raising Homestead Act to provide certain procedures for entry onto the Stock Raising Homestead Act lands.

SD-366

Judiciary
Courts and Administrative Practice Subcommittee
To resume oversight hearings on certain provisions of the Bankruptcy Code, focusing on commercial and credit issues.

SD-226

JULY 31

9:30 a.m.
Environment and Public Works
Business meeting, to mark up H.R. 794, Silvio O. Conte National Fish and Wildlife Refuge Act, S. 391, Lead Exposure Reduction Act, S. 455, Indoor Air Quality Act, S. 779, authorizing funds for programs of the Indoor Radon Abatement Act, S. 36, New York Zebra Mussel Monitoring Act, S. 1278, authorizing funds for the Office of Environmental Quality, and to consider other pending committee business.

SD-406

10:00 a.m.
Commerce, Science, and Transportation
Merchant Marine Subcommittee
To hold hearings on proposed legislation authorizing funds for the Maritime Administration, Department of Transportation.

SR-253

Finance
To resume hearings on S. 612, to encourage savings and investment through individual retirement accounts (IRAs) in an effort to stimulate economic growth for Americans and the nation.

SD-215

11:00 a.m.
Environment and Public Works
Environmental Protection Subcommittee
To resume hearings on S. 976, authorizing funds through fiscal year 1996 for programs of the Solid Waste Disposal Act, focusing on products packaging and labeling provisions.

SD-406

2:00 p.m.
Energy and Natural Resources
To resume hearings on S. 1351, to encourage partnerships between Department of Energy laboratories and educational institutions, industry, and other Federal laboratories in support of critical national objectives in energy, national security, the environment, and scientific and technological competitiveness.

SD-366

AUGUST 1

9:30 a.m.
Energy and Natural Resources
Public Lands, National Parks and Forests Subcommittee
To hold hearings on S. 1156, to provide for the protection and management of certain areas on public domain lands managed by the Forest Service in the States of California, Oregon, and Washington.

SD-366

10:00 a.m.
Commerce, Science, and Transportation
To hold hearings on S. 22, to regulate interstate commerce with respect to parimutuel wagering on greyhound racing, and to maintain the stability of the greyhound racing industry.

SR-253

Environment and Public Works
Water Resources, Transportation, and Infrastructure Subcommittee
To hold hearings on a proposed Department of Transportation headquarters, and the relationship between the Judiciary and the Government Services Administration for the provision of space for the Courts.

SD-406

3:00 p.m.
Judiciary
Patents, Copyrights and Trademarks Subcommittee
To hold hearings on proposals to extend the patent term of certain products, including S. 526 and S. 1165.

SD-226

SEPTEMBER 10

10:00 a.m.
Judiciary
To hold hearings on the nomination of Clarence Thomas, of Georgia, to be an Associate Justice of the Supreme Court of the United States.

SR-325

SEPTEMBER 19

9:30 a.m.
Energy and Natural Resources
To hold oversight hearings on the resettlement of Rongelap, Marshall Islands.

SD-366

SEPTEMBER 24

9:00 a.m.
Veterans' Affairs
To hold joint hearings with the House Committee on Veterans' Affairs to re-

view the legislative recommendations of the American Legion.

334 Cannon Building