

HOUSE OF REPRESENTATIVES—Monday, September 16, 1991

The House met at 12 noon.

Chaplain Herbert B. Cleveland, Chief of Chaplains, Department of Veterans Affairs, Washington, DC, offered the following prayer:

Almighty and everlasting God, Creator of all, Author of life and love, we come to You this day seeking Your gracious wisdom for the affairs of this Nation.

O Lord grant that justice and mercy be a part of our deliberations and decisions.

O Lord inspire the representatives of this great land to give us just laws tempered by Your love.

O Lord as we feel the fresh wind of freedom blowing throughout this world we pause to give You thanks for the generous service of our veterans during these long years as they fought and stood guard for the cause of freedom.

O Lord we thank You for the gift of the American veteran and the freedom he has kindled throughout the world.

Gracious God bless this land today and always. 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.

Mr. WALKER. Mr. Speaker, pursuant to clause 1, rule I, I demand a vote on agreeing to the Speaker's approval of the Journal.

The SPEAKER. The question is on the Chair's approval of the Journal.

The question was taken; and the Speaker announced that the noes appeared to have it.

Mr. McNULTY. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 211, nays 87, not voting 134, as follows:

[Roll No. 258]

YEAS—211

Abercrombie	Aspin	Bilbray
Anderson	AuCoin	Bonior
Andrews (ME)	Bacchus	Boxer
Andrews (NJ)	Barton	Brooks
Andrews (TX)	Bateman	Browder
Annunzio	Bellenson	Bruce
Anthony	Bennett	Callahan
Archer	Bevill	Cardin

Carper	Hochbrueckner
Clement	Horn
Clinger	Hubbard
Coleman (TX)	Huckaby
Collins (IL)	Hughes
Collins (MI)	Jefferson
Combest	Johnson (CT)
Cooper	Johnson (SD)
Costello	Johnston
Cox (IL)	Jones (GA)
Coyne	Jontz
Cramer	Kaptur
Darden	Kennelly
Davis	Kildee
DeFazio	Klug
DeLauro	Kolter
Dellums	LaFalce
Derrick	Lancaster
Dingell	LaRocco
Dixon	Laughlin
Donnelly	Lehman (CA)
Dooley	Lent
Dorgan (ND)	Levin (MI)
Downey	Levine (CA)
Duncan	Lewis (GA)
Durbin	Lipinski
Dwyer	Livingston
Dymally	Long
Early	Luken
Eckart	Manton
Edwards (CA)	Markey
Edwards (TX)	Matsui
Emerson	Mazzoli
English	McCurdy
Erdreich	McDermott
Evans	McMillan (NC)
Fascell	McMillen (MD)
Fish	McNulty
Flake	Mink
Foglietta	Moakley
Ford (TN)	Montgomery
Frank (MA)	Moran
Frost	Morrison
Gejdenson	Murtha
Gephardt	Myers
Geren	Nagle
Gibbons	Natcher
Gillmor	Neal (MA)
Gilman	Nowak
Glickman	Oberstar
Gonzalez	Obey
Gordon	Ortiz
Green	Orton
Gunderson	Owens (UT)
Hall (OH)	Oxley
Hall (TX)	Pallone
Hamilton	Panetta
Hammerschmidt	Parker
Harris	Patterson
Hayes (IL)	Payne (NJ)
Hayes (LA)	Pease
Hefner	Pelosi
Hoagland	Penny

NAYS—87

Allard	Dannemeyer
Armey	Dickinson
Baker	Dreier
Ballenger	Edwards (OK)
Barrett	Ewing
Bentley	Fawell
Beruter	Fields
Bilirakis	Franks (CT)
Bliley	Gallely
Boehert	Gallo
Boehner	Gilchrest
Broomfield	Gingrich
Bunning	Goss
Burton	Gradison
Camp	Grandy
Chandler	Hancock
Coble	Hansen
Coleman (MO)	Hefley
Cox (CA)	Henry
Cunningham	Hobson

Perkins	Regula
Peterson (FL)	Rhodes
Peterson (MN)	Rogers
Petri	Rohrabacher
Pickett	Ros-Lehtinen
Poshard	Santorum
Price	Schaefer
Quillen	Schroeder
Reed	Sensenbrenner
Richardson	
Rinaldo	Ackerman
Roe	Alexander
Roemer	Applegate
Rose	Atkins
Rostenkowski	Barnard
Roth	Berman
Russo	Borski
Sangmeister	Boucher
Savage	Brewster
Scheuer	Brown
Schumer	Bryant
Serrano	Bustamante
Sharp	Byron
Shaw	Campbell (CA)
Shuster	Campbell (CO)
Sisisky	Carr
Skaggs	Chapman
Skelton	Clay
Slattery	Condit
Slaughter (NY)	Conyers
Smith (FL)	Coughlin
Smith (IA)	Crane
Snowe	de la Garza
Solarz	DeLay
Spratt	Dicks
Staggers	Doollittle
Stenholm	Dorman (CA)
Stokes	Engel
Studds	Espy
Sweet	Fazio
Swift	Feighan
Synar	Ford (MI)
Tallon	Gaydos
Tanner	Gekas
Taylor (MS)	Goodling
Thornton	Guarini
Torres	Hastert
Torricelli	Hatcher
Trifant	Herger
Unsoeld	Hertel
Vander Jagt	Holloway
Vento	Hopkins
Visclosky	Horton
Volkmer	Houghton
Walsh	Hoyer
Waxman	
Wheat	Hyde
Wolpe	Inhofe
Wyden	Ireland
Wyllie	Jacobs
Yates	James
	Kolbe
	Kyl
	Lagomarsino
	Leach
	Lewis (FL)
	Lightfoot
	McCandless
	Meyers
	Michel
	Miller (OH)
	Molinari
	Moorhead
	Nussle
	Paxon
	Ramstad

NOT VOTING—134

Hunter	Payne (VA)
Hutto	Pickle
Jenkins	Porter
Johnson (TX)	Pursell
Jones (NC)	Rahall
Kanjorski	Rangel
Kasich	Ravenel
Kennedy	Ray
Kleczka	Ridge
Kopetski	Riggs
Kostmayer	Ritter
Lantos	Roberts
Lehman (FL)	Roukema
Lewis (CA)	Rowland
Lloyd	Roybal
Lowery (CA)	Sabo
Lowey (NY)	Sanders
Machtley	Sarpallius
Marlenee	Sawyer
Martin	Saxton
Martinez	Schiff
Mavroules	Schulze
McCloskey	Smith (NJ)
McCollum	Smith (NJ)
McCrery	Spence
McDade	Stallings
McEwen	Stark
McGrath	Sundquist
McHugh	Tauzin
Mfume	Thomas (CA)
Miller (CA)	Thomas (GA)
Miller (WA)	Towns
Mineta	Traxler
Mollohan	Valentine
Moody	Washington
Morella	Waters
Mrazek	Weiss
Murphy	Whitten
Neal (NC)	Williams
Nichols	Wilson
Oakar	Wise
Olin	Yatron
Oliver	Young (FL)
Owens (NY)	Zeliff
Packard	Zimmer

□ 1233

So the Journal was approved.

The result of the vote was announced as above recorded.

PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentleman from North Carolina [Mr. ROSE] please come forward and lead the House in the Pledge of Allegiance.

Mr. ROSE 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

□ 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.

that the Senate had passed with amendments in which the concurrence of the House is requested, a bill of the House of the following title:

H.R. 656. An act to provide for a coordinated Federal research program to ensure continued United States leadership in high-performance computing.

The message also announced that the Senate had passed bills of the following titles, in which the concurrence of the House is requested:

S. 260. An act to provide for the efficient and cost effective acquisition of nondevelopmental items for Federal agencies, and for other purposes;

S. 627. An act to designate the lock and dam 1 on the Red River Waterway in Louisiana as the "Lindy Claiborne Boggs Lock"; and

S. 1418. An act to designate the Federal building located at 78 Center Street in Pittsfield, MA, as the "Silvio O. Conte Federal Building," and for other purposes.

THE ISSUE OF LOAN GUARANTEES

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

Mr. GEPHARDT. Mr. Speaker, I cannot set silently as divisive comments made accusing President Bush of anti-Semitism for his beliefs about Israeli loan guarantees.

On this issue, there is great agreement between Congress and the administration. We support the settlement of Jews in Israel following their emancipation from the Soviet Union.

We agree that America should extend loan guarantees to build housing.

We want the peace process to succeed, and I believe it can and should proceed without linking the loan guarantees either to the international conference or to settlements.

The parties differ only over timing. I believe a compromise can be reached, and I join in the search to find it.

This is no time for accusations about the President's motives. This is no place for polarizing comments from anyone.

The relationship between Israel and the United States is too special and strong to be strained by words that hurt.

IN SUPPORT OF BIPARTISAN EFFORTS ON BEHALF OF ISRAEL

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

Mr. GINGRICH. Mr. Speaker, I want to first commend and thank the very distinguished majority leader for his very fine and statesmanlike statement. There has been a bipartisan effort for over 20 years to help ensure the Jews who live in the Soviet Union have an opportunity to emigrate. It has been a very strong commitment on both sides, no matter which party was in the

White House, and with very strong support in both the House and the Senate.

There remains in this body an absolute bipartisan commitment to work with President Bush to ensure that every person who seeks to leave the Soviet Union will have a chance to do so, to ensure that they are safe, to ensure that they are not the victims of anti-Semitism.

Over time I am convinced, as the majority leader is convinced, that we will find a way, working with President Bush, to ensure that housing guarantees can be passed, they can be signed, that everyone who desires an opportunity to seek freedom will have that freedom.

I just wanted to commend the gentleman from Missouri [Mr. GEPHARDT], the leader on the other side, for what he said. I think it is vital that all Americans remain united in their opposition to anti-Semitism and their opposition to bigotry and their joint commitment to work together, recognizing that we do have real opportunities in the near future in the Middle East to possibly achieve historic breakthroughs and that it will take statesmanship and good will on both sides in this country, but that together we can ensure that that happens.

VETERANS' EDUCATIONAL ASSISTANCE AMENDMENTS OF 1991

Mr. MONTGOMERY. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the Senate bill (S. 868) to amend title 10, United States Code, and title 38, United States Code, to improve the educational assistance benefits for members of the Reserve components of the Armed Forces who served on active duty during the Persian Gulf war, to improve and clarify the eligibility of certain veterans for employment and training assistance, and for other purposes, and ask for its immediate consideration.

The Clerk read the title of the Senate bill.

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

Mr. STUMP. Mr. Speaker, reserving the right to object, although I do not intend to object, I yield to the distinguished chairman, the gentleman from Mississippi [Mr. MONTGOMERY], for the purpose of explaining his request.

GENERAL LEAVE

Mr. MONTGOMERY. 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 Senate bill presently under consideration.

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

There was no objection.

Mr. MONTGOMERY. Mr. Speaker, I urge my colleagues to support S. 868,

the Veterans' Educational Assistance Amendments of 1991. The provisions of this measure are substantially the same as those contained in H.R. 1108, as amended, which was approved by our Subcommittee on Education, Training, and Employment on May 15. Additionally, sections 2 and 3 of S. 868 are nearly identical to provisions contained in H.R. 1175 which was approved by the House on March 13 of this year as part of our Operation Desert Storm benefits package.

Briefly, sections 2 and 3 of S. 868 would restore VA educational assistance entitlement and extend the delimiting date for the men and women who were forced to disenroll from school, and failed to receive credit for the courses in which they were enrolled, because of active duty services during the Persian Gulf war. Many members of the Guard and Reserve who served on active duty during that conflict are now preparing to resume their studies. Swift approval of S. 868 will assure that they will reenter school with the full entitlement they had before initiating the period of study which was interrupted because of their military duties.

Section 5 of the bill would extend eligibility for employment assistance under chapter 42, title 38, United States Code, to include activated Guard and Reserve members with less than 180 days of active duty who serve during a period of war or are awarded a campaign badge. Although the men and women activated during the Persian Gulf war are well protected in terms of their reemployment rights, too many of these individuals returned home to discover that the recession had resulted in layoffs and business failures—thus, they have no job to which they can return. Enactment of the bill we are considering today will assure that veterans' employment specialists in local job service offices will be able to assist all gulf war veterans in their efforts to find employment.

Mr. Speaker, S. 868 is a good bill which will provide appropriate assistance to our Persian Gulf war veterans. The administration supports the bill, and I urge its adoption.

□ 1240

Mr. STUMP. Mr. Speaker, I rise in strong support of S. 868, the Veterans' Educational Assistance Amendments of 1991.

This bill, which Chairman MONTGOMERY has explained, is directly related to the Persian Gulf war. It would prevent the loss of VA educational benefits for Reserve and active duty military personnel who could not complete their school courses because of their wartime duties. Also, for reservists who were called up, it would extend the period of time they have to use their Montgomery GI bill benefits.

Mr. Speaker, these provisions prevent those who answered the call to

duty from being disadvantaged by their military service.

It should be recognized that S. 868 does have a relatively small pay-as-you-go implication for budget purposes of \$10 million or less. The savings or revenue will have to be found in the future to prevent enlargement of the Federal deficit. I am confident that this will be worked out. Failure to enact this type of remedial legislation for wartime veterans due to quibbling over a minor detail would be indefensible.

Mr. Speaker, I urge House approval of S. 868.

Mr. Speaker, further reserving the right to object, I yield to the gentleman from New York [Mr. GILMAN].

Mr. GILMAN. Mr. Speaker, I am pleased to rise in support of S. 868, the Veterans' Educational Assistance Amendments of 1991.

I would like to commend the distinguished chairman of the Veterans' Committee, the gentleman from Mississippi [Mr. MONTGOMERY], for bringing this important measure to the House floor and the ranking minority member, the gentleman from Arizona [Mr. STUMP], for his unceasing efforts on behalf of our Nation's veterans.

S. 868 will amend title 10 and title 38, United States Code, to improve the educational assistance benefits for members of the Reserve components of the Armed Forces who served on active duty during the Persian Gulf war, as well as to improve and clarify the eligibility of certain veterans for employment and training assistance.

Mr. Speaker, this important measure would restore educational assistance entitlement to participants in VA-administered programs who had received benefits for the pursuance of courses which they were unable to complete.

Additionally S. 868 would extend the period during which the reservists may use his or her Montgomery GI bill benefits under chapter 106 of title 10 by a period equal to the length or their active service plus 4 months, and provide that the reservist is not to be considered to have been separated from the Selected Reserve for education purposes by reason of their active duty service.

Moreover, this important measure would clarify that Vietnam-era veterans' eligibility for veterans' readjustment appointments in Federal employment based on having a service-connected disability is limited to veterans who are entitled to disability compensation.

Mr. Speaker, ensuring the integrity of the veterans' educational system should remain an important concern of this body. Accordingly, I strongly support this measure, and urge my colleagues to vote in favor of it.

Mr. SMITH of New Jersey. Mr. Speaker, as the ranking minority member of the House Veterans' Affairs Subcommittee on Education,

Training and Employment Chairman, I rise in strong support of S. 868, which will restore certain education benefits for Persian Gulf veterans. This legislation is similar to legislation that I cosponsored in the House, H.R. 1108, which was approved by the subcommittee earlier this year on May 15.

Mr. Speaker, when the President called up the Reserves, many individuals had their academic pursuits interrupted. S. 868 will restore educational benefits for guardsmen and reservists who were called up to active duty in the Persian Gulf war. It would be unconscionable for these brave men and women to lose a portion of the educational benefits due to them as a result of their service.

If adopted into law S. 868 will exempt the period of active duty service for persons serving in the Persian Gulf conflict from the 10-year delimiting period for educational benefits. In addition, this legislation would restore the educational entitlement for selective reservists called to active duty, as well as for active duty personnel who were relocated or otherwise unable to continue their educational pursuits, in cases where they do not receive credits for college courses or approved training.

Mr. Speaker, S. 868 also addresses the situation of selected reservists who have served on active duty in the Persian Gulf for less than 90 days. Current law provides preference in employment assistance only to individuals who serve on active duty for more than 180 days. Under this legislation, anyone who served on active duty during the Persian Gulf war for a discharge would be eligible for these employment and training benefits. I fully support this change in law, which is similar to provisions already enacted into law for other veterans benefits, such as VA home loans.

Mr. Speaker, as a cosponsor of the House version of this legislation, I fully support passage of S. 868 and urge all Members to support this important legislation.

Mr. STUMP. Mr. Speaker, I withdraw my reservation of objection.

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

There was no objection.

The Clerk read the Senate bill, as follows:

S. 868

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 "Veterans' Educational Assistance Amendments of 1991".

SEC. 2. RESTORATION OF ENTITLEMENT TO EDUCATIONAL ASSISTANCE.

(a) CHAPTER 30 PROGRAM.—Section 1413 of title 38, United States Code, is amended by adding at the end the following new subsection:

"(f)(1) Notwithstanding any other provision of this chapter or chapter 36 of this title, any payment of an educational assistance allowance described in paragraph (2) shall not—

"(A) be charged against any entitlement of any individual under this chapter; or

"(B) be counted toward the aggregate period for which section 1795 of this title limits an individual's receipt of assistance.

"(2) Subject to paragraph (3), the payment of the educational assistance allowance referred to in paragraph (1) is the payment of such an allowance to an individual for pursuit of a course or courses under this chapter if the Secretary finds that the individual—

"(A) in the case of a person not serving on active duty, had to discontinue such course pursuit as a result of being ordered, in connection with the Persian Gulf War, to serve on active duty under section 672(a), (d), or (g), 673, 673b, or 688 of title 10; or

"(B) in the case of a person serving on active duty, had to discontinue such course pursuit as a result of being ordered, in connection with such War, to a new duty location or assignment or to perform an increased amount of work; and

"(C) failed to receive credit or lost training time toward completion of the individual's approved education, professional, or vocational objective as a result of having to discontinue, as described in subparagraph (A) or (B), his or her course pursuit.

"(3) The period for which, by reason of this subsection, an educational assistance allowance is not charged against entitlement or counted toward the applicable aggregate period under section 1795 of this title shall not exceed the portion of the period of enrollment in the course or courses for which the individual failed to receive credit or with respect to which the individual lost training time, as determined under paragraph (2)(C) of this subsection."

(b) CHAPTER 32 PROGRAM.—(1) Section 1631(a) of such title is amended by adding at the end the following new paragraph:

"(5)(A) Notwithstanding any other provision of this chapter or chapter 36 of this title, any payment of an educational assistance allowance described in subparagraph (B) of this paragraph—

"(i) shall not be charged against the entitlement of any eligible veteran under this chapter; and

"(ii) shall not be counted toward the aggregate period for which section 1795 of this title limits an individual's receipt of assistance.

"(B) The payment of an educational assistance allowance referred to in subparagraph (A) of this paragraph is any payment of a monthly benefit under this chapter to an eligible veteran for pursuit of a course or courses under this chapter if the Secretary finds that the eligible veteran—

"(i) in the case of a person not serving on active duty, had to discontinue such course pursuit as a result of being ordered, in connection with the Persian Gulf War, to serve on active duty under section 672(a), (d), or (g), 673, 673b, or 688 of title 10; or

"(ii) in the case of a person serving on active duty, had to discontinue such course pursuit as a result of being ordered, in connection with such War, to a new duty location or assignment or to perform an increased amount of work; and

"(iii) failed to receive credit or training time toward completion of the individual's approved education, professional, or vocational objective as a result of having to discontinue, as described in clause (i) or (ii) of this subparagraph, his or her course pursuit.

"(C) The period for which, by reason of this subsection, an educational assistance allowance is not charged against entitlement or counted toward the applicable aggregate period under section 1795 of this title shall not exceed the portion of the period of enrollment in the course or courses for which the individual failed to receive credit or with respect to which the individual lost training

time, as determined under subparagraph (B)(iii) of this paragraph.

"(D) The amount in the fund for each eligible veteran who received a payment of an educational assistance allowance described in subparagraph (B) of this paragraph shall be restored to the amount that would have been in the fund for the veteran if the payment had not been made. For purposes of carrying out the previous sentence, the Secretary of Defense shall deposit into the fund, on behalf of each such veteran, an amount equal to the entire amount of the payment made to the veteran.

"(E) In the case of a veteran who discontinues pursuit of a course or courses as described in subparagraph (B) of this paragraph, the formula for ascertaining the amount of the monthly payment to which the veteran is entitled in paragraph (2) of this subsection shall be implemented as if—

"(i) the payment made to the fund by the Secretary of Defense under subparagraph (D) of this paragraph, and

"(ii) any payment for a course or courses described in subparagraph (B) of this paragraph that was paid out of the fund, had not been made or paid."

(2) Section 1631(a)(2) of such title is amended by inserting "in paragraph (5)(E) of this subsection and" after "Except as provided".

(c) CHAPTER 35 PROGRAM.—Section 1711(a) of such title is amended—

(1) by striking out "Each" and inserting in lieu thereof "(1) Each"; and

(2) by adding at the end the following new paragraph:

"(2)(A) Notwithstanding any other provision of this chapter or chapter 36 of this title, any payment of an educational assistance allowance described in subparagraph (B) of this paragraph shall not—

"(i) be charged against the entitlement of any individual under this chapter; or

"(ii) be counted toward the aggregate period for which section 1795 of this title limits an individual's receipt of assistance.

"(B) The payment of the educational assistance allowance referred to in subparagraph (A) of this paragraph is the payment of such an allowance to an individual for pursuit of a course or courses under this chapter if the Secretary finds that the individual—

"(i) had to discontinue such course pursuit as a result of being ordered, in connection with the Persian Gulf War, to serve on active duty under section 672(a), (d), or (g), 673, 673b, or 688 of title 10; and

"(ii) failed to receive credit or training time toward completion of the individual's approved educational, professional, or vocational objective as a result of having to discontinue, as described in clause (i) of this subparagraph, his or her course pursuit.

"(C) The period for which, by reason of this subsection, an educational assistance allowance is not charged against entitlement or counted toward the applicable aggregate period under section 1795 of this title shall not exceed the portion of the period of enrollment in the course or courses for which the individual failed to receive credit or with respect to which the individual lost training time, as determined under subparagraph (B)(ii) of this paragraph."

(d) SELECTED RESERVE PROGRAM.—Section 2131(c) of title 10, United States Code, is amended by adding at the end the following new paragraph:

"(3)(A) Notwithstanding any other provision of this chapter or chapter 36 of title 38, any payment of an educational assistance allowance described in subparagraph (B) of this paragraph shall not—

"(i) be charged against the entitlement of any individual under this chapter; or

"(ii) be counted toward the aggregate period for which section 1795 of title 38 limits an individual's receipt of assistance.

"(B) The payment of the educational assistance allowance referred to in subparagraph (A) of this paragraph is the payment of such an allowance to the individual for pursuit of a course or courses under this chapter if the Secretary of Veterans Affairs finds that the individual—

"(i) had to discontinue such course pursuit as a result of being ordered, in connection with the Persian Gulf War, to serve on active duty under section 672(a), (d), or (g), 673, or 673b of this title; and

"(ii) failed to receive credit or training time toward completion of the individual's approved educational, professional, or vocational objective as a result of having to discontinue, as described in clause (i) of this subparagraph, his or her course pursuit.

"(C) The period for which, by reason of this subsection, an educational assistance allowance is not charged against entitlement or counted toward the applicable aggregate period under section 1795 of title 38 shall not exceed the portion of the period of enrollment in the course or courses for which the individual failed to receive credit or with respect to which the individual lost training time, as determined under subparagraph (B)(ii) of this paragraph."

SEC. 3. DELIMITING DATE.

Section 2133(b) of title 10, United States Code, is amended by adding at the end the following:

"(4)(A) In the case of a member of the Selected Reserve of the Ready Reserve who, during the Persian Gulf War, serves on active duty pursuant to an order to active duty issued under section 672(a), (d), or (g), 673, or 673b of this title—

"(i) the period of such active duty service plus four months shall not be considered in determining the expiration date applicable to such member under subsection (a); and

"(ii) the member may not be considered to have been separated from the Selected Reserve for the purposes of clause (2) of such subsection by reason of the commencement of such active duty service.

"(B) For the purposes of this paragraph, the term 'Persian Gulf War' shall have the meaning given such term in section 101(33) of title 38."

SEC. 4. CLARIFICATION OF ELIGIBILITY FOR EMPLOYMENT AND TRAINING ASSISTANCE.

Section 2014(b)(2)(A)(i) of title 38, United States Code, is amended by striking out "has a service-connected disability" and inserting in lieu thereof "is entitled to disability compensation under the laws administered by the Secretary or whose discharge or release from active duty was for a disability incurred or aggravated in line of duty."

SEC. 5. ELIGIBILITY OF MEMBERS OF A RESERVE COMPONENT FOR EMPLOYMENT AND TRAINING ASSISTANCE.

Section 2011(4) of title 38, United States Code, is amended to read as follows:

"(4) The term 'eligible veteran' means a person who—

"(A) served on active duty for a period of more than 180 days and was discharged or released therefrom with other than a dishonorable discharge;

"(B) was discharged or released from active duty because of a service-connected disability; or

"(C) as a member of a reserve component under an order to active duty pursuant to

section 672(a), (d), or (g), 673, or 673b of title 10, served on active duty during a period of war or in a campaign or expedition for which a campaign badge is authorized and was discharged or released from such duty with other than a dishonorable discharge."

SEC. 6. IMPROVEMENT IN PAYMENT OF EDUCATIONAL ASSISTANCE FOR RESERVISTS CALLED TO ACTIVE DUTY.

(a) IN GENERAL.—Clause (3) of section 1780(a) of title 38, United States Code, is amended to read as follows—

"(3) to any eligible veteran or person for a course for which the grade assigned is not used in computing the requirements for graduation including a course from which the student withdraws unless—

"(A) the eligible veteran or person withdraws because he or she is ordered to active duty; or

"(B) the Secretary finds there are mitigating circumstances, except that, in the first instance of withdrawal (without regard to withdrawals described in subclause (A) of this clause) by the eligible veteran or person from a course or courses with respect to which the veteran or person had been paid assistance under this title, mitigating circumstances shall be considered to exist with respect to courses totaling not more than six semester hours or the equivalent thereof; or"

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect as of August 1, 1990.

The Senate bill 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.

EXTENDING UNEMPLOYMENT COMPENSATION BENEFITS

(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, as Members well know, we will be taking up legislation regarding unemployment compensation, and it is to this issue that I wish to address my remarks, especially from the perspective of my State of California.

Mr. Speaker, expressions and symbols of concern such as the one issued by President Bush in response to long-term unemployment will not answer the needs generated by his economic policies. The consequences of the last decade of shutting down investments in our prosperity and selling ourselves short are now hitting California with full force. We need more than symbols to sustain the loss of nearly 100,000 manufacturing jobs and more than 50,000 construction jobs in the last year.

The State's shrinking middle class is being doubly squeezed by the decline in high-paying and middle-paying skilled jobs and the cuts in public services needed by parents and children. Many of those forced out of the job market in this unrelenting recession were the source of security for three generations.

Economists from the U.S. Chamber of Commerce cannot find the hard evi-

dence for economic recovery. Neither can the people who have exhausted their unemployment benefits and remain jobless.

Mr. Speaker, H.R. 3040 will help the long-term unemployed survive the symbolic recovery and help it take some solid shape. Compassion for the unemployed is no substitute for action and a solid program of economic recovery.

IT IS TIME TO CLEAN UP THE POSTAL MESS

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

Mr. BROOMFIELD. Mr. Speaker, last week, all of us got a letter from House Post Office Committee Chairman BILL CLAY. It warned of "hidden agendas" and "cheap shots."

Those are serious charges. They are also untrue.

The target of these charges is a very straightforward resolution I introduced. It would create a bipartisan commission to study America's postal system.

It's been 20 years since the U.S. Postal Service became an independent entity. Since then the system has gotten no better. It fact, it has gotten worse. We need some fresh faces and some fresh thinking.

A lot of my colleagues agree with me. I expect we will soon have one-third of the House Members signed on as sponsors.

The resolution has no hidden agenda. It has only one mandate: find a better way to manage the postal system.

Today I sent a letter to all of my colleagues. It outlines some of these points. I hope to get your support. If you have not already signed on as a sponsor, I urge you to do so today.

AMERICAN WORKING PEOPLE SHOULD COME FIRST

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

Mr. PRICE. Mr. Speaker, we all know that President Bush prefers to concentrate on foreign policy, and we welcome his leadership in foreign affairs. But this country needs leadership on domestic issues too. It is time to pay some attention to what is going on here at home.

America is suffering the effects of the economic recession, although our President seems oblivious to it. Every day, more Americans are joining the ranks of the unemployed, more Americans are exhausting their unemployment benefits and more Americans are struggling to avoid getting pulled under by this recession.

Right now, 8.4 million Americans are unemployed; 2 million of those have

lost their jobs in the last year. This year, some 2 million unemployed workers have exhausted their jobless benefits, including 350,000 in the month of July alone. Economic experts say we are in the eye of the storm, with little relief in sight.

Yet our President says there is no emergency, and he has refused to extend jobless benefits. Pay attention, Mr. President. Unemployed American working people and their families need help.

Tomorrow, the House will consider a bill to extend jobless benefits for those Americans who have exhausted their benefits since January. We are going to provide for Americans hardest hit by the recession, and we are not waiting for President Bush to declare an emergency first.

I urge my colleagues to support this bill, and to send a message to the White House that American working people and their families must come first.

"STAR-SPANGLED BANNER" STILL WAVES O'ER THE LAND OF THE FREE

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

Mr. IRELAND. Mr. Speaker, 177 years ago this weekend, the U.S. National anthem, "the Star-Spangled Banner," was written by Francis Scott Key.

Key, a Baltimore lawyer, penned the anthem while he was a prisoner on the British warship *Supreme*, watching the bombardment of Fort McHenry, MD.

Mr. Speaker, I point out to my colleagues that ours is the only national anthem in the world that asks a question and issues a challenge.

The last line of our anthem asks, "Oh, say, does that Star-Spangled Banner yet wave o'er the land of the free and the home of the brave?"

As I watch the turmoil in the Soviet Union and the continuing battles for freedom around the world, I have a new appreciation for my ability to answer Mr. Key's question in the affirmative.

America has proven beyond a shadow of a doubt that it is, indeed, the "Land of the Free."

My hope for the emerging democracies across the globe is that they soon will see, "by the dawn's early light," their own banners flying high for freedom and democracy.

JOBLESS WORKERS SHOULD NOT BE FORCED TO GO ON WELFARE

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

Mr. ROEMER. Mr. Speaker, I am proud that this past August Congress passed a bill to extend unemployment

benefits for jobless American workers. But I am not proud that our President, while 8.5 million Americans are looking for work, would not release funds to pay for extending those benefits.

The other week, I spoke to an Indiana woman who was typical of the 8.5 million Americans looking for work.

This woman lost her job when a plant closed and is having trouble finding work to support her family. She could not understand why a President she had voted for would not provide her with the help she needs while she is looking for work. She is not looking for a handout. She is looking for a hand to lift her up.

For 22 years she raised her children and paid her bills with her own hard-earned money. And now, with no paychecks coming in and no unemployment compensation coming in any longer, she asked me, "How am I supposed to feed my children?"

Her question, I am sad to say, is not uncommon in the Third Congressional District of Indiana. The Bristol-Myers Squibb Co. will be closing its Michigan City Laboratories in October. And hundreds of workers are losing their jobs as Whitehall Laboratories in Elkhart and the Uniroyal plant in Mishawaka close.

Jobs just are not there. Just tell those men and women in Indiana's Third District that the United States is not in a recession.

Mr. Speaker, I am afraid that some people in the White House have forgotten what is most important: the American people. The strength of this country always has been and always will be her people. And this recession is hurting people.

Getting this economy back on track should be the No. 1 priority of this Congress and this administration. I urge President Bush to sign this unemployment bill and restore benefits for our jobless American workers.

TEA PARTIES

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

Mr. GOSS. Mr. Speaker, southwest Florida is famous for many things, but tea parties is not one of them. That is changing.

Last month recreational boaters staged a memorable tea party reminiscent of Boston Harbor to protest the irresponsible boat-user fee tax that Congress included in last year's so-called budget deficit reduction package.

Many Americans think that legislation was a tea party, too, something reminiscent of Alice in Wonderland.

Mr. Speaker, 412 Members of this body repudiated the boat-user fee tax in a sense-of-Congress action that took place just before the August break. That is promising, but it does not do

the job. We need full repeal, and we must do so before we go home this fall.

So far I understand less than 325,500 user fee decals have been purchased out of a potential 4.1 million, generating about \$12 million of the \$127 million targeted to be in hand by now.

Mr. Speaker, that boat-user fee tax is failing to produce revenue; it has failed the fairness test.

Let us repeal it now.

□ 1250

C-17'S MAIDEN FLIGHT A SUCCESS

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

Mr. ANDERSON. Mr. Speaker, yesterday afternoon, the C-17 cargo jet, the U.S. Air Force's newest and most advanced heavy-lift cargo plane, made its maiden flight from its assembly plant in Long Beach, CA, to its new home, Edwards Air Force Base. I would like to commend the McDonnell Douglas Corp. for this successful flight. A special note of recognition is owed to the over 7,000 Douglas employees who have worked around the clock for months to ensure the safety and success of this aircraft. Although the program has suffered some delays, McDonnell Douglas' firm commitment to quality and its strict safety standards have been rewarded by a flawless flight, and the promise of a successful test program. Once again, I would like to congratulate the thousands of workers in Long Beach, and across the country, who have taken part in production of the C-17.

TIME TO SHUT DOWN MEAN- SPIRITED OPERATION

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

Mr. ROHRBACHER. Mr. Speaker, today the charges were dropped against Oliver North. What does it all mean?

It means that Lieutenant Colonel North is a hero. Lawrence Walsh is a zero.

This was never a criminal prosecution. It was a political persecution, and a long time has passed when the Iran/Contra circus should have been put behind us.

Larry Walsh has been strutting around this town like a bantam rooster, like an egotistical patrician with the power to destroy the lives of anyone he chooses. He thinks he is the ringmaster, but it is time to get this clown out of town.

Walsh disregarded the responsibilities he was given as a special counsel. He was supposed to determine what could or could not be prosecuted. Instead, he went for the publicity, and in

the process, he nearly destroyed the lives of many innocent families, and that which he continues to do, to attack innocent people and destroy their families.

He tried to make political points for his patrons, and he wasted tens of millions of dollars of the taxpayers' money. It is time to shut down this mean-spirited operation.

DECLARE BUDGET EMERGENCY TO HELP UNEMPLOYED AMERICANS

(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, an Israeli official not only called the President an anti-Semite, he called him a liar.

There is also something else I want to refer to. The same Israeli official said that if America can forgive a \$7 billion loan for Egypt, then America can guarantee a \$10 billion loan for Israel.

Now, what is going on here? It has gotten to the point where foreign countries not only expect foreign aid and handouts, they now demand it. Mr. Speaker, there is something seriously wrong when it is easier politically in America, in America, to declare a budget emergency to help Israel, Turks, and Kurds, than it is to declare a budget emergency to help out unemployed American workers. That is the issue in this House, and the American people are fed up with it.

FREE THE "BOAT TAX 8,000"

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

Mr. DANNEMEYER. Mr. Speaker, last fall Congress imposed so-called luxury taxes on the first retail sale of higher priced boats. Defenders of this tax claimed that it was a painless way to raise \$148 million in Federal revenue over 5 years from high-income taxpayers. In reality, about 8,000 American boat builders have lost their jobs. It is time to free the boat tax 8,000.

Six months after enactment of these taxes, the reality of their impact on blue-collar workers is being realized. The trickle of projected Federal tax revenue into the Treasury has turned out to be a river of tax and budget expenditures out of Federal, State, and local treasuries from reduced tax revenue and higher payments to unemployed workers. The Federal Government has been losing about \$5 for every \$1 of revenue gained from the boat tax.

A study of the employment costs associated with the misbegotten luxury tax on boats has just been released. That analysis shows that there are at least 7,600 jobs, \$53 million in family

income, and \$16.1 million in Federal taxes lost because of the luxury boat tax.

Losses in the automobile, plane, jewelry, and fur industries are similar. The combined impact of all the so-called luxury taxes is to throw tens of thousands of Americans out of work, killing jobs and increasing the Federal deficit. Furthermore, the taxes do little to achieve their purported goal of raising revenue from upper-income persons. Prospective boat buyers simply delay purchases, repair their current boats, buy used boats, or even purchase foreign-made boats. The wealthy can avoid the luxury boat tax; the American worker cannot.

Mr. Speaker, the luxury tax has been crafted so that the American boat builder gets shafted. It is time to repeal the luxury boat tax, get boat builders back to work and put tax raisers out of work.

LET US GET OUT OF THE PHILIPPINES

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

Mrs. SCHROEDER. Mr. Speaker, there could be very good news today for the American taxpayer. Notice I say "could."

I think Americans have been outraged when they have seen their foreign-aid dollars being wasted all over the planet, and one of the main reasons for their waste was the insistence upon coupling it as rent for overseas bases. They would say, "Well, we cannot say anything about how they wasted it, because we need the base so badly to defend ourselves."

Mr. Speaker, today the Philippine Senate turned down the American agreement, because we were not giving them enough foreign-aid money. This has been one of the worst examples of foreign aid being wasted so we could retain base rights.

I think, with the threat severely diminished in the Pacific, with excess capacity in other parts of the Pacific owned by the United States, this is a wonderful way to start saying to the American taxpayer, "We are not going to put your money out for foreign aid anymore unless it really does what it is supposed to do," and that we get out of the Philippines where we do not appear to be wanted by the people that are there.

I think we could start a whole new day of saying we will not pay anything to anyone just for the right of staying there and defending them. That is a crazy position, and hopefully we will get a new one.

A NEW RELATIONSHIP WITH THE PHILIPPINES

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

Mr. ROTH. Mr. Speaker, today the Philippine Senate rejected a new treaty for the American bases. A two-thirds vote was needed for ratification, and the vote was not even close despite the millions upon millions of dollars in American sweeteners.

The Philippine people's representatives have spoken. Now is the time for those in Manila and in Washington who profess to support democracy in the Philippines to abide by this decision.

The world has changed, and we must change with it. In time, we will all see that this is the right course for both countries. The American taxpayer will save billions, and the Philippine people will keep their pride.

AID TO THE SOVIETS AN INVESTMENT IN AMERICA'S FUTURE

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

Mr. GLICKMAN. Mr. Speaker, my recent visit to the Soviet Union convinces me that the profound changes over there present an enormous opportunity for America.

For 45 years, our country's taxpayers have paid with their sweat and their dollars to fund the cold war. Brilliant minds and precious resources have been devoted to fighting communism and countering the Soviet nuclear threat.

Especially in the last decade we have neglected domestic problems in the areas of health care, education, and infrastructure in favor of hundreds of billions of dollars for massive new weapons systems and war-ready troops.

It is in America's best interests to respond quickly to Soviet requests for food credit and technical help to bring stability to the area and begin building a new society there based on human rights and free-market principles.

The Soviets do not want handouts but food shipments on credit to make it through the winter. They also need our technical expertise in agriculture, communications, and transportation.

If we help see the Soviets through this immediate crisis, we may finally turn America's full attention and full resources to securing a prosperous future for our children at home, making sure they receive an education, adequate health care, and a productive place in a strong at-home economy.

RELIGIOUS FREEDOM AND OUR CONSTITUTION

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

Mrs. BENTLEY. Mr. Speaker, this is the time to think of Religious Freedom Week next week.

The United States of America is unique in the liberties and opportunities offered to American citizens and immigrants from other nations. For some 200 years our Constitution has guaranteed religious freedom and protected speech, the press, and the right of assembly and petition.

Americans must be continually vigilant to protect this precious right. I became more aware of the uniqueness and importance of our freedom as I watch the recent events and conflicts unfolding in Europe and the Middle East.

Unlike most other nations, Americans can attend religious services without risk and the State cannot tell us how, or where to pray—nor can the state—with the exception of some of our Nation's schools—forbid us to pray. The separation of church and State is an important element of the American system.

We should recall the words of President George Washington who, in 1790, wrote to the Touro Synagogue in which he said:

To bigotry, no sanction; to persecution, no assistance.

Religious freedom is our right and, that is why I am again sponsoring a joint resolution to designate the weeks of September 22, 1991, and September 20, 1992, as "Religious Freedom Week."

□ 1300

TOBACCO, THE GREAT KILLER OF KIDS

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

Mr. DURBIN. Mr. Speaker, here is a quiz that the American people should take. What is the one substance in America that kills more Americans each year than alcohol, cocaine, crack, heroin, homicide, suicide, fires, car accidents, and AIDS combined? The answer is tobacco.

Tobacco-related disease is the No. 1 preventable cause of death in America today. Each year our tobacco companies lose about half a million of their best customers. Almost 400,000 will succumb to tobacco-related diseases, and the remainder quit smoking.

Now, where do the tobacco companies turn to find new customers? To our children. And that is why the recent report from the Center for Disease Control in Atlanta is so alarming. A survey of 11,000 American high school students recently taken shows that a steady drop in the percentage of teenage smokers has come to a halt. Our kids are taking up the tobacco habit faster than ever.

The only good news is that despite targeted advertising, blacks and poor

children have shown a dramatic decline in tobacco use; but the problem is still there, and that is why I salute the Smoke-Free Educational Services Co. of New York and Scholastic magazine for starting a nationwide effort to tell kids in elementary schools that smoking will kill you.

PRESIDENT IS OUT OF TOUCH WITH UNEMPLOYMENT PROBLEM

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

Ms. KAPTUR. Mr. Speaker, I thought President Bush was out of touch with America's unemployed working men and woman because he has been spending so much time outside the country, but after reading the editorial page today in USA Today, I also know he is out of touch because he is getting the wrong advice from his own Secretary of Labor, a former Member of this body, Lynn Martin, who incredibly says in an editorial that the answer to unemployment and to America's millions of unemployed working men and women is a job.

Well, that is no surprise to most of us, especially to those who do not have a job.

When I think about the Bush administration vetoing the minimum wage, not putting any money into targeted assistance trade adjustment for people who are out of work due to imports, the type of insensitivity that her remarks reveal does not surprise me at all.

Now, I come from a district where unemployment now is over 11 percent and nationwide the unemployment is higher than it was 1 year ago. For the Secretary of Labor to suggest that we do not need unemployment compensation at this time is downright incredible. Let her bring the jobs she is talking about to places like Toledo, OH, and at least for the sake of decency sign the unemployment compensation bill, tell the President to sign it.

CHINESE LABOR CAMPS

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

Mr. DOWNEY. Mr. Speaker, last night Harry Wu, a very courageous man, and Ed Bradley of the CBS television program "60 Minutes" provided us with a very compelling and horrifying look into the Chinese gulag. Mr. Wu, a former prisoner in a Chinese forced labor camp returned to one of these camps at great personal risk to himself, to show us their conditions. More to the point, he showed us clearly that the people in these camps are being exploited to produce goods that

will eventually be sold right here in the United States.

Mr. Speaker, we must ask ourselves why, at the very time that the Soviet gulag has been broken open by the forces of reform, we are not only tolerating the existence of a similar gulag in China but also encouraging it by ensuring the profitability of China's forced labor camps. President Bush proposed to grant China most-favored-nation status, and thus he will provide the Chinese with a market and a reward in hard currency for this outrageous system.

There is a way for us to let the Chinese know that we will not tolerate this situation any longer. The House has already passed the Pelosi bill which would make further granting of MFN dependent on China honoring human rights. Among these rights is freedom from torture and inhumane prison conditions.

Unfortunately, the President has threatened to veto this bill. If he does, he will send the wrong message to the American people and even worse, he will send a message of hopelessness to those imprisoned in the Chinese gulag. He will be telling them that we have turned our back on their plight.

I urge the President to watch a tape of this outstanding "60 Minutes" program and to listen carefully to Harry Wu's message. We must not reward a labor system which views beatings as the preferred method of quality control. When American consumers put on their clothes they ought to be sure that they are not putting on garments washed in the blood of forced labor.

THE EXONERATION OF OLIVER NORTH

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

Mr. COX of California. Mr. Speaker, the exoneration and final acquittal of Oliver North today on all charges against him should lead the Congress to reconsider the usefulness of the Office of Independent Counsel. After spending millions and millions of taxpayer dollars, Special Prosecutor Lawrence Walsh has once again come up emptyhanded.

When Oliver North testified before Congress and millions of Americans watched him tell his story, I dare say that having listened to that testimony most Americans would not have wanted their taxpayer dollars spent on prosecuting a man who did his best to help the freedom fighters in Nicaragua; but Congress had a different idea. Congress created an Office of Special Prosecutor with an unlimited budget, dozens of lawyers, who reported to no one, not even to the President.

Now millions of dollars later, the Special Prosecutor has come up emptyhanded again.

Congratulations to Oliver North. Congratulations to his lawyer, Brendan Sullivan, who worked for free to show that the congressional criminalization of policy differences with the President will not be tolerated. Congratulations to Lawrence Walsh for admitting he could not win his case.

Now it is up to Congress to let the taxpayers off the hook. Let us not waste further millions on the Office of Independent Counsel.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. DURBIN). Pursuant to the provisions of clause 5 of rule I, the Chair announces that he will postpone further proceedings today on the motion to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote is objected to under clause 4 of rule XV.

Such rollcall vote, if postponed, will be taken at the end of legislative business today.

ARMED FORCES IMMIGRATION ADJUSTMENT ACT OF 1991

Mr. MAZZOLI. Mr. Speaker, I move to suspend the rules and pass the Senate bill (S. 296) to amend the Immigration and Nationality Act to provide for special immigrant status for certain aliens who have served honorably—or are enlisted to serve—in the Armed Forces of the United States for at least 12 years, as amended.

The Clerk read as follows:

S. 296

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 "Armed Forces Immigration Adjustment Act of 1991".

SEC. 2. SPECIAL IMMIGRANT STATUS FOR ALIENS WHO HAVE SERVED HONORABLY (OR ARE ENLISTED TO SERVE) IN THE ARMED FORCES OF THE UNITED STATES FOR AT LEAST 12 YEARS.

(A) IN GENERAL.—Section 101(a)(27) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(27)) is amended—

(1) by striking "or" at the end of subparagraph (I),

(2) by striking the period at the end of subparagraph (J) and inserting "; or", and

(3) by adding at the end the following new subparagraph:

"(K) an immigrant who has served honorably on active duty in the Armed Forces of the United States after October 15, 1978, and after original lawful enlistment outside the United States (under a treaty or agreement in effect on the date of the enactment of this subparagraph) for a period or periods aggregating—

"(i) 12 years and who, if separated from such service, was never separated except under honorable conditions, or

"(ii) 6 years, in the case of an immigrant who is on active duty at the time of seeking special immigrant status under this subpara-

graph and who has reenlisted in incur a total active duty service obligation of at least 12 years,

and the spouse or child of any such immigrant if accompanying or following to join the immigrant, but only if the executive department under which the immigrant serves or served recommends the granting of special immigrant status to the immigrant."

(b) NUMERICAL LIMITATIONS.—Section 203(b) of the Immigration and Nationality Act (8 U.S.C. 1153(b)), as inserted by section 121(a) of the Immigration Act of 1990, is amended by adding at the end of the following new paragraph:

"(6) SPECIAL RULES FOR 'K' SPECIAL IMMIGRANTS.—

"(A) NOT COUNTED AGAINST NUMERICAL LIMITATION IN YEAR INVOLVED.—Subject to subparagraph (B), the number of aliens granted status as special immigrants described in section 101(a)(27)(K) in a fiscal year shall not be subject to the numerical limitations of this subsection or of section 202(a).

"(B) COUNTED AGAINST NUMERICAL LIMITATIONS IN FOLLOWING YEAR.—

"(i) REDUCTION IN EMPLOYMENT-BASED IMMIGRANT CLASSIFICATIONS.—The number of visas made available in any fiscal year under paragraphs (1), (2), and (3) shall each be reduced by 1/3 of the number of visas made available in the previous fiscal year to special immigrants described in section 101(a)(27)(K).

"(ii) REDUCTION IN PER COUNTRY LEVEL.—The number of visas made available in each fiscal year to natives of a foreign state under section 202(a) shall be reduced by the number of visas made available in the previous fiscal year to special immigrants described in section 101(a)(27)(K) who are natives of the foreign state.

"(iii) REDUCTION IN EMPLOYMENT-BASED IMMIGRANT CLASSIFICATIONS WITHIN PER COUNTRY CEILING.—In the case of a foreign state subject to section 202(e) in a fiscal year (and in the previous fiscal year), the number of visas made available and allocated to each of paragraphs (1) through (3) of this subsection in the fiscal year shall be reduced by 1/3 of the number of visas made available in the previous fiscal year to special immigrants described in section 101(a)(27)(K) who are natives of the foreign state.

"(C) APPLICATION OF SEPARATE NUMERICAL LIMITATION.—

"(i) IN GENERAL.—Subject to clause (ii), the number of individuals who may be granted special immigrant status under section 101(a)(27)(K) in any fiscal year (other than as a spouse or child described in such section) may not exceed—

"(I) in the case of aliens who are nationals of a foreign state for which there is a numerical limitations treaty or agreement (as defined in clause (iii)), 2,000, or

"(II) in the case of aliens who are nationals of any other states, 100.

"(ii) EXCEPTION FOR ALIENS CURRENTLY MEETING REQUIREMENTS.—The numerical limitations of clause (i) shall not apply to individuals who meet the requirements of section 101(a)(27)(K) as of the date of the enactment of this subparagraph.

"(iii) NUMERICAL LIMITATION TREATY OR AGREEMENT.—In clause (i), the term 'numerical limitation treaty or agreement' means a treaty or agreement in effect on the date of the enactment of this subparagraph which authorizes and limits the number of aliens who are nationals of such state who may be enlisted annually in the Armed Forces of the United States."

(c) ADJUSTMENT OF STATUS.—The Attorney General may adjust to the status of lawful permanent resident any alien—

(1) who qualifies for the status of a special immigrant described in section 101(a)(27)(K) of the Immigration and Nationality Act,

(2) who is otherwise admissible for permanent residence, and

(3) who is physically present in the United States at the time of approval of an application for a visa for admission as a special immigrant described in section 101(a)(27)(K) of the Immigration and Nationality Act,

in the same manner as if the alien had been previously inspected and admitted or paroled into the United States.

(d) EFFECTIVE DATE.—This section shall take effect on October 1, 1991.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Kentucky [Mr. MAZZOLI] will be recognized for 20 minutes and the gentleman from Texas [Mr. SMITH] will be recognized for 20 minutes.

The Chair recognizes the gentleman from Kentucky [Mr. MAZZOLI].

Mr. MAZZOLI. Mr. Speaker, it is my pleasure to yield such time as he may require to the chairman of our committee, the distinguished gentleman from Texas [Mr. BROOKS].

Mr. BROOKS. Mr. Speaker, I rise in strong support of S. 296, a bill to provide a small, limited number of immigrant visas to foreign nationals who serve honorably in the Armed Forces of the United States.

The outstanding achievement of U.S. military forces in the Middle East has reinvigorated our Nation's sense of pride and admiration for our brave military forces. A small and frequently forgotten component of those forces consists of some 3,000 Filipino sailors who served right alongside our own U.S. citizen military personnel. By all accounts, this small contingent of foreign nationals—almost exclusively Filipinos—is remarkable for its loyalty, commitment, and sense of duty. It is fitting, therefore, that this measure be brought to the floor at this time.

S. 296 would allow individuals who have served honorably in our Armed Forces for either 12 years, or 6 years with a commitment to reenlist on an additional 6 years, to become permanent resident aliens. The number is limited to 2,300 sailors a year, though in reality the number will more likely be 400, since 400 is the number of new Filipino recruits the Navy accepts each year. Individuals who meet the requirements of this bill upon date of enactment would be grandfathered in. That would be about 1,800 sailors.

Let me be clear that I view last year's Immigration Act as a very generous bill. It dramatically increased the number of annual immigrant visas available. Because of this situation, I am pleased that S. 296 achieves its laudable goals by not adding additional visas to the levels we set last year. Instead, visas provided pursuant to S. 296 will be deducted from the ceilings set last year.

Mr. Speaker, this bill, at every step of the way, has had wide bipartisan

support. I urge my colleagues to vote for S. 296.

Mr. MAZZOLI. Mr. Speaker, I thank our distinguished chairman of the committee for that supportive statement, and I thank him, too, for moving our bill so quickly to the floor.

Mr. Speaker, I yield such time as he may consume to the gentleman from Virginia [Mr. PICKETT].

□ 1310

Mr. PICKETT. Mr. Speaker, many individuals have assisted in bringing this bill to the floor, and I want to thank in particular Chairman BROOKS, as well as Mr. FISH, the ranking minority member of the Judiciary Committee, and Chairman MAZZOLI of the immigration subcommittee for their valuable assistance. The Navy has also provided considerable data and support in developing this legislation.

Mr. Speaker, the Armed Forces Immigration Adjustment Act of 1991 would grant to a small group of alien U.S. service members special immigrant status in recognition of both their service to our country and their potential contributions as American citizens. The bill is strongly supported by the U.S. Navy.

These individuals enter our Armed Forces under special agreements which the United States maintains with the Philippines, the Federated States of Micronesia, the Republic of the Marshall Islands, and the Republic of Palau. All but 10 of the 3,034 servicemen who now serve in our Armed Forces as a result of these agreements are from the Philippines, and all are members of the U.S. Navy.

Today, a citizen of one of these islands can enlist in the U.S. Navy, serve honorably on active duty for a full career of 30 years or more, and yet never acquire the status of a U.S. resident even though he may have been physically present in the United States for years. This was not always the case. The present law makes an exception for those who serve on active duty in time of war. However, this avenue has been closed since President Carter signed an Executive order in 1978 which officially terminated the military action in Vietnam.

This small group of principally Filipino sailors who would be affected by this bill perform the same duties as their American counterparts. They participated fully in Operation Desert Storm, the war in Vietnam, and all other similar United States naval operations conducted since our Nation entered into the agreement with the Philippines in 1947.

In addition, since these service members are neither citizens nor permanent residents, they are by law denied advancement in the Navy to positions which require access to classified information, and they are not permitted to become officers.

As a result, their career opportunities are severely restricted and the Navy is deprived of the considerable talents which these young people possess. It has been estimated that for each of the approximately 400 Filipinos who are accepted into the Navy under this program, there were another 250 who have applied. Only the very best of those who apply are accepted for this program. All of these recruits have high school diplomas and many have attended college.

It is for these reasons, Mr. Speaker, that this bill is so strongly supported by the Navy, which wants to give these exceptional recruits the opportunity to progress in their naval careers.

The bill is very simple. It would grant to these foreign nationals special immigrant status if they complete 12 years of honorable, active duty service. Alternatively, if they complete 6 years of honorable activity duty service and have reenlisted for an additional 6 years, they would also be eligible. No more than 2,300 people could qualify in any year, and all beneficiaries would fall within existing worldwide and per country immigration ceilings beginning in fiscal year 1992.

The Norfolk Naval Base is in my congressional district. I have been privileged to meet with and discuss this bill with a number of Filipinos who have served or are serving in the Navy and who would be affected by its provisions. They are most eager to see this bill pass. I can assure the House that the servicemen with whom I have spoken are bright, industrious individuals who would make outstanding citizens.

There is a long and proud tradition associated with Filipinos and Filipino-Americans who have served in the U.S. Navy. The legislation promises to bridge the gap to the opportunity for citizenship that many thought was a part of that tradition.

Mr. Speaker, the Armed Forces Immigration Adjustment Act of 1991 is nearly identical to legislation which this House passed in the last Congress and which was approved by the Senate Judiciary Committee last year. The bill was placed on the Senate Calendar, but unfortunately, for reasons totally unrelated to the merits of the legislation, it did not come up for final consideration during the final days of the 101st Congress.

We now have the opportunity to see this needed legislation passed and signed into law.

I urge passage of S. 296.

Mr. MAZZOLI. Mr. Speaker, let me take a moment to commend the gentleman from Virginia [Mr. PICKETT] on an outstanding job. His unswerving support for the bill and his zealous pursuit of the legislation process has really brought us to this day. So, I want to thank him because the work that he is doing is excellent and represents his constituency very well.

Mr. Speaker, I reserve the balance of my time.

Mr. SMITH of Texas. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of S. 296, the Armed Forces Immigration Adjustment Act of 1991. This bill is substantially the same as H.R. 639, which this House passed by voice vote in the last Congress. Regrettably, H.R. 639 was caught in the end-of-Congress scramble last year, and the other body failed to take action on this non-controversial bill prior to adjournment.

S. 296 amends the Immigration and Nationality Act to provide special immigrant status to an immigrant—

Who enlisted outside the United States in the U.S. Armed Forces under a treaty or agreement;

Who has served honorably on active duty for 12 years, or who has served for 6 years and has reenlisted for another 6; and

For whom the Executive department, under which the immigrant serves or served, has recommended the granting of special immigrant status.

The spouses and minor children of these immigrants also would be granted special immigrant status. This legislation would benefit individuals who meet the requirements, whether or not they currently are on active duty.

While the number of people who may benefit under this act is limited to 2,300 per fiscal year, the actual numbers are expected to be much lower. Immigrants who are eligible under the bill at the time of enactment, about 5,000 total, will be grandfathered in.

As a practical matter, the majority of the people affected by this bill are the 400 Filipinos who enlist or enlisted each year in the United States Navy in the Philippines under the military bases agreement of 1947. Each of them has at least a high school education; many have college degrees. They are highly valued and motivated recruits; more than 95 percent reenlist.

Since the Vietnam war was officially declared over in 1978, these alien members of the Armed Forces who enlist abroad have not been eligible for U.S. citizenship. As a result, they may not receive security clearances, which effectively bars them from more than two-thirds of Navy occupations and from officer programs. Furthermore, after serving 20 or 30 years in the U.S. Navy, they will be required to leave the United States. S. 296 would correct this situation and recognize the service and dedication of these recruits.

Recognizing years of service to the United States and the personal ties that result from years of service to or in this country is consistent with other provisions of immigration law that provide special immigrant status to Panamanians who served the United States Government for 15 years and to

employees of international organizations who have resided in the United States for 15 years.

The Subcommittee on International Law unanimously approved S. 296, and the Committee on the Judiciary ordered it reported favorably after amending it to address a technical problem arising from changes made in the immigration laws by the Immigration Act of 1990.

This bill is noncontroversial and enjoys the strong support of the U.S. military. It is a reasonable and balanced bill that recognizes the service of these aliens in our military. It will also make it possible for our military to fully utilize the abilities and dedication of these recruits. I urge my colleagues to vote for S. 296.

Mr. Speaker, I reserve the balance of my time.

Mr. MAZZOLI. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, first I would like to commend Gene Pugliese, who is staff director of our subcommittee, and Mr. Kevin Anderson, who assisted Gene in moving the bill along. I would like also to thank Dan Freeman and Jon Yarowsky of the full committee staff, who have helped us to reach this point, and minority staff as well.

Mr. Speaker, essentially the bill has been described. It is a very important bill, as well as a relatively uncomplicated bill. It has been shepherded with adroitness to this point by the gentleman from Virginia [Mr. PICKETT], whose leadership we very much value in this House and on this issue.

Mr. Speaker, this bill basically would correct the problem that disallows Filipino sailors to advance in their careers and to be cleared for secured information, which currently are denied them—both advancement within the ranks as well as access to classified information—because they cannot become permanent residents or become eventually citizens. So, what this bill does, within careful limits, as has been described by the gentleman from Texas [Mr. SMITH], my friend, and it is a great pleasure to work again with my friend from Texas.

As the gentleman has described, within very careful limits this bill would permit a few thousand now and a few hundred thereafter per year to rise to the opportunities available within the Navy and within the Armed Forces as long as they serve honorably and for at least a 12-month period. The truth is most of them serve at least that, if not more.

□ 1320

The bill was passed by the House in the 101st Congress. It was reported this year unanimously by the other body, and we will, I think, be able to make proper adjustments in the two versions of the bill.

Mr. Speaker, I think that this measure has been discussed as much as it

needs to be discussed, and at this point I reserve the balance of my time.

Mr. SMITH of Texas. Mr. Speaker, I yield 3 minutes to my colleague, the gentleman from California [Mr. CUNNINGHAM].

Mr. CUNNINGHAM. Mr. Speaker, I rise in strong unqualified support of S. 296, and I thank my friends, the gentleman from Kentucky [Mr. MAZZOLI] and the chairman of the committee, the gentleman from Texas [Mr. BROOKS], for bringing forth the legislation.

I served over 20 years in the Navy and have personal experience with the Filipino community and the service of Filipinos to this country. I come from the State of California, where just last weekend I met with our border patrol, and I might state that we have about 10,000 illegal aliens per day come through a 14-mile strip at San Diego. We miraculously wave a wand and make those people, through an amnesty program, citizens. We have had Filipinos since the 1940's fight and die for this country, and they have received very little recognition. I think that the time is due that we would bring forth this bill, S. 296, and support it. That is one of the things that I think is so very important.

I would also say to my colleagues that during Desert Storm many of the Filipinos who served in Desert Storm had not served for 12 years, but they enlisted as Filipinos, gave up their rights as Filipinos, and yet even though they fought and died in the Persian Gulf war, their families would have been deported from the United States.

On January 22, my colleague, the gentleman from California [Mr. HUNTER], and I wrote a letter to President Bush asking him to issue an Executive order on this matter. Later in the year we had 37 Members from both sides of the aisle sign the following letter asking that Filipinos could become citizens if a time of hostility was declared by the President, and I would urge the President to take that action as well.

MARCH 25, 1991.

The PRESIDENT,
The White House, Washington, DC.

DEAR MR. PRESIDENT: We write to respectfully urge you to issue an Executive order pursuant to your authorities under 8 USC 1440.

Four thousand Filipinos fought for America in the gulf war, yet they are ineligible to apply for American citizenship. We believe that it is only fair that the men and women who bravely fought for America should be eligible to become citizens of America.

By declaring a period of hostilities with respect to the conflict between the U.S. Armed Forces and Iraq, you can put into motion the process of naturalization of Filipinos serving in the gulf. Similar actions were taken during our conflicts in Vietnam and Grenada, and we strongly believe that such an Executive order is merited now.

The Filipino people have served America nobly since World War II, and your acknowl-

edgment of their efforts in the war against Iraq would grant them their long-cherished goal of American citizenship.

We applaud the great victory of our troops in battle and eagerly await your response to our request.

Thank you for your consideration.

Respectfully,

Randy "Duke" Cunningham, Fortney Pete Stark, Bill Lowery, Neil Abercrombie, C. Thomas McMillen, Robert K. Dornan, Norman F. Lent, James H. Scheuer, William H. Zeff, Jr., Wally Herger, Steny H. Hoyer, Bob Stump, William J. Jefferson, James T. Walsh, Jerry Lewis, Andy Ireland, Bill Barrett, Ben Blaz, Herbert H. Bateman, Frank Horton, Duncan Hunter, Ileana Ros-Lehtinen, John T. Doolittle, Charles E. Bennett, Jim Saxton, Ron Packard, William M. Thomas, Susan Molinari, Dana Rohrabacher, Tom DeLay, Jim McCrery, Frank Riggs, Richard H. Baker, Wayne T. Gilchrest, Gary Franks, Carlos J. Moorhead, Robert J. Lagomarsino, Ike Skelton.

I would like to take a look at some other things the Philippine community has made as contributions. In San Diego we have a large population of Filipinos. They have immigrated, they have become understanding members of the community, and in almost every family, from the day a child is born, they stress education. We look at the Philippine children and see how they come into our society, and I think the contributions that the children make on a day-to-day basis are noteworthy.

Mr. Speaker, I urge the House to join me in supporting an Executive order to allow Filipinos who have served in the gulf war to become American citizens. In the meantime, I commend the sponsors of this bill, S. 296, for their efforts and urge the House to pass this important legislation.

The Philippine Government has a favorite saying. It is "Mabuhay." It means welcome or long life. So I say, "Mabuhay ang pilipinas mamachalin keta hangang wakas" (Long live the Philippines. I love you until the end of time).

Mr. SMITH of Texas. Mr. Speaker, I have no further requests for time, I would like simply to commend the leadership of the subcommittee under the chairmanship of the gentleman from Kentucky [Mr. MAZZOLI].

Mr. Speaker, I yield back the balance of my time.

Mr. MAZZOLI. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I would like to extend congratulations to the gentleman from California [Mr. MINETA]. In an earlier setting, the gentleman from California in the 101st Congress was a main sponsor of this bill and has been as unflagging in his support for this effort as the gentleman from Virginia has been. His plane, unfortunately, has been late in arriving or he would have been on the floor to make his own remarks, and in his absence I would like to extend congratulations to him for a job well done.

Mr. MINETA. Mr. Speaker, I am proud to rise in support of the Armed Forces Immigration Adjustment Act of 1991.

Since 1947, the U.S. Navy has recruited Filipinos and other Pacific islanders—from Palau, Micronesia, and the Marshall Islands—for active duty.

And since that time, these sailors have laid their lives on the line for our country in times of war and peace.

Indeed, from the Korean war to Operation Desert Storm, Filipinos and Pacific Islanders have demonstrated their loyalty and dedication to the United States countless times.

These same sailors, however, have been barred from attaining permanent resident immigration status even while they were serving with distinction in our armed services.

And because they have been prevented from acquiring permanent resident status, these sailors have been excluded from more than two-thirds of navy occupations and from all officer programs.

Mr. Speaker, that is patently unfair.

The Armed Forces Immigration Adjustment Act will grant permanent resident status to these seamen and to their families.

With the enactment of this bill, we will open Navy career to all qualified seamen. And just as importantly, we will allow their immediate families to share in the benefits of their expertise and dedication.

In the 101st Congress, I introduced similar legislation, which the House passed without dissent. Unfortunately, the other body could not complete action on the bill before we adjourned.

I commend Senators KENNEDY and SIMON for their action on the Armed Forces Immigration Adjustment Act in the 102d Congress with Senator SIMPSON from Wyoming.

I would like to extend my thanks to full committee Chairman BROOKS, ranking minority member HAMILTON FISH, and especially to subcommittee chairman RON MAZZOLI. His help and that of ranking minority member BILL MCCOLLUM have been invaluable.

Mr. Speaker, passage of the Armed Forces Immigration Adjustment Act will allow the Filipinos and Pacific Islanders in the U.S. Navy to rise to the level that their proven ability entitles them.

And it will show that the United States appreciates and rewards dedication and skill.

I urge my colleagues to support the bill.

Mr. LOWERY of California. Mr. Speaker, I rise in strong support of S. 296, the Alien Armed Forces Immigration Act of 1991.

This worthwhile legislation will enable citizens of the Philippines, Micronesia, the Marshall Islands, and Palau who have served honorably in the United States Armed Forces for 12 years to become eligible for United States citizenship. An individual will also be eligible if he has served for 6 years and has re-enlisted to serve for a total of 12 years.

As my colleagues know, since 1947, the United States has allowed natives of the Philippines to serve in our Armed Forces, primarily the United States Navy. These Filipinos have made a tremendous contribution to the Navy and their dedication has rightly earned them the opportunity to become citizens of this great Nation. In San Diego, the primary home port of the Navy on the west coast, we know

the value of our Philippine sailors to the fleet. They are, and always have been, some of the most dedicated, professional, and patriotic members of the crews in which they serve.

The bill before us today will allow 2,300 aliens to be granted permanent resident status. This will include 2,000 citizens from the Philippines and 100 citizens each from Micronesia, the Marshall Islands, and Palau. There would be no limit on spouses or children, or to beneficiaries who have already met the bill's service requirements. There are currently 1,800 service personnel who have met the requirements set by the legislation. Including their families there would be approximately 4,400 beneficiaries. This is a relatively small number of people and it is consistent with the limits set by current U.S. immigration law.

Mr. Speaker, our Philippine sailors have given of themselves unselfishly in the service of the United States. It is only fair that their substantial years of service enable them to become full citizens of this Nation. I urge the passage of S. 296.

Mr. ABERCROMBIE. Mr. Speaker, thank you for this opportunity to speak in favor of the Armed Forces Immigration Adjustment Act of 1991.

I want to thank Mr. BROOKS and Mr. MAZZOLI for their work in bringing this bill to the floor.

Since the days of the Roman Republic, nations have recognized that special consideration is owed to those who serve in its armed forces. For many of those who have served, nothing is more precious than citizenship and the right of residency.

And in the case of the people who have served in the Armed Forces of the United States, those who are ready to put their lives on the line for this country have earned the right to be part of it.

Unfortunately, the law does not recognize that right in all cases. The U.S. Navy recruits 400 Filipinos annually, but does not extend to them the rights of permanent resident status, eligibility for U.S. citizenship, the opportunity to earn commissions, or to serve in 64 ratings that require access to classified information.

Each of these 400 slots is the object of intense competition. There are about 250 applicants for each one. As a result, the Navy acquires 400 highly motivated and qualified recruits every year. It is not only unfair to deny them immigration status, it is also short-sighted. These people are contributors, not burdens.

By removing the roadblocks to citizenship and career advancement, this bill serves the cause of justice. It will also provide the Navy and the Nation with educated, motivated people who have proven their devotion to this country.

GENERAL LEAVE

Mr. MAZZOLI. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the Senate bill presently under consideration.

The SPEAKER pro tempore (Mr. DURBIN). Is there objection to the request of the gentleman from Kentucky?

There was no objection.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Kentucky [Mr. MAZZOLI] that the House suspend the rules and pass the Senate bill, S. 296, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the Senate bill, as amended, was passed.

A motion to reconsider was laid on the table.

DISTRICT OF COLUMBIA SUPPLEMENTAL APPROPRIATIONS AND RESCISSIONS ACT, 1991

Mr. DIXON. Mr. Speaker, pursuant to the order of the House of Wednesday, September 11, 1991, I call up the bill (H.R. 3291) making appropriations for the government of the District of Columbia and other activities chargeable, in whole or in part, against the revenues of said District for the fiscal year ending September 30, 1992, and for other purposes.

The Clerk read the title of the bill.

The text of H.R. 3291 is as follows:

H.R. 3291

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 District of Columbia for the fiscal year ending September 30, 1992, and for other purposes, namely:

TITLE I

FISCAL YEAR 1992 APPROPRIATIONS FEDERAL PAYMENT TO THE DISTRICT OF COLUMBIA

For payment to the District of Columbia for the fiscal year ending September 30, 1992, \$630,500,000.

FEDERAL CONTRIBUTION TO RETIREMENT FUNDS

For the Federal contribution to the Police Officers and Fire Fighters', Teachers', and Judges' Retirement Funds, as authorized by the District of Columbia Retirement Reform Act, approved November 17, 1979 (93 Stat. 866; Public Law 96-122), \$52,070,000.

METROPOLITAN POLICE DEPARTMENT

For a Federal contribution to the District of Columbia for the Metropolitan Police Department, \$75,000, of which \$25,000 shall be for an accreditation study by a recognized law enforcement accrediting organization and \$50,000 shall be for community empowerment policing programs.

BOARD OF EDUCATION

For a Federal contribution to the District of Columbia, \$3,205,000, of which \$2,125,000 shall be for renovations to public school athletic and recreational grounds and facilities; \$330,000 shall be for the Options Program; \$250,000 shall be for the Parents as Teachers Program; and \$500,000 shall be for maintenance, improvements, and repairs to public school facilities under the Direct Activity Purchase System (DAPS): *Provided*, That the \$500,000 provided for DAPS shall be returned to the United States Treasury on October 1,

1992, if the amount spent by the District of Columbia out of its own funds under DAPS and for maintenance, improvements, and repairs to public school facilities in fiscal year 1992 is less than the amount spent by the District out of its own funds for such purposes in fiscal year 1991: *Provided further*, That of the \$3,205,000 appropriated under this heading, \$1,500,000 shall not be available for obligation until September 30, 1992 and shall not be expended prior to October 1, 1992.

DISTRICT OF COLUMBIA GENERAL HOSPITAL

For a Federal contribution to the District of Columbia General Hospital, \$9,500,000, of which \$8,500,000 shall not be available for obligation until September 30, 1992 and shall not be expended prior to October 1, 1992.

DEPARTMENT OF HUMAN SERVICES

For a Federal contribution to the District of Columbia for the Department of Human Services for the breast and cervical cancer screening program, \$500,000.

DISTRICT OF COLUMBIA INSTITUTE FOR MENTAL HEALTH

For a Federal contribution to the District of Columbia Institute for Mental Health to provide professional mental health care to low-income, underinsured, and indigent children, adults, and families in the District of Columbia, \$1,000,000.

CHILDREN'S NATIONAL MEDICAL CENTER

For a Federal contribution to the Children's National Medical Center for a cost-shared National Child Protection Center, \$3,000,000.

DIVISION OF EXPENSES

The following amounts are appropriated for the District of Columbia for the current fiscal year out of the general fund of the District of Columbia, except as otherwise specifically provided.

GOVERNMENTAL DIRECTION AND SUPPORT

Governmental direction and support, \$110,921,000: *Provided*, That not to exceed \$2,500 for the Mayor, \$2,500 for the Chairman of the Council of the District of Columbia, and \$2,500 for the City Administrator shall be available from this appropriation for expenditures for official purposes: *Provided further*, That any program fees collected from the issuance of debt shall be available for the payment of expenses of the debt management program of the District of Columbia: *Provided further*, That notwithstanding any other provision of law, there is hereby appropriated from the earnings of the applicable retirement funds \$8,326,000 to pay legal, management, investment, and other fees and administrative expenses of the District of Columbia Retirement Board: *Provided further*, That the District of Columbia Retirement Board shall provide to the Congress and to the Council of the District of Columbia a quarterly report of the allocations of charges by fund and of expenditures of all funds: *Provided further*, That the District of Columbia Retirement Board shall provide the Mayor, for transmittal to the Council of the District of Columbia, an item accounting of the planned use of appropriated funds in time for each annual budget submission and the actual use of such funds in time for each annual audited financial report: *Provided further*, That the Mayor shall submit to the Council of the District of Columbia by October 1, 1991, a reorganization plan for the Department of Finance and Revenue that shall follow the directives and initiatives contained in the Report of the Committee of the Whole on Bill 9-151, the Fiscal Year 1991 Sup-

plemental Budget and Rescissions of Authority Request Act of 1991, at 8-20 (March 25, 1991).

ECONOMIC DEVELOPMENT AND REGULATION

Economic development and regulation, \$106,430,000: *Provided*, That the District of Columbia Housing Finance Agency, established by section 201 of the District of Columbia Housing Finance Agency Act, effective March 3, 1979 (D.C. Law 2-135; D.C. Code, sec. 45-2111), based upon its capability of repayments as determined each year by the Council of the District of Columbia from the Finance Agency's annual audited financial statements to the Council of the District of Columbia, shall repay to the general fund an amount equal to the appropriated administrative costs plus interest at a rate of four percent per annum for a term of 15 years, with a deferral of payments for the first three years: *Provided further*, That notwithstanding the foregoing provision, the obligation to repay all or part of the amounts due shall be subject to the rights of the owners of any bonds or notes issued by the Finance Agency and shall be repaid to the District of Columbia government only from available operating revenues of the Finance Agency that are in excess of the amounts required for debt service, reserve funds, and operating expenses: *Provided further*, That upon commencement of the debt service payments, such payments shall be deposited into the general fund of the District of Columbia.

PUBLIC SAFETY AND JUSTICE

Public safety and justice, including purchase of 135 passenger-carrying vehicles for replacement only, including 130 for police-type use and five for fire-type use, without regard to the general purchase price limitation for the current fiscal year, \$930,836,000: *Provided*, That the Metropolitan Police Department is authorized to replace not to exceed 25 passenger-carrying vehicles and the Fire Department of the District of Columbia is authorized to replace not to exceed five passenger-carrying vehicles annually whenever the cost of repair to any damaged vehicle exceeds three-fourths of the cost of the replacement: *Provided further*, That not to exceed \$500,000 shall be available from this appropriation for the Chief of Police for the prevention and detection of crime: *Provided further*, That \$50,000 of this appropriation shall be available at the discretion of the Chief of Police for community empowerment policing programs: *Provided further*, That not to exceed \$25,000 of this appropriation shall be available solely for an accreditation study of the Metropolitan Police Department by a recognized law enforcement accrediting organization: *Provided further*, That the Metropolitan Police Department shall provide quarterly reports to the Committees on Appropriations of the House and Senate on efforts to increase efficiency and improve the professionalism in the department: *Provided further*, That notwithstanding any other provision of law, or Mayor's Order 86-45, issued March 18, 1986, the Metropolitan Police Department's delegated small purchase authority shall be \$500,000: *Provided further*, That funds appropriated for expenses under the District of Columbia Criminal Justice Act, approved September 3, 1974 (88 Stat. 1090; Public Law 93-412; D.C. Code, sec. 11-2601 et seq.), for the fiscal year ending September 30, 1992, shall be available for obligations incurred under the Act in each fiscal year since inception in fiscal year 1975: *Provided further*, That funds appropriated for expenses under the District of Columbia Neglect Representation Equity Act of 1984, effective

March 13, 1985 (D.C. Law 5-129; D.C. Code, sec. 16-2304), for the fiscal year ending September 30, 1992, shall be available for obligations incurred under the Act in each fiscal year since inception in fiscal year 1985: *Provided further*, That funds appropriated for expenses under the District of Columbia Guardianship, Protective Proceedings, and Durable Power of Attorney Act of 1986, effective September 30, 1989 (D.C. Law 6-204; D.C. Code, sec. 21-2060), for the fiscal year ending September 30, 1992, shall be available for obligations incurred under the Act in each fiscal year since inception in fiscal year 1989: *Provided further*, That not to exceed \$1,500 for the Chief Judge of the District of Columbia Court of Appeals, \$1,500 for the Chief Judge of the Superior Court of the District of Columbia, and \$1,500 for the Executive Officer of the District of Columbia Courts shall be available from this appropriation for official purposes: *Provided further*, That the District of Columbia shall operate and maintain a free, 24-hour telephone information service whereby residents of the area surrounding Lorton prison in Fairfax County, Virginia, can promptly obtain information from District of Columbia government officials on all disturbances at the prison, including escapes, fires, riots, and similar incidents: *Provided further*, That the District of Columbia government shall also take steps to publicize the availability of the 24-hour telephone information service among the residents of the area surrounding the Lorton prison: *Provided further*, That not to exceed \$100,000 of this appropriation shall be used to reimburse Fairfax County, Virginia, and Prince William County, Virginia, for expenses incurred by the counties during the fiscal year ending September 30, 1992, in relation to the Lorton prison complex: *Provided further*, That such reimbursements shall be paid in all instances in which the District requests the counties to provide police, fire, rescue, and related services to help deal with escapes, riots, and similar disturbances involving the prison: *Provided further*, That the staffing levels of each engine company within the Fire Department shall be maintained in accordance with the provisions of the Fire Department Rules and Regulations, if any: *Provided further*, That the reduction in the staffing levels of each two-piece engine company shall not take effect until such time as the Fire Chief certifies to the Committees on Appropriations of the House and Senate that the Department is taking all reasonable steps to reduce the expenses of the Department, including steps to reduce overtime, filling eligible vacancies, returning detailees to their intended positions, and other measures deemed appropriate by the Fire Department: *Provided further*, That when staffing levels are reduced, the pay and salary levels of fire fighter technicians shall be held harmless during the term of the collective bargaining agreement in effect on the date of enactment of this Act: *Provided further*, That none of the funds provided in this Act may be used to implement any staffing plan for the District of Columbia Fire Department that includes the elimination of any positions for Administrative Assistants to the Battalion Fire Chiefs of the Firefighting Division of the Department: *Provided further*, That the Mayor shall reimburse the District of Columbia National Guard for expenses incurred in connection with services that are performed in emergencies by the National Guard in a militia status and are requested by the Mayor, in amounts that shall be jointly determined and certified as due and payable for these services by the Mayor and the Commanding

General of the District of Columbia National Guard: *Provided further*, That such sums as may be necessary for reimbursement to the District of Columbia National Guard under the preceding proviso shall be available from this appropriation, and the availability of the sums shall be deemed as constituting payment in advance for the emergency services involved.

PUBLIC EDUCATION SYSTEM

Public education system, including the development of national defense education programs, \$708,536,000, to be allocated as follows: \$519,344,000 for the public schools of the District of Columbia; \$2,625,000 for pay-as-you-go capital projects for public schools, of which \$2,125,000 shall be for renovations to public school athletic and recreational grounds and facilities and \$500,000 shall be for maintenance, improvements, and repairs to public school facilities under the Direct Activity Purchase System (DAPS): *Provided*, That the \$500,000 provided for DAPS shall be returned to the United States Treasury on October 1, 1992, if the amount spent by the District of Columbia out of its own funds under DAPS and for maintenance, improvements, and repairs to public school facilities in fiscal year 1992 is less than the amount spent by the District out of its own funds for such purposes in fiscal year 1991: *Provided further*, That of the \$708,536,000 appropriated under this heading and the \$2,625,000 allocated for pay-as-you-go capital projects for public schools, \$1,500,000 shall not be available for obligation until September 30, 1992 and shall not be expended prior to October 1, 1992: *Provided further*, That of the \$519,344,000 allocated for the public schools of the District of Columbia under this heading, \$3,150,000 shall be paid within fifteen (15) days of the enactment of this Act directly to the District of Columbia Public Schools Foundation for a series of demonstration projects including Project ACCORD (\$900,000 of which \$300,000 shall be paid directly to the Foundation when the Foundation certifies that an equal amount of private contributions has been received); the Anacostia Project (\$1,000,000); the Cooperative Employment Education Project (\$500,000); and the Options Program (\$750,000); \$84,200,000 for the District of Columbia Teachers' Retirement Fund; \$73,495,000 for the University of the District of Columbia; \$20,578,000 for the Public Library, of which \$200,000 is to be transferred to the Children's Museum; \$3,527,000 for the Commission on the Arts and Humanities; \$4,290,000 for the District of Columbia School of Law; and \$477,000 for the Education Licensure Commission: *Provided*, That the public schools of the District of Columbia are authorized to accept not to exceed 31 motor vehicles for exclusive use in the driver education program: *Provided further*, That not to exceed \$2,500 for the Superintendent of Schools, \$2,500 for the President of the University of the District of Columbia, and \$2,000 for the Public Librarian shall be available from this appropriation for expenditures for official purposes: *Provided further*, That this appropriation shall not be available to subsidize the education of nonresidents of the District of Columbia at the University of the District of Columbia, unless the Board of Trustees of the University of the District of Columbia adopts, for the fiscal year ending September 30, 1992, a tuition rate schedule that will establish the tuition rate for nonresident students at a level no lower than the nonresident tuition rate charged at comparable public institutions of higher education in the metropolitan area.

HUMAN SUPPORT SERVICES

Human support services, \$875,033,000: *Provided*, That \$20,848,000 of this appropriation, to remain available until expended, shall be available solely for District of Columbia employees' disability compensation: *Provided further*, That \$8,500,000 of this appropriation for the District of Columbia General Hospital shall not be available for obligation until September 30, 1992 and shall not be expended prior to October 1, 1992: *Provided further*, That the District shall not provide free government services such as water, sewer, solid waste disposal or collection, utilities, maintenance, repairs, or similar services to any legally constituted private nonprofit organization (as defined in section 411(5) of Public Law 100-77, approved July 22, 1987) providing emergency shelter services in the District, if the District would not be qualified to receive reimbursement pursuant to the Stewart B. McKinney Homeless Act, approved July 22, 1987 (101 Stat. 485; Public Law 100-77; 42 U.S.C. 11301 et seq.).

PUBLIC WORKS

Public Works, including rental of one passenger-carrying vehicle for use by the Mayor and three passenger-carrying vehicles for use by the Council of the District of Columbia and purchase of passenger-carrying vehicles for replacement only, \$234,390,000: *Provided*, That this appropriation shall not be available for collecting ashes or miscellaneous refuse from hotels and places of business.

WASHINGTON CONVENTION CENTER FUND

For the Washington Convention Center Fund, \$13,110,000.

REPAYMENT OF LOANS AND INTEREST

For reimbursement to the United States of funds loaned in compliance with An Act to provide for the establishment of a modern, adequate, and efficient hospital center in the District of Columbia, approved August 7, 1946 (60 Stat. 896; Public Law 79-648); section 1 of An Act to authorize the Commissioners of the District of Columbia to borrow funds for capital improvement programs and to amend provisions of law relating to Federal Government participation in meeting costs of maintaining the Nation's Capital City, approved June 6, 1958 (72 Stat. 183; Public Law 85-451; D.C. Code, sec. 9-219); section 4 of An Act to authorize the Commissioners of the District of Columbia to plan, construct, operate, and maintain a sanitary sewer to connect the Dulles International Airport with the District of Columbia system, approved June 12, 1960 (74 Stat. 211; Public Law 86-515); section 723 of the District of Columbia Self-Government and Governmental Reorganization Act of 1973, approved December 24, 1973 (87 Stat. 821; Public Law 93-198; D.C. Code, sec. 47-321, note); and section 743(f) of the District of Columbia Self-Government and Governmental Reorganization Act Amendments, approved October 13, 1977 (91 Stat. 1156; Public Law 95-131; D.C. Code, sec. 9-219, note), including interest as required thereby, \$277,577,000.

REPAYMENT OF GENERAL FUND DEFICIT

For the purpose of eliminating the \$331,589,000 general fund accumulated deficit as of September 30, 1990, \$41,170,000.

OPTICAL AND DENTAL BENEFITS

For optical and dental costs for nonunion employees, \$3,423,000.

CAPITAL OUTLAY

For construction projects, \$312,453,946, as authorized by an Act authorizing the laying of water mains and service sewers in the District of Columbia, the levying of assessments therefor, and for other purposes, approved

April 22, 1904 (33 Stat. 244; Public Law 58-140; D.C. Code, secs. 43-1512 through 43-1519); the District of Columbia Public Works Act of 1954, approved May 18, 1954 (68 Stat. 101; Public Law 83-364); An Act to authorize the Commissioners of the District of Columbia to borrow funds for capital improvement programs and to amend provisions of law relating to Federal Government participation in meeting costs of maintaining the Nation's Capital City, approved June 6, 1958 (72 Stat. 183; Public Law 85-451; D.C. Code, secs. 9-219 and 47-3402); section 3(g) of the District of Columbia Motor Vehicle Parking Facility Act of 1942, approved August 20, 1958 (72 Stat. 686; Public Law 85-692; D.C. Code, sec. 40-805(7)); and the National Capital Transportation Act of 1969, approved December 9, 1969 (83 Stat. 320; Public Law 91-143; D.C. Code, secs. 1-2451, 1-2452, 1-2454, 1-2456, and 1-2457); including acquisition of sites, preparation of plans and specifications, conducting preliminary surveys, erection of structures, including building improvement and alteration and treatment of grounds, to remain available until expended: *Provided*, That \$17,707,000 shall be available for project management and \$10,273,000 for design by the Director of the Department of Public Works or by contract for architectural engineering services, as may be determined by the Mayor: *Provided further*, That funds for use of each capital project implementing agency shall be managed and controlled in accordance with all procedures and limitations established under the Financial Management System: *Provided further*, That \$2,625,000 for the public school system for pay-as-you-go capital projects shall be financed from general fund operating revenues: *Provided further*, That up to \$1,500,000 of the funds provided under this heading may be used to secure access, rights-of-way, easements or title to lands not now in public ownership known as the Metropolitan Branch Trail from its current owners: *Provided further*, That all funds provided by this appropriation title shall be available only for the specific projects and purposes intended: *Provided further*, That notwithstanding the foregoing, all authorizations for capital outlay projects, except those projects covered by the first sentence of section 23(a) of the Federal-Aid Highway Act of 1968, approved August 23, 1968 (82 Stat. 827; Public Law 90-495; D.C. Code, sec. 7-134, note), for which funds are provided by this appropriation title, shall expire on September 30, 1993, except authorizations for projects as to which funds have been obligated in whole or in part prior to September 30, 1993: *Provided further*, That upon expiration of any such project authorization the funds provided herein for the project shall lapse.

WATER AND SEWER ENTERPRISE FUND

For the Water and Sewer Enterprise Fund, \$219,752,000, of which \$38,006,000 shall be apportioned and payable to the debt service fund for repayment of loans and interest incurred for capital improvement projects.

For construction projects, \$51,690,000, as authorized by an Act authorizing the laying of water mains and service sewers in the District of Columbia, the levying of assessments therefor, and for other purposes, approved April 22, 1904 (33 Stat. 244; Public Law 58-140; D.C. Code, sec. 43-1512 et seq.): *Provided*, That the requirements and restrictions that are applicable to general fund capital improvement projects and set forth in this Act under the Capital Outlay appropriation title shall apply to projects approved under this appropriation title: *Provided further*, That \$25,608,000 in water and sewer enterprise fund

operating revenues shall be available for pay-as-you-go capital projects.

LOTTERY AND CHARITABLE GAMES ENTERPRISE FUND

For the Lottery and Charitable Games Enterprise Fund, established by the District of Columbia Appropriation Act for the fiscal year ending September 30, 1982, approved December 4, 1981 (95 Stat. 1174, 1175; Public Law 97-91), as amended, for the purpose of implementing the Law to Legalize Lotteries, Daily Numbers Games, and Bingo and Raffles for Charitable Purposes in the District of Columbia, effective March 10, 1981 (D.C. Law 3-172; D.C. Code, secs. 2-2501 et seq. and 22-1516 et seq.), \$8,450,000, to be derived from non-Federal District of Columbia revenues: *Provided*, That the District of Columbia shall identify the sources of funding for this appropriation title from the District's own locally-generated revenues: *Provided further*, That no revenues from Federal sources shall be used to support the operations or activities of the Lottery and Charitable Games Control Board.

CABLE TELEVISION ENTERPRISE FUND

For the Cable Television Enterprise Fund, established by the Cable Television Communications Act of 1981, effective October 22, 1983 (D.C. Law 5-36; D.C. Code, sec. 43-1801 et seq.), \$2,000,000.

GENERAL PROVISIONS

SEC. 101. The expenditure of any appropriation under this Act for any consulting service through procurement contract, pursuant to 5 U.S.C. 3109, 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. 102. Except as otherwise provided in this Act, all vouchers covering expenditures of appropriations contained in this Act shall be audited before payment by the designated certifying official and the vouchers as approved shall be paid by checks issued by the designated disbursing official.

SEC. 103. Whenever in this Act, an amount is specified within an appropriation for particular purposes or objects of expenditure, such amount, unless otherwise specified, shall be considered as the maximum amount that may be expended for said purpose or object rather than an amount set apart exclusively therefor.

SEC. 104. Appropriations in this Act shall be available, when authorized by the Mayor, for allowances for privately owned automobiles and motorcycles used for the performance of official duties at rates established by the Mayor: *Provided*, That such rates shall not exceed the maximum prevailing rates for such vehicles as prescribed in the Federal Property Management Regulations 101-7 (Federal Travel Regulations).

SEC. 105. Appropriations in this Act shall be available for expenses of travel and for the payment of dues of organizations concerned with the work of the District of Columbia government, when authorized by the Mayor: *Provided*, That the Council of the District of Columbia and the District of Columbia Courts may expend such funds without authorization by the Mayor.

SEC. 106. There are appropriated from the applicable funds of the District of Columbia such sums as may be necessary for making refunds and for the payment of judgments that have been entered against the District of Columbia government: *Provided*, That nothing contained in this section shall be

construed as modifying or affecting the provisions of section 11(c)(3) of title XII of the District of Columbia Income and Franchise Tax Act of 1947, approved March 31, 1956 (70 Stat. 78; Public Law 84-460; D.C. Code, sec. 47-1812.11(c)(3)).

SEC. 107. Appropriations in this Act shall be available for the payment of public assistance without reference to the requirement of section 544 of the District of Columbia Public Assistance Act of 1982, effective April 6, 1982 (D.C. Law 4-101; D.C. Code, sec. 3-205.44), and for the non-Federal share of funds necessary to qualify for Federal assistance under the Juvenile Delinquency Prevention and Control Act of 1968, approved July 31, 1968 (82 Stat. 462; Public Law 90-445; 42 U.S.C. 3801 et seq.).

SEC. 108. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

SEC. 109. No funds appropriated in this Act for the District of Columbia government for the operation of educational institutions, the compensation of personnel, or for other educational purposes may be used to permit, encourage, facilitate, or further partisan political activities. Nothing herein is intended to prohibit the availability of school buildings for the use of any community or partisan political group during non-school hours.

SEC. 110. The annual budget for the District of Columbia government for the fiscal year ending September 30, 1993, shall be transmitted to the Congress no later than April 15, 1992.

SEC. 111. None of the funds appropriated in this Act shall be made available to pay the salary of any employee of the District of Columbia government whose name, title, grade, salary, past work experience, and salary history are not available for inspection by the House and Senate Committees on Appropriations, the House Committee on the District of Columbia, the Subcommittee on General Services, Federalism, and the District of Columbia of the Senate Committee on Governmental Affairs, and the Council of the District of Columbia, or their duly authorized representative: *Provided*, That none of the funds contained in this Act shall be made available to pay the salary of any employee of the District of Columbia government whose name and salary are not available for public inspection.

SEC. 112. There are appropriated from the applicable funds of the District of Columbia such sums as may be necessary for making payments authorized by the District of Columbia Revenue Recovery Act of 1977, effective September 23, 1977 (D.C. Law 2-20; D.C. Code, sec. 47-421 et seq.).

SEC. 113. No part of this appropriation shall be used for publicity or propaganda purposes or implementation of any policy including boycott designed to support or defeat legislation pending before Congress or any State legislature.

SEC. 114. None of the funds contained in this Act shall be used to perform abortions except where the life of the mother would be endangered if the fetus were carried to term.

SEC. 115. At the start of the fiscal year, the Mayor shall develop an annual plan, by quarter and by project, for capital outlay borrowings: *Provided*, That within a reasonable time after the close of each quarter, the Mayor shall report to the Council of the District of Columbia and the Congress the actual borrowing and spending progress compared with projections.

SEC. 116. The Mayor shall not borrow any funds for capital projects unless the Mayor

has obtained prior approval from the Council of the District of Columbia, by resolution, identifying the projects and amounts to be financed with such borrowings.

SEC. 117. The Mayor shall not expend any moneys borrowed for capital projects for the operating expenses of the District of Columbia government.

SEC. 118. None of the funds appropriated by this Act may be obligated or expended by reprogramming except pursuant to advance approval of the reprogramming granted according to the procedure set forth in the Joint Explanatory Statement of the Committee of Conference (House Report No. 96-443), which accompanied the District of Columbia Appropriation Act, 1980, approved October 30, 1979 (93 Stat. 713; Public Law 96-93), as modified in House Report No. 98-265, and in accordance with the Reprogramming Policy Act of 1980, effective September 16, 1980 (D.C. Law 3-100; D.C. Code, sec. 47-361 et seq.).

SEC. 119. None of the Federal funds provided in this Act shall be obligated or expended to provide a personal cook, chauffeur, or other personal servants to any officer or employee of the District of Columbia.

SEC. 120. None of the Federal funds provided in this Act shall be obligated or expended to procure passenger automobiles as defined in the Automobile Fuel Efficiency Act of 1980, approved October 10, 1980 (94 Stat. 1824; Public Law 96-425; 15 U.S.C. 2001(2)), with an Environmental Protection Agency estimated miles per gallon average of less than 22 miles per gallon: *Provided*, That this section shall not apply to security, emergency rescue, or armored vehicles.

SEC. 121. (a) Notwithstanding section 422(7) of the District of Columbia Self-Government and Governmental Reorganization Act of 1973, approved December 24, 1973 (87 Stat. 790; Public Law 93-198; D.C. Code, sec. 1-242(7)), the City Administrator shall be paid, during any fiscal year, a salary at a rate established by the Mayor, not to exceed the rate established for level IV of the Executive Schedule under 5 U.S.C. 5315.

(b) For purposes of applying any provision of law limiting the availability of funds for payment of salary or pay in any fiscal year, the highest rate of pay established by the Mayor under subsection (a) of this section for any position for any period during the last quarter of calendar year 1991 shall be deemed to be the rate of pay payable for that position for September 30, 1991.

(c) Notwithstanding section 4(a) of the District of Columbia Redevelopment Act of 1945, approved August 2, 1946 (60 Stat. 793; Public Law 79-592; D.C. Code, sec. 5-803(a)), the Board of Directors of the District of Columbia Redevelopment Land Agency shall be paid, during any fiscal year, a per diem compensation at a rate established by the Mayor.

SEC. 122. Notwithstanding any other provisions of law, the provisions of the District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Code, sec. 1-601.1 et seq.), enacted pursuant to section 422(3) of the District of Columbia Self-Government and Governmental Reorganization Act of 1973, approved December 24, 1973 (87 Stat. 790; Public Law 93-198; D.C. Code, sec. 1-242(3)), shall apply with respect to the compensation of District of Columbia employees: *Provided*, That for pay purposes, employees of the District of Columbia government shall not be subject to the provisions of title 5 of the United States Code.

SEC. 123. The Director of the Department of Administrative Services may pay rentals and

repair, alter, and improve rented premises, without regard to the provisions of section 322 of the Economy Act of 1932 (Public Law 72-212; 40 U.S.C. 278a), upon a determination by the Director, that by reason of circumstances set forth in such determination, the payment of these rents and the execution of this work, without reference to the limitations of section 322, is advantageous to the District in terms of economy, efficiency, and the District's best interest.

SEC. 124. No later than 30 days after the end of the first quarter of the fiscal year ending September 30, 1992, the Mayor of the District of Columbia shall submit to the Council of the District of Columbia the new fiscal year 1992 revenue estimates as of the end of the first quarter of fiscal year 1992. These estimates shall be used in the budget request for the fiscal year ending September 30, 1993. The officially revised estimates at midyear shall be used for the midyear report.

SEC. 125. Section 466(b) of the District of Columbia Self-Government and Governmental Reorganization Act of 1973, approved December 24, 1973 (87 Stat. 806; Public Law 93-198; D.C. Code, sec. 47-326), as amended, is amended by striking "sold before October 1, 1991" and inserting "sold before October 1, 1992".

SEC. 126. No sole source contract with the District of Columbia government or any agency thereof may be renewed or extended without opening that contract to the competitive bidding process as set forth in section 303 of the District of Columbia Procurement Practices Act of 1985, effective February 21, 1986 (D.C. Law 6-85; D.C. Code, sec. 1-1183.3), except that the District of Columbia Public Schools may renew or extend sole source contracts for which competition is not feasible or practical, provided that the determination as to whether to invoke the competitive bidding process has been made in accordance with duly promulgated Board of Education rules and procedures.

SEC. 127. For purposes of the Balanced Budget and Emergency Deficit Control Act of 1985, approved December 12, 1985 (99 Stat. 1037; Public Law 99-177), as amended, the term "program, project, and activity" shall be synonymous with and refer specifically to each account appropriating Federal funds in this Act, and any sequestration order shall be applied to each of the accounts rather than to the aggregate total of those accounts: *Provided*, That sequestration orders shall not be applied to any account that is specifically exempted from sequestration by the Balanced Budget and Emergency Deficit Control Act of 1985 (99 Stat. 1037; Public Law 99-177), as amended.

SEC. 128. In the event a sequestration order is issued pursuant to the Balanced Budget and Emergency Deficit Control Act of 1985 (99 Stat. 1037; Public Law 99-177), as amended, after the amounts appropriated to the District of Columbia for the fiscal year involved have been paid to the District of Columbia, the Mayor of the District of Columbia shall pay to the Secretary of the Treasury, within 15 days after receipt of a request therefor from the Secretary of the Treasury, such amounts as are sequestered by the order: *Provided*, That the sequestration percentage specified in the order shall be applied proportionately to each of the Federal appropriation accounts in this Act that are not specifically exempted from sequestration by the Balanced Budget and Emergency Deficit Control Act of 1985 (99 Stat. 1037; Public Law 99-177), as amended.

SEC. 129. Section 133(e) of the District of Columbia Appropriations Act, 1990, as

amended, is amended by striking "December 31, 1991" and inserting "December 31, 1992".

SEC. 130. Such sums as may be necessary for fiscal year 1992 pay raises for programs funded by this Act shall be absorbed within the levels appropriated in this Act.

SEC. 131. For the fiscal year ending September 30, 1992, the District of Columbia shall pay interest on its quarterly payments to the United States that are made more than 60 days from the date of receipt of an itemized statement from the Federal Bureau of Prisons of amounts due for housing District of Columbia convicts in Federal penitentiaries for the preceding quarter.

SEC. 132. None of the funds provided in this Act may be used by the District of Columbia to provide for the salaries, expenses, or other costs associated with the offices of United States Senator or United States Representative under section 4(d) of the District of Columbia Statehood Constitutional Convention Initiative of 1979, effective March 10, 1981 (D.C. Law 3-171; D.C. Code, sec. 1-113(d)).

SEC. 133. (a) Up to 75 officers or members of the Metropolitan Police Department who were hired before February 14, 1980, and who retire on disability before the end of calendar year 1991 shall be excluded from the computation of the rate of disability retirement under subsection 145(a) of the District of Columbia Retirement Reform Act, as amended, approved September 30, 1983 (97 Stat. 727; D.C. Code, sec. 1-725(a)), for purposes of reducing the authorized Federal payment to the District of Columbia Police Officers and Fire Fighters' Retirement Fund pursuant to subsection 145(c) of the District of Columbia Retirement Reform Act.

(b) The Mayor, within 30 days after the enactment of this Act, shall engage an enrolled actuary, to be paid by the District of Columbia Retirement Board, and shall comply with the requirements of sections 142(d) and 144(d) of the District of Columbia Retirement Reform Act of 1979, approved November 17, 1979 (93 Stat. 866; Public Law 96-122; D.C. Code, secs. 1-722(d) and 1-724(d)).

(c) If any of the 75 light duty positions that may become vacant under subsection (a) of this section are filled, a civilian employee shall be hired to fill that position or it shall be filled by an officer or member of the Metropolitan Police Department for a temporary period of time.

(d) The limited duty policy of the Metropolitan Police Department shall be that in effect prior to July 8, 1990: *Provided*, That nothing herein is intended to prohibit the parties from negotiating a limited duty policy that is fair for all concerned and that does not impede the Department from carrying out its duties: *Provided further*, That whatever negotiations take place should also consider methods to prevent abuse of the program which drains scarce police resources.

(e) If less than the 75 officers or members excluded under subsection (a) are retired on disability, the actuary shall adjust accordingly the determinations made pursuant to section 142(d) of the District of Columbia Retirement Reform Act of 1979 (Public Law 96-122).

SEC. 134. (a) An entity of the District of Columbia government may accept and use a gift or donation during fiscal year 1992 if—

(1) the Mayor approves the acceptance and use of the gift or donation; and

(2) the entity uses the gift or donation to carry out its authorized functions or duties.

(b) Each entity of the District of Columbia government shall keep accurate and detailed records of the acceptance and use of any gift

or donation under subsection (a), and shall make such records available for audit and public inspection.

(c) For purposes of this section, the term "entity of the District of Columbia government" includes an independent agency of the District of Columbia.

This title may be cited as the "District of Columbia Appropriations Act, 1992".

TITLE II

FISCAL YEAR 1991 SUPPLEMENTAL DISTRICT OF COLUMBIA FUNDS GOVERNMENTAL DIRECTION AND SUPPORT (INCLUDING RESCISSION)

For an additional amount for "Governmental direction and support", \$257,000: *Provided*, That of the funds appropriated under this heading for the fiscal year ending September 30, 1991 in the District of Columbia Appropriations Act, 1991, approved November 5, 1990 (Public Law 101-518; 104 Stat. 2226 to 2227), \$5,650,000 are rescinded for a net decrease of \$5,393,000: *Provided further*, That of the \$9,077,000 appropriated under this heading for fiscal year 1991 in the District of Columbia Appropriations Act, 1991, approved November 5, 1990 (Public Law 101-518; 104 Stat. 2226), to pay legal, management, investment, and other fees and administrative expenses of the District of Columbia Retirement Board, none shall be derived from the general fund and not to exceed \$9,077,000 shall be derived from the earnings of the applicable retirement funds: *Provided further*, That within fifteen days of the date of enactment of this Act the District of Columbia Retirement Board shall reimburse the general fund of the District by an amount not to exceed \$818,000 for any expenses of the Board paid with general fund revenues in fiscal year 1991: *Provided further*, That the Mayor shall submit to the Council of the District of Columbia by October 1, 1991, a reorganization plan for the Department of Finance and Revenue that shall follow the directives and initiatives contained in the Report of the Committee of the Whole on Bill 9-151, the Fiscal Year 1991 Supplemental Budget and Rescissions of Authority Request Act of 1991, at 8-20 (March 25, 1991).

ECONOMIC DEVELOPMENT AND REGULATION (INCLUDING RESCISSION)

For an additional amount for "Economic development and regulation", \$37,000: *Provided*, That of the funds appropriated under this heading for the fiscal year ending September 30, 1991 in the District of Columbia Appropriations Act, 1991, approved November 5, 1990 (Public Law 101-518; 104 Stat. 2227), \$29,525,000 are rescinded for a net decrease of \$29,488,000.

PUBLIC SAFETY AND JUSTICE (INCLUDING RESCISSION)

For an additional amount for "Public safety and justice", \$10,774,000, of which an additional \$3,600,000 shall be allocated to the Fire and Emergency Medical Services Department; an additional \$84,000 shall be allocated to the Civilian Complaint Review Board; and notwithstanding any other law, an additional \$7,090,000 shall be allocated for the District of Columbia Police Officers and Fire Fighters' Retirement Fund: *Provided*, That of the funds appropriated under this heading for the fiscal year ending September 30, 1991 in the District of Columbia Appropriations Act, 1991, approved November 5, 1990 (Public Law 101-518; 104 Stat. 2227 to 2229), \$20,711,000 are rescinded for a net decrease of \$9,937,000: *Provided further*, That notwithstanding any other provisions of law, of the funds avail-

able for fiscal year 1991, \$225,000 of the amount allocated to the District of Columbia Judge's Retirement Fund are rescinded.

The following provision under this heading for the fiscal year ending September 30, 1991 in the District of Columbia Appropriations Act, 1991, approved November 5, 1990 (Public Law 101-518; 104 Stat. 2228), is repealed: "*Provided further*, That at least 21 ambulances shall be maintained on duty 24 hours per day, 365 days a year."

PUBLIC EDUCATION SYSTEM (INCLUDING RESCISSION)

For an additional amount for "Public education system", \$200,000 for the Public Library to be transferred to the Children's Museum.

Of the funds appropriated under this heading for the fiscal year ending September 30, 1991 in the District of Columbia Appropriations Act, 1991, approved November 5, 1990 (Public Law 101-518; 104 Stat. 2229), \$11,123,000 for the D.C. Public Schools; \$10,000,000 for pay-as-you-go capital projects for public schools; \$3,418,000 for the University of the District of Columbia; \$41,000 for the Education Licensure Commission; \$327,000 for the Commission on Arts and Humanities; and notwithstanding any other provisions of law, \$23,650,000 for the District of Columbia Teachers' Retirement Fund are rescinded for a net decrease of \$48,359,000.

The following provision under this heading for the fiscal year ending September 30, 1991 in the District of Columbia Appropriations Act, 1991, approved November 5, 1990 (Public Law 101-518; 104 Stat. 2229), is repealed: "*Provided further*, That the amount allocated under this title for the public schools shall be increased, dollar for dollar up to \$36,400,000, by the amount the annual Federal payment for fiscal year 1991 is increased above the current \$430,500,000 Federal payment in fiscal year 1990."

HUMAN SUPPORT SERVICES (RESCISSION)

Of the funds appropriated under this heading for the fiscal year ending September 30, 1991 in the District of Columbia Appropriations Act, 1991, approved November 5, 1990 (Public Law 101-518; 104 Stat. 2229 to 2230), \$11,227,000 are rescinded.

PUBLIC WORKS (INCLUDING RESCISSION)

For an additional amount for "Public works", \$2,965,000: *Provided*, That of the funds appropriated under this heading for the fiscal year ending September 30, 1991 in the District of Columbia Appropriations Act, 1991, approved November 5, 1990 (Public Law 101-518; 104 Stat. 2230), \$2,949,000 are rescinded for a net increase of \$16,000.

WASHINGTON CONVENTION CENTER FUND
For an additional amount for "Washington Convention Center Fund", \$2,756,000.

REPAYMENT OF LOANS AND INTEREST

For an additional amount for "Repayment of loans and interest", \$8,577,000.

REPAYMENT OF GENERAL FUND DEFICIT

The paragraph under the heading "Repayment of General Fund Deficit", in the District of Columbia Appropriations Act, 1991, approved November 5, 1990 (Public Law 101-518; 104 Stat. 2231), is repealed.

SHORT-TERM BORROWINGS

For an additional amount for "Short-term borrowings", \$8,142,000.

OPTICAL AND DENTAL BENEFITS

For an additional amount for "Optical and dental benefits", \$311,000.

SUPPLY, ENERGY, AND EQUIPMENT ADJUSTMENT

The paragraph under the heading "Supply, energy, and equipment adjustment", in the District of Columbia Appropriations Act, 1991, approved November 5, 1990 (Public Law 101-518; 104 Stat. 2231), is repealed.

PERSONAL SERVICES ADJUSTMENT

The paragraph under the heading "Personal services adjustment", in the District of Columbia Appropriations Act, 1991, approved November 5, 1990 (Public Law 101-518; 104 Stat. 2231), is repealed.

CAPITAL OUTLAY

For an additional amount for "Capital outlay", \$73,570,000, to remain available until expended: *Provided*, That of the amounts appropriated under this heading in prior fiscal years for the Mount Vernon Square Campus project of the University of the District of Columbia, \$39,134,000 are rescinded for a net increase of \$34,436,000: *Provided further*, That \$2,644,000 shall be available for project management and \$3,212,000 for design by the Director of the Department of Public Works or by contract for architectural engineering services, as may be determined by the Mayor.

WATER AND SEWER ENTERPRISE FUND (INCLUDING RESCISSION)

For an additional amount for "Water and Sewer Enterprise Fund", \$23,633,000: *Provided*, That of the funds appropriated under this heading for the fiscal year ending September 30, 1991 in the District of Columbia Appropriations Act, 1991, approved November 5, 1990 (Public Law 101-518; 104 Stat. 2232), \$35,880,000 are rescinded for a net decrease of \$12,247,000: *Provided further*, That \$35,852,000 of the amounts available for fiscal year 1991 shall be apportioned and payable to the debt service fund for repayment of loans and interest incurred for capital improvement projects instead of \$36,608,000 as provided under this heading in the District of Columbia Appropriations Act, 1991, approved November 5, 1990 (Public Law 101-518; 104 Stat. 2232): *Provided further*, That \$15,477,000 in water and sewer enterprise fund operating revenues shall be available for pay-as-you-go capital projects instead of \$39,609,000 as provided under this heading in the District of Columbia Appropriations Act, 1991, approved November 5, 1990 (Public Law 101-518; 104 Stat. 2232).

GENERAL PROVISIONS

SEC. 201. Section 112 of the District of Columbia Appropriations Act, 1991, approved November 5, 1990 (Public Law 101-518; 104 Stat. 2234), is amended by striking "April 15, 1991" and inserting "May 17, 1991".

SEC. 202. (a) An entity of the District of Columbia government may accept and use a gift or donation during fiscal year 1991 if—

(1) the Mayor approves the acceptance and use of the gift or donation; and

(2) the entity uses the gift or donation to carry out its authorized functions or duties.

(b) Each entity of the District of Columbia government shall keep accurate and detailed records of the acceptance and use of any gift or donation under subsection (a), and shall make such records available for audit and public inspection.

(c) For purposes of this section, the term "entity of the District of Columbia government" includes an independent agency of the District of Columbia.

SEC. 203. Notwithstanding any other provision of law, appropriations made and authority granted pursuant to this title shall be deemed to be available for the fiscal year ending September 30, 1991.

This title may be cited as the "District of Columbia Supplemental Appropriations and Rescissions Act, 1991".

The SPEAKER pro tempore. Pursuant to the order of the House on Wednesday, September 11, 1991, the gentleman from California [Mr. DIXON] will be recognized for 30 minutes and the gentleman from New Jersey [Mr. GALLO] will be recognized for 30 minutes.

The Chair recognizes the gentleman from California [Mr. DIXON].

Mr. DIXON. Mr. Speaker, as Members know, the President on August 17, 1991, vetoed H.R. 2699, the first D.C. Appropriations Act for fiscal year 1992. In his memorandum of disapproval he stated that he does not object to the underlying legislation and the funding included in the bill, but he does object to language in the bill that allows the District to use local revenues for abortions.

Mr. Speaker, even though the Supreme Court in the Webster versus Reproductive Health Services case stated that local jurisdictions have the right to promulgate their own rules and regulations concerning abortions and how they are financed, the President will not allow this local jurisdiction that right.

The President is saying that the city of Washington cannot do what other jurisdictions are permitted to do as it relates to abortions.

The new bill (H.R. 3291) that is now before the House makes the change that the President wants. Section 114 on page 24 of the bill reads:

None of the funds contained in this Act shall be used to perform abortions except where the life of the mother would be endangered if the fetus were carried to term.

The word "Federal" that was in the vetoed bill and was the source of the President's objections has been deleted. That is the only substantive change from the vetoed bill, H.R. 2699.

There are two other changes and they are technical in nature—they do not change the total appropriations provided in the bill.

The first concerns the amount to be transferred to the D.C. Public Schools Foundation within the public education appropriation to be matched with private contributions—the amount has been increased by \$100,000. That is on page 12, line 14 of the bill.

The second technical change inserts a new section on page 40 of the bill (section 203) that makes the fiscal year 1991 supplemental funds and authority in the title II effective in fiscal year 1991. This language is necessary to preclude any potential antideficiency problem which might occur if this bill is signed after September 30.

All other funding, general provisions, and legislative provisions in H.R. 3291 are retained and are identical to the vetoed bill, H.R. 2699.

Mr. Speaker, let me emphasize that the total funding in this bill is exactly the same as in H.R. 2699.

We on the committee are well aware of the District government's continuing needs for office space for the various programs and services it provides to District residents. The historic District Building serves as City Hall with offices for the Mayor and the Council as well as other administration officials. That building has to be vacated because of ongoing construction to complete the Federal Triangle. We encourage the District to acquire permanent space to house its agencies thereby reducing its rental costs for office space. And let me note at this point, Mr. Speaker, that there were no funds earmarked in H.R. 2699 and there are no funds earmarked in this bill (H.R. 3291) to cover the costs of the current lease of the 800 North Capitol Street property.

Mr. Speaker, the drug and related crime problems that are pervasive throughout the Nation are taking their toll on our communities. And this District is experiencing those same drug and crime problems, but the battle by our citizens and our communities will not be lost. And we are confident that the Mayor's efforts to downsize the District government and reduce the number of personnel will not impact the Metropolitan Police Department and the public safety of the residents and visitors to our Nation's Capital.

Let me point out that there is no separate report accompanying H.R. 3291. Therefore, the executive branch and the District government are directed in their administration of H.R. 3291, to follow precisely the reports of the House and Senate Committees on Appropriations and the joint committee on conference as well as related floor debates on the previous bill (H.R. 2699). I am referring specifically to House Reports 102-120 and 102-181 and Senate Report 102-105. The three exceptions to this directive relate to the changes I discussed a moment ago.

Mr. Speaker, I urge my colleagues to vote "aye" on this bill.

Mr. Speaker, I reserve the balance of my time.

Mr. GALLO. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of H.R. 3291.

The chairman of our subcommittee, Mr. DIXON, has provided a full explanation of this bill.

This bill contains only one major change from the original D.C. appropriations bill that was approved by Congress before the August recess.

As expected, the President objected to the original bill on the issue of abortion. As requested, this bill now restricts all moneys in this bill, Federal and local D.C. tax dollars, from being used for abortions except in the case of the life of the mother.

While I strongly disagree with restricting the way the District can use its own moneys, I am prepared to support this new bill because our first responsibility is to approve the D.C. budget and to provide the Federal payment in a timely fashion.

With this change, I am assured that the President will sign this bill and it can be finalized before the beginning of the new fiscal year.

Again, I thank the gentleman from California for bringing this matter back to the House quickly and I urge my colleagues to support this bill and move the process forward.

Ms. NORTON. Mr. Speaker, we are grateful for the strong support the District of Columbia appropriation has received from both the Congress and the administration. At the same time we must express our profound opposition to the use of the veto in violation of democratic principles of self rule and in derogation of the Congress does not have the super-majority to override such a clearly unsupportable veto.

A decisive majority of Americans support a woman's reproductive right to choose. Yet, I would be the first to acknowledge that this is a contentious issue. Particularly in light of this division, this appropriation is not an appropriate basis for a veto, requiring in turn a super-majority when such a large proportion does in fact endorse a right.

Nevertheless, I have had to concur with the wise counsel and decision of the chairman of the D.C. Appropriations Committee, who has fought so valiantly for this right over the years, that our colleagues should not be summoned to try to override this veto again this year, when we have counted the votes and know that they are not there. I concur especially because my colleagues have been so generous in the past repeatedly engaging in veto exercises on this issue in our behalf, always to no avail. It cannot be long, however, before the manifest will of the people does in fact prevail. I hope that by next year we can gather the forces and finally allow the exercise of this basic right in the District of Columbia as it is now exercised in other parts of our country.

The constitutional fate of a woman's right to choose remains in doubt, and that is, of course, one of the main reasons for concern about the nomination of Judge Clarence Thomas, in hearings at this moment. The Supreme Court has at least left this matter in the discretion of democratic majorities in the various jurisdictions. Thus, a kind of truce has been called until this matter of right can be settled as a constitutional matter by the Supreme Court. Each jurisdiction is allowed to decide for itself so long as it does not offend the constitutional restrictions that remain.

Mr. Speaker, as Americans, the residents of the District of Columbia are surely justified in feeling entitled to all that other Americans expect and enjoy. It is manifestly undemocratic to deny to District residents a right available to others only because they happen to live in the Capital City. The denial is all the more offensive because it is a class-based denial.

Mr. Speaker, I can get an abortion in the District of Columbia. My colleagues in Congress can get an abortion in the District of Columbia. My former colleagues at the George-

town University Law Center can get an abortion in the District of Columbia. Most Washingtonians can get an abortion in the District of Columbia. Only those too poor to afford an abortion are denied.

I rise therefore, Mr. Speaker, in behalf of those women and girls whose right to reproductive choice has been conditioned on income. During the recess, in their behalf, I wrote a letter to President Bush, which I am submitting for the RECORD. I indicated to the President that we in the District strongly prefer and indeed make available options to abortion. I appreciate that the President considered my letter, but he remains intransigent and we in the District continue to be barred from spending our own funds—the 75 percent of our budget raised from local sources—for abortions for poor women.

The Congress must one day express the unmistakable will of the American people and override vetoes of pro-choice legislation. The D.C. appropriation is surely the place to make a stand. Here one can stand for democracy in two ways. The first is the democratic right to make the most fundamental of decisions. That, of course, is the right of a woman in any country that calls itself a democracy to decide reproductive matters for herself. The second is the democratic right of self rule that Congress itself granted the District and President Nixon signed in 1973. Once given, this right should not be countermanded by vetoes on issues where there are Presidential preferences not endorsed by the majority of District residents.

HOUSE OF REPRESENTATIVES,
Washington, DC, August 9, 1991.

President GEORGE BUSH,
The White House,
Washington, DC.

DEAR MR. PRESIDENT: First, I want to express my deep appreciation for your assistance to the District of Columbia over the past several months. I especially appreciated your help last week when a problem developed in the Senate with the federal payment formula bill, a vital part of the package necessary for fiscal reform in the District of Columbia.

I write now to ask for your help again, this time to allow our appropriation as passed by the House and Senate to become law. I understand and respect your feelings concerning abortion. The residents of the District feel strongly that this is a matter between a woman, her physician, and, for some, a religious counselor. Therefore, the District is seeking the local option that other jurisdictions now have under the Supreme Court decision in *Webster v. Reproductive Health Services*, an approach that we believe is consistent with the position of your administration.

The *Webster* decision leaves the matter to be decided by each of the 50 states and the District of Columbia. The District alone has been denied the option of spending funds raised exclusively from its own sources to finance abortions for poor women. The restriction has had a serious impact here, where there is both a severe AIDS crisis and a severe drug crisis affecting these and other poor women. District residents believe that so serious a decision should not be contingent upon income.

We in the District strongly prefer options other than abortion, and there are many programs in the District that make other options available. We ask only that the residents of this city, consistent with the rights

granted other Americans, be allowed to aid poor women in appropriate circumstances.

Sincerely,

ELEANOR HOLMES NORTON.

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

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

The SPEAKER pro tempore. Pursuant to the order of the House of Wednesday, September 11, 1991, the previous question is ordered.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

□ 1330

GENERAL LEAVE

Mr. DIXON. 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 H.R. 3291.

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

There was no objection.

RESPECT WORKERS AROUND THE GLOBE

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

Mr. GEJDENSON. Mr. Speaker, the television show "60 Minutes" showed us slave laborers in China; people who, as one Chinese official said, were beaten if they did not keep up the quality of their goods.

The Bush administration, of course, is not ready to do anything about that. But it should not be a surprise, because the Bush administration will not do anything about the unemployed workers who have lost their jobs because they are out there competing with slave and prison laborers in China.

We want to extend unemployment comp. The Bush administration opposes that. The Bush administration will not do anything about the heroes of Tiananmen Square sitting in jails manufacturing the goods that American consumers buy to fund the oppressive regime in China.

Mr. Speaker, we need to have a domestic policy and a foreign policy that reflects American workers and all workers around the globe.

PROVIDING FOR CONSIDERATION OF H.R. 3040 UNEMPLOYMENT IN- SURANCE REFORM ACT OF 1991

Mr. BONIOR. Mr. Speaker, by direction of the Committee on Rules, I call

up House Resolution 221 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 221

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 1(b) of rule XXIII, declare the House resolved into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 3040) to provide a program of Federal supplemental compensation, and for other purposes, and the first reading of the bill shall be dispensed with. After general debate, which shall be confined to the bill and which shall not exceed one hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Ways and Means, the bill shall be considered for amendment under the five-minute rule. It shall be in order to consider the amendment in the nature of a substitute recommended by the Committee on Ways and Means now printed in the bill as an original bill for the purpose of amendment under the five-minute rule, said substitute shall be considered as having been read, and all points of order against said substitute are hereby waived. No amendment to said substitute shall be in order except the amendments printed in the report of the Committee on Rules accompanying this resolution. Said amendments shall be considered in the order and manner specified in the report, shall be considered as having been read when offered, and shall be debatable for the period specified in the report, equally divided and controlled by the proponent and a Member opposed thereto. Said amendments shall not be subject to amendment. It shall be in order to consider en bloc the amendments numbered 1 in the report of the Committee on Rules and said amendments shall not be subject to a demand for a division of the question in the House or in the Committee of the Whole. All points of order against the amendments printed in the report are hereby waived. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House, and any Member may demand a separate vote on any amendment adopted in the Committee of the Whole to the bill or to the committee amendment in the nature of a substitute. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

The SPEAKER pro tempore. The gentleman from Michigan [Mr. BONIOR] is recognized for 1 hour.

Mr. BONIOR. Mr. Speaker, for purposes of debate only, I yield the customary 30 minutes to the gentleman from New York [Mr. SOLOMON], pending which I yield myself such time as I may consume.

Mr. Speaker, during consideration of this resolution, all time yielded is for purposes of debate only.

Mr. Speaker, today we address an emergency for the American people. The Secretary of the Treasury said recently that this recession that we are in is "no big deal." That is what he said, it is no big deal.

Mr. Speaker, the fact is we are in a deep and prolonged recession. Over the last 24 months it has cost us 700,000

jobs. Three hundred fifty thousand workers ran out of unemployment benefits in July. That is a record. They join 1.8 million others who have exhausted their benefits since January.

Mr. Speaker, that is only part of the story. As someone once said, statistics do not bleed. So let me, if I could, try to construct for Members and the American people the agony, the true agony and misery that people suffer who are robbed of the dignity of work.

Imagine for a moment that you have worked all of your life. One day the boss calls you in, if you are lucky enough to have the boss call you in, and says, "You are out of a job."

It is not your fault. As the personnel people would say, maybe the company is shrinking the workforce. Maybe the plant is closing. Maybe it is moving to Taiwan or Mexico. So you have a last awkward lunch with the coworkers who are lucky enough to stay.

Suddenly you wake up and you have no place to go in the morning. There is no place to go, so you have an extra cup of coffee. You call everyone you know. You answer every ad. But day after agonizing day, nothing works. Nothing works.

Then panic sets in. How can you pay for the mortgage, put food on the table, put aside that 50 bucks a month that you are setting aside for your kid's college education, his tuition? Or, God forbid, if you are 1 of the 24 million Americans who have worked and know the pain of not being able to provide health insurance for yourself or your family, the agony of knowing that you might not be able to take care of your children, take them to the doctor when they need it?

There are millions of people out there that feel that pressure, day after day after day. Mr. Speaker, at this very moment, that is what life is like for them.

No big deal? It is a big deal. It is a big deal if you have been laid off, or even if you think you are going to get a pink slip. And it is a particularly big deal if you have been out of work for more than 26 weeks and you have exhausted your benefits. It is a damn big deal. It is a miserable big deal.

Mr. Speaker, that is why last summer, before we left, Congress passed a bill extending unemployment benefits. We called on the President. We said, Mr. President, it is important. We have people in this country who need your help. We have passed a bill. Trigger the benefits for these people. Release the funds to help them, the insurance funds that they have been putting aside for this day, which we all dread, which we did not want to happen, but which is here, and which the worker and the employer put aside.

We have got this pot of money, over \$8 billion, to take care of this need for these people.

How could the President refuse? He declared an emergency for the Kurds,

he declared an emergency to help the Turks, he declared an emergency to help the people of Bangladesh. Would he not do the same to help Americans take care of their own?

Mr. Speaker, this was not a partisan vote. Not at all. One hundred eighteen Republican Members stood with us, Members from States like New York, like California, like Georgia, joined in with the Democrats.

But the President chose to turn his back. I do not know why he did. Maybe he was persuaded by Mr. Darman, who said extended unemployment benefits only encourage people to stay unemployed.

□ 1340

How cynical. How callous. But whatever the reason, now we have the chance to put it to the President again and to do it right.

I have debated the other side before. Last week, in fact, I debated the distinguished minority whip on TV, and I know what the other side is going to say. They will say, "It is too bad about these people, but we really need to look at the long-term view. We need economic growth."

I agree; I cannot agree more. I am glad to see them finally agreeing with us. After 11 years of Republican administrations, America's productivity is abysmal. Our savings rate is at the bottom. We have rolled up so much debt, it takes all the income taxes of people west of the Mississippi to pay the interest on the debt.

United States expansion during the first 3 years of this administration was the slowest, the slowest since the Second World War. From the first quarter 1989 to the first quarter 1991, it was 0.7 percent. How does that compare?

Germany grew 11 percent, 11 percent as fast as we did. Japan grew 17 times as fast. Of course, we need economic growth, but the way to do that is to have middle-income tax cuts.

Democrats want to stimulate the economy by putting more money back in the pockets of the middle class. That is not how the other side sees it. They trotted out the oldest and most outdated play in their play books, capital gains, yet another tax break for the richest 1 percent, yet another tax break for a group that has gotten over \$1 trillion in tax breaks over the last decade.

Mr. Speaker, the middle class need the money, not the Trumps, not the Lorenzos. We do not want to give money to the rich, hoping that it will trickle down. We say give money back to that much squeezed middle class and let it bubble up and let us get this economy moving again.

Before we do anything, Mr. Speaker, let us help those who through no fault of their own have no income now for their families, cannot pay their bills, cannot pay their rent, cannot pay their

mortgage, cannot feed and clothe their kids, cannot provide for the education that is necessary for the future of their family, who have been robbed of their dignity by an administration that says, "It is no big deal that we have this recession," or an administration that says, "You know, you give these people extended unemployment benefits and that just encourages them to stay on unemployment."

We not only know what the other side will say, but we know what they are going to do, and it is the most cynical of tactics on the most delicate of issues. Parliamentary tricks, filibusters, delays, anything to keep this bill away from the President. They are going to want to wait us out, but the American people, Mr. Speaker, cannot wait. They cannot wait.

Mr. Speaker, I urge my colleagues to support this rule, support the previous question on the rule. To those who think this can wait, I say, come out of your air-conditioned offices. Skip one three-martini lunch and come watch the long lines that gather whenever jobs are advertised. See how desperately people want to work in America. We do not have to go any further than Silver Spring, right out here in Maryland. A church there put up an ad in the paper for a janitor last August. Three hundred, fifty people applied in Silver Spring.

To those who say, "No, we have to save our emergencies for the Kurds and for the Turks this week; the people in the Baltic States, save our emergencies for them," I say it is time to help the people right here in the United States.

To those on the other side of the aisle who joined us last summer, I say nothing has changed. It has gotten worse, in fact. The unemployment data is worse.

Look at your States; look at your districts. Can Members go back, after having cast that vote, and explain why they are going to turn their back on these people today? Nothing has changed. It has gotten worse in many respects. It was an emergency then. It is even more of an emergency now.

I ask my colleagues, join us, join us in helping people in our home States and in our districts.

Mr. Speaker, I urge my colleagues, do not turn your backs on hardworking Americans who need help. Do not sacrifice those who built America on the phoney altar of capital gains. Support this legislation. Support these Americans who want nothing more than a job, the dignity of work, and the ability to help their families.

Mr. Speaker, House Resolution 221 provides for the consideration of H.R. 3040, a bill concerning Federal supplemental unemployment benefits. The rule provides 1 hour of general debate, and makes in order a Ways and Means Committee amendment in the nature of a substitute now printed in the bill

as an original bill for the purpose of amendment. All points of order against the substitute are waived.

The rule makes in order only the amendments printed in the report to accompany the resolution. These amendments shall be considered in the order and manner specified; shall be debatable for the period specified in the report, and are not subject to amendment. The rule waives all points of order against these amendments.

The rule makes in order an amendment by Chairman ROSTENKOWSKI to delete provisions of the bill relating to optional benefits for certain school employees. This amendment shall be debatable for 10 minutes.

The rule also makes in order an amendment by Representative PAT WILLIAMS, which shall be debatable for 20 minutes, concerning the extension of railroad unemployment insurance benefits.

Finally, the rule makes in order an amendment by Chairman ROSTENKOWSKI relating to the financing of the extension of unemployment benefits.

The rule makes in order one motion to recommit with or without instructions.

Mr. Speaker, I urge my colleagues to support the rule so that we can move quickly to consider this important legislation.

Mr. Speaker, I reserve the balance of my time.

Mr. SOLOMON. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, the gentleman from Michigan [Mr. BONIOR] in between some of his political rhetoric, has adequately explained the technicalities of this rule, and I will not bother repeating them.

I might make just one observation. When the gentleman mentioned the two-martini lunches and air-conditioned offices and wishing that people were over here on the floor, maybe he had forgotten another group of—what is it?—country club liberals. Maybe that group ought to be here on the floor right now, too, participating in this debate.

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

Mr. SOLOMON. I yield to the gentleman from Michigan.

Mr. BONIOR. Mr. Speaker, I do not know any liberals who can afford to join a country club.

Mr. SOLOMON. Mr. Speaker, I would like to know where they are today.

For my colleagues who may have voted against last year's Deficit Reduction Act because they had no faith that Congress would abide by it, and I am one of those Members, or even if they are one of those Members who did vote for it, I think they ought to be totally outraged at the bill that is here before us.

The unemployment insurance bill before us today totally disregards the

budget agreement. The gag rule we are about to vote on legalizes a breach of faith with the American people by waiving the Budget Act and increasing the \$360 billion annual deficit, an annual fiscal deficit that is bigger than the entire defense budget. We are going to waive the Budget Act that all of us swore we would live up to and abide by.

We are going to waive it and increase the deficit by another \$6 billion within the next 20 minutes or so.

Mr. Speaker, under this, what I would classify as a hypocritical, unfair gag rule, only three amendments are made in order. All points of order are waived against all three amendments as well as the basic text of the bill itself. All three amendments are sponsored by Democrats, notwithstanding requests before the Committee on Rules by four Republicans to have their amendments made in order as well.

Mr. Speaker, one of those amendments made in order is by the gentleman from Montana [Mr. WILLIAMS]. It would bring railroad workers under the coverage of the bill. Mr. Speaker, the Committee on Rules chose to make this amendment in order, even though it is not germane and is within the jurisdiction of the Committee on Energy and Commerce. It has not been the subject of hearings and has not received clearances from the ranking Republican on that committee. And for the first time railroad workers are going to be brought under this program. How that clouds their other benefits, I do not know. But if I were a railroad worker, I would be very much concerned at what is about to happen here today.

Finally, Mr. Speaker, the rule makes in order an amendment by the chairman of the Committee on Ways and Means on his own behalf, and that is to increase the payroll tax receipts to fund this program.

Mr. Speaker, while I cannot vote for that amendment because it increases taxes, I do commend the chairman of the Committee on Ways and Means for at least trying to comply with the budget agreement signed into law last fall. I commend the gentleman from Illinois [Mr. ROSTENKOWSKI] for at least sticking to his guns.

□ 1350

As Members are aware, the committee substitute breaks the budget agreement by not complying with the pay-go requirements, and instead designates the extended benefits program as an emergency.

Mr. Speaker, the mandatory emergency designation is in and of itself a violation of the budget agreement, which provides that only the President may declare an emergency, with the concurrence of the U.S. Congress. We are busting that agreement completely.

Mr. Speaker, I think the mandatory emergency designation is, without question, legally suspect since it conceivably, and highly likely, could be enacted into law over the President's veto, thereby circumventing the Presidential designation required by the Deficit Reduction Act that we all swore to uphold.

But even if we put aside the legal problems of the bill, it is clear that the committee substitute blatantly violates the spirit of the budget agreement, and there is not a man or a woman on this floor who can deny that. We heard eloquent testimony in the Rules Committee to that effect, from both the chairman of the Ways and Means Committee, a Democrat, and the Budget Committee chairman, a Democrat, and the Budget Committee's ranking Republican. In fact, the ranking Republican on the Budget Committee, the gentleman from Ohio [Mr. GRADISON], asked us to make in order his amendment to strike the mandatory emergency designation as well as the CBO-directed scorekeeping provisions of title V. But our attempt to make that in order failed on a partyline vote. That is cooperation?

We also failed on a partyline vote to have three other Republican amendments made in order. First, an economic growth package of tax incentives offered by our distinguished Republican whip, the gentleman from Georgia [Mr. GINGRICH]. Among other things, the amendment would, and I wish Members would listen to this in their offices or out on the country club links, wherever they are, reduce the capital gains tax rate and index it to inflation. It would provide for enterprise zones, something the Members on the other side of the aisle want, but are being denied here today. It would permanently extend the R&D tax credits for research and development. It would establish an IRA-plus program. It would provide a first time home owner's tax credit. It would establish penalty-free IRA-plus withdrawals for home purchases, higher education, and health costs. And it would reduce the Social Security penalty on the working elderly. My God, is that needed here today.

In short, Mr. Speaker, the economic growth package is aimed at creating jobs and stimulating the economy. Yet, not only did the Rules Committee majority deny our Republican whip that opportunity to offer his package as a substitute, it even denied a second motion to allow him to add it as an amendment to the committee measure.

Mr. Speaker, the committee also denied my amendment which would have repealed the recreational boat fee, which is a regressive and unjustified tax on lower- and middle-income Americans. And it also rejected my motion to make in order the amendment by the gentleman from Texas [Mr. ARMEY]

to repeal the luxury taxes that are throwing thousands and thousands of Americans out of work in the boat and aircraft industries today.

Mr. Speaker, why did the Rules Committee reject all of these worthwhile amendments, denying us a debate on the floor of this House? The only reason we were given is that they were not germane.

Think about that for a minute, you Members who want to be fair. Here we have a rule that waives all points of order, including germaneness and Budget-Act points of order against the committee substitute, the bill, and three other Democrat amendments. It waives that germaneness entirely, and yet four requested Republican amendments were denied because they were not germane. Members of Congress, what kind of hypocrisy is that, especially when considering the fact that the underlying committee substitute totally violates the budget agreement?

Mr. Speaker, pay as you go just got up and left, thanks to the Democrats in this House. And yet, they turn around and they chastise Republicans for running afoul of the germaneness rule. That is a little like an arsonist criticizing a backyard barbecue chef for smoking up the neighborhood. Actually, that analogy is not too far off when we think about it. The Democrats' attitude toward the budget agreement seems to be if you cannot stand the heat, burn down the kitchen. And they have certainly put the torch to that document called the budget agreement.

In conclusion, Mr. Speaker, you can tell I am obviously fed up with this kind of double standard that says it is OK to waive all points of order against all Democrat amendments, but it is not OK to accord the same treatment to even one of the Republican amendments.

The issue before the Rules Committee should not have been whether to favor or oppose the amendments on their merits, but rather whether or not the House should have a chance to work its will on these amendments. Yet the attitude of the Rules Committee majority in such cases seems to be that it will decide for the House what is good for them. Our judgment is better than theirs. We will protect the House from itself.

Brother, what a democracy.

My colleagues, that is not my idea of democracy. That is an oligarchy where the few decide for the many, and it is dead wrong; it is a shame that it takes place in this body.

But we do have one last chance in this House today to reverse that decision and to say yes, we at least want to consider one further amendment in addition to the four Democratic amendments. We can vote down the previous question on this rule and amend it to make in order H.R. 3130. I would like all Members back in their offices to get

that bill, the Economic Growth Act of 1991. We would like to make it available as an additional title to the committee bill. And keep this in mind: It keeps in place the entire Democratic unemployment extended benefits bill, but it also creates 1 million new jobs so that many of the current unemployed will not have to use those extended benefits.

Members, this is your chance, maybe your last chance, to vote on an economic growth package that puts America back to work by creating jobs in the private sector. We have been assured by the Parliamentarian's office that such an amendment to the rule is germane because the Rules Committee already waives all points of order against the four amendments and the bill itself now under this rule.

So I urge my colleagues to vote down the previous question, and in so doing strike a blow for economic growth through tax incentives that will help create tens of thousands of new jobs for the good of the country.

Mr. Speaker, I reserve the balance of my time.

Mr. BONIOR. Mr. Speaker, I yield 5 minutes to the distinguished gentleman from Massachusetts [Mr. MOAKLEY], chairman of the Committee on Rules.

Mr. MOAKLEY. Mr. Speaker, I thank the gentleman for yielding time to me.

Mr. Speaker, 8½ million Americans are looking for work. More than a million have been out of work for longer than 6 months. And each and every month, more than 300,000 Americans exhaust their benefits before they can find new jobs.

Middle-class workers who exhaust their benefits have special difficulty finding new jobs; more than 60 percent had not found work 10 weeks after their benefits ended. These families are in grave danger of slipping into poverty.

In July, the largest number of workers in any month on record—and monthly records have been kept for 40 years—exhausted their unemployment benefits. And record numbers are not eligible for extended unemployment aid.

These people have slipped out of the work force. Now we are letting them fall through the safety net.

At this pace, Mr. Speaker, more unemployed will be without assistance in 1991 than in any year since the Unemployment Insurance Program was established. Even measured as a percentage of the overall labor force, the number of Americans who exhaust their benefits is at a record high.

Strangely enough, at the same time we are refusing to provide extended benefits, the unemployment trust fund has built up an \$8 billion surplus.

Why are record numbers exhausting their benefits? Not because they are being pushed out of the labor force by new entrants. Baby boomers have al-

ready been absorbed, and the shock of large numbers of women, teenagers, and immigrants entering, as in the seventies and eighties, is over. The startling fact is, in the nineties, the labor force just is not growing.

The record numbers are not explained by the depth of this recession. All recessions, even relatively mild ones, are frightening and tragic for those who suffer.

Still, this recession is no worse than the recessions of the seventies and early eighties. So, why the record numbers? The problem is with our extended benefits program itself. In 1971, 1974, 1975, 1977, 1982, 1983, and 1984, at least we enacted temporary measures to supplement the existing extended benefits program.

Mr. Speaker, the truth is, even these temporary measures are not enough. The Federal eligibility requirements themselves need to be reformed. The unemployment rate in Massachusetts in July was 9.1 percent; in August, it was 9.2 percent—well above the national average. If you live in Massachusetts, however, you're not eligible for extended benefits.

In Michigan, the rate is 9.1 percent; Florida, New York, and California are also all well above the national average but none of those States qualify for extended benefits. Only Rhode Island and Puerto Rico now meet Federal requirements for extended benefits. Mr. Speaker, more than 95 percent of those who exhaust their regular benefits are not eligible for extended benefits.

None of these numbers, of course, can express the human side, the suffering, the desperate need, the dislocation, the slow grinding down of the spirit associated with long-term unemployment. But the numbers do tell us we must act and we must act now.

Mr. Speaker, a temporary extension of unemployment benefits was enacted in August; however, the benefits were contingent on the President declaring the spending as an emergency.

Early in August, President Bush said he did not consider this an emergency. Funds were not released.

Mr. Speaker, now is the time. Let us move the previous question, adopt the rule, and move the bill.

□ 1400

Mr. SOLOMON. Mr. Speaker, I yield 5 minutes to the gentleman from Georgia [Mr. GINGRICH], the distinguished Republican whip.

Mr. GINGRICH. Mr. Speaker, I thank the gentleman for yielding me this time.

Mr. Speaker, I have to say I rise today with a little bit of sadness. We had a very good colloquy, I thought, in the Committee on Rules the other day about the idea that possibly if the Democratic leadership found it too large a risk to replace the unemployment bill with an employment bill that

they might make in order as an amendment our Economic Growth Act, and I thought that offering it as an amendment would be particularly appropriate, because even under the Democratic leadership's unemployment plan, the money runs out.

The question we are addressing is: How do we create jobs so that when the money runs out there is a job? Simply extending unemployment without creating employment misses the underlying problem. The underlying problem in America is we are still in a recession. The underlying problem in America is we are not creating enough jobs. The problem is not getting another government check to tide us over if there is not going to be a job at the end of the unemployment period. The problem is: How do we create employment so people can find work so that they can have a better job so that they do not need unemployment?

I was willing to accept, as I said in the Committee on Rules the other day, I was willing to accept the premise that the Democratic leadership wants an immediate short-term extension of unemployment, and if they could have accepted it as an amendment, creating jobs, 1,100,000 new jobs, creating 220,000 additional home sales, allowing senior citizens an additional \$8,000 in income without penalty by Social Security, if they could have accepted those kinds of positive changes so that at the end of their short-term extension we would then have been in a position to have real jobs and to be out of the recession that I, frankly, could have found it in my heart at that point to join with them to pass an employment bill that also has unemployment compensation.

But to simply pass an unemployment compensation extension with no hope, no plan, no program to create new jobs and get out of the recession, we will be back here at the same stand in 15 weeks trying to extend it again, and I just wanted to say to my friends that I think when I am told, as I have been, that this is not the right time, that it is never the right time, that it is a cruel game to play these things.

You know, it is not the right time now, because the committee has not reported. The committee, of course, will refuse to hold hearings, and they will refuse to report the bill, and then we will be told later that we do not have an agenda because we do not have something to bring to the floor, because the committee did not report it, so the Committee on Rules cannot offer a rule, and then we will be told, "Gee, I am sorry, it is never quite the right time, but life is like that."

The losers in this are not the Republicans. The losers are the young couple out there who want to buy a new home who would get a tax credit on their downpayment if the Economic Growth Act passed. The loser is the senior citizen who is 65 years old who wants to

keep working who would have 8,000 additional dollars if only the Economic Growth Act could pass. The loser is the family whose mother or father has lost a job, the family that wants more than another government check, a family that wants a job. We can say, "Well, we will get around to it later," but I was astonished; I was going back and rereading some of the great speeches of Hubert Humphrey, maybe the most passionate advocate of the unemployed in modern American politics, and I think for him to be told that his party is now saying that we will get around to helping the unemployed later by trying to create jobs, we will get around to helping the working poor buy a home later, we will get around to helping the senior citizens later, I think he would have said it is not good enough.

I want to ask my colleagues on both sides of the aisle that if you will help us defeat the previous question, then the gentleman from New York [Mr. SOLOMON] can offer an amendment to the rule that will make in order the Economic Growth Act, and together we can try to help the country create 1,100,000 new jobs, we can try to help the country have 220,000 new couples buy a house, we can try to help the country so that the senior citizens can work without the kind of Social Security costs that they have today, and all we are asking is a chance to bring it to the floor to debate it, to let people decide whether we need an employment bill, not just an unemployment bill.

Mr. BONIOR. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I would like to respond just for a second to my friend from Georgia. The package of the gentleman from Georgia has much in it that is quite attractive. I mentioned to him in the Committee on Rules, and I will tell my colleagues today on the floor, that we need to get this economy moving again and growing again.

The way to do it, though, is not with one of his features, which is the capital gains tax cut, which benefits the top 5 percent. They have done very well over this last decade.

The way to do it is to cut taxes for middle-income people that have been squeezed on every front. They have been squeezed out of jobs and now they want to squeeze them out of benefits.

I would say to my friend from Georgia that we will get on with the task, and by the way, the gentleman's bill was introduced 4 days before he came to the Committee on Rules, legislative days.

Now, let me point one other thing out. The gentleman's State of Georgia has an unemployment rate where tens of thousands of people are out of work, and the percent of growth in those who exhausted unemployment benefits in the first 7 months of 1991, versus the first 7 months in 1990, is 151 percent.

The people are dropping off the benefit rolls at an alarming rate in the State of Georgia with nothing to support them, their families, putting food on their table, having hope and faith for the future and education of their children, being able to take care of their medical needs, at a rate of 151 percent over a year ago.

It would seem to me that we, as a Congress, could initially address this drastic and terrible problem of people not having enough to take care of their families.

The growth issue we both agree on, and we will have that debate, and we will have it soon on the House floor, because this administration has had the worst growth record in the first 3 years of an administration since the Second World War.

But, for God's sake, let us take care of those people who have nothing, who have to get by day by day to feed their families, to provide education, provide health care.

It seems to me that if we can take care of an emergency situation for people around the world, we can take care of our own.

So I would ask him to join us today, have him persuade in his articulate and persuasive fashion, and capable fashion, his other colleagues in the Republican Party to join us today to take care of these people, and then we will come back soon and deal with the growth issue, because God knows we need growth to get this economy moving again.

Mr. Speaker, I yield 4½ minutes to the gentleman from Missouri [Mr. GEPHARDT], the distinguished majority leader.

Mr. GEPHARDT. Mr. Speaker, I thank the gentleman for yielding me this time.

Mr. Speaker, I, too, would like to respond briefly to the gentleman from Georgia and say that there was one statement he made that I cannot let go by, and that is that somehow we are asking today for Government checks for people who have lost their jobs. It is not a Government check when someone pays premiums into an insurance fund with their employers to take care of the event of unemployment.

I think it is vital and important, as the majority whip has said, that we address this question of unemployment today.

□ 1410

This is not welfare. This is insurance, and in every other recession that we had since World War II, by this time in the recession we had considered and usually passed a bill to extend unemployment benefits.

The gentleman from Georgia is correct in wanting us to have a debate in this House about the future of the American economy, about what we should be doing now to make sure that

there is growth in our economy. I welcome that debate. The majority whip welcomes that debate. I think Members on both sides are waiting to have that debate and we will have it, hopefully, this year. I think we should, because one of the reasons we are here today talking about unemployment benefits is because of the Republican economic policies we have been following over the past 10 or 12 years. By design of the supply siders, Americans are paying more in taxes, receiving fewer Government benefits, and experiencing stagnant or dropping incomes. Growth in America is anemic. As the gentleman knows, it lags behind Germany, France, Japan, Italy, and Holland.

Every President of the post-war era achieved higher levels of economic growth than occurred under President Bush. Civilian employment has actually dropped by 300,000 jobs since the President took office. This record stands in stark contrast to the policy made at the Republican Convention in August 1988, and in accepting the nomination of his party he said and he promised that there would be 30 million new jobs created over the term of his Presidency. Obviously, these figures have a long way to go.

The Republicans now hope to end the latest recession by, yes, again the idea of cutting the capital gains rate for the rich. The Republican former chairman of the Council of Economic Advisers, Herb Stein, assessed trickle-down economics in the Washington Post yesterday, and he calculated that a 1-percent increase in the incomes of the rich would trickle down to us, but he said it would take 58 years.

I do not know about you, but if I were unemployed, I would want assistance from my Government in the form of insurance that I paid for, not in the year 2049, but in 1991.

So the issue before us today is are we going to extend unemployment benefits for people who have paid into the insurance fund, which has \$8 or \$9 billion sitting in it, or will we simply sit here as the President said we should do in August and show concern for people, but not quite bring ourselves to let the benefits they paid for flow.

I think it is time to do the right thing. I agree with the gentleman from Georgia. We need a debate about how we get this country out of this economic circumstance, and we will have that debate this year; but the issue for today and tomorrow is what should we as a country do now to help people who need help now, people who have paid their premiums to the insurance fund, people who every time in the last 45 years when they have been employed have gotten extended benefits and are looking to us in the House of Representatives today to do the right thing and let the benefits they have paid for flow.

Mr. SOLOMON. Mr. Speaker, in recognizing the next speaker, let me just say that the gentleman from Michigan [Mr. BONIOR] and the gentleman from Missouri [Mr. GEPHARDT] both promise a bill dealing with economic growth and a tax-the-rich scheme. The trouble is, that bill will be a political document brought to this forum under the same form this one is, a closed rule allowing no Republican input.

Mr. Speaker, I yield 7 minutes to the gentleman from Texas [Mr. ARMEY].

Mr. ARMEY. Mr. Speaker, I thank the gentleman for yielding me this time.

Mr. Speaker, before I begin my remarks, I am happy to yield to my good friend, the gentleman from Georgia [Mr. GINGRICH].

Mr. GINGRICH. Mr. Speaker, I thank my friend for yielding to me, and since both Members of the Democratic leadership who just both mentioned my name, let me just say it seems to me they cannot come to grips with certain facts.

First, the Democratic leadership killed President Bush's economic proposals in 1989 and 1990, and then they seek to blame the President for the recession that their legislative action created.

Second, when the Democratic leadership has a bill it wants, it gets it to the floor within a few days with or without committee action, so whether or not this bill is 4 legislative days or over would be immaterial if the Democratic leadership wanted it to come to the floor.

Third, the Economic Growth Act is not merely a capital gains bill. It includes a tax credit for the working poor to be able to buy a home, an IRA program for every American, a penalty-free IRA withdrawal for housing, education and health, as well as for retirement. It allows parents and grandparents to withdraw from their IRA to loan to their children and grandchildren to buy a home. It raises the Social Security earnings limit and it has an economic growth dividend that says that if the economy grows by more than 3 percent, that all the additional revenue to the Government would go to the taxpayer in the form of an increased personal deduction.

Now, it seems to me that is dramatically more than what was described by the Democratic leadership for it.

We are told that hopefully we will soon have a bill. Well, we have had 2½, almost 3 years now, with the Democratic leadership blocking the President's efforts to create economic growth. Hopefully is not good enough for the people of Georgia.

Last, I would say to my good friend from Michigan, the people of Georgia want a check from a job. The people of Georgia want an employment check, not an unemployment check. I think it is not enough to simply say to them,

"We'll send you the unemployment check now and later on if we get around to it, hopefully we will provide something better."

Mr. ARMEY. Mr. Speaker, let me refocus this debate. This debate is on the rule. A rule is given to us by the Rules Committee and defines which bill will come to the floor and the circumstances under which the bill will come to the floor.

Now, let us be clear about the Rules Committee. The Rules Committee has four minority members on it and it has nine members of the majority Democratic Party. The Democratic Party which likes to posture itself across the Nation as the champion of minority rights has once again demonstrated their commitment to minority rights by allowing a bill to come to the floor written by the majority party and to allow amendments to that bill only if requested by Members of the majority party and to disallow any participation in the process by anybody from the minority party, and they wonder why we are angry.

We are angry because this great party that champions minority rights to participation is concerned about that everywhere but where they work.

The concept of equal rights participation does not apply to them when they are the majority.

Now, what is the bill we are bringing to the floor? It is said that this is a simple extension of extended unemployment benefits. Not so. It is a complete redefinition of the circumstances under which extended benefits can be awarded in a State, a redefinition which we will talk about later, which biases in favor of States that have low-skilled, seasonal unemployment, and against States that have long-term unemployment in skilled continuous employment jobs.

It is a bill that says, "Our response to you if you are thrown out of work in this country is we will spend more tax money to give you more unemployment benefits so you can remain unemployed for a longer period of time."

The minority point of view, expressed by the Republicans, says the legitimate response to the American people should be to enact legislation that reduces the number of people who are unemployed—a whole different idea.

Now, we know that in that ill-fated luxury tax passed in the budget summit agreement at the behest of the majority Democratic Party in their interest to punishing the rich for their success is creating thousands of job losses across the country.

□ 1420

In this year alone we will lose 1,470 jobs in the aircraft industry.

We will lose an additional 330 jobs in the jewelry industry, and over 19,000 jobs in the boating industry.

We had asked the Rules Committee to repeal it. The tax is losing \$5 for

every dollar that it takes in. The Treasury is losing money on it, people are losing their jobs. It is a dumb policy.

And they say no. Instead Mr. ROSTENKOWSKI asked, "Can you give me an opportunity to offer an amendment on the floor to raise taxes on every job in the United States that pays over \$14,000? It failed in my committee. My committee voted it down, but I want to bring it to the floor." And the Rules Committee says, "Of course, since your committee doesn't want this provision in the bill, we will let you take it to the floor to raise taxes."

When you raise taxes on jobs, people will demand fewer of those jobs.

In the State of Michigan, if this tax amendment brought to the floor by Mr. ROSTENKOWSKI is passed, in the State of Michigan you will see 4,146 jobs lost, 230 per congressional district. And then, of course, the congressman from Michigan can go home and ask those unemployed people to thank him for the extended unemployment benefits.

Mr. SOLOMON. Mr. Speaker, I yield 3 minutes to the gentleman from Michigan [Mr. HENRY].

Mr. HENRY. I thank the gentlemen for yielding.

Mr. Speaker, I can only hope that our colleagues are being attentive to this debate. This debate is not just on the issue of an emergency extension of unemployment compensation benefits. This debate is on the issue as to whether or not we are intending to address the root causes of the problems in this economy as well as simply treating its symptoms. Mr. Speaker, I cannot for the life of me understand why the Democratic majority is unwilling to allow the debate to extend to the causes of the problem rather than simply trying to give us a palliative for the effects of the problem. It is not just a debate on extending the benefits. I support extending the benefits. I did so in the previous resolution a month ago. I intend to vote for the resolution, should we or should we not win this point today. But I oppose the previous question because you are not allowing us, not allowing the House, not allowing the American public to have hope that the underlying causes of this economic malaise are going to be addressed. We are talking about, yes, capital gains tax reduction; but the benefit is not just to the rich. Read the entire resolution. There is an economic growth dividend that the growth in the economy as it expands in response to that will be shared in a tax cut to all the American working men and women across this country.

We are talking about targeting those areas in this Nation which right now have the highest levels of unemployment. I cannot speak for all States, but I can speak for mine. Detroit, Flint, Grand Rapids, where our urban cores have higher unemployment than the

altogether too high unemployment in the State. We target those centers and give them a chance with economic enterprise zones to quick-start their local economies.

A permanent extension in research tax credits. The IRA Plus Program. You would think that this was something that fell off the Moon. It is your own Vice Presidential candidate last time around, though I realize that the good Senator thought quite differently than Governor Dukakis about the issue.

Scores of Members in the House and Senate have cosponsored an enhanced IRA, as a way of enhancing capital formation in order to reduce the cost of capital, which is higher in this country than in Germany, reduce the cost of capital, which is higher in this country than in Japan. By the way, reducing capital gains still would not bring us down to the Japanese capital gains tax rate and the German capital gains tax rate.

The first-time home buyer tax credit to stimulate and jump start the housing industry, that is what we are debating. We are debating addressing the root causes of this malaise as well as addressing its symptoms. I oppose the previous question.

Mr. BONIOR. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I am glad we are debating these issues. I would say to my friend, and he is my good friend, from Michigan that many of the things he has mentioned, and the gentleman from Georgia mentioned, and the gentleman from Texas [Mr. ARMEY] has mentioned, I agree with. I agree part of this luxury tax has been a disaster. I agree we ought to be taking care of people who cannot afford to provide—to buy a home for the first time; I agree that we ought to be doing some of these things for our senior citizens in these proposals. I agree with a lot of these things.

I agree on another component that we ought to have, and that is to cut the taxes for middle-income people. But you know from a parliamentary standpoint as well as I that if we put that on the floor, it is going to pass, I have no doubt that that package will pass; and then we would be in a situation with the other body where we will be arguing about the details of major programs for weeks and months. That was a major concern.

In the meantime, in the meantime you have got 10 million people that cannot feed their kids, who cannot deal with their mortgage. Now let us take care of them, and then we will move on to these programs that you talked about, many of which I support.

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

Mr. BONIOR. I yield to the gentleman from Michigan.

Mr. HENRY. I thank the gentleman for yielding.

Mr. Speaker, I say to the gentleman we have been here 9 months debating these issues. We have not had an opportunity to get them to this floor.

Mr. BONIOR. But for 9 months I have been told by this administration, "There is no recession, we are doing just great." Well, we are not doing just great. This economy has grown its worst in 45 years.

Mr. HENRY. For 3 years the administration has pled for these kind of incentives to keep the economy strong. The administration does not have majority control of this House, it does not have majority control of the Senate, and that is why we have this problem today.

The high cost of capital, the high tax on capital, the discouragement to invest, discouragement on research and development. The leadership in this House and the leadership in the Senate has refused to allow full-scale open debate on these issues, and that is what this question is about and that is why we are asking our colleagues to oppose the previous question.

Mr. BONIOR. And the gentleman will have the opportunity to debate that in short order.

Mr. Speaker, I yield 3 minutes to the gentleman from Ohio [Mr. TRAFICANT].

Mr. TRAFICANT. Mr. Speaker, I am glad to see that we are not discussing the Mideast today, we are finally discussing the Midwest. I think it is wise for Congress to start looking at the problems in New York and Los Angeles as we spend too much time on Tokyo and Tel Aviv.

Let me say something: The American people are watching today, specifically the American worker. I will tell you what they are saying. They are saying neither major political party is really doing anything in the Congress. And I today have to agree.

And Congress is not reading the graffiti in the subways or the crime statistics of our streets or the cries of the American worker. Everybody might laugh about the National Organization for Women; they are saying they despair completely. There should be a third major political party. American workers are rising up all over this country wanting the creation of a third political party.

Think about it. The time will come that we will have the third political party because I will tell you like it is; there is not much difference between Republicans and Democrats anymore. Someone show me the difference on trade, someone show me the difference on fast track, on MFN. If you leave it up to Congress, Ma Bell will turn into Taco Bell. The American workers are saying, "What else can you do with foreign aid?" The big debate in the Congress is would we in fact guarantee a \$10 billion loan for Israel now or 3 months from now?

Let me tell you what, folks: When this Congress will allow a President to

declare a budget emergency for everybody, including the House of Ronald McDonald, but will not extend or declare a budget emergency for the sad state of the American workers, then something is very wrong in our country. I am hoping to God that the Democrats come to life.

Where is the trade program stopping illegal trade and fraudulent labels, keeping our American workers on the job? They do not want food stamps, they do not even want extended unemployment benefits. They want a job. But Congress will not deal with those issues. Congress is afraid to deal with those issues. And that is why I predict there will be a third major political party.

□ 1430

In addition, let me say to my colleagues, you all leave here after these great debates and all the rhetoric, and everybody goes home, and everybody thinks they're doing a good job. Let me tell you what about a good job. There are a lot of people who think that doing a good job is like wetting your pants in a dark suit. You get a warm feeling, but nobody notices, and I want to tell you what. The American workers are not noticing that so-called good job you think you're doing.

Mr. Speaker, Congress has more of a feel for the political climate of the Soviet Union than they have for the climate in our own country, and we better start reviewing Los Angeles and New York.

I am for this bill, and I hope to God that the Democrats become Democrats again.

Mr. SOLOMON. Mr. Speaker, I yield 3 minutes to the distinguished gentleman from Pennsylvania [Mr. WALKER].

Mr. WALKER. Mr. Speaker, I thank the gentleman from New York [Mr. SOLOMON] for yielding. I think we ought to realize what is really happening as we deal with this debate. What is really happening is the Democrats over the last 18 months have consciously and knowingly killed economic growth in this country. They did so during the debate last year on the budget when they insisted upon taxes. They knew the economy was weak at this point, but it was still growing, but it was a weakened economy, and yet the only thing they insisted on as a part of the budget deal was that taxes be raised. They said over and over again that they would sign on to no deal that did not include taxes. They said absolutely taxes had to be a part of any kind of finished product.

Mr. Speaker, the fact is that taxes in a weak economy kill economic growth, and so today they come to the floor, having knowingly killed economy growth, and suggest that what they want to do now is pay the penalty of that by paying the unemployed, who

are the victims of what they have done. I can understand why they want to take care of their victims, because they, in fact, are responsible for them being there in the first place. But taxes simply do not work as a way of promoting economic growth, and we should know that by now.

The fact is the Democrats have been wrong about the economy ever since the early eighties, when they suggested that Ronald Reagan's tax cuts were going to bring on inflation, and recession and all of those things, and in fact it brought the most unprecedented period of economic growth, and today we see the penalties for it.

So, what do they do today? Today they come to the floor with another bill with guess what? A proposal for another tax increase. That is right. They put the Rostenkowski amendment in order on this bill in order to get more taxes.

No, they do not think it is going to pass, but the fact is they allowed it.

The Republicans wanted to offer an amendment, too. They wanted to offer an economic growth amendment to cut taxes. Was that amendment made in order? No. We could not have that amendment on the floor. That would be a policy change that we cannot have.

But, when it come to raising taxes, by golly, we can wheel that one out on the floor, and the chairman of the committee can bring that to the floor, and that is exactly what they are going to allow him to do.

Now, if we do not pass his amendment, how are they going to pay for this travesty that they are perpetuating in terms of killing off economic growth? Well, then they are going to allow higher deficits because what they propose to do is simply say, "We declare this an emergency, the caps are all off, and we're going to have higher deficits."

Higher deficits also kill jobs; they know that. It raises interest rates. It does all the things that small business does not need at the present time, and so what they are doing is with both proposals that they will have before us, with taxes and/or higher deficits, they are going to kill jobs and growth in this country.

What could we be doing? What we could be doing is helping the unemployed by finding other nonpriority areas of government that we cut back in order to provide the \$6 billion that is needed. We could be doing that. We are not because the Democrats will not allow it.

Mr. SOLOMON. Mr. Speaker, I yield myself the balance of our time.

Mr. Speaker, my good friend, the gentleman from Michigan [Mr. BONIOR], and he is a good friend, and the gentleman from Missouri [Mr. GEPHARDT], who is also a good friend, have talked about the fact that the Gingrich bill, H.R. 3130, dealing with economic

growth, was just introduced back in July. Well, my colleagues, everybody knows that all of the contents of that bill are a compilation of bills that have been introduced over the last 2½ years. Capital gains are a very small part of it. It also deals with enterprise zones. We have had hearing after hearing on that. It also permanently extends the research and development tax credit. Every Member of this House knows that, and we could go right down the line on all of these issues.

Mr. Speaker, the truth is that, when a bill comes before us sometime later on, it will be a Democrat political document. Members of Congress, like me, do not believe in taxing, in soaking, the rich necessarily. But I have an amendment I tried to offer during the reconciliation bill last year which would have established a new tax bracket based on an income of over \$300,000. JERRY SOLOMON is not going to have a chance to even offer that because the Democrats will bring in a rule on this floor shutting me and all other Republicans out, and they will go on with their political document.

Let me just say to the Members that one issue before the Congress today is the need to provide extended unemployment benefits to those who have exhausted their benefits under existing law. Another issue before this Congress is the equally important issue of providing private sector economic growth incentives that will help to stimulate the economy and create hundreds of thousands of new jobs to help the unemployed. Unfortunately the unemployment bill before us today does not create even one new job because this rule blocks legislation that would. But by defeating the previous question, and the Democrats ought to listen to this, we will immediately bring back the unemployment bill to this floor within 15 minutes. It will contain all of the unemployment benefits the Democrats want, and I want. It will continue the emergency clause, which they have in their bill. But it will make in order H.R. 3130 for a legitimate debate on this floor. This added amendment would create a million new tax-paying jobs in America for the people who the gentleman from Michigan [Mr. BONIOR] has been talking about.

We can do that by defeating the previous question right now and bringing this bill back on the floor with that amendment in order. Let us have a fair and open debate. The American people will love us for it.

Mr. Speaker, I yield back the balance of my time.

Mr. BONIOR. Mr. Speaker, I yield the balance of our time to the gentleman from New York [Mr. DOWNEY].

Mr. DOWNEY. Mr. Speaker, I had a town meeting in Bay Shore, NY, and I had a gentleman from that town, Mr. Capparelli, who came to me and said, "Congressman, when are you going to

pass your unemployment bill? I'm not so much interested in it for myself. It's my son. I'm paying his rent. He's looking for a job, and his benefits are about to be exhausted in 2 weeks."

What do the Republicans say to Mr. Capparelli and the 2 million people who have exhausted their benefits or who are about to? There are 300,000 people who are exhausting their benefits each month. What the Republicans have raised from a virtue now into an art form is the dodge, the great diversion of attention.

Mr. Speaker, the Republicans say, "Don't talk about the need of 2 million people, of the 300,000 each month who are losing their benefits, who face paying rent and mortgages." What they talk about is their ethereal concept of growth that somehow a capital gains tax rate cut for the rich and a variety of other measures, some of which are very good, will somehow help people who face the loss of unemployment next week.

This is going to help them? I do not think there is anybody over there; is there? None of my Republican friends are saying this growth package is going to help any of the unemployed in the next couple of weeks? I say, "You know that can't possibly be the case."

Mr. Speaker, the reality is these people need help now, and that is what the Democratic bill does. It provides them the help they need today.

Mr. GILCREST. Mr. Speaker, I rise in opposition to this rule.

Mr. Speaker, today we are faced with the decision of what to do about America's unemployment problem, and the rule before us seeks to limit debate to the hollowest, most overly simplistic approach we could consider. Under this rule, we would be forced to choose between doing nothing for the unemployed, and offering them only transient assistance.

H.R. 3040 is no more a solution for the unemployment problem than morphine is a cure for cancer. A temporary extension of benefits might placate the unemployed for a few weeks, and ease the hardships they face, yet at the end of those weeks they will be every bit as bad off as they were before. The bill before us temporarily treats the symptoms of the disease while possibly exacerbating the illness.

Obviously, we would all like to provide our unemployed constituents with an extension of benefits to help them make one more mortgage payment or one more car payment or buy new school clothes for their children. What is frustrating about the package before us is that it mortgages their chances for reemployment by creating recessionary spending.

No one questions the adverse affect the Federal deficit has on our economy; indeed, many of the proponents of this bill have been known to wring their hands over the perennial shortfalls. It is no coincidence that our current recession began with the latest increase in Government spending. If this package is of sufficient priority, it could easily displace one of the other so-called priorities in our \$1.3 trillion budget.

The Rules Committee opted to gag every amendment which sought to address the real problem of unemployment. Our colleague from Georgia, Mr. GINGRICH, offered a revenue-neutral substitute which would have done much to create jobs for the people we claim to want to help. Mr. ARMEY's amendment sought to repeal the luxury tax which is responsible for so much unemployment. Mr. GRADISON offered an amendment which simply sought to fund this program without raising overall spending levels, yet so offensive was this concept to the rules committee that they prevented its discussion on the floor.

Mr. Speaker, it is widely accepted both here and in the media that this package is not meant to become law, and that is instead a political card being played by those who covet the President's popularity. However, unemployment is a significant problem in my district; in fact it was not so long ago that I faced it myself. For this reason I find it offensive that anyone would use this problem and these people as political pawns.

Congressmen GINGRICH and ARMEY have offered amendments which seek to provide the unemployed with what they want most—jobs. Congressman GRADISON has offered a package which would provide them with temporary relief without slowing the economy and worsening their chances of future employment. Not only do these warrant discussion, the warrant passage into law. Yet this rule seeks to ensure that this never happens. I urge my colleagues to oppose this rule.

Mr. BONIOR. Mr. Speaker, I move the previous question on the resolution.

The previous question was ordered. The SPEAKER, pro tempore (Mr. MAZZOLI). The question is on ordering the previous question.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. SOLOMON. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 214, nays 141, answered "present", not voting 77, as follows:

[Roll No. 259]

YEAS—214

Abercrombie	Brooks	Darden
Anderson	Browder	DeFazio
Andrews (ME)	Bruce	DeLauro
Andrews (TX)	Byron	Dellums
Annunzio	Campbell (CO)	Derrick
Anthony	Cardin	Dicks
Aspin	Carper	Dingell
Atkins	Chapman	Dixon
AuCoin	Clement	Donnelly
Bacchus	Coleman (TX)	Dooley
Bellenson	Collins (IL)	Dorgan (ND)
Bennett	Collins (MI)	Downey
Bevill	Condit	Durbin
Bilbray	Cooper	Dwyer
Bonior	Costello	Dymally
Borsari	Cox (IL)	Early
Boxer	Coyne	Eckart
Brewster	Cramer	Edwards (CA)

Edwards (TX)	Long	Rose
Engel	Lowey (NY)	Rostenkowski
English	Luken	Russo
Erdreich	Manton	Sanders
Evans	Markey	Sangmeister
Fascell	Matsui	Sarpaluis
Feighan	Mazzoli	Savage
Flake	McCurdy	Sawyer
Foglietta	McDermott	Scheuer
Ford (TN)	McNulty	Schroeder
Frank (MA)	Mfume	Schumer
Frost	Mineta	Serrano
Gejdenson	Mink	Sharp
Gephardt	Moakley	Sikorski
Geran	Mollohan	Siskisky
Gibbons	Montgomery	Skaggs
Glickman	Moran	Skelton
Gonzalez	Murphy	Slattery
Gordon	Murtha	Slaughter (NY)
Guarini	Nagle	Smith (FL)
Hall (OH)	Natcher	Smith (IA)
Hall (TX)	Neal (MA)	Solarz
Harris	Neal (NC)	Spratt
Hayes (IL)	Nowak	Staggers
Hayes (LA)	Oakar	Stark
Hefner	Oberstar	Stenholm
Hertel	Obey	Stokes
Hoagland	Olin	Studds
Hochbrueckner	Olver	Swett
Horn	Ortiz	Swift
Hoyer	Orton	Synar
Hubbard	Owens (NY)	Tallon
Huckaby	Owens (UT)	Tanner
Hughes	Pallone	Tausin
Jefferson	Panetta	Taylor (MS)
Johnson (SD)	Parker	Thornton
Johnston	Patterson	Torres
Jones (GA)	Payne (NJ)	Torricelli
Jontz	Payne (VA)	Trafficant
Kaptur	Pease	Traxler
Kennedy	Pelosi	Unsoeld
Kennelly	Penny	Valentine
Kildee	Perkins	Vento
Kolter	Peterson (FL)	Visclosky
LaFalce	Peterson (MN)	Volkmer
Lancaster	Pickett	Waters
LaRocco	Poshard	Waxman
Laughlin	Price	Wheat
Lehman (CA)	Rangel	Wise
Levin (MI)	Ray	Wolpe
Levine (CA)	Reed	Wyden
Lewis (GA)	Richardson	Yates
Lipinski	Roe	
Lloyd	Roemer	

NAYS—141

Allard	Fields	Lightfoot
Andrews (NJ)	Fish	Livingston
Archer	Franks (CT)	Machtley
Armey	Gallely	McCandless
Baker	Gallo	McMillan (NC)
Ballenger	Gekas	McMillan (MD)
Barrett	Gilchrist	Meyers
Barton	Gillmor	Michel
Bateman	Gilman	Miller (OH)
Bentley	Gingrich	Mollinari
Bereuter	Goodling	Moorhead
Bilirakis	Goss	Morella
Bliley	Gradison	Morrison
Boehlert	Grandy	Myers
Boehner	Green	Nichols
Broomfield	Gunderson	Nussie
Bunning	Hamilton	Oxley
Burton	Hammerschmidt	Paxon
Callahan	Hancock	Petri
Camp	Hansen	Porter
Chandler	Hefley	Quillen
Clinger	Henry	Ramstad
Coble	Hobson	Ravenel
Coleman (MO)	Horton	Regula
Combest	Hyde	Rhodes
Coughlin	Inhofe	Rinaldo
Cox (CA)	Ireland	Ritter
Crane	Jacobs	Roberts
Cunningham	James	Rogers
Dannemeyer	Johnson (CT)	Rohrabacher
Davis	Johnson (TX)	Ros-Lehtinen
Dickinson	Kasich	Roth
Dorman (CA)	Klug	Roukema
Dreier	Kolbe	Santorum
Duncan	Kyl	Schaefer
Edwards (OK)	Lagomarsino	Schiff
Emerson	Leach	Sensenbrenner
Ewing	Lent	Shaw
Fawell	Lewis (FL)	Shays

Shuster
Skeen
Slaughter (VA)
Smith (NJ)
Smith (OR)
Smith (TX)
Snowe
Solomon

Stearns
Stump
Taylor (NC)
Thomas (WY)
Upton
Vander Jagt
Vucanovich
Walker

Walsh
Weber
Weldon
Wolf
Wyllie
Young (AK)
Young (FL)
Zimmer

NOT VOTING—77

Ackerman
Alexander
Applegate
Barnard
Berman
Boucher
Brown
Bryant
Bustamante
Campbell (CA)
Carr
Clay
Conyers
de la Garza
DeLay
Doolittle
Espy
Fazio
Ford (MI)
Gaydos
Hastert
Hatcher
Herger
Holloway
Hopkins
Houghton

Hunter
Hutto
Jenkins
Jones (NC)
Kanjorski
Klecza
Kopetski
Kostmayer
Lantos
Lehman (FL)
Lewis (CA)
Lowery (CA)
Marlenee
Martin
Martinez
Mavroules
McCloskey
McCollum
McCrery
McDade
McEwen
McGrath
McHugh
Miller (CA)
Miller (WA)
Moody

□ 1502

The Clerk announced the following pairs:

On this vote:

Mr. Fazio for, with Mr. Thomas of California against.

Mr. Berman for, with Mr. Zeliff against.

Mr. Klecza for, with Mr. Doolittle against.

Mr. Rahall for, with Mr. Packard against.

Mr. Washington for, with Mr. McCollum against.

Messrs. LENT, FISH, DAVIS, and McMILLEN of Maryland changed their vote from "yea" to "nay."

Mrs. SCHROEDER changed her vote from "nay" to "yea."

So the previous question was ordered.

The result of the vote was announced as above recorded.

PERSONAL EXPLANATION

Mr. KOSTMAYER. Mr. Speaker, I was unavoidably detained during rollcall votes 258 and 259. Had I been present, I would have voted "aye" on rollcall 258 and "aye" on rollcall 259.

The SPEAKER pro tempore (Mr. MAZZOLI). The question is on the resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Mr. SOLOMON. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 230, noes 128, not voting 74, as follows:

[Roll No. 260]

AYES—230

Abercrombie
Alexander
Anderson
Andrews (ME)
Andrews (TX)

Anunzio
Anthony
Aspin
Atkins
AuCoin

Bacchus
Bellenson
Bennett
Bentley
Bevill

Bilbray
Bonior
Borski
Boxer
Brooks
Brewster
Brooks
Browder
Brown
Bruce
Byron
Campbell (CO)
Cardin
Carper
Chapman
Clement
Coleman (TX)
Collins (IL)
Collins (MI)
Condit
Cooper
Costello
Cox (IL)
Coyne
Cramer
Darden
Davis
DeFazio
DeLauro
Dellums
Derrick
Dicks
Dingell
Luken
Donnelly
Dooley
Dorkan (ND)
Downey
Durbin
Dwyer
Dymally
Early
Eckart
Edwards (CA)
Edwards (TX)
Engel
English
Erdreich
Evans
Fascell
Feighan
Fish
Flake
Foglietta
Ford (TN)
Frank (MA)
Frost
Gejdenson
Gephardt
Geren
Gibbons
Gilman
Glickman
Gonzalez
Gordon
Green
Hall (OH)
Hamilton
Harris
Hayes (IL)
Hayes (LA)
Hefner
Hertel

NOES—128

Allard
Andrews (NJ)
Archer
Armey
Baker
Ballenger
Barrett
Barton
Bateman
Bereuter
Bilbray
Billey
Boehert
Boehner
Broomfield
Bunning
Burton
Callahan
Chandler
Clinger
Coble

Coleman (MO)
Combust
Coughlin
Cox (CA)
Crane
Cunningham
Dannemeyer
Dickinson
Dornan (CA)
Driener
Duncan
Edwards (OK)
Emerson
Ewing
Fawell
Fields
Franks (CT)
Gallegly
Gallo
Gekas
Gilchrist

Hoagland
Hochbrueckner
Horn
Horton
Hoyer
Hubbard
Huckaby
Hughes
Jacobs
Jefferson
Johnson (SD)
Johnston
Jones (GA)
Jontz
Kanjorski
Kaptur
Kennedy
Kennelly
Kildee
Kolter
Kostmayer
Russo
LaFalce
Lancaster
LaRocco
Laughlin
Lehman (CA)
Levin (MI)
Levine (CA)
Lewis (GA)
Lipinski
Long
Lowey (NY)
Lukens
Machtley
Manton
Markey
Matsui
Mazzoli
McCurdy
McDermott
McHugh
McMillen (MD)
McNulty
Mfume
Mineta
Mink
Moakley
Mollohan
Montgomery
Moran
Murphy
Murtha
Nagle
Natcher
Neal (MA)
Neal (NC)
Nowak
Oakar
Oberstar
Obey
Olin
Oliver
Ortiz
Orton
Owens (NY)
Owens (UT)
Pallone
Panetta
Parker
Patterson
Payne (NJ)
Payne (VA)

Pease
Pelosi
Penny
Perkins
Peterson (FL)
Peterson (MN)
Pickett
Poshard
Price
Rangel
Ravenel
Ray
Reed
Richardson
Rinaldo
Ritter
Roe
Roemer
Rose
Rostenkowski
Russo
Sanders
Sangmeister
Sarpaliss
Savage
Sawyer
Scheuer
Schroeder
Schumer
Serrano
Sharp
Sikorski
Sisisky
Skaggs
Skelton
Slattery
Slaughter (NY)
Smith (FL)
Smith (IA)
Smith (NJ)
Snowe
Solaz
Spratt
Staggers
Stark
Stenholm
Stokes
Studds
Swett
Swift
Synar
Tallon
Tanner
Taylor (MS)
Thornton
Torres
Torricelli
Traffant
Traxler
Valentine
Vento
Visclosky
Volkmmer
Walsh
Waters
Waxman
Wheat
Wise
Wolpe
Wyden
Yates

Klug
Kolbe
Kyl
Lagomarsino
Leach
Lent
Lewis (FL)
Lightfoot
Livingston
Lloyd
McCandless
McMillan (NC)
Meyers
Michel
Miller (OH)
Molinar
Moorhead
Morella
Morrison
Myers
Nichols
Nussle

NOT VOTING—74

Ackerman
Applegate
Barnard
Berman
Boucher
Bustamante
Camp
Campbell (CA)
Carr
Clay
Conyers
de la Garza
DeLay
Doolittle
Espy
Fazio
Ford (MI)
Gaydos
Guarini
Hastert
Hatcher
Herger
Holloway
Hopkins

□ 1521

The Clerk announced the following pairs:

On this vote:

Mr. Fazio for, with Mr. Thomas of California against.

Mr. Berman for, with Mr. Zeliff against.

Mr. Klecza for, with Mr. Doolittle against.

Mr. Rahall for, with Mr. Packard against.
Mr. Washington for, with Mr. McCollum against.

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

□ 1520

LEGISLATIVE PROGRAM

Mr. MICHEL. Mr. Speaker, I ask for this time in order that I might inquire of the distinguished majority whip how he perceives the rest of the day to unfold. It is my understanding there is potential for several more votes.

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

Mr. MICHEL. I am happy to yield to my distinguished friend.

Mr. BONIOR. Mr. Speaker, I would say to the minority leader that the schedule is as follows: We will have an hour of general debate on the unemployment bill, which will follow immediately our colloquy, and then there

will be appointment of Members to the conference on the Defense authorization bill, and I would tell my colleagues that there is a possibility at that point that we could have a number of votes on that particular matter, motions to instruct, previous questions on motions to instruct, motions to close the conference, so they should be prepared for other votes.

Mr. MICHEL. I thank the distinguished gentleman, because there were a number of Members inquiring as to whether or not this was the last roll-call of the day, and I said that I thought we had better check for sure, and as the gentleman indicates, there is certainly potential for two, maybe three, rollcall votes yet before the day is concluded if we proceed upon that kind of schedule.

I thank the distinguished gentleman.

UNEMPLOYMENT INSURANCE REFORM ACT OF 1991

The SPEAKER pro tempore (Mr. MAZZOLI). Pursuant to House Resolution 221 and rule XXIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the consideration of the bill, H.R. 3040.

□ 1522

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. 3040) to provide a program of Federal supplemental compensation, and for other purposes, with Mr. LEWIS of Georgia in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. Pursuant to the rule, the bill is considered as having been read the first time.

Under the rule, the gentleman from Illinois [Mr. ROSTENKOWSKI] will be recognized for 30 minutes, and the gentleman from Texas [Mr. ARCHER] will be recognized for 30 minutes.

The Chair recognizes the gentleman from Illinois [Mr. ROSTENKOWSKI].

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

Mr. Chairman, I rise today in support of H.R. 3040, the Unemployment Insurance Reform Act of 1991, as amended by the Committee on Ways and Means.

Before the August recess, the House and Senate passed H.R. 3201, the Emergency Unemployment Compensation Act of 1991. The President signed that bill on August 17, 1991, but he did not declare an emergency to trigger the payment of benefits. Today, I am asking the House to support H.R. 3040, which makes much-needed permanent changes in the unemployment insurance system and delivers benefits to millions of unemployed Americans and their families.

As approved by the Ways and Means Committee, H.R. 3040 restores extended benefits to long-term unemployed workers; establishes the same benefits for ex-military personnel as civilian personnel; restricts unfair disqualifications of otherwise eligible workers; funds a demonstration of the cost-effectiveness of job search assistance; requires the Department of Labor to develop a new method for distributing administrative funds to States; and encourages States to accumulate adequate trust fund reserves.

The primary feature of the bill is a restoration of extended benefits to long-term unemployed workers by replacing the ineffective Extended Benefits Program with a new Federal Supplemental Compensation Program. In addition to the normal 26 weeks of benefits provided by the regular State programs, the bill would make available 5, 10, 15, or 20 additional weeks of benefits, depending on the unemployment rate in each State. In addition, the bill would reach back to provide benefits to unemployed workers who have exhausted their basic benefits since the beginning of the year.

Although there has been speculation that the recession has ended, the need for an extension of unemployment benefits will increase in the months ahead. Much like past recessions, the rate at which workers are running out of benefits has risen from about 28 percent to 33 percent, while the number of workers exhausting benefits each month reached a record 350,000 in July. Already over 2 million more workers have run out of benefits this year, and the total could reach 3.5 million next year. Given these data, it's no surprise that only 37 percent of the unemployed are even receiving benefits today.

Some critics have argued that the August unemployment rate of 6.8 percent suggests that an extension of benefits is not needed. However, the rate of job loss in this recession has been more severe than the job loss in the last five recessions. In addition, the current Extended Benefits Program has failed as an antirecessionary measure. The program activated an additional 13 weeks of benefits in only eight States during this recession and is presently only available in one State. In the 1980 recession, all States were activated on extended benefits.

The committee bill also restores unemployment benefits for ex-military personnel to the same benefits received by civilians. As a result, ex-servicemembers' benefits will increase from 13 weeks to 26 weeks. In addition, the number of continuous days a reservist must serve on active duty to qualify for unemployment benefits is reduced from 180 days to 90 days.

Mr. Chairman, the additional benefits provided in this bill are essential in securing the financial well-being of millions of American workers who have

lost their jobs. The recession has been tough on these families. They deserve our help. We estimate that approximately 3½ million workers would receive benefits under the new Federal Compensation Program. About a third of those workers qualify because of the reachback period; the remainder are workers who are expected to exhaust their benefits after the date of enactment.

My colleagues know I am a strong supporter of the pay-as-you-go requirements enacted in last year's budget agreement. At my insistence, the Committee on Ways and Means has long observed this pay-as-you-go provision, beginning well before it was enacted last year. Therefore, I am extremely disappointed that the committee was unable to adequately and properly finance the bill. I would have preferred to give the President the choice to allow the taxes necessary to finance the benefits to go into effect, as TOM DOWNEY and I proposed in the introduced bill, or to designate the benefits as an emergency and to forgo the taxes. I am troubled that the committee did not agree with this approach, but I can understand why a majority of my colleagues believe this bill qualifies for and deserves designation as an emergency under the Budget Act. The urgency of this legislation may well justify the emergency designation within the meaning of the Budget Enforcement Act.

Therefore, tomorrow I will offer an amendment which will restore the financing TOM DOWNEY and I proposed in the original bill. Being a realist, I have no illusions about the outcome of tomorrow's vote, but I believe Members should have an opportunity to cast a fiscally responsible vote.

Mr. Chairman, this Congress has some tough decisions to make. We can no longer tolerate a delay in reforming the unemployment insurance system. But we should also comply with last year's budget summit agreement. Millions of unemployed workers have waited long enough. There is a lot of pain in America today. We cannot let them down. Despite my reservations about financing, I urge my colleagues to support this essential bill.

Mr. Chairman, I reserve the balance of my time.

□ 1530

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

Mr. Chairman, I have three strong objections to the bill the majority is bringing to the floor today.

First, the unemployment insurance system has worked exactly as we designed it to work and, therefore, does not need to be changed at this time.

Last year, the system provided 8.1 million workers with \$18 billion in benefits. This year, it provided 10.7 million workers with \$25 billion in benefits. Last year, about 40,000 workers re-

ceived extended benefits. This year, 160,000 workers received extended benefits. As unemployment went up, more workers qualified for and received benefits—including extended benefits.

Today's level of unemployment—6.8 percent—is lower than the level of unemployment when Congress ended supplemental benefits after the 1982 recession.

When Congress voted to begin benefits during that recession, unemployment was over 10 percent—nearly 50 percent above today's level.

Second, it is a mistake of great consequence to undermine last year's budget agreement. The Federal Government has now struggled through nearly a decade of budget crisis. We have tried living up to the 1974 budget procedures, Gramm-Rudman-Hollings, and now the widely lauded 1990 budget agreement.

Even with these sincere attempts to control the wild spending habits of the Congress, we still face deficits of historic proportions.

Having participated in last year's budget debate, I personally witnessed the almost insurmountable task of Republicans and Democrats striking a deal on taxes and spending. As abhorrent as taxes are to Republicans, the President agreed to 165 billion dollars' worth of them in exchange for supposedly airtight guarantees on spending.

But, there was insistence on some provision that would allow the pay-as-you-go requirements to be breached in emergencies. What was finally agreed on was a procedure under which both the President and Congress agreed that an emergency was at hand.

The bill directly violates that critical agreement found in paragraph (e) of section 252 of the Budget Act.

Consult with your staff, with staff at the Congressional Budget Office or Congressional Research Service, or with any other source knowledgeable about the budget agreement. There is no doubt—I repeat, no doubt—that this bill violates both the spirit and letter of the agreement.

The third major problem with this bill is that it uses an emergency procedure to support permanent changes in the Nation's fourth biggest domestic program. In past recessions, Congress always voted for temporary additional benefits to assist workers who had exhausted their basic benefits. The last time we voted such temporary additional benefits, unemployment was over 10 percent. Now, when unemployment is less than 7 percent, we invoke emergency procedures to enact permanent increases in spending.

Yes, we can revoke the rules of the U.S. Government and say that this new spending will not count in our annual budget calculations.

But the Congress cannot revoke the rules of mathematics. We are again

spending money we don't have. This spending will increase the Federal deficit by an estimated \$6.3 billion over the next 5 years. Even under nonrecessionary unemployment levels, this liberalization of the unemployment program will exert a constant upward pressure on Federal spending—and, in the long run, taxes.

And all of this under the thin veil of a national emergency in order to fuel the majority's insatiable hunger for a domestic political issue.

This legislation should be defeated. We do not have a national unemployment emergency big enough to justify permanent increases in unemployment benefits.

This bill trashes the budget agreement. The sea is off, with consequences only to be guessed at.

I urge you to vote "no" on H.R. 3040. Mr. ROSTENKOWSKI. Mr. Chairman, I yield 4 minutes to the gentleman from New York [Mr. DOWNEY], the chairman of the Subcommittee on Human Resources of the Committee on Ways and Means.

Mr. DOWNEY. Mr. Chairman, we have got to hand it to the Bush administration. They have tried absolutely everything to divert attention to the problem of the unemployed and the problem of this recession.

First, they tried the ostrich approach, sticking your head in the sand and say there is no recession. They even sent DAN QUAYLE to New Hampshire who declared in his infinite wisdom that the recession was over.

The recession is not over. Unemployment remains high.

After that ostrich approach was not working, they took a page out of the American Dental Association, "It will only hurt a little bit. Don't worry. If it's not over now, it will be in just a few short weeks."

Wrong again, and what have they asked the Bush minions in the House today? What is their new strategy? It is the Marie Antoinette approach, "Let the unemployed eat the Gingrich growth package. That will solve the problem of the unemployed."

Tell them that a capital gains tax cut, the reduction of taxes on luxury boats, will in fact help the unemployed.

All they talk about is how not to worry. Talk to the people who are unemployed. Sense the fear in their faces, the knots in their stomachs when they try to tell you about the future and what they are going to do, how they have worked 18 years, 20 years, blue collar, white collar workers, never before unemployed, and all we can provide them is 26 weeks of benefits, regardless how long they paid into the trust fund, regardless of their work history. That is nonsense. The unemployment system that the chairman has talked about is broken. It needs to be fixed. Two million people, people who are ready to work, interested in work-

ing and wanting to work and looking for jobs have exhausted the benefits that we have given them. Three hundred fifty thousand of them, more than in any other recession, exhausted their benefits in July of this year.

Now, 118 Republicans voted to spend \$5.7 billion to extend benefits in August. Of course, the President did come up and say how not to worry, "Vote for it. I will never extend the money. I will never declare the emergency," the most cynical and heartless of positions.

Now all we are saying is for \$500 million more, \$6.2 billion, we will declare the emergency for the President if he does not want to do it. If he does not want to pass this bill, he can veto it, but give us the opportunity here in the House to extend benefits.

After all, my colleagues, for those of you from the States of Florida, from Michigan, from Pennsylvania, from Illinois, from New York, from New Jersey, and from California, your unemployment rate has gone up; so when you vote against this bill tomorrow, you tell the unemployed workers in those States, "Hey, I'm sorry. You know, I voted for it this time because I knew it wasn't going to work, but now when I had to confront the reality of providing the benefits, I'm sorry, I just couldn't help you."

These people need our help. These people deserve our help. These people want to go back to work. They just cannot find a job. None of us want to see them lose houses or apartments, see families breakup. We can do something for these people.

Please, my colleagues, be consistent. One hundred eighteen of you voted last time to extend the benefits. I hope that just a fraction of that number will provide us the necessary votes this time so if the President decides to follow the Kennebunkport-Marie Antoinette strategy, we have the votes to override.

□ 1540

Mr. ARCHER. Mr. Chairman, I yield 3 minutes to the ranking Republican on the Subcommittee on Human Resources, the gentleman from Florida [Mr. SHAW].

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

Mr. Chairman, there are a number of issues on which our parties disagree—and that is exactly as it should be.

The clash of ideas, supported by reason, evidence, and political rhetoric, is what democracy is all about.

But the majority bill on unemployment insurance violates an institution even more basic than democratic debate. Underlying the legalistic language of last year's Budget Act is perhaps the most fundamental principal governing relations among humans. That principal is that a person's word is his bond.

I urge Members, particularly Democrats to read section 252, paragraph (e)

of last year's Budget Act. That paragraph says, in the clearest possible language, that both the President and Congress must agree that an emergency exists before new direct spending will not count in the calculations for a budget sequester.

Are Democrats planning to live up to this fundamental agreement? Consider this possible legislative scenario:

First, Congress passes this bill with its provision, found in section 502 of the committee report, that the bill becomes law and, for budget purposes, that there is an emergency as defined in the Budget Act;

Second, the President vetoes the bill;

Third, the Congress overrides the veto;

Fourth, in accord with section 502, the bill becomes law and the U.S. Treasury incurs a new deficit of \$6.3 billion over the next 5 years.

Now I ask you: Did the President agree to an emergency?

No, in fact, he will soon declare for a second time with his veto pen that there is not an emergency worthy of destroying the budget agreement.

So Congress violates the Budget Act. Last year's sacred agreement now becomes merely another in the long line of failed devices invented by Congress to control its addiction to spending.

But more important, we now discover that the majority is willing to give its word and then, less than a year later, smash it. Here is the most notable fact about this legislation: the majority's word is not its bond.

I would like to say to all my Republican colleagues whom I urged to support last year's budget agreement: I was wrong, you were right. We cannot trust the majority to live up to its word. To the majority, spending money and making political points is more important than trust.

Mr. ROSTENKOWSKI. Mr. Chairman, I yield 2 minutes to the gentleman from Michigan [Mr. LEVIN].

Mr. LEVIN of Michigan. Mr. Chairman, I do not understand, I say to my friend from Florida, this argument about "your word is your bond." I voted for the Budget Act. What we are saying is there is an emergency here. We are putting that into the legislation, and the President can agree or he can disagree.

If he disagrees, he will veto it.

He agreed, when he came to Kurdish refugees, that it was an emergency. He can decide when he looks your constituents and mine in the eye if there is an emergency.

I just want to tell you who these people are. I have been to the unemployment comp office in Madison Heights three times now, I think it is. I visited places where the unemployed meet. They are blue-collar workers. I met some carpenters sitting around. They say to me, "We have worked all our lives. We don't want to be laid off."

Somebody said to me, "Who are you in Washington to tell me the recession is over?"

Now, you can do that if you want; I am not going to do it.

White-collar workers, I have come to know an accountant who got in touch with our office. He sends out 40 to 50 résumés per month, per month. He is an articulate, capable human being who cannot find a job. He has exhausted his benefits. He wants to work. I do not think he had ever been in an employment office before.

Now, if you do not think it is an emergency for him, you go on and tell him that, and the President can; but I am not going to.

Mr. SHAW. Mr. Chairman, would the gentleman yield?

Mr. LEVIN of Michigan. I yield to the gentleman from Florida.

Mr. SHAW. I thank the gentleman for yielding.

Mr. Chairman, I would like to put forth the point, obviously for anyone who is unemployed and running out of his benefits, it is a personal emergency. But what I was referring to, which I think the gentleman well understands, is that the budget agreement required the emergency to be concurred with both by the House and the President.

Mr. LEVIN of Michigan. All right. And the President will have his chance.

Mr. SHAW. This is a violation.

Mr. LEVIN of Michigan. No, it is not. The President can say "yes" or "no." When you have hundreds and hundreds and hundreds of thousands of people in this country, white-collar, blue-collar workers, all across this Nation who are exhausting their benefits, or who have exhausted them, the President can say there is no emergency, he can say the recession is over. He is wrong. He is very wrong.

We owe it to the people who worked for a living in this country to give them the benefits which they earned and the benefits which their employers have paid for. There is an emergency, vote for this bill.

Mr. ARCHER. Mr. Chairman, I yield 5 minutes to the ranking Republican on the Committee on the Budget, the gentleman from Ohio [Mr. GRADISON].

Mr. GRADISON. I thank the gentleman for yielding.

Mr. Chairman, I rise in opposition to H.R. 3040, the Unemployment Insurance Reform Act of 1991. Adoption of provisions contained in title V of this bill would set a troubling budget precedent, would undermine the fiscal discipline that has been observed thus far this year, and would be tantamount to repealing the bipartisan budget agreement.

In addition, I oppose this bill because the deficit spending or tax increase required by the bill, depending on whether Chairman ROSTENKOWSKI's amendment is adopted, would tend to retard the economic recovery and, thus com-

pletely offset the modest benefits that this bill has to offer to the long-term unemployed. In sum, this bill doesn't help us with what Americans, both employed and unemployed, want: a swifter economic recovery, greater job-creation, and continued fiscal discipline.

For a number of years now, achieving fiscal discipline has been a legislative goal of Congress. Given the discretionary caps and paygo rules in last year's budget agreement, many of us were of the opinion that the conduct of government's fiscal affairs in a prudent manner had become a real possibility. Title V of this bill, however, reminds us why we must be forever vigilant. I regret that the rule will not permit me to offer an amendment to strike title V.

Section 501 in title V is a "directed scorekeeping" provision that specifies the dollar amounts that OMB is to use in scoring the costs of the bill. By including this provision in the text of the bill, the authors of this legislation have politicized both the cost estimate and, by implication, the Congressional Budget Office. The authors must be fully aware that the President has promised unequivocally to veto any bill that includes such directed scoring. One can only presume, therefore, that guaranteeing a veto is part of their political strategy.

Someone unfamiliar with the convoluted politics of this bill would find it most peculiar that the section 501 directed scoring provision is immediately followed by a section that essentially states that the scoring numbers are irrelevant. Section 502 provides that this act be treated as an emergency by the President and the Congress and none of its costs will be counted under the Balanced Budget and Emergency Deficit Control Act of 1985.

The emergency designation should be used to respond to events which are sudden, unpredictable, unforeseen and not permanent. The current unemployment situation is neither unpredictable nor unforeseen. Both Congress and the President fully anticipated current economic conditions when budgets were submitted last year. Congress has had ample opportunity to budget for expansion of unemployment benefits. And even though the unemployment rate is expected to decline, this bill would establish a permanent expansion of benefits that continue indefinitely.

Furthermore, this section denies the President the statutory right to determine independently whether enacted spending programs should be designated as an emergency. It attempts to treat the unemployment bill as an emergency even if it were enacted over the President's veto. I doubt the legality of this language and vehemently oppose its inclusion. It violates both the letter and the spirit of the emergency clause which was carefully con-

structed to apply to only those items so designated by both the President and Congress, acting separately and independently. Section 502 makes an end run around this understanding and would likely trigger lengthy litigation rather than provide immediate assistance to the long-term unemployed.

Finally, in regard to title V of this bill, section 502 would prohibit all new budget authority, outlays, and receipts resulting from the bill from being considered for purposes of the Budget Enforcement Act. This section and section 503, which exempts the spending in the bill from sequestration, completely undermine the core of the Budget Act.

Also, I would like to remind my colleagues that the Unemployment Trust Fund from which extended benefits are drawn is merely an accounting device—a way of keeping track. The oft-cited trust fund surplus is not a pot of money or manna from heaven but a bookkeeping entry. It contains no assets that can be quickly liquidated in order to pay benefits. Increased benefits for the long-term unemployed must be paid for either by increasing taxes on businesses or breaking the budget agreement and borrowing more money. Either choice could well delay the recovery and create more long-term unemployment.

In addition, I would like to point out that the Democrats who are claiming we must provide higher unemployment benefits now, when unemployment stands at 6.8 percent, waited until unemployment hit 10.1 percent to provide emergency benefits during the 1982 recession, a level no one expects this recession to reach. Furthermore, Congress ended those emergency benefits when unemployment substantially exceeded the current level.

H.R. 3040 would increase the budget deficit, undermine the budget process and tend to slow economic recovery. I urge my colleagues to defeat this bill. This is not the first test of the 1990 budget agreement, nor will it be the last.

□ 1550

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

The CHAIRMAN. The time of the gentleman from Ohio [Mr. GRADISON] has expired.

Mr. ARCHER. Mr. Chairman, I yield the gentleman from Ohio [Mr. GRADISON] 1 additional minute.

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

Mr. GRADISON. I yield to the gentleman from Texas.

Mr. ARMEY. Mr. Chairman, I thank the gentleman from Ohio [Mr. GRADISON] for yielding.

Mr. Chairman, I am just reading section 501. This is, of course, a new innovation. I have not seen this sort of direct destroying provision before. As I understand the bill, the bill does not

contain within it any revenue measure, any tax, that being the reason for the request of the gentleman from Illinois [Mr. ROSTENKOWSKI] for amendment. In this directed scoring, where apparently the committee tells the scorekeepers what their results shall be, it does have in the years 1993, 1994, and 1995 revenue receipts.

Mr. Chairman, does the gentleman understand how in any way they could have a receipt of additional revenues if there are no measures, no tax measures, in the bill?

Mr. GRADISON. Mr. Chairman, the gentleman from Texas [Mr. ARMEY] should be advised that the bill, as it is before us, does include a revenue measure. There will be an amendment which has been made in order, offered by the chairman of the Committee on Ways and Means, when we move to amendments tomorrow to strike the revenue provisions.

Mr. ARMEY. That are in the bill?

Mr. GRADISON. The gentleman is correct.

The CHAIRMAN. The time of the gentleman from Ohio [Mr. GRADISON] has expired.

Mr. ARCHER. Mr. Chairman, I yield the gentleman from Ohio an additional 30 seconds.

Mr. ARMEY. Will the gentleman yield?

Mr. GRADISON. I yield to the gentleman from Texas.

Mr. ARMEY. So then within the bill there is some provision to raise tax revenues?

Mr. GRADISON. Mr. Chairman, the gentleman from Texas [Mr. ARMEY] is correct.

Mr. ARMEY. That would take effect now, and the committee then has in the passage of the bill sent along in section 501 instructions to the people who will score the costs and revenue impact of this legislation as to what the results of their scorekeeping activities shall be?

Mr. GRADISON. The gentleman is correct, and it is a direct repudiation of the explicit language of the budget revisions which were passed less than a year ago.

Mr. ARMEY. Mr. Chairman, I thank the gentleman from Ohio [Mr. GRADISON].

Mr. ROSTENKOWSKI. Mr. Chairman, I yield 2½ minutes to the gentleman from Michigan [Mrs. COLLINS].

Mrs. COLLINS of Michigan. Mr. Chairman, I thank the distinguished chairman of the Committee on Ways and Means [Mr. ROSTENKOWSKI], for yielding time to me.

Mr. Chairman, this week we have before us once again, H.R. 3040. Across the Nation, more than 8 million people are now unemployed. Only 38 percent of those out of work receive unemployment compensation benefits.

Despite pronouncements by the Bush administration that our economy is

improving, the harsh reality for my constituents in Detroit is that employment prospects have gotten worse, not better. The unemployment rate for the city of Detroit is 13 percent—double the national rate. That rate for black males alone is an astounding 21 percent. Over the last year, almost 9,000 of my constituents have lost their jobs and are now among the more than 58,000 Detroit residents who are officially counted as unemployed.

Many more people, in Detroit and across the country, have given up looking for a job and are no longer included in the unemployment stats. Still others are underemployed in part-time positions. Without temporary assistance during these difficult times, the harsh reality of joblessness means dependence on public assistance, living without a home, and living without hope.

This bill before us would declare joblessness an emergency and would provide up to 20 weeks of additional benefits for those who have exhausted their benefits since January 1. At last count, there was some \$9 billion available in the unemployment insurance trust fund to support such additional benefits.

This bill is only one part of the answer to the economic crisis gripping our Nation. The full solution is neither simple, nor short term. We must improve our long-term economic stability. We can only accomplish that by reorganizing our national priorities.

How much longer will we continue to ignore our own citizen's needs and continue to waste billions of dollars building expensive, unnecessary, and often unproven weaponry, such as the \$1 billion per plane stealth bomber, which recently flunked its own radar tests?

While we work to eliminate the root causes of unemployment, let us do what is right and extend unemployment insurance benefits now. Let us provide sufficient time for those without work to find a position in these trying economic times.

When will we realize that our strongest defense and our best foreign policy is to improve the economic strength of our people and provide for their future?

The unemployment rate nationwide belies the administration's claim that the economy is improving. In Detroit, that rate has reached emergency levels. Let us not turn our backs on our fellow citizens who are struggling to make ends meet. The very least we can do is pass the unemployment insurance extension bill.

Mr. ARCHER. Mr. Chairman, I yield 3 minutes to the gentleman from Iowa [Mr. GRANDY], a member of the Committee on Ways and Means.

Mr. GRANDY. Mr. Chairman, I thank the distinguished ranking member, the gentleman from Texas [Mr. ARCHER] for yielding.

Mr. Chairman, it probably comes as no surprise to anybody in this body

that I am not an economist, and I cannot comment probably knowledgeably on the Marie Antoinette theory of economics, but I do know this: By subsidizing something, one will get more of it, whether it is corn or unemployment, and, by taxing something, we get less of it, and during the course of this debate today and tomorrow we will have a chance to do both, and that is probably why the 118 Members of this side of the aisle that saw fit to make a temporary measure in August will probably not be compelled to make the same vote tomorrow. Because comparing the bill that is before us today to the one that was before us in August is like comparing a flu shot to a heroin addiction. This is permanent law. This redefines the entire methodology by which we define unemployment.

In other words, Mr. Chairman, we create a permanent emergency and say that no longer is insured unemployment the basis for our measurement, but total unemployment. In other words, a college student who comes into the work force for the first time, a homemaker who comes into the work force for the first time. In other words, Mr. Chairman, job losers and job seekers are the same statistics under this bill. That is all right and something that I agree to on a temporary basis when indeed unemployment is high, but the fact of the matter is unemployment has remained exactly the same between now and in August, and I will not be able to give my support to this legislation for those very critical reasons.

Now the inside argument that this breaks the budget deal; well, of course it does, and those of us, and I find myself in the same category as my colleague, the gentleman from Florida [Mr. SHAW], who feels somewhat betrayed about this because it is not as though we are just breaking the budget deal here, it is that all of a sudden we on the minority are asked to agree to the majority opinion, which is the budget deal is what we say it is. No matter what happens as we redefine the rules, obviously the minority will concur.

Mr. Chairman, this Member of the minority will not concur with that, and neither will the President. But I will ask this: What is the conclusion to be drawn in the absence of the budget agreement? If the ceiling is taken off, what do we put in its place? Another half-cocked attempt at fiscal integrity and congressional discipline?

□ 1600

Mr. Chairman, all I ask is that particularly those Members on this side of the aisle who in August saw fit to make a pact over temporary insurance deny the right to put into permanent law a bill that basically subsidizes something that this country does not need more of—unemployment.

Mr. ROSTENKOWSKI. Mr. Chairman, I yield 1 minute to the gentleman from Rhode Island [Mr. REED].

Mr. REED. Mr. Chairman, I rise in strong support of H.R. 3040.

Last month I stood with many other Members and urged the President, on behalf of 8.5 million unemployed Americans, to extend unemployment benefits, but the President decided that there was no emergency here at home.

Well, indeed there is an emergency. Back in August I said in my State of Rhode Island that we were one of the few States that qualified for extended benefits. Today we have an 8.2 percent unemployment rate, and we have 20 percent of our population affected by the worst banking crisis since the Great Depression. Yet, unless we pass this legislation, Rhode Island will no longer qualify for extended benefits. So this is an issue of not only benefits but important reform in the system itself. That is another reason why I am here to speak out.

The recession is not over. Ask the 40,000 people in Rhode Island who are without jobs if the recession is over, and they will have one answer—no. And they have one question. They are absolutely baffled that the President does not recognize the fact that we are in a deep, desperate recession, and in Rhode Island it is the worst we have seen in years and years.

Mr. Chairman, we must act today. We must act to extend unemployment benefits. The minimum we can do for these people is to sustain them in these difficult times.

Mr. ROSTENKOWSKI. Mr. Chairman, I yield 2 minutes to the gentlewoman from Connecticut [Mrs. KENNELLY].

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

Mr. Chairman, last week my colleagues and I came back to work. And isn't it good to be back? But Mr. Chairman, many of our fellow Americans did not find themselves as fortunate. As we returned to work from our summer break, over 8½ million Americans did not have that luxury. As we returned to our jobs, nearly 7 percent of our population remain unemployed.

I spent the August recess in my home State of Connecticut meeting with people throughout the State. And frankly, I do not care what the economists are saying, my constituents are saying, "the recession is not over." They are finding it no easier to pay their mortgage, no easier to buy their children back-to-school clothes and no easier to put food on their kitchen tables. Why? Because those who have been laid off from their jobs have not been asked back.

On August 2, before the Congress adjourned, both the House and the Senate passed a comprehensive unemployment compensation bill. Unfortunately, we gave the administration an out and

they elected to use it. By refusing to declare an emergency they effectively vetoed the bill. Well, perhaps the unemployment rate in Kennebunkport is not high enough to warrant additional unemployment compensation, but that is simply not the case across the rest of our country.

No one can deny that many of our citizens are facing a catastrophe. They are trying to find jobs, but often the jobs just are not there. The fear of continued unemployment is an iron weight on the shoulders of the working men and women of this country. We must help them.

Today we have before us a new version of the unemployment compensation bill. The difference is this bill does not give anyone an out. Let us send a strong message. Let us pass this bill with such a large margin that there is no veto. It is time our fellow Americans got the relief they so desperately need.

Mr. ARCHER. Mr. Chairman, I yield 5 minutes to the gentleman from Texas [Mr. ARMEY].

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

Mr. Chairman, if ever there was a time when it was incumbent upon us to read the fine print of a piece of legislation before us and to think about it, it is now.

Mr. Chairman, this is not just a simple bill that will extend unemployment benefits out of an existing trust fund surplus. First of all, there is no money in the trust fund. Congress has already spent it someplace else. So if there is a payment of these funds, it will either have to be out of new deficit spending or paid for by a tax increase.

Second, this is not a simple extension of unemployment benefits. It is a total redefinition of the principles, the rules, and the measurement under which unemployment benefits will be extended, and as there is this long-term permanent redefinition of the basis by which there will be an extension of unemployment benefits, there is a new definition of which States are the winners and which States are the losers. In general, those States that have durable, high-technology, sophisticated, skilled jobs will lose relative to those States that have a good deal of seasonal, low-skilled, temporary employment. The worst example is the State of Connecticut, which is the biggest relative loser in this bill. It has an insured unemployment rate of 3.86 percent, the ninth highest in the Nation; it would only qualify for 4 weeks of extended benefits, compared to Mississippi, which would qualify for 20 weeks of extended benefits, even though its insured unemployment rate is only 3.2 percent.

So we should be careful as we vote. If you are a Congressman representing any of the following States, to vote yes here guarantees that your State will be the new loser in this race to see who

qualifies for extended benefits; so if you want your State to be a loser, you can do so if you are from Arkansas, California, Idaho, Pennsylvania, Vermont, Illinois, Maryland, Missouri, New Jersey, New York, Nevada, Ohio, Oregon, South Carolina, Tennessee, Washington State, Arizona, Colorado, Kentucky, Kansas, Minnesota, North Carolina, and Wisconsin. You lose. Go back and check the record. Make sure that you have checked out how your State came out. You lose if you are from any of these States. I have in my office a very highly documented study that will verify that. These States lose.

Let me not read the list again. Let me go on to this: If we do not finance this ill-conceived redefinition of winners and losers in this country through deficit spending, we will pass the tax increase that the gentleman from Illinois [Mr. ROSTENKOWSKI] will come to the floor and ask us to pass tomorrow. If we pass that tax increase, which is a redefinition of unemployment insurance tax, which amount to an increase in unemployment insurance tax on every job that pays over \$14,000 in this country today, we will have a reduction in jobs; that is, we will decrease jobs. As my good friend, the gentleman from Iowa [Mr. GRANDY] says, if we want less of something, we tax it. Of over 100,000 jobs lost, California will lose the most jobs, 13,000; New York will lose 6,700 jobs; and I could go on and on down the list. I have that list, too, in my office, if the Members wish to examine it.

□ 1610

We have examined this legislation and the proposed funding mechanism Members will see tomorrow. The American people lose. They lose equality of opportunity guaranteed them by the founding documents by this country, in a misguided effort to give equality of outcome.

Certainly, it is a compassionate effort, but compassion without understanding is cruel, and this is cruel legislation.

Finally, the framers of this bill did not want to take a chance on the Congressional Budget Office or the Joint Tax Committee or the Office of Management and Budget scoring the real impact on this legislation in the lives of the American people. They dictated what the outcome will be in their bill.

They are saying, let us tell you what will be the results of our efforts. Don't you look at it scientifically, don't you look at it objectively, don't you look at it with a clear idea about what is good for the people of this country. We will dictate to you about what is good for our legislative efforts.

Mr. Chairman, I say vote no. It is irresponsible and ill advised.

Mr. ROSTENKOWSKI. Mr. Chairman, I yield 2 minutes to the gentleman from California [Mr. MATSUI].

Mr. MATSUI. Mr. Chairman, I would like to say a couple of things. One is I think what happened in the month of August when the President signed the legislation that we passed on unemployment benefits, but yet refused to declare an emergency, just demonstrates how cynical this administration really is.

It is really a shame that the President would take that kind of action and want to have it both ways.

Second, I think the statement of the gentleman from Texas, and I use the words "his statement," demonstrates what is wrong with this institution at times. He is talking about winners and losers in terms of States. We are talking about individuals.

In my State alone, 300,000 Californians are now off of unemployment benefits and cannot get any extended benefits. We realize, yes, this costs people money, because the unemployment rate is about 7 percent.

But the reality of the situation is we should be concerned about those people. Frankly, for one to say one State wins and another State loses, when we are talking about individuals, is cynical, hypocritical, and makes no sense at all.

This is good legislation that came out of the Committee on Ways and Means.

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

Mr. MATSUI. No, the gentleman can have his time later. There will be more time.

Mr. ARMEY. I just had my time.

Mr. MATSUI. I have 2 minutes. I will not yield.

Mr. Chairman, let me just conclude by saying we probably could have done better if we would have had more support from the minority party, the Republican Party, but we did not get that support. That is why we had to craft the legislation the way we did.

PARLIAMENTARY INQUIRY

Mr. ARMEY. Mr. Chairman, I have a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. ARMEY. Mr. Chairman, I believe the gentleman from California [Mr. MATSUI] was referring to me throughout his speech, and I believe he used the expression that I was being hypocritical.

The CHAIRMAN. I wonder if that is parliamentarily acceptable language.

Mr. MATSUI. Mr. Chairman, if I may, I was referring to the statement, not the individual. Certainly I would never denigrate any individual of this institution. But I did state "statements." I made it a point to say "statements."

Mr. ARMEY. Mr. Chairman, I believe I am entitled to a point of order that the gentleman's words be taken down. I see no distinction.

The CHAIRMAN. The Chair will rule that debate has intervened, and the question is moot.

The ARMEY. Mr. Chairman, what debate? I heard no debate. There has been no intervening debate.

The CHAIRMAN. The gentleman from California [Mr. MATSUI] continued his statement, and was not challenged. That is the ruling of the Chair.

Mr. ARMEY. Mr. Chairman, I asked the gentleman to yield. I was on my feet at the time the statement was made asking the gentleman to yield.

The CHAIRMAN. When one demands that words be taken down, the demand must be made at the time the challenged words are uttered.

Mr. ARMEY. I thank the Chair for that information. I have no doubt that I will have many opportunities in the future to use that information with greater timeliness.

Mr. ARCHER. Mr. Chairman, I yield 2 minutes to the gentleman from California [Mr. CUNNINGHAM].

Mr. CUNNINGHAM. Mr. Chairman, I do not know if I rise in support for or against the bill right now. But what I want to say for the RECORD is that the distinguished gentleman from California [Mr. MATSUI] and the distinguished gentlewoman from Illinois [Mrs. COLLINS], both said that in their districts they have lost thousands of jobs. I believe the distinguished gentlewoman from Illinois [Mrs. COLLINS] indicated 9,000.

Well, let us take a look at why we have lost jobs and talk about the facts. We are going to have to raise taxes. That costs jobs, because jobs cannot operate. When the liberals want to cut defense by 25 percent, and, following this debate there is going to be a request for those cuts, we have people paying into this budget, we have people drawing medical benefits, and we cut them, and it costs jobs. You create a condition, and then you cry because you do not have the funding to do it.

Well, let us provide the jobs, and not cut defense. Let us not increase the gas tax, which will cut transportation jobs and exacerbate the problems you are already talking about.

One of the things that we have also on this House floor is we have supported the radical environmentalists against jobs. If you take a look at things like the gnat catcher in California, we would have to set aside 365,000 acres for a bird, which cuts jobs.

Instead of increasing compensation to the workmen, let us provide the jobs, instead of paying the extra money out we do not have.

Mr. ROSTENKOWSKI. Mr. Chairman, I yield 2 minutes to the gentleman from California [Mr. PANETTA].

Mr. PANETTA. Mr. Chairman, obviously, we have all listened to the debate, and when we listen to the debate we can understand the frustration of the American people. I think all of us

recognize that there is a need. There is a need within society, the 10 million unemployed, to try to confront that problem.

A few weeks ago 375 votes on this floor confirmed that we do have a problem that needs to be addressed. Yet we have heard nothing but excuses as to why somehow we cannot confront it.

For those that would assert that somehow the budget agreement is one of the reasons for not being able to do anything, I think they are wrong. The budget agreement was not designed as an excuse for inaction. The basic fact is that it was designed to ensure not only deficit reduction, but that we would react when in fact there were needs within our society.

It was not designed just to give the President alone the power to decide what is an emergency or not an emergency. It was not designed to deprive the Congress of overriding the President's veto should he decide or disagree that it was not an emergency. That was never discussed in the context of the budget discussions. Never did we give up the power of the Congress to be able to override that kind of veto.

Mr. Chairman, if we feel there is a need, there are three ways to address it. One is to have it declared an emergency, and that is presented here as one option; second, to pay for it, and that would be presented as one option; and third, for the President to veto it because he disagrees.

All three options should be presented to the President, and that would be in complete accord with the spirit of the budget agreement.

Mr. Chairman, let me assert for those who are concerned about the budget agreement that the surest way to not undermine this budget agreement is for either the President or the Congress to be fair and balanced about how we implement it. If the President thinks he can alone declare an emergency when it comes to the Kurds, when it comes to the Persian Gulf war, when it comes to other areas that he alone and only he can assert what is an emergency, that is the surest way to bring down this agreement.

If, on the other hand, he works in cooperation with the Congress in looking at the real needs within our society, that is not only a fulfillment of the budget agreement, it is a fulfillment of our responsibilities as representatives of the people.

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

Mr. Chairman, I have great respect for the chairman of the Budget Committee, but I also have respect for the legislative language that was hammered out after very intense negotiations last year and found its way into law. That language specifically says, and I read now from the law,

If for fiscal year 1991, '92, '93, '94, or '95 a provision of direct spending or receipt legis-

lation is enacted that the President designates as an emergency requirement and that the Congress so designates in statute, the amounts of new budget authority outlays and receipts in all fiscal years through '95 resulting from that provision shall be designated as an emergency requirement as required under subsection (d)."

□ 1620

It does not say that the Congress unilaterally in statute can make self-executing the President's authority and prerogatives to designate an emergency requirement.

I think the chairman knows the difficulty in reaching the agreement last year and how important this requirement, its specific implications were to the acceptance of that agreement, because all effort was made to prevent an exacerbation of the deficit as a result of new spending programs or new tax reductions.

Clearly this takes away the prerogative of the President to, as it says in the statute, "designate an emergency." It clearly is a violation not just of the good will and spirit that was incumbent in the process but a violation specifically of what is stated in the law.

No one can deny, Mr. Chairman, that this Congress or any other Congress can repudiate a previous law by majority vote and can override a President by failing to sustain his veto. That is clearly a part of our process. So no law in that sense is sacrosanct.

But to hear a debate which attempts to excuse this effort as being in accordance with the budget agreement is clearly inappropriate.

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

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

Mr. SHAW. Mr. Chairman, I just want to say to the gentleman from Texas [Mr. ARCHER] that I supported that Budget Act last October and that paragraph that he has read is the only reason that I voted for it. Now I find that this action of the Congress means that they are completely losing faith with what was agreed to, and I think it is a very sad day in the Congress that we cannot be trusted to our word.

Mr. ARCHER. Mr. Chairman, let the Democrat majority that is fostering this legislation say, "We do not want to live with the terms that we specifically agreed to last year. We have an emergency in our minds and we are going to enact it with the self-executing emergency provision that the President can have no say over."

Mr. Chairman, I reserve the balance of my time.

Mr. ROSTENKOWSKI. Mr. Chairman, I yield 5 minutes to the gentleman from New York [Mr. DOWNEY].

Mr. DOWNEY. Mr. Chairman, I would just like to address this issue of the Budget Act as the 11th Commandment and the issue of permanent versus temporary changes, since we have heard them throughout this debate.

The chairman talked about the budget agreement as a flexible document, not rigidly granting the President the sort of authority that obviously the minority would like him have. We have already played by the rules.

I would just say to my friend that we already gave the President the opportunity to live under the Budget Act, and he decided to sign the bill and not declare the emergency. We are not removing any prerogative here.

The President can veto this bill and no emergency will be declared, if his veto is not sustained. So we are not taking anything from the President.

What we are granting to us is the ability to move the President a little further. If, for instance, we continue to pass the President's legislation that, let us assume, for instance, we could override H.R. 3201, nothing would happen. The Congress, by its will, two-thirds of it could have said to the President, "We want these benefits declared," and we left to him solely the position to make the determination on benefits. That is not how, I believe, the majority of Members of the House of Representatives wants to see the Budget Act work.

No. 1, with respect to permanent versus temporary, the 118 who voted for H.R. 3201, some of them can be comforted by this false notion that "I only voted for something that is temporary; that is, after all, a terrible permanent change."

The change that we made in H.R. 3201 was about the failure of the extended benefits program. So rather than just temporarily, which they already voted for, to fix that failure, we permanently fixed the failure. The benefits do not go to anyone that is different under H.R. 3040 than they did under 3201. A person must be looking for work, qualified for the first 26 weeks of benefits in order to get extended benefits.

I have heard a member of our colleagues say, "Oh, different people will get these benefits, teachers and students." Nonsense.

If a person is not eligible for benefits now, they are not eligible for extended benefits. We make no change there.

As for the permanent versus temporary change, it is permanent in the sense that in a future recession, we will not have to come back and try and fix the program temporarily. To suddenly think that somehow there is this broad grant of authority that was not contemplated in the other act is simply not true.

If my colleagues voted for \$5.7 billion of extended benefits on August 2, what are they going to tell the people on September 16 or 17, that they cannot extend the benefits again?

Not once during the debate has the minority suggested that there is a better way to pay for these benefits. All they have done is talk about section 323(e) of the Budget Act and pooh-

poohed the attempt of the gentleman from Illinois [Mr. ROSTENKOWSKI] and myself to figure out a way to pay for it.

Have they even offered us the Dole approach? Have they even shown one scintilla of interest in the fact that there are 2 million people who have lost their benefits? All we hear is the Budget Act this, the temporary that.

Go talk to somebody who has worked their whole life and is faced, in the next week or two, with exhausting their benefits. Tell them about the sanctity of section 323(e) of the Budget Act. Tell them how permanent benefits is somehow inimical to the economic process and we cannot possibly do that. And then wait for their reaction, because they are just going to tell Members what they have told me: "I am looking for a job. I can't find one. Just give me a couple of more weeks of help, and maybe I can find it."

That is what this bill is about. It is not about the cosmic questions of whether the economy is going to fail or whether we are going to rewrite the Budget Act. It is simply about helping people who need our help.

Mr. ARCHER. Mr. Chairman, I yield myself the balance of my time to respond to the gentleman from New York [Mr. DOWNEY] by saying that if his argument made any sense whatsoever, then there would have been no need for the provision that I read specifically out of the law, section 502, which permitted the President to declare an emergency, to designate an emergency.

He is saying the President can still veto. If that is all we intended to do in the Budget Act, we need not have written this terminology into the law because the President can always veto.

Mr. Chairman, I yield such time as he may consume to the gentleman from New York [Mr. GILMAN].

Mr. GILMAN. Mr. Chairman, I thank the gentleman for yielding time to me. I am pleased to rise in support of the Downey measure.

Mr. Chairman, I rise today in support of H.R. 3040, the Unemployment Compensation Amendments of 1991 and I would like to thank the chairman of the Ways and Means Committee, the gentleman from Illinois [Mr. ROSTENKOWSKI], and the gentleman from New York [Mr. DOWNEY] for their efforts in bringing this measure to the floor.

Mr. Chairman, H.R. 3040 makes permanent an extension of our unemployment benefits program that we all know is right and just. This measure makes permanent the commitment our Nation has to its workers. It makes permanent our obligation to protect our citizens from the worst effects of a recession—poverty and starvation. This is more than sound policy—this is our duty.

Make no mistake, Mr. Chairman, our working men and women are out of work because they cannot find jobs. They are not idle people, who would rather collect unemployment benefits than find gainful employment. The encouraging signs of a resurging economy have

not trickled down to our out-to-work citizens yet.

My constituents are hungry for work, and their families are hungry for not being able to find work. When I go home to New York some of our residents in the 22d Congressional District tell me that they are losing their houses and their life savings because they have become the inevitable victims of our economic recession.

Mr. Chairman, let us throw our hard-working citizens a lifeline to keep them afloat a while longer. Let us extend their unemployment benefits a little longer until these hard-working Americans, who have been put out of work through no fault of their own, can find employment in our reviving economy.

Mr. Chairman, I support this measure and I urge all my colleagues to vote in favor of its passage.

Mr. ROSTENKOWSKI. Mr. Chairman, I yield 30 seconds to the gentlewoman from Maryland [Mrs. BYRON].

Mrs. BYRON. Mr. Chairman, I probably will not take all of the 30 seconds, but there is a segment of this bill that I think corrects an inequity, and it is one that I feel very strongly about.

My colleague from New York [Mr. DOWNEY] and I have worked very hard to increase the military unemployment, which currently is at 13 weeks, taking effect after 4 weeks. For the civilian arena, it is 26 weeks after 1 week.

That inequity is corrected in this bill and, therefore, I support this legislation wholeheartedly.

Mrs. MINK. Mr. Chairman, I rise today in strong support of H.R. 3040, the Unemployment Insurance Act of 1991. When I spoke on this issue last August 2, nearly 9 million Americans were unemployed, and 1.6 million had exhausted their unemployment insurance compensation benefits. Has the economy improved for these individuals since then? Absolutely not. In the latest month for which statistics are available, the number of people with jobs fell by 300,000. That is 300,000 individuals who need three meals a day, clothing, and homes.

I am not willing to abandon these people now in their temporary time of need, and this Congress is not willing to ignore them. I think most Americans are employable, they just need a strong economy to give them opportunity. And until then they need a short-term helping hand. It is my belief that most Americans believe in the dignity of hard and honest work, all they want is a chance.

H.R. 3040 is different from last month's Emergency Unemployment Compensation Act, H.R. 3201, in several ways. As you will recall, President Bush did not think the plight of the unemployed warranted any emergency response. Hence the unemployed were prevented from receiving much needed benefits.

H.R. 3040 does not leave it up to the domestic priorities of President Bush. If we pass the bill, then the President must either sign it into law and give the increased unemployment benefits, or he must veto the bill and publicly say no to all of the Nation's unemployed.

Frankly, the current bill is superior to last month's bill, and I wish we had never tried to

appease the President originally by giving him loopholes.

The emergency designation of this bill would take place automatically upon the President's signature. There is no more time to waste.

Under the bill, unemployment insurance benefits would be extended to all States with the level of the benefits depending upon the level of unemployment in a particular State. For the most severely affected States, the bill would extend benefits up to an extra 20 weeks. All States will get at least 5 weeks of additional benefits. Ex-service members would also be eligible for unemployment benefits, including those who served in Operation Desert Storm, at the same rate as civilian employees. The bill covers individuals who had exhausted their benefits since January 1 of this year.

I have heard from citizens across this country on how deeply this recession is hurting them. That is why I presented my own version of this bill last March. Here we are in September and the only thing we have accomplished is getting the Bush administration to admit finally that we are in a recession. But now they are telling us it is over. However, I don't think the nearly 9 million who are unemployed take comfort in this.

An additional 318,000 Americans exhausted their unemployment benefits 1½ months ago, the highest level in 40 years. But the Bush administration says there is good news. Technically, unemployment went down by 13,000 in one month. But this statistic is meaningless, it fails to show the real pain of the hundreds of thousands of Americans who have simply given up looking for a job. Since they are no longer actively looking for work during this current recession, some policymakers would give up on them as unemployable.

I am optimistic about this Congress' ability to solve the temporary problems of our unemployed. But I do not make rosy predictions for an immediate strong economic recovery. Many indicators suggest we could have a double-dip recession. Five of the last eight recessions have shown a single quarter of positive growth followed by further declines. Moreover, the minimal GNP growth in the second quarter, and recent declines in factory orders, give more credence to today's theory of a stop-and-start recession.

I look forward to the day when the recession does end, but that will not stop the problem of employment. Historically, the number of long-term unemployed continues to rise for half a year after a recovery begins because the first fired in the downturn are often the last hired in the recovery. Another factor makes this recession worse than previous ones. More workers have been permanently terminated rather than temporarily laid-off.

Mr. Chairman, the state of the unemployed in this country is an emergency. I urge my colleagues to join me in supporting H.R. 3040.

Mrs. COLLINS of Illinois. Mr. Chairman, President Bush is concerned about working men and women, I am certain of that. Unfortunately, these workers are employed in Chinese factories and Mexican maquiladoras. And the administration is definitely concerned with human misery—in Kurdistan and Bangladesh that is.

It is unconscionable that President Bush has a domestic policy for every nation in the world,

except the United States. America's unemployed need immediate help and they don't have the resources to fly to northern Iraq to obtain it. The economic recovery, if it indeed exists, has not reached inner city Chicago, Mr. Chairman. The unemployment lines continue to stretch out the doors of local benefit offices and thousands of workers are falling through the safety net of unemployment insurance every month. Unemployment has in fact reached upward of 65 percent in some pockets of my district. That is an emergency, Mr. Chairman, if not a tragedy as well.

H.R. 3040, the Unemployment Insurance Reform Act, is the second effort by the Congress to provide an additional 20 weeks of unemployment insurance for the Nation's unemployed. Unlike the previous measure which withered away on the President's desk when he failed to declare an emergency, H.R. 3040 already contains this provision.

Mr. Chairman, we are all concerned with runaway Government spending and not breaking last year's budget agreement. However, the budget agreement in all its significance is a mere scrap of paper when compared to the disillusioned and hungry children of unemployed workers whose benefits have run dry.

I urge my colleagues to support H.R. 3040. Mr. ATKINS. Mr. Chairman, I rise in support of the bill.

Last week the city of Lowell, the largest city in my district, was declared a labor surplus area by the Labor Department. "Labor surplus" is as cruel and obscure a reference to massive unemployment as are the terms friendly fire or collateral damage to needless deaths in time of war. Lowell joins Lawrence, Worcester, Fitchburg, Fall River, and much of the rest of Massachusetts for this designation, which is little more than a callous label. It places these communities in a line with more than 1,600 other municipalities across the Nation in competition for only \$1 billion in Federal contracts. It is a coldly bureaucratic response to a human problem, and does little to alleviate the severe hardship that faces 13,800 unemployed people in Massachusetts alone whose benefits ran out in August.

The citizens of Massachusetts deserve real assistance from the Government. They need unemployment compensation and job training for those who are out of work. They need Research and Development Programs to revitalize the economy. Instead, they are told that they have been designated a labor surplus area, as if human beings are nothing more than a surplus commodity.

I recently received a résumé from a constituent in Lowell who was an engineer in the computer industry. After 10 years of work on the job, he was laid off and is still looking for work. He and his wife, who is also out of work, have college degrees and are trying to raise a 7-year-old child. They are not lazy people. They are hard-working, intelligent individuals who have important skills to contribute to our society. They are just one of the many middle-class families who form the backbone of our economy and have never asked for a handout. They aren't working because there aren't any jobs. And there aren't any jobs because there is a long and difficult recession.

Mr. Chairman, the Bush administration is engaged in massive denial about the econ-

omy. They cynically claim that an extension of unemployment benefits is not necessary because the recession is over. So they use statistics and euphemisms like labor surplus area in order to deflect the real impact this recession is having on families.

Last week, unbeknownst to most Americans, the administration forgave Senegal's \$42 million debt to the United States. During the Persian Gulf conflict, we forgave \$7 billion owed by Egypt. The President has also declared emergency spending this year to aid Kurdish refugees, and for the cleanup of the S&L crisis. While these are all worthy causes, I fail to understand how we can find the dollars to meet these needs and not those working Americans who have fallen victim to the economic hardship at home. The administration's reliance on rhetorical euphemisms is no substitute for leadership and action.

In my State and my district, the ravaging effects of the recession is creating a desperation in which families simply do not see the rosy economic future predicted by the President. Those who are out of work are doing everything they can to find a job and then some. These families need relief now and not at some future unknown date when the recession will supposedly end. They do not have the luxury of telling the bill collectors that they will pay their bills when the recession is over. Vote yes on H.R. 3040, and defeat the President's massive denial of the real impact this recession is having on American families.

Mr. GEJDENSON. Mr. Chairman, I would like to take this opportunity to express my strong support for the Unemployment Insurance Reform Act (H.R. 3040).

Mr. Chairman, there is no reason for us to be here today debating this issue. In August, this Congress passed a good bill that gave much needed assistance to Americans who have lost their jobs. Unfortunately, instead of helping the 2.15 million American workers who have exhausted their benefits, President Bush decided to ignore them and do nothing. While he has declared emergencies for the people of Bangladesh and the people of Turkey—thus making them eligible for American assistance—President Bush has not extended this same courtesy to the American worker.

Luckily, my colleagues and I in the House have decided that this situation is an emergency and we are doing something about it. I support H.R. 3040 because it provides additional unemployment benefits to long-term unemployed workers by replacing the current Federal-State extended benefits with a stronger, more comprehensive program. The current system provides 13 extra weeks of unemployment benefits for workers whose benefits have run out, but who are still looking for work. H.R. 3040 allows for benefits to be available for an additional 20 weeks, depending on the unemployment rate in the State.

The bill would also change each State's calculation of its unemployment rate to accurately reflect the numbers of the unemployed. Instead of counting just the people who are receiving unemployment compensation, as is the current practice, States would be able to count all people who are out of work. This new accounting procedure would help ensure that those who are out of work get the benefits that they deserve.

H.R. 3040 could mean a great deal to workers in my home State of Connecticut where, according to the State department of labor, over 2,000 people have exhausted their unemployment benefits. Many of these people are unemployed defense workers who have given their talent and toil to build strong national defense programs. Now, as the cold war thaws and defense spending drops off, these workers deserve additional efforts by Congress and the administration to maintain economic health in the years to come.

It is time to go beyond promising economic aid to any foreign nation who asks and start focusing on people in this country who desperately need assistance to begin rebuilding their lives.

Ms. SNOWE. Mr. Chairman, I rise to express my support for providing additional benefits to the unemployed workers across the country.

In my own State of Maine, over 47,000 people were unemployed in the month of July. These are hard working men and women who are asking only for the chance to work. But, Mr. Chairman, there are just no jobs out there. They are looking for work—some have even left the State in hopes of finding a way to support their family—but the opportunities are not there. They are undergoing a wrenching experience. It is hard enough being unemployed at any time, but particularly so when the economy is mired in a recession.

These people need our help, Mr. Chairman. The bill before us today will provide that needed assistance. It will provide Maine families with up to 20 weeks of additional benefits so they can pay the electric and water bills, the rent and so they can buy food for the table.

My constituents are independent people who are used to paying their own way. They need and deserve our help. Passage of this bill will give them the financial resources necessary to make it through this rough period. I urge my colleagues to support H.R. 3040.

Mr. GILCHREST. Mr. Chairman, it is with great reluctance and greater frustration that I rise in support of H.R. 3040.

Mr. Chairman, it is most unfortunate that the House adopted the rule under which we are considering this bill, as it only allows us to consider the most simplistic and the hollowest approach to helping the unemployed. The bill before us is no more a solution to unemployment than morphine is a cure for cancer. The Rules Committee has prohibited any proposal which could have done any real good. We are left with two choices.

We could pass the bill as it stands, raising the deficit, slowing an already slow economy, and lessening the chances that the unemployed will ever be reemployed. It might ease their hardships, letting make another mortgage payment or buy school clothes for their kids, but it mortgages their future in the process.

The alternative, no more attractive, is to do nothing. We can try to ignore the problem in the name of fiscal sanity, and try to serve their long-term interests by creating an economy where unemployment is not a constant fact of life. Unfortunately, the chances of this Congress passing a growth package this year are no better than the chances that the Orioles will win the 1991 World Series.

In short, Mr. Chairman, the rule allows us two alternatives: one is cowardly and short-

sighted while the other is heartless. I'd like to thank the Democratic leadership for forcing us all into a position where we have to make such a decision.

It should have been relatively painless for us to fund this extension through spending cuts. The \$6.3 billion this will cost over 5 years represents less than one-tenth of 1 percent of our budget over 5 years. Yet when our colleague, Mr. GRADISON, tried to offer a proposal to do this, the Rules Committee found it so offensive that they prohibited its discussion on the floor.

Congressman GINGRICH and Congressman ARMEY tried to offer proposals which would give the unemployed what they want most—jobs. Yet the Democratic leadership felt that job creation had no place in a debate over unemployment.

It is widely accepted both here and in the media that this package is designed to be vetoed, and that it is actually just a political card being played by those who covet the President's popularity. However, unemployment is a significant problem in my district. In fact, it was not so long ago that I faced it myself. For this reason I find it offensive that anyone would use this problem and these people as political pawns.

Mr. Chairman, in all candor, I cannot turn my back on the unemployed people of America, even in the name of fiscal responsibility. The issue, as the majority has framed it, is a lost-lost question in an area where we could have done a great deal of good. Reluctant as I am to admit it, however, I find good fiscal policy easier to ignore than the concerns of my unemployed constituents. Once again, Congress plays politics with policy and the American people lose.

Mr. FAZIO. Mr. Chairman, I rise again today in support of H.R. 3040, the Unemployment Insurance Reform Act, legislation to address the unemployment emergency which is still gripping the American economy.

This Republican recession has put close to 9 million Americans out of work. This country remains in a recession despite the wishful forecasting of this administration. Yet, President Bush continues to bury himself in foreign policy. Strike one, Mr. President.

Last month, we here in Congress passed a bill that extended unemployment compensation benefits to more than a million unemployed Americans who had exhausted their benefits since the beginning of this year. But the President had to declare an emergency in order for our bill to take effect. So, although the President signed our bill, he prevented it from being enacted because he refused to declare the emergency. Strike two, Mr. President.

Now, the number of Americans who have exhausted their benefits since the beginning of this year has increased to nearly 2 million. Of the 334,000 Americans who ran out of unemployment protection in the month of July alone, 16,000 are eligible for extended benefits. Yet, the administration is still saying that the recession is over, or at least that things are getting better. They tell us that this legislation is unnecessary. But the 8.5 million American workers who are out of work know otherwise.

In the past 40 years, every President has extended unemployment benefits during a re-

cession, as we are attempting to do now. Now is the time to support aid to American workers, Mr. President. This is your third and last chance to score a home run for America.

Mr. MATSUI. Mr. Chairman, although the unemployment rate has moderated over the past few months, the need for H.R. 3040, the Unemployment Insurance Reform Act of 1991 is keen. More than 8.5 million Americans are presently unable to find a job. The unemployment rate has held steady at 6.8 percent for 2 months. While some pundits may say this recession is over, unemployed American workers know otherwise.

In California the unemployment rate in August was 7.3 percent. While this is a drop from the 8.2-percent unemployment rate in June, it is significantly higher than the 5.5-percent unemployment recorded in August 1990. There were over 1 million unemployed Californians in August.

This legislation would provide real relief to the millions of Californians and others around the country who are without jobs or regular income. California, like many other States that have passed the 7-percent unemployment rate, is unable to secure extended benefits for its citizens.

The current unemployment insurance system is ill-equipped to serve the numbers of people needing continued benefits. Cuts in the unemployment insurance extended benefits program during the 1980's have left this program unable to meet the needs of the unemployed. This is the first recession since the 1950's during which extended benefits have not been triggered for the long-term unemployed. It is unacceptable that Michigan, Maine, and West Virginia, all of which have experienced unemployment rates of over 9 percent, fail to qualify for the extended benefits program. Congress must act to extend these benefits to the millions of unemployed Americans who have exhausted their regular unemployment benefits.

The United States is a country made up of people who are proud to work. It is offensive that there are those who argue these people are lazy or do not try hard enough to find employment. The jobs are not there and it is our responsibility as Members of Congress to do all that is within our power to provide an adequate safety net to protect them when they are in need. I urge my colleagues to support this critical legislation.

Mr. ROSTENKOWSKI. Mr. Chairman, I yield back the balance of my time, and I move that the Committee do now rise.

Accordingly the Committee rose; and the Speaker pro tempore (Mrs. KENNELLY) having assumed the chair, Mr. LEWIS of Georgia, Chairman of the Committee of the Whole House on the State of the Union, reported that the Committee, having had under consideration the bill (H.R. 3040) to provide a program of Federal supplemental compensation, and for other purposes, had come to no resolution thereon.

□ 1630

GENERAL LEAVE

Mr. ROSTENKOWSKI. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on H.R. 3040, the bill just considered.

The SPEAKER pro tempore (Mrs. KENNELLY). Is there objection to the request of the gentleman from Illinois? There was no objection.

APPOINTMENT OF CONFEREES ON H.R. 2100, NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEARS 1992 AND 1993

Mr. BENNETT. Madam Speaker, pursuant to clause 1 of rule XX, and by direction of the Committee on Armed Services, I move to take from the Speaker's table the bill (H.R. 2100) to authorize appropriations for fiscal years 1992 and 1993 for military functions of the Department of Defense and to prescribe military personnel levels for fiscal years 1992 and 1993, and for other purposes, with Senate amendments thereto, disagree to the Senate amendments, and agree to the conference asked by the Senate.

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

The motion was agreed to.

MOTION TO INSTRUCT OFFERED BY MR. DICKINSON

Mr. DICKINSON. Madam Speaker, I offer a motion to instruct.

The Clerk read as follows:

Mr. DICKINSON moves that the managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill H.R. 2100 be instructed to insist on the provisions contained in sections 513, 611, 612, 613, 614, 623, and 627 of the House bill, relating to various military personnel authorities identified as needed as a result of the experience of the Armed Forces in Operation Desert Shield/Desert Storm.

The SPEAKER pro tempore. The gentleman from Alabama [Mr. DICKINSON] will be recognized for 30 minutes.

Mr. FRANK of Massachusetts. Madam Speaker, I request, under the rule, 20 minutes of the time that is available in opposition to the motion.

The SPEAKER pro tempore. Is the gentleman from Florida [Mr. BENNETT] in favor of the motion?

Mr. BENNETT. I support the Dickinson motion, Madam Speaker.

The SPEAKER pro tempore. The debate will be divided three ways. The gentleman from Alabama [Mr. DICKINSON] will be recognized for 20 minutes; the gentleman from Florida [Mr. BENNETT] will be recognized for 20 minutes; and the gentleman from Massachusetts [Mr. FRANK] will be recognized for 20 minutes.

The Chair recognizes the gentleman from Alabama [Mr. DICKINSON].

Mr. DICKINSON. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, many of my colleagues on the other side of the aisle will think because I am offering a motion on a defense bill that it is controversial, even partisan. I would like to put their fears to rest. My motion to instruct the conferees on H.R. 2100 is neither controversial nor partisan.

This is a motion that should pass without objection because it is about helping individuals and families in the military. The Armed Services Committee learned a lot about problems facing our military personnel during Desert Storm and we addressed them in a bipartisan fashion in H.R. 2100. The provisions listed in my motion were adopted without controversy by the committee back in May, and by the House during floor consideration, also in May.

My motion would once again put the House on record in support of the following measures:

First, allowing retired officers to be recalled to active duty in the highest grade of satisfactory service—section 513.

Second, repealing the current prohibition against paying hostile fire pay and family separation allowances during time of war—section 611.

Third, increasing both imminent danger pay and family separation allowance—sections 612 and 613.

Fourth, paying activated reservists in the medical, dental, psychological, and nursing specialties the same special pays as their active counterparts—section 614.

Fifth, authorizing reservists without dependents to draw a quarters allowance—section 623.

Sixth, providing up to 30-days transitional health care for reservists and others upon release from active duty—section 627.

Although the Senate generally agrees with the need for these provisions, the manner in which they have approached them is less clear and, in some cases, more restrictive than the House provisions.

Whether or not the United States cuts defense spending more deeply than currently programmed, it is critical that our military forces maintain the capability to attract and retain quality people. A smaller force structure can only succeed if it is comprised of quality people. Desert Storm demonstrated the magnificent readiness, dedication, and motivation of this Nation's All-Volunteer Force. While Desert Storm taught us how well the total force policy had evolved since the early 1970's, it also pointed out how badly our personnel policies, our personnel safety net if you will, had failed to keep pace.

For example, enlisted soldiers deployed to the Persian Gulf earned less money than they did in peacetime. Reservists and their families were forced

into severe financial difficulty because the existing rules prevented them from receiving a housing allowance. Upon their release from active duty, many reservists also found themselves without any health care benefits. My motion addresses these kinds of problems.

Adoption of my motion to instruct would help to ensure that these temporary fixes become permanent. In so doing, we would guarantee that the men and women in both the present and future total force do not face the same kind of problems managing their lives during a crisis that our people did during Desert Storm.

I understand that Congressman FRANK will ask the House to defeat the previous question on my motion in order to offer an amendment instructing the conferees to return a conference report with the House funding levels on strategic programs and the lower of the House and Senate figures on every other program in the bill. I will have much more to say on Mr. Frank's amendment if the House defeats the previous question on my motion.

Suffice it to say, if the FRANK amendment were to pass the House, it would be instructing our conferees to return a conference report with: a 50-percent deeper cut in Guard and Reserve end strength over the next 2 years than in the House bill; \$600 million and three aircraft less for the V-22; no remanufacture of F-14 aircraft; and only \$50 million of equipment modernization for the Guard and Reserve out of a total of approximately \$1.3 billion added to both bills. These are only the highlights because the Frank amendment, if adopted, would affect hundreds of programs in the Defense bill and would result, according to CBO, in an overall reduction in fiscal year 1992 defense spending of between \$11 and \$15 billion.

Therefore, I urge my colleagues to support my motion. More importantly, I urge them to reject any attempt to defeat the previous question that might be construed by Senate conferees as the House's rejection of necessary fixes to problems facing our men and women in uniform.

Mr. FRANK of Massachusetts. Madam Speaker, will the gentleman yield?

Mr. DICKINSON. I yield to the gentleman from Massachusetts.

Mr. FRANK of Massachusetts. Madam Speaker, I will do this on my time, if the gentleman wants, and I appreciate his yielding. I will yield myself time to say that the way this proposed construction is drafted, I would not detract from anything the gentleman from Alabama is offering. My intention is to offer an amendment that adds to the gentleman from Alabama and in no way conflicts with it.

Mr. DICKINSON. I thank the gentleman.

So in order for him to be allowed to offer his amendment, we would have to

vote down the previous question, which would then open it up for an opportunity for him to offer his amendment.

□ 1640

What would his proposed amendment do? Well, I will say it will create a great deal of mischief. For instance, and I would hope that we do not need further debate on this later, but as to the gentleman speaking, it would require a 50-percent deeper cut in the Guard and Reserve end strengths over the next 2 years than in the House bill. He would require 50 percent less for Guard and Reserve; \$600 million and three aircraft less for the B-22.

We have been around the track several times on the B-22. It has gotten to be almost an emotional issue here. The House has pretty well spoken on it.

But if the amendment offered by the gentleman from Massachusetts [Mr. FRANK] will be made in order, he would take out \$600 million and three less aircraft for the B-22. There would be no remanufacture for the F-14. That is something near and dear to the hearts of many people that feel like it is absolutely necessary that we go forward with the remanufacture of the F-14 for the Navy if we are not going to build new aircraft.

Mr. FRANK of Massachusetts. Madam Speaker, will the gentleman yield?

Mr. DICKINSON. I yield to the gentleman from Massachusetts if he is going to correct something I said that is in error.

Mr. FRANK of Massachusetts. Madam Speaker, that is exactly what I had in mind.

Certainly, my intention, and I believe the reading, we would not hit the F-14 at all. If the gentleman would show me where he thinks ours touches the F-14, I would show him, but it was not our intention to cut the F-14 at all.

Mr. DICKINSON. Well, let me say that in the flurry of activity immediately preceding this, my staff was of the opinion that this was one of the things that would be hit, and the remanufacture, for instance, it would require that the lesser of the two figures between the House and the Senate be adopted. The House has 19 and \$680 million. In the Senate this takes out, and it would reduce it to \$137 million, if I am reading correctly. That is in the Senate bill which would force us to go to the lower figure which does what I said it would do.

Anyway, I would be glad to give the gentleman an opportunity to argue it.

But these are the facts that I am given. What I am saying is we have done the best that we could for our reservists, those who were called up, and we have done the best we could to fashion a bill.

In essence, the House came in on the very low side for all the strategic programs compared to the Senate, and we

did much better on the conventional side than did the Senate in many instances. The gentleman from Massachusetts [Mr. FRANK] would require us to take the House position on the strategic which is the low figure and then go to the Senate figure which, again, is the low figure, and would do a great deal of mischief, as I pointed out here. I think it would be counterproductive.

I do not think it is in the best interest of our Department of Defense for the men and women who have served, nor in the acquisition of our weapons systems. I think it would be shortsighted. It is not the intent of the House that it works against what the House fashioned in terms of its bill that went to the Senate.

I would ask if we get to that point where we vote up or down on the previous question that we vote in support of the previous question to allow my instruction to the conferees to put in place, in permanent law, these things that have been for the Guard and the Reserves that have been called up.

Madam Speaker, I reserve the balance of my time.

Mr. FRANK of Massachusetts. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, the gentleman has correctly laid out the parliamentary situation. Let me note that we have just apparently seen a mass conversion on the part of the Republican Party. Maybe a little bit of it slipped over to here.

The previous question, which was an evil instrument a little while ago, has suddenly become much more defensible. Myself, I am not for or against the previous question. In principle, I think it is sometimes reasonable and sometimes not. The previous question I am asking people to vote against now is the selfsame position that was the cause of a considerable amount of Republican rhetorical fury a couple of minutes ago on the unemployment bill.

I said I was opposed to the motion offered by the gentleman from Alabama [Mr. DICKINSON], which is a condition of getting the 20 minutes and, of course, I comply fully with the condition. I am opposed to it, but I am only opposed to it because of its incompleteness.

I am only opposed to it because it is unadorned. With a little dressing up, I would not be opposed to it anymore.

It is not my intention to ask people to vote against it. I, in fact, will, if the previous question is voted down, offer an amendment which will leave the motion offered by the gentleman from Alabama [Mr. DICKINSON] untouched. It will be purely an addition to his motion, so everything he says I agree with and hope that the House will ultimately be able to vote for it virtually unanimously.

I want to add, and what I want to add would be an effort to reduce the budget deficit and to reduce the budget deficit

without spending a single penny of the money on any other purpose.

Later this year, next year, we will be talking about possibly taking some military expenditures and putting it elsewhere in part.

Today, all that we will do, if we reduce the spending level, and that is what my instruction would try to advance, would be to reduce the budget deficit to some extent.

The gentleman described what he thought would be the effect. I understand how he described it. I think he missed it in all good faith.

There are two key provisions, A and B. A deals with strategic programs, and it is an instruction to the armed services conferees, with all the great attention that instructions always get, which is sometimes more than other times, but it is an instruction to the conferees, and they cannot be bound absolutely by the instructions since they have to go to the conference with both bodies, but it is an expression of the House's intention that in the strategic program area we stick with the House bill which, as the gentleman said, are generally lower. So, yes, the most binding part of this, the most nearly binding, since it cannot be totally binding, but the most restrictive part of this says that in the strategic area, go with the House numbers, which are the lower numbers.

In the nonstrategic area, the F-14, the National Guard, the others the gentleman talked about, and here is where I disagree with the gentleman from Alabama, it does not say, as it does in A, to go with the lower numbers. It says go with the lowest possible numbers "consistent with emerging national security needs."

Many of us believe that what happened in August in the Soviet Union means you can make some reductions in some areas. It specifically calls in the second section for reductions which might be made possible by a greater assistance on burden sharing, and I must tell the Members that one area where I found the administration deficient everywhere except in the gulf war is in burden sharing. The administration did a very good job in getting burden sharing made a reality during the gulf war.

If they had put the same energy and attention into burden sharing elsewhere, we could save the American taxpayer a lot of money and reduce the deficit some.

There is a difference between A and B. A says go to the lower number. B says, which would include the F-14, which would include the other spending the gentleman from Alabama mentioned, go to the lowest number within the scope of the conference "consistent with emerging national security needs."

That is meant to give some flexibility to our Committee on Armed Services, also to give them, if this passes,

an indication that many in the House feel that the bill today may offer us in the nonstrategic area some opportunities for savings we had not previously seen, and that we think that the numbers the House voted for in the strategic areas, that we voted for before August, we feel even more strongly about. That is the purpose of this instruction.

It does not detract from the gentleman's instruction.

Madam Speaker, I yield such time as he may consume to the gentleman from California [Mr. DELLUMS].

Mr. DELLUMS. Madam Speaker, I thank the gentleman for yielding me this time.

I thank the gentleman for his generosity.

Madam Speaker, let me say that I support the motion to instruct offered by my distinguished colleague, the gentleman from Alabama [Mr. DICKINSON].

His motion is both meritorious and, in this gentleman's humble opinion, noncontroversial and certainly should go forward.

But I also rise in support of the motion, the additional amendment, offered by my distinguished colleague, the gentleman from Massachusetts [Mr. FRANK], because I also think that his motion is, indeed, meritorious.

First, as I understand it, the gentleman is simply saying that with respect to strategic programs such as the B-2, SDI, et cetera, that the House has debated, the House has taken some very strong positions, and to the maximum extent possible and within the comity that exists between the House and the Senate in the dynamics of conference, attempt to stay with the House position on strategic weapons. Is that correct?

Mr. FRANK of Massachusetts. Madam Speaker, will the gentleman yield?

Mr. DELLUMS. I am happy to yield to the gentleman from Massachusetts.

Mr. FRANK of Massachusetts. Madam Speaker, the gentleman is correct.

Mr. DELLUMS. Madam Speaker, second, I would also say that I support very strongly the assertion of my colleague, the gentleman from Massachusetts, that with respect to nonstrategic programs that the gentleman is also correct, because the operative language here that allows the members of the conference the flexibility necessary to make appropriate judgments is found in the statement that says: "that is consistent with emerging national security needs."

□ 1650

Therefore, to stand on the floor and suggest in very rigid terms that means the reduction of very specific programs at this time is a very premature assertion, because to use this quotation "consistent with emerging national security needs" obviously is an issue

that is judgmental and provides the opportunity for discussion and debate. Within that context, I think the gentleman's efforts are meritorious as well.

Am I interpreting my colleague's position correctly?

Mr. FRANK of Massachusetts. Madam Speaker, the gentleman is, and I appreciate his making this absolutely clear.

Mr. DELLUMS. I thank the gentleman.

Third, the gentleman is simply suggesting that we increase burden sharing on the part of our allies, which is an issue that has been fervently and aggressively debated in a very heated fashion in these Chambers on more than one occasion.

So I would simply suggest to my colleagues that the gentleman from Massachusetts [Mr. FRANK] is simply attempting to amend the motion to instruct that is consistent with the majority will of this House, and I am very pleased and very privileged to rise in support of my distinguished colleague.

Mr. FRANK of Massachusetts. Madam Speaker, I thank the gentleman, who speaks from his experience as a past and future conferee, I would expect.

Mr. ASPIN. Madam Speaker, I yield 3 minutes to the gentlewoman from Maryland [Mrs. BYRON].

Mrs. BYRON. Madam Speaker, let me first thank the gentleman from Alabama for his work on this and congratulate him for the motion to instruct the conferees. It is an issue that I think is extremely important in these seven personnel issues included in the Defense authorization bill for fiscal year 1992. As you know, in the emergency legislation last year, we put in some proposals, and I think to include those in the proposals for 1992 is important. We worked long and hard last year to come up with a bill and were unable to get some of this legislation in because of the scoring problems that we had which have now been resolved.

The gentleman from Alabama is absolutely correct, these initiatives correct shortcomings in personnel policy which became apparent during Operation Desert Shield and Storm. The brilliant success of our Armed Forces during Desert Storm is a direct result of the resources we invested in recruiting and retaining the highest quality fighting force in our Nation's history. Make no mistake, our stunning victory in the Persian Gulf belongs to the men and women who serve our Nation in the Armed Forces. They were the dedicated professionals, both active duty and citizen soldier, who left their families, homes, communities and, in the case of reservists, jobs and businesses so that our Nation could prevail.

We did not achieve this capable and responsive force without being sensitive to the needs of the people that

make it work. The provisions referenced by the gentleman from Alabama, and all the other personnel issues included in the bill, are examples of our continuing effort to understand the needs of the members of the Armed Forces and provide workable, cost effective solutions that will ensure we continue to attract the best and the brightest. Given the uncertain and often dangerous world we live in, how could we do anything less?

The gentleman from Alabama has focused on some of our most important Persian Gulf war lessons learned from the DOD personnel policymakers. While the call-up of Reserve forces was an unqualified success, we did need to fine tune procedures and enhance benefits during the war to recognize the special sacrifices of our reservists and protect them from unfair treatment, and we now need to make those advancements permanent. As the gentleman from Alabama has indicated we: First, opened the opportunity for reservists to retire in the grade that they fairly earned during their Desert Storm service; second, ensured that reserve health providers received the same pay as their active duty cohorts with whom they served; third, authorized unmarried reservists to receive housing allowances to support the home that they left behind; and fourth, provided a transitional health care plan to ensure that reservists and their families were protected as they returned to civilian life.

During the early days of Desert Shield, it became obvious that aspects of our pay system needed to be updated. The gentleman from Alabama has highlighted two important increases in compensation that proved to be critical to morale during the war—the increases in imminent danger pay and family separation allowance. We need to make both those increases permanent so that we are prepared for the next contingency. The final issue is repeal of a provision of law that could prevent both imminent danger pay and family separation allowance from being paid in a future Operation Desert Storm.

Madam Speaker, I again commend the gentleman from Alabama for offering the motion to instruct the conferees.

Mr. DICKINSON. Madam Speaker, I would like to thank the very distinguished gentlewoman from Maryland for her remarks. She is chairman of the Subcommittee on Military Personnel and Compensation of the Armed Services Committee.

Madam Speaker, I yield 3 minutes to the very distinguished gentleman from Virginia [Mr. BATEMAN], the ranking member of the Subcommittee on Military Personnel and Compensation of the Armed Services Committee.

Mr. BATEMAN. Madam Speaker, I thank the distinguished gentleman

from Alabama for yielding me this time, and rise in support of the motion to instruct conferees sponsored by the gentleman from Alabama.

As ranking minority member of the Subcommittee on Military Personnel and Compensation, I fully supported these provisions when they were temporarily enacted in the Desert Storm supplemental authorization. Now that we have the opportunity to implement the lessons learned from our Desert Storm experience, I fully endorse the effort to make these personnel provisions permanent law.

A simple glance at the specific provisions proposed by the gentleman from Alabama [Mr. DICKINSON] illustrates the wisdom of supporting the motion. Taken in total, the motion presents a package of measures that would benefit active, guard and reserve personnel who would be involved in future contingencies. These benefits include:

First, modest increases in imminent danger pay and family separation pay.

Second, transitional health benefits for reservists and others.

Third, special pay for medical, dental, and other specialists in the Reserves so that when recalled to active duty, they can earn what their active duty counterparts earn.

Fourth, a basic allowance for quarters so that reservists without dependents are not forced to sell their homes solely because they were activated during a contingency.

Fifth, a repeal of prohibitions on the payment of hostile fire pay and family separation pay during wartime; and

Sixth, permitting involuntarily recalled retirees to serve on active duty in the same rank they held upon retirement.

I am sure that my colleagues in the House will agree that these are reasonable provisions in the existing House-passed version of the fiscal year 1992-93 Defense Authorization Act. They are already budgeted for in the framework of a reduced defense budget. Furthermore, they recognize the special hardships endured by military personnel—particularly those in the Reserve components and involuntarily recalled retirees—when they are forced by unexpected national emergencies to leave civilian life and serve in a potential war zone.

I ask Members to support the motion by the gentleman from Alabama.

Mr. FRANK. Madam Speaker, I yield myself 3 minutes.

I want to express my admiration for the work done by the Subcommittee on Military Personnel and Compensation, and as I said previously, my support for the instructions contained in the motion of the gentleman from Alabama.

We are not debating whether or not those ought to be in the instructions. We are debating then only one question, whether in addition to that we should add an instruction which first,

says that in the strategic area, we should stick with the House position.

Second, in the nonstrategic area, we should instruct our conferees to go with the lowest numbers that are consistent with emerging national security needs, that we say to them, perhaps a little unnecessarily, take into account the world as it is today and as you look at these versions, see whether we can make some savings, and if we cannot, if you think that the national security needs are the same as they were before, then you go ahead with them.

Third, it says that we should increase burden sharing.

I want to say again that my criticism of this administration on burden-sharing is that they have only done a partial job. They have shown us how good a job they can do, but compare what we did in the gulf and the burden sharing results to what goes on elsewhere in the world, and the effort that other nations were required to make and made in the gulf financially to ease the burden on the American taxpayers they have not made elsewhere.

And yes, I think we should instruct the conferees to say, remind the President that we want more burden sharing.

We want to instruct our conferees to say, and I want to make it clear, this is not saying that because of what happened in the Soviet Union we can radically restructure the military. That is an issue we will deal with later. We are in conference, of course, constrained to choose between the House and the Senate. We do not in either case have the ability to go below. Nobody is trying to do that.

What we are saying is just be very clear. The amendment offered by the gentleman from Alabama is an important one that ought to go forward with the proper help. The help consists of first, I would not want anyone to think I was opposed to this amendment when I was not. As I said, I am opposed to it only unadorned.

But in addition, we need to say in the strategic area that the House was right and the Senate was not right and we can go with the lower numbers and reduce the deficit.

We need to say in the nonstrategic area that we urge the committee to go with the lowest numbers consistent with national security, and in the third area that we remind the administration that the good job it did on burden sharing in the gulf is something that ought to be broadened.

Madam Speaker, I think those three points ought to be terribly controversial. At the very least, we ought to have a chance to vote on them. By defeating the previous question, we do not in any way retard the instructions of the gentleman from Alabama. We simply give an opportunity for the additional wording that I have mentioned.

Mr. ASPIN. Madam Speaker, I yield myself such time as I may consume.

I rise actually to see what my position is on all of this.

First of all, I would like to say I would support the motion of the gentleman from Alabama (Mr. DICKINSON) to instruct the conferees. The House was right to make permanent changes in the benefits provided to those who took part in Operation Desert Storm and it is right to make that point again as we enter the conference.

□ 1700

That does not mean—and I find actually the arguments of the gentleman from Massachusetts rather persuasive, so I want to say at this time that I will vote to defeat the previous question on the motion to instruct so that Mr. FRANK of Massachusetts may have the opportunity to offer his amendment to Mr. DICKINSON's motion, which, as Mr. FRANK has pointed out, is a broadening amendment rather than anything against Mr. DICKINSON's amendment. A vote to defeat the previous question is not a vote against the Dickinson motion to instruct. It cannot be construed as a vote against the benefits for our military people. Mr. FRANK's amendment will preserve the instructions moved by Mr. DICKINSON.

Madam Speaker, I reserve the balance of my time.

Mr. DICKINSON. Madam Speaker, I yield 2 minutes to the gentleman from California [Mr. CUNNINGHAM] who has had some pertinent experience in combat on the effectiveness of the F-14.

Mr. CUNNINGHAM. I thank the gentleman from Alabama for yielding this time to me.

To my distinguished colleague from Massachusetts [Mr. FRANK], I say he was talking that he wants to reduce the budget, he wants to cut taxes. He wants to reduce the deficit. You know, just a second ago we were talking about workmen's unemployment compensation bill that would increase taxes or increase the deficit by over \$6 billion over the next 5 years.

You cannot have it both ways. If you cut defense, if you cut to the bare-bone minimum, it costs jobs. We looked at the base closures, we looked at the F-14's; there are 24 of them in the budget and the Senate zeroed that out.

I have got kids flying 20-year-old aircraft. When we are talking bare-bones minimum, I say to the gentleman from Massachusetts [Mr. FRANK], we are talking about bare-bones minimum. It takes about 360 aircraft a year to maintain the current force level. We have not procured more than 105 aircraft over the last 8 years.

Mr. FRANK of Massachusetts. Madam Speaker, will the gentleman yield?

Mr. CUNNINGHAM. I yield to the gentleman from Massachusetts.

Mr. FRANK of Massachusetts. I thank the gentleman for yielding.

Madam Speaker, would the gentleman say that national security would require us to go forward with the F-14?

Mr. CUNNINGHAM. Yes, I do.

Mr. FRANK of Massachusetts. I do too. That is what the resolution says. The resolution says they should go with the level consistent with national security, and I agree with the gentleman.

Mr. CUNNINGHAM. I say to the gentleman from Massachusetts, how about SDI? I look at SDI, and we have in the Soviet Union, with all the Republics failing, we have got 10 people out there sitting there with their finger on nuclear weapons. That also zeroes out the Patriot missile.

Mr. FRANK of Massachusetts. Madam Speaker, would the gentleman yield further?

Mr. CUNNINGHAM. I yield to the gentleman from Massachusetts [Mr. FRANK].

Mr. FRANK of Massachusetts. Madam Speaker, the gentleman asked me about the F-14. I agreed with him. With regard to SDI, I would have to say to my friend, "One out of two ain't bad."

Mr. CUNNINGHAM. Well, I sure do not want my children sitting there having to put on gas masks, looking for incoming weapons, when the increased threat of the Soviet Union and the Republics where you have 10 people sitting there with nuclear weapons—you know, it is a crime.

Let me put it in a different perspective, not speaking as a Congressman, Madam Speaker. But as a kid who had his rear end in a jet at one time, we flew 20-year-old aircraft. I can remember losing a very close friend in Vietnam, and I sat there and I swore—have you ever had your guts ache and your heart burst and you say "Why? Who are those rascals back in Congress, the Jerry Browns, the Tom Haydens, the Jane Fondas," that actually got people killed. And by cutting to the lowest denominator that you are trying to do when we are already at a bare-bone minimum is going to cost lives. The top gun wants the best to the best. You cannot jump into an F-14 or a T-62 tank or a submarine tomorrow and say, "I am trained." You have got to train those people, whether national security declares it or not. What the training level is is what is important here; not to cut defense more, which also cuts jobs and we will have to increase our taxes.

Mr. FRANK of Massachusetts. Madam Speaker, I yield myself 1 minute to say a couple of things to my friend. I understand his emotion. But that really does not justify, it seems to me, getting away from the facts. In the first place, his reference to former Congressmen, like Jerry Brown, Tom Hayden, and Jane Fonda, I do not know when any of them served. I was just

quoting the gentleman. But more important, let me point out that the gentleman is flatly wrong when he says this would zero out the Patriot. In fact, the House, I am told, is higher on the Patriot level than the Senate. The Patriot would be protected by this. It is not a strategic program. Now, maybe the gentleman is trying to argue that the Patriot is really part of the SDI. It has not been, it is not the way we have done this, and it would not be cut.

So I understand the gentleman's anguish. It is not directed against anything I in fact do. The experiences of Vietnam, I would tell him, are simply not before us today. No one is talking about a military budget that would be less than the greatest in the world. No one is talking about going below the House or the Senate numbers. We are trying to talk about specific facts, but the facts do not support that.

Madam Speaker, I yield 1 minute to the gentleman from California [Mr. CUNNINGHAM].

Mr. CUNNINGHAM. I thank the gentleman for yielding.

The gentleman talks about the lowest denominator of the need. Well, if the chairman of my committee wanted to give \$1 billion to the Soviet Union out of defense, there are Members on the other side of the aisle who would cut defense 50 or 75 percent. That is the whole problem, where we draw that line.

Mr. FRANK of Massachusetts. I take back my time in order to say to the gentleman that is an issue he can debate when it comes up. We are not the Senate, I say with all respect to that august institution.

Mr. CUNNINGHAM. I happen to be in the minority party, and the gentleman controls it.

Mr. FRANK of Massachusetts. I have got the time. The fact is none of what the gentleman just talked about is before us. We are not talking about 50 or 75 percent, we are not talking about the Soviet Union. We are talking about what we are talking about. I know that it is sometimes inconvenient to stick to, but that is all that we have got. Lower on strategic and consistent with national security on nonstrategic.

Madam Speaker, I yield 2½ minutes to the gentleman from California [Mr. DELLUMS].

Mr. DELLUMS. I thank the gentleman for yielding.

I am not sure that I can do it in 2 minutes.

Madam Speaker, I just simply say to my distinguished colleague from California with respect to his remarks regarding the previous legislation, someone much wiser than this gentleman said many years ago that the purpose of our political system is to decide who gets what, when, where, and why; it is, simply restated, that the issue is always a question of priorities. That is an important debate. And, if we believe

that it is an important priority to make sure that unemployed people get resources, then that is fine. We think that that priority makes more sense than building weapons of destruction; if that is the case, then that is what this process ought to be.

Second, I think it is important that we not allow hyperbole to enter into this discussion. As I understand the motion offered by the gentleman from Massachusetts, it simply states what our position ought to be anyway. The House of Representatives goes into conference with the Senate with the expressed desire to maintain the integrity of the House position. Whether that is on strategic weapons or nonstrategic weapons. He is simply restating what we ought to do.

He did it on strategic weapons, and he pointed out over and over again when this gentleman took the floor to underscore the point with respect to nonstrategic programs he does have operative language. And, that is that you make the reduction that is consistent with emerging national security needs. That provides the opportunity for a discussion and debate.

So this continued preoccupation with the notion that this general language goes to the F-14 is disingenuous, incorrect, and premature.

Mr. CUNNINGHAM. Madam Speaker, will the gentleman yield?

Mr. DELLUMS. I yield to the gentleman from California.

Mr. CUNNINGHAM. I thank the gentleman for yielding.

Madam Speaker, that is the whole point, where that line falls. His definition and the liberals' definition of what we need for national security is totally different. The definition of the kids who have to put their butts in those seats and fight those wars, their line is much different than yours.

Mr. DELLUMS. Reclaiming my time, I am not sure I understand the gentleman's point, that there is a level of hostility in the gentleman's comment that was not intended by this gentleman.

Finally, just let me say that with the world moving toward democracy, I would simply suggest to my colleague that this process about this gentleman's right to take his position and the gentleman from California's right to take his position. What this process is about is debate and discussion. Once that is done and the position is taken, then let us go forward with it. But this gentleman has never attempted to characterize the gentleman from California's position, and I would hope that the gentleman from California would never feel the need to characterize this gentleman's position.

Mr. CUNNINGHAM. I have not attempted to characterize the gentleman from California's position.

Mr. ASPIN. Madam Speaker, I yield 2 minutes to the gentleman from Arizona [Mr. KYL].

□ 1710

Mr. KYL. Madam Speaker, I appreciate the chairman, the gentleman from Wisconsin [Mr. ASPIN], generously yielding a couple minutes of time.

Madam Speaker, I support the previous question, and in part do so because, if it is defeated, then our colleague, the gentleman from Massachusetts [Mr. FRANK], will be offering his amendment, and I do not think that that amendment is really a wise thing to bind our conferees by.

Now, either the language means something, or it does not. If the language has the restrictive meaning which could be given to it, which would hold the conferees to the lower of the number between the House and Senate on anything but strategic programs, then on some programs we are going to be advocating the House position, but on others we are going to be advocating the Senate position. If, on the other hand, the language does not have that restricted meaning, but rather has total flexibility of it, then there is no point in offering the language in the first place, and my point there is that clause B of section 1 provides that in the case of the nonstrategic programs at the lowest levels within the scope of the differences between the House bill and the Senate amendment that are consistent with emerging national security needs, a phrase which is incapable of definition on which my colleague, the gentleman from Massachusetts [Mr. FRANK], and I might agree on some points, and on others we might disagree, and certainly we would disagree with the Senate on some.

The point is it has no meaning. We are not really instructing conferees because it is not subject to meaning.

Mr. FRANK of Massachusetts. Madam Speaker, will the gentleman yield?

Mr. KYL. I yield to the gentleman from Massachusetts.

Mr. FRANK of Massachusetts. Just for purposes of discussion, there are three paragraphs. I would disagree with the gentleman on B, but I would note that there are two other operative paragraphs. Even if the gentleman is correct on that one, he would not be correct on the other, and I would suggest that if I agree to drop B, which I would not, he would not agree with it anyway.

Mr. KYL. On the point of the first paragraph I would object on substantive grounds, which, if the motion is defeated, I will have an opportunity to do, and I plan to do, but I am trying to suggest that we need to defeat, or rather to pass, to support the previous question so that we do not get into this question of the substantive merits, which I think is going to engage us in a long debate. It is going to be contentious, and it really is not necessary because the conferees from the Commit-

tee on Armed Services understand well their charge.

Mr. DICKINSON. Madam Speaker, I yield 2¼ minutes to the very distinguished gentleman from Louisiana [Mr. LIVINGSTON].

Mr. LIVINGSTON. Madam Speaker, taking the comments of the gentleman from Arizona [Mr. KYL] to their logical extent, it would seem that, if the gentleman's amendment passes, the position of the gentleman from Massachusetts [Mr. FRANK] passes, and we defeat the previous question, then we could actually be taking some \$11 to \$15 billion out of the top line for defense, as agreed to by the budget agreement last year. I say, "You take out \$11 billion or \$15 billion at max from the defense budget, particularly out of the strategic programs, and it seems to me you're going to be causing havoc with the defense posture of this Nation."

Now, as the gentleman from California a minute ago pointed out, we are moving toward a more peaceful world, and that is great. Everybody has to applaud that, and hope for the best and hope that maybe eventually nobody will need a defense system, and this will indeed be utopia, but, until that happens, I think we would be foolhardy to simply willynilly cutout of particularly the strategic programs when there are indeed still threats existing throughout the world.

Madam Speaker, if we had listened to the gentleman from Massachusetts [Mr. FRANK] over the last 11 years, I do not think there is any doubt in the world that we would not be standing here under the current environment. We would not have seen the collapse of communism, we would not have seen the collapse of the Soviet Union, we would not have the benefits of and opportunities that the changing world is offering us today because the United States would not have stood toe to toe with Gorbachev and all his predecessors, and the good old Communist system would have been churning on, putting more money into their defense and taking up more and more countries throughout the world. The fact is, because we did stand strong, because we did build up our defenses, because we did match them and override their technological advances, they are now collapsing, and that is wonderful.

But what happens in the future? I would only point out that with the conditions, as we spoke of in Iraq today, we do not even know if they are complying with the sanctions. We do not know if they are getting rid of their missiles, we do not know what the Soviet Union is doing 1 day from now, much less 2 years from now, and we are taking a big risk if we do not add into the SDI budget of this country.

Mr. ASPIN. Madam Speaker, I yield 2 minutes to the gentleman from New York [Ms. SLAUGHTER].

Ms. SLAUGHTER of New York. Madam Speaker, I thank the chairman,

the gentleman from Wisconsin [Mr. ASPIN], for yielding.

Madam Speaker, I am here to support the position of the gentleman from Massachusetts [Mr. FRANK], and also, I am pleased to say, of the chairman of the Committee on Armed Services, the gentleman from Wisconsin [Mr. ASPIN].

Madam Speaker, none of us would be irresponsible enough to do anything to hurt the defense posture of the United States of America, but I think not to really understand realities does not make any sense either. The world is greatly changed since we passed the defense budget bill last May, and even our highest level intelligence gurus at the CIA never guessed, or certainly did not tell us, that the Soviet Union was going to be so radically transformed so quickly. But the unforeseeable and the unbelievable did happen, and the world order that we face today is nothing like the one we faced last May.

Today's reality is that the average American citizen is more likely to be killed in his or her own neighborhood by drug related crossfire than by Soviet bombs. The average American citizen is more likely to face poverty, homelessness, illiteracy, and hunger, than face a Soviet soldier in combat.

The responsible thing for us to do today—as representatives of the American people—is to insist that the Defense bill which comes out of conference reflect this current reality. The current level of military spending has for too long diverted precious resources from domestic needs for health care, education, housing, transportation, budget deficit reduction, and safeguarding the environment.

In the Persian Gulf, we learned that international collective security arrangements through the United Nations hold real promise for the future. This is the direction our defense policy should take. The United States need not spend 6 percent of its GNP on defense—protecting Japanese sealanes, defending South Korea, and guarding our wealthy NATO allies—when those countries we are protecting spend between only 3 and 1 percent of their own GNP on their own defense. The Frank motion to instruct conferees insists that our allies shoulder their fair share of defense costs.

Historical events in the Soviet Union hold out to us today the opportunity to make a positive change in our spending priorities. Let's not let that opportunity pass us by. I urge my colleagues to support the Frank motion to instruct and to defeat the previous question.

Mr. ASPIN. Madam Speaker, I yield back the balance of my time.

Mr. DICKINSON. Madam Speaker, I yield 2 minutes to the distinguished minority whip, the gentleman from Georgia [Mr. GINGRICH], after which the gentleman from Massachusetts [Mr. FRANK] will speak, and then I will close.

Mr. GINGRICH. Madam Speaker, let me say that I appreciate very much the gentleman from Massachusetts [Mr. FRANK] making this fight because it makes every point I could possibly hope to make.

First of all, it proves that those people who said less than a year ago that they would keep their word in the budget agreement, now have a chance to vote either way. If my colleagues vote no on the previous question, they are voting to break the budget agreement. They know they are voting to break the budget agreement, and that is explicitly what they will be doing. Those of us who opposed the budget agreement did so in part because we said the Democrats will break it. They will get the taxes raised, and then they will start breaking the deal.

Second, this is a perfectly mindless way to legislate. First of all, the Congressional Budget Office has no idea what this amendment will mean. They think it is somewhere between \$11 and \$15 billion in defense cuts, but they have no idea exactly what it would mean.

□ 1720

In fact, if you read the proposed amendment carefully, you cannot tell what it would mean since it has a huge escape valve which either means a lot or means nothing.

Third, it is an extraordinarily antidefense amendment if you take it seriously. If you assume in fact that the conferees are expected to follow it, it would have the effect under the House rules of zeroing out the Patriot missile, it would have the effect of zeroing out the Stinger, it would have the effect of dramatically cutting the F-14, it would have the effect of zeroing out the Air Force Reserve C-130's, and you could just go down the list of things that would be zeroed out if you in fact believe it would be a serious instruction.

Fourth, for those of our friends on the Democratic side who keep saying, "Gee, how will the Republicans ever have a chance to talk about the vote on Kuwait, about the Democratic Party's antidefense bias, or about the willingness of the Democrats to cut defense under any circumstances?" This is a perfect vote, because it is a vote for an amendment which is totally unknowable except it sends the perfect left-wing signal: "Let me be antidefense."

Last, how can you have lived through the last 3 weeks—

The SPEAKER pro tempore (Mrs. KENNELLY). The time of the gentleman from Georgia [Mr. GINGRICH] has expired.

Mr. FRANK of Massachusetts. Madam Speaker, I yield myself my remaining time.

On the tenterhooks of suspense, none of us will ever know how the gen-

tleman from Georgia lived through the last few weeks, but maybe we will learn later.

Madam Speaker, the gentleman from Georgia struck reality a glancing blow or two, but not very firmly. For example, he said this violates the budget agreement—

Mr. GINGRICH. Madam Speaker, will the gentleman yield for 30 seconds?

Mr. FRANK of Massachusetts. Yes, I yield to the gentleman from Georgia.

Mr. GINGRICH. Madam Speaker, I just want to make this point about the last 3 weeks: We have just lived through the extraordinary period of the coup and the failure of the coup in the Soviet Union, we have no idea how the world is going to evolve, but to have an automatic knee-jerk reaction to cut defense spending in the middle of this instability strikes me as unbelievably out of touch with reality.

Madam Speaker, I thank the gentleman for yielding.

Mr. FRANK of Massachusetts. Madam Speaker, I thank the gentleman from Georgia.

Frankly, I prefer the suspense to knowing what he had to say.

Madam Speaker, the gentleman began by saying this is a violation of the budget agreement. That is nonsense. The budget agreement was not a mandate to spend. This does not breach the ceilings on spending. It does not take military spending and spend it elsewhere. It does not send it to Russia. It does not send it to China, and what some of my colleagues over there might most object to, it does not even send it anywhere in America. It simply saves it. It says we will spend less than the budget mandates.

Now, may be that is why the gentleman from Georgia tried so hard to defeat the President's budget deal last year, because he interpreted it apparently as meaning that we were obligated to spend every last penny that the budget agreement authorized. He was wrong. The budget agreement set ceilings, not floors.

When we say we think now we can spend less than the maximum set in the budget, the gentleman from Georgia says this violates the budget agreement. It is nonsense.

Second, he says this is some automatic knee-jerk reaction; it means too little or it means too much, et cetera. Here is what it means: There is nothing knee-jerk about it. What it says is that on strategic programs, the B-2 bomber, SDI, and strategic programs, we instruct the conferees to stick to the House number. That is clear cut. The instruction does not mean they get shot if they deviate. They have got to go to conference. But it is, as we all know, a firmer statement by the House. We say we really mean it on the B-2, and it means we can save money. My friend, the gentleman from Georgia, says if we do not spend every

penny under the B-2 that has been authorized, we are breaking the budget agreement. No one believes that is true. It says in the strategic area that we will spend the House version.

We are not talking here about a free fall of defense. We are talking about sticking with the House version rather than the Senate version. It also says, burden sharing, which I know causes great conniptions on the other side. They do not like to hear us talk about it.

I do not believe the American taxpayer ought to be subsidizing Japan, Germany, Denmark, or the Netherlands. This is what this says: Do your best to take burden sharing seriously. That is not a free-fall of defense.

There is good conservative economics that says people will demand more of a good if they get it for free. We indulge the Europeans and the Japanese in this. All this says is let us do burden sharing, and that is pretty specific. Then it says, in the nonstrategic programs, given what has happened recently, let us go to the lowest figure that is consistent with national security.

Does that mean an \$11 to \$15 billion cut, as someone said? Of course not. We know who these conferees are. Is it anybody's serious contention that the gentleman from Wisconsin and the gentleman from Georgia and their colleagues think \$15 billion is OK? I would not mind, but I would not get any hopes up. No one else thinks that is rational.

We have had this myth described. It is a pretty good rule of politics that when they cannot beat you on the merits and they wish you had not brought it up, then they are going to misdescribe it. The gentleman was wrong on the budget agreement. He was wrong on the Patriot missile. This does not zero out the Patriot missile. The House is high on the Patriot, and I personally believe that if we put it in the nonstrategic area, national security says that we ought to have Patriot missiles.

Then, let us talk about what happens if we defeat it. If we defeat it, what you are saying is, no, do not even think about what happened in the Soviet Union, meaning that we can spend the money elsewhere. We are hoping here to reduce the deficit. We will not spend any of the money this year, but if we can reduce the deficit now, it makes it easier in the future to talk about health care and to talk about transportation and housing.

The gentleman from California said, "Boy, aren't you inconsistent. You are insisting on burdensharing, but you are going to do unemployment compensation." That is exactly the kind of inconsistency which I hope this House will be proud of.

The SPEAKER pro tempore. The time of the gentleman from Massachusetts [Mr. FRANK] has expired.

Mr. DICKINSON. Madam Speaker, I yield myself the remainder of my time.

Madam Speaker, in closing, I would just like to point out three things which I think are very salient or important at this point.

No one has said they are opposed to my motion to instruct. Everybody says it is a good thing. Fine, let us leave it at that. It is a good thing. The House has already done this, and the Senate has done substantially what the House has done. What we are doing is instructing them and saying, "Let us put in permanent law what we have done on the emergency measure."

Second, if we follow the wishes of the gentleman from Massachusetts [Mr. FRANK], we would take the lowest of the strategic and then take the lowest of the conventional and come out with the worst of all possible worlds. We would be deleting programs that are absolutely essential, programs that have gone into the thinking of the House and the Senate when they marked up the bill, because they knew that when they go to conference, there will be some give and take. But this would take away the flexibility and the discretion on the part of the conferees.

Third and last—and this is very important, and I hope everyone will listen to this—if we do not support the previous question, if we vote it down, we will have another hour of debate here this evening, which will run us up to about 7 o'clock. So if we want to get out of here, let us just support the previous question, get on with it, and then maybe we can get home hopefully by 6 o'clock.

Madam Speaker, I move the previous question on the motion to instruct.

The SPEAKER pro tempore. The question is on ordering the previous question.

The question was taken; and the Speaker pro tempore announced that the noes appeared to have it.

Mr. DICKINSON. Madam Speaker, I object to the vote on the ground that a quorum is not present, and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 220, nays 145, not voting 67, as follows:

[Roll No. 261]

YEAS—220

Allard	Bennett	Burton
Anderson	Bentley	Byron
Andrews (NJ)	Bereuter	Callahan
Andrews (TX)	Bevill	Camp
Archer	Bilbray	Campbell (CO)
Armey	Bilirakis	Carper
Bacchus	Bliley	Chandler
Baker	Boehert	Chapman
Ballenger	Boehner	Clement
Barnard	Brewster	Clinger
Barrett	Broomfield	Coble
Barton	Browder	Coleman (MO)
Bateman	Bunning	Coleman (TX)

Combest
Cooper
Costello
Coughlin
Cox (CA)
Cramer
Crane
Cunningham
Dannemeyer
Darden
Davis
DeLauro
Dickinson
Dicks
Dooley
Dornan (CA)
Dreier
Duncan
Edwards (OK)
Edwards (TX)
Emerson
English
Erdreich
Ewing
Fascell
Fawell
Fields
Fish
Foglietta
Franks (CT)
Frost
Gallegly
Gallo
Gekas
Geren
Gilchrist
Gillmor
Gilman
Gingrich
Gonzalez
Goodling
Gordon
Goss
Grandy
Gunderson
Hall (OH)
Hall (TX)
Hammerschmidt
Hancock
Hansen
Harris
Hastert
Hayes (LA)
Hefley
Hefner
Henry
Hertel
Hobson
Hochbrueckner
Horton
Hubbard

Huckaby
Hyde
Inhofe
Ireland
James
Jefferson
Johnson (CT)
Johnson (TX)
Kasich
Kennelly
Klug
Kolbe
Kyl
Lagomarsino
Lancaster
Laughlin
Leach
Lent
Lewis (FL)
Lightfoot
Lipinski
Livingston
Lloyd
Luken
Machtley
Mazzoli
McCandless
McCurdy
McMillan (NC)
McMillen (MD)
McNulty
Meyers
Michel
Miller (OH)
Miller (WA)
Molinari
Mollohan
Montgomery
Moorhead
Morrison
Murphy
Murtha
Myers
Natcher
Neal (NC)
Nichols
Nussle
Olin
Ortiz
Orton
Oxley
Pallone
Parker
Patterson
Paxon
Payne (VA)
Peterson (FL)
Petri
Pickett
Porter
Quillen

Ramstad
Ravenel
Ray
Regula
Richardson
Ridge
Rinaldo
Ritter
Roberts
Roemer
Rogers
Rohrabacher
Ros-Lehtinen
Roth
Santorum
Sarpalius
Schaefer
Schiff
Sensenbrenner
Shaw
Shuster
Sisisky
Skeen
Skelton
Slaughter (VA)
Smith (OR)
Smith (TX)
Snowe
Solarz
Solomon
Spence
Spratt
Stearns
Stenholm
Stump
Sundquist
Swett
Tallon
Tanner
Tauzin
Taylor (MS)
Taylor (NC)
Thomas (GA)
Thomas (WY)
Upton
Valentine
Vander Jagt
Volkmer
Vucanovich
Walker
Walsh
Weber
Weldon
Wolf
Wylie
Young (AK)
Young (FL)
Zeliff
Zimmer

Perkins
Peterson (MN)
Poshard
Price
Rangel
Reed
Roe
Rose
Rostenkowski
Roukema
Russo
Sanders
Sangmeister
Savage
Sawyer
Scheuer
Schroeder

Schumer
Serrano
Shays
Sikorski
Skaggs
Slattery
Slaughter (NY)
Smith (FL)
Smith (IA)
Staggers
Stark
Stokes
Studds
Swift
Synar
Thornton
Torres

Torricelli
Towns
Traficant
Traxler
Unsoeld
Vento
Visclosky
Waters
Waxman
Weiss
Wheat
Wise
Wolpe
Wyden
Yates

the gentleman from Wisconsin [Mr. ASPIN].

On this motion, the vote must be taken by the yeas and nays.

The vote was taken by electronic device, and there were—yeas 363, nays 0, not voting 69, as follows:

[Roll No. 262]

YEAS—363

NOT VOTING—67

Ackerman
Berman
Boucher
Bryant
Bustamante
Campbell (CA)
Carr
Clay
Conyers
de la Garza
DeLay
Derrick
Doolittle
Dymally
Fazio
Ford (MI)
Gaydos
Gradison
Hatcher
Herger
Holloway
Hopkins
Houghton

Hunter
Hutto
Jenkins
Jones (NC)
Klecza
Kopetski
Lantos
Lehman (FL)
Levine (CA)
Lewis (CA)
Lowery (CA)
Marlenee
Martin
Martinez
Mavroules
McCollum
McCrery
McDade
McEwen
McGrath
Miller (CA)
Moody
Mrazek

Packard
Penny
Pickle
Pursell
Rahall
Rhodes
Riggs
Rowland
Roybal
Sabo
Saxton
Schulze
Sharp
Smith (NJ)
Stallings
Thomas (CA)
Washington
Whitten
Williams
Wilson
Yatron

Abercrombie
Alexander
Allard
Anderson
Andrews (ME)
Andrews (NJ)
Andrews (TX)
Annunzio
Anthony
Applegate
Archer
Army
Aspin
Atkins
AuCoin
Bacchus
Baker
Ballenger
Barnard
Barrett
Barton
Bateman
Beilenson
Bennett
Bentley
Bereuter
Bevill
Bilbray
Bilirakis
Billey
Boehler
Boehner
Bonior
Borski
Boxer
Brewster
Brooks
Broomfield
Browder
Brown
Bruce
Bunning
Burton
Byron
Callahan
Camp
Campbell (CO)
Cardin
Carper
Chandler
Chapman
Clement
Clinger
Coble
Coleman (MO)
Coleman (TX)
Collins (IL)
Collins (MI)
Combest
Condit
Cooper
Costello
Coughlin
Cox (CA)
Cox (IL)
Coyne
Cramer
Crane
Cunningham
Dannemeyer
Darden
Davis
DeFazio
DeLauro
Dellums
Dickinson
Dicks
Dingell
Dixon
Donnelly
Dooley
Dorgan (ND)
Dornan (CA)

Downey
Dreier
Duncan
Durbine
Dwyer
Early
Eckart
Edwards (CA)
Edwards (TX)
Emerson
Engel
English
Erdreich
Espy
Evans
Ewing
Fascell
Fawell
Feighan
Fields
Fish
Flake
Foglietta
Ford (TN)
Frank (MA)
Franks (CT)
Frost
Gallegly
Gallo
Gejdenson
Gekas
Gephardt
Geren
Gibbons
Gilchrist
Gillmor
Gilman
Gingrich
Glickman
Gonzalez
Goodling
Gordon
Goss
Grandy
Green
Guarini
Gunderson
Hall (OH)
Hall (TX)
Hamilton
Hammerschmidt
Hancock
Hansen
Harris
Hastert
Hayes (IL)
Hayes (LA)
Hefley
Hefner
Henry
Hertel
Hobson
Hoagland
Hobson
Horton
Hoyer
Hubbard
Huckaby
Hughes
Hyde
Inhofe
Ireland
Jacobs
James
Jefferson
Johnson (CT)
Johnson (SD)
Johnson (TX)
Johnston
Jones (GA)
Jontz
Kanjorski

Kaptur
Kasich
Kennedy
Kennelly
Kildee
Klug
Kolbe
Kolter
Kostmayer
Kyl
LaFalce
Lagomarsino
Lancaster
LaRocco
Laughlin
Leach
Lehman (CA)
Lent
Levin (MI)
Lewis (FL)
Lewis (GA)
Lightfoot
Lipinski
Livingston
Lloyd
Long
Lowey (NY)
Luken
Machtley
Manton
Markey
Matsui
Mazzoli
McCandless
McCloskey
McCurdy
McDermott
McHugh
McMillan (NC)
McMillen (MD)
McNulty
Meyers
Mfume
Michel
Miller (OH)
Miller (WA)
Mineta
Mink
Moakley
Molinari
Mollohan
Montgomery
Moorhead
Moran
Morella
Morrison
Murphy
Murtha
Myers
Nagle
Natcher
Neal (CA)
Neal (NC)
Nichols
Nowak
Nussle
Oakar
Oberstar
Obey
Olin
Oliver
Ortiz
Orton
Owens (NY)
Owens (UT)
Oxley
Pallone
Panetta
Parker
Patterson
Paxon
Payne (NJ)
Payne (VA)

□ 1755

Messrs. WHEAT, VENTO, SAVAGE, SMITH of Iowa, PRICE, and TOWNS, Mrs. COLLINS of Illinois, and Mr. COYNE changed their vote from "yea" to "nay."

Messrs. CAMPBELL of Colorado, LIPINSKI, McMILLEN of Maryland, and SANTORUM, Ms. DELAURO, and Mr. EWING changed their vote from "nay" to "yea."

So the previous question was ordered. The result of the vote was announced as above recorded.

The SPEAKER pro tempore (Mrs. KENNELLY). The question is on the motion to instruct offered by the gentleman from Alabama [Mr. DICKINSON]. The motion to instruct was agreed to.

A motion to reconsider was laid on the table.

MOTION TO CLOSE CONFERENCE COMMITTEE MEETING

Mr. ASPIN. Madam Speaker, I offer a motion.

The SPEAKER pro tempore. The Clerk will report the motion.

The Clerk read as follows:

Mr. ASPIN moves that pursuant to rule XXVIII 6(a) of the House rules, the conference committee meetings between the House and the Senate on H.R. 2100, the fiscal year 1992 Department of Defense Authorization bill, be closed to the public at such times as classified national security information is under consideration, *provided however*, that any sitting Member of Congress shall have the right to attend any closed or open meeting.

The SPEAKER pro tempore. The question is on the motion offered by

NAYS—145

Abercrombie
Alexander
Andrews (ME)
Annunzio
Anthony
Applegate
Aspin
Atkins
AuCoin
Beilenson
Bonior
Borski
Boxer
Brooks
Brown
Bruce
Cardin
Collins (IL)
Collins (MI)
Condit
Cox (IL)
Coyne
DeFazio
Dellums
Dingell
Dixon
Donnelly
Dorgan (ND)
Downey
Durbine
Dwyer
Early

Eckart
Edwards (CA)
Engel
Espy
Evans
Feighan
Flake
Ford (TN)
Frank (MA)
Gejdenson
Gephardt
Gibbons
Glickman
Green
Guarini
Hamilton
Hayes (IL)
Hoagland
Horn
Hoyer
Hughes
Jacobs
Johnson (SD)
Johnston
Jones (GA)
Jontz
Kanjorski
Kaptur
Kennedy
Kildee
Kolter
Kostmayer

LaFalce
LaRocco
Lehman (CA)
Levin (MI)
Lewis (GA)
Long
Lowey (NY)
Manton
Markey
Matsui
McCloskey
McDermott
McHugh
Mfume
Mineta
Mink
Moakley
Moran
Morella
Nagle
Neal (MA)
Nowak
Oakar
Oberstar
Obey
Oliver
Owens (NY)
Owens (UT)
Panetta
Payne (NJ)
Pease
Pelosi

Pease	Schaefer	Tanner
Pelosi	Scheuer	Tauzin
Perkins	Schiff	Taylor (MS)
Peterson (FL)	Schroeder	Taylor (NC)
Peterson (MN)	Sensenbrenner	Thomas (GA)
Petri	Serrano	Thomas (WY)
Pickett	Shaw	Thornton
Porter	Shays	Torres
Poshard	Shuster	Torricelli
Price	Sikorski	Towns
Quillen	Sisisky	Trafilant
Ramstad	Skaggs	Traxler
Rangel	Skeen	Unsold
Ravenel	Skelton	Upton
Ray	Slattery	Valentine
Reed	Slaughter (NY)	Vander Jagt
Regula	Slaughter (VA)	Vento
Richardson	Smith (FL)	Visclosky
Ridge	Smith (IA)	Volkmer
Rinaldo	Smith (OR)	Vucanovich
Ritter	Smith (TX)	Walker
Roberts	Snowe	Walsh
Roe	Solarz	Waters
Roemer	Solomon	Waxman
Rogers	Spence	Weber
Rohrabacher	Spratt	Weiss
Ros-Lehtinen	Staggers	Weldon
Rose	Stearns	Wheat
Rostenkowski	Stenholm	Wise
Roth	Stokes	Wolf
Roukema	Studds	Wolpe
Russo	Stump	Wyden
Sanders	Sundquist	Wylie
Sangmeister	Swett	Yates
Santorum	Swift	Young (AK)
Sarpalius	Synar	Young (FL)
Savage	Tallon	Zeliff
Sawyer		Zimmer

NOT VOTING—69

Ackerman	Houghton	Mrazek
Berman	Hunter	Packard
Boucher	Hutto	Penny
Bryant	Jenkins	Pickle
Bustamante	Jones (NC)	Pursell
Campbell (CA)	Klecza	Rahall
Carr	Kopetski	Rhodes
Clay	Lantos	Riggs
Conyers	Lehman (FL)	Rowland
de la Garza	Levine (CA)	Roybal
DeLay	Lewis (CA)	Sabo
Derrick	Lowery (CA)	Saxton
Doclittie	Marlenee	Schulze
Dymally	Martin	Schumer
Edwards (OK)	Martinez	Sharp
Fazio	Mavroules	Smith (NJ)
Ford (MI)	McCollum	Stallings
Gaydos	McCreary	Thomas (CA)
Gradison	McDade	Washington
Hatcher	McEwen	Whitten
Herger	McGrath	Williams
Holloway	Miller (CA)	Wilson
Hopkins	Moody	Yatron

□ 1813

So the motion was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. KOPETSKI. Mr. Speaker, I was unavoidably detained in my district by official business. If I had been present, I would have voted "yes" on rollcall No. 258, "yes" on rollcall No. 259, "yes" on rollcall No. 260, "yes" on rollcall No. 261, and "yes" on rollcall No. 262.

I ask unanimous consent that this appear with the permanent RECORD following each vote.

The SPEAKER. Is there objection to the request of the gentleman from Oregon?

There was no objection.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 330

Mr. GREEN of New York. Madam Speaker, I ask unanimous consent that the gentleman from Texas [Mr. WILSON] be deleted as a cosponsor of H.R. 330, the Refuge Wildlife Protection Act, of which I am the sponsor.

The SPEAKER pro tempore. (Mrs. KENNELLY). Is there objection to the request of the gentleman from New York?

There was no objection.

The SPEAKER pro tempore. Without objection, the Chair appoints the following conferees, and without objection reserves the authority to make additional appointments of conferees and to specify particular portions of the House bill and Senate amendment as the subject of various appointments:

CONFEREES ON THE DEFENSE AUTHORIZATION BILL

[H.R. 2100 AND SENATE AMENDMENT]

From the Committee on Armed Services, for consideration of the entire House bill and Senate amendment, and modifications committed to conference:

Messrs. ASPIN, BENNETT, MONTGOMERY, and DELLUMS, Mrs. SCHROEDER, Mrs. BYRON, Messrs. MAVROULES, HUTTO, SKELTON, MCCURDY, and FOGLETTA, Mrs. LLOYD, Messrs. SISISKY, RAY, SPRATT, MCCLOSKEY, ORTIZ, DARDEN, HOCHBRUECKNER, PICKETT, LANCASTER, TANNER, MCNULTY, BROWDER, TAYLOR of Mississippi, DICKINSON, SPENCE, STUMP, HOPKINS, DAVIS, HUNTER, MARTIN, KASICH, BATEMAN, BLAZ, IRELAND, HANSEN, WELDON, KYL, RAVENEL, and DORNAN of California.

As additional conferees from the Permanent Select Committee on Intelligence, for consideration of matters within the jurisdiction of that committee under clause 2 of rule XLVIII:

Mr. WILSON, Mrs. KENNELLY, and Mr. SHUSTER.

As additional conferees from the Committee on Education and Labor, for consideration of sections 3131 and 3132 of the House bill, and sections 805, 811, 2109, 2807, 3131, and 3136 of the Senate amendment, and modifications committed to conference:

Messrs. FORD of Michigan, GAYDOS, KILDEE, WILLIAMS, PERKINS, GOODLING, COLEMAN of Missouri, and HENRY.

As additional conferees from the Committee on Energy and Commerce, for consideration of sections 331, 336, 3131-33, 3138, and 3201 of the House bill, and sections 320, 2804, 2806, 2846, 3131-36, 3138-39, 3201, and 3202 of the Senate amendment, and modifications committed to conference:

Messrs. DINGELL, SHARP, SWIFT, ECKART, SLATTERY, LENT, RITTER, and FIELDS.

As additional conferees from the Committee on Foreign Affairs, for consideration of sections 234, 304, 313, 812 and 3136 of the House bill, and sections 211(b)(3), (g), (h), and (i), 229, 304, that

portion of section 801 adding 10 USC 2526, sections 905, 1111, 1113, 1117-22, 1127, 1129, 1133-34, 1138, 1143-44 and 1147 of the Senate amendment, and modifications committed to conference:

Messrs. FASCELL, HAMILTON, YATRON, SOLARZ, BERMAN, BROOMFIELD, GILMAN, and LAGOMARSINO.

As additional conferees from the Committee on Government Operations, for consideration of sections 811, 816 and 817 of the House bill, and sections 319, 527, 822, 826, 829, 835, 839, 1103, 1141, 2806, and 2823 of the Senate amendment, and modifications committed to conference:

Messrs. CONYERS, ENGLISH, SYNAR, and WISE, Mrs. BOXER, and Messrs. HORTON, SHAYS, and SCHIFF.

As additional conferees from the Committee on the Judiciary, for consideration of section 817 of the House bill, and sections 626, 826, 1128, 3134, and 3145(b)(4) of the Senate amendment, and modifications committed to conference:

Messrs. BROOKS, FRANK of Massachusetts, EDWARDS of California, FISH, and GEKAS.

As additional conferees from the Committee on Merchant Marine and Fisheries, for consideration of sections 521-29 of the House bill, and title XXXV of the Senate amendment, and modifications committed to conference:

Messrs. JONES of North Carolina, STUDDS, TAUZIN, YOUNG of Alaska, and FIELDS.

As additional conferees from the Committee on Post Office and Civil Service, for consideration of section 508 of the House bill, and sections 526, 622, 624, 627, 831, and 3504 of the Senate amendment, and modifications committed to conference:

Mr. CLAY, Ms. OAKAR, and Messrs. SIKORSKI, ACKERMAN, SAWYER, GILMAN, HORTON, and MYERS of Indiana.

As additional conferees from the Committee on Public Works and Transportation, for consideration of section 336 of the House bill, and modifications committed to conference:

Messrs. ROE, ANDERSON, NOWAK, BORSKI, OBERSTAR, HAMMERSCHMIDT, SHUSTER, and PETRI.

As additional conferees from the Committee on Science, Space, and Technology, for consideration of sections 801-05, 811, 907, 3132, and 3137-39 of the Senate amendment, and modifications committed to conference:

Messrs. BROWN, SCHEUER, VALENTINE, BOUCHER, STALLINGS, WALKER, LEWIS of Florida, and PACKARD.

As additional conferees from the Committee on Small Business, for consideration of section 842 of the Senate amendment, and modifications committed to conference:

Messrs. LAFALCE, SMITH of Iowa, and SLAUGHTER of Virginia.

There was no objection.

NATIONAL POW/MIA RECOGNITION DAY

Mr. SAWYER. Madam Speaker, I ask unanimous consent that the Committee on Post Office and Civil Service be discharged from further consideration of the joint resolution (H.J. Res. 233) designating September 20, 1991, as "National POW/MIA Recognition Day," and authorizing display of the National League of Families POW/MIA flag, and ask for its immediate consideration.

The SPEAKER pro tempore. The Clerk read the title of the joint resolution.

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

Mr. RIDGE. Reserving the right to object, Madam Speaker, I yield to the gentleman from California [Mr. LAGOMARSINO] who is not only the chief sponsor of this resolution, but who in his own personal and political life has probably spent as much time as any Member, working with other Members, other colleagues on both sides of the aisle, and folks within the administration. He has traveled to other parts of the world and spent a great deal of his personal time, advancing this particular cause.

□ 1820

Mr. LAGOMARSINO. Madam Speaker, I rise in strong support of the resolution I introduced, along with Asia and Pacific Subcommittee Chairman STEVE SOLARZ and cosponsored by 231 of my colleagues, designating September 20, 1991, as National POW/MIA Recognition Day and to authorize the display of the National League of Families POW/MIA flag at important Federal Government facilities on this special day.

I want to thank Congressman TOM SAWYER, the chairman of the Census and Population Subcommittee, for bringing this resolution to the floor in a timely manner. I also want to thank the ranking minority member of the subcommittee, the gentleman from Pennsylvania [Mr. RIDGE]—a member of the House POW/MIA task force—for his assistance. I also appreciate the support the resolution received from the chairman of the Committee on Post Office and Civil Service, the gentleman from Missouri [Mr. CLAY] and ranking minority member [Mr. GILMAN], the dedicated former chairman and current vice-chairman of the House POW/MIA task force.

I also want to thank the gentleman from Mississippi [Mr. MONTGOMERY] and the gentleman from Arizona [Mr. STUMP], the chairman and ranking member of the Veterans Affairs Committee respectively, for waiving jurisdiction and expediting the consideration of this resolution. Their committee has always been very supportive of POW/MIA efforts.

Today, over 2,273 American servicemen remain unaccounted for in Southeast Asia; 8,000 remain missing from Korea; and some 78,000 from World War II. While there is much talk about how the Persian Gulf war has lifted the shadow of the Vietnam war, sadly, the final chapter of our involvement in Indochina and on the Korean Peninsula—namely the fate of our POW/MIA's—remains unfinished, but certainly not forgotten.

We continue our serious and ongoing efforts to achieve the fullest possible accounting of these missing American servicemen as soon as possible.

In Southeast Asia, the remaining mission of retired Gen. John Vesey, President Bush's special POW/MIA emissary, to Vietnam and the agreement reached to open up a POW/MIA office in Hanoi signify that progress, despite being slow, is being made. Some results are happening. The office is now open and numerous investigations are underway. We are now receiving more cooperation from the Vietnamese, Cambodians, and Laotians than ever before. But, more actions by these Indochinese governments and more results are needed.

By designating this third Friday in September, as we have for the past few years, as National POW/MIA Recognition Day, we remind the American public that the POW/MIA issue remains a highest national priority. It also provides an excellent opportunity around which to coordinate special recognition and educational activities. Many are planned for next Friday, including a special ceremony at the Pentagon sponsored by the Secretary of Defense.

This joint resolution I introduced and now pending before us also authorizes the display of the POW/MIA flag at all national cemeteries, the National Vietnam Veterans Memorial, and certain key Federal Government buildings like the White House, the State Department, the Pentagon, the Veterans Affairs Department headquarters, and the primary offices of the Selective Service Commission. The POW/MIA flag is already on permanent display in the U.S. Capitol—right in the rotunda—in accordance with previous legislation I am proud to have cosponsored and helped enact.

As chairman of the bipartisan House POW/MIA task force, I very much welcome my colleagues' support for this joint resolution and urge its expeditious adoption.

Mr. RIDGE. Madam Speaker, continuing under my reservation of objection, I yield to our friend and colleague, the gentleman from New York [Mr. GILMAN].

Mr. GILMAN. Madam Speaker, I thank the gentleman from Pennsylvania for yielding to me.

Madam Speaker, as an original cosponsor, along with our colleagues, the gentleman from New York [Mr. So-

LARZ] and the gentleman from Illinois [Mr. MICHEL], and the distinguished chairman of our task force on MIA/POW's, the gentleman from California [Mr. LAGOMARSINO], I am pleased to rise in support of House Joint Resolution 233. This resolution established September 20, 1991, as POW/MIA Recognition Day. It also authorizes the flying of the official POW/MIA flag on that day and on certain other appropriate Federal holidays.

Madam Speaker, of all the wars America has fought in the 200 years from our Declaration of Independence in 1776 to our bicentennial celebration in 1976, American hearts have always been broken upon the conclusion of hostilities by the number of missing Americans who remain unaccounted for. As a matter of fact, there were less POW's and MIA's at the conclusion of the Vietnamese conflict than any other hostilities in our Nation's history.

However, while our hearts continue to go out to the families and loved ones of the many missing from earlier wars, our missing POW's and MIA's from Vietnam have a special place in our hearts. For unlike our previous wars, the United States did not militarily control the battlefields upon the cessation of hostilities. This has led to nearly two decades of frustration on the part of the American people in demanding to know what happened to the 2,273 American heroes who, as of today, are unaccounted for.

Madam Speaker, the strength, determination, and will of the American people was demonstrated before the world during Operation Desert Storm. Americans are similarly united in purpose with the goal of a full accounting.

In recent months, however, Americans have had their hearts broken time and time again. The hopes of Americans were risen by photographs purporting to depict live Americans in Southeast Asia. These hopes were dashed when, yet again, these photos were proven to be nothing more than cruel hoaxes. Similarly, American hopes were raised by former Pentagon officials who claimed to have evidence of a coverup of evidence of live Americans in Southeast Asia. When these officials were unable to produce such evidence, in open hearings of the Congress, in closed hearings, or even on nationwide television interview shows, again hopes were dashed.

Madam Speaker, this resolution does more than designate this coming Friday as POW/MIA Recognition Day. It also authorizes display of the POW/MIA flag at our public buildings on POW/MIA Recognition Day, as well as on Memorial Day and Veterans Day. It authorizes the display of the flag at the White House, at the Departments of State and Defense, at the Department of Veterans Affairs, and at our Selective Service offices on September 20.

Madam Speaker, 230 of our colleagues joined with Mr. SOLARZ, Mr. MICHEL, Mr. LAGOMARSINO, and myself in sponsoring this resolution. Let us approve this resolution unanimously, sending a message to Hanoi and around the world that we Americans are not willing to forget—and that we never will forget—until our last American hero is accounted for. We can do no less for those who gave so much for all of us.

Mr. RIDGE. Madam Speaker, continuing under my reservation of objection, I might add to my colleagues and friends, that of the nearly 2,300 individual cases involving POW/MIA's, we understand that many of them, those men would fall into the category of having been killed in action and their bodies not recovered. But during the past several years, this administration, through General Vesey and others, have pursued as aggressively as possible what they call internally "discrepancy cases," cases where the last known corroborated sighting of the man wearing the uniform of this country was a live sighting from a source that was considered to be credible.

Clearly, before the government of Hanoi today are dozens of those discrepancy cases. While we can send as many, and we should send as many, groups as possible to individual crash sites, I think we all understand it is unlikely we will find a POW or MIA in or near one of the crash sites. It is likely we will find some remains. But when it comes down to these discrepancy cases, I think it is very important for the government of Hanoi to understand that they may not be able to understand why Americans are obsessed with bringing its warriors home but they had better recognize it as a political fact of life in the real world with which they are going to have to deal.

So I congratulate my colleagues who sponsored this resolution, brought it to the floor to give national recognition to this particular effort and, hopefully, the governments of Indochina will recognize that we clearly will not rest until the remains or until, more importantly, there is a full and as complete an accounting as possible of those nearly 2,300 men in that part of the world. I am glad my colleagues reminded this country again that there are 8,000 POW/MIA's still classified from the Korean war and over 50,000 from World War II.

□ 1830

As a country, Madam Speaker, we lose part of our soul if we forget any of these men and women who served our country.

Mr. SOLARZ. Madam Speaker, I am proud to rise today as a cosponsor of House Joint Resolution 233, designating September 20, 1991, as National POW/MIA Recognition Day—along with my good friend from California and chairman of the House Task Force on Prisoners of War and Missing in Action in

Southeast Asia, Mr. LAGOMARSINO; the vice-chairman of the task force, Mr. GILMAN; and the distinguished minority leader, Mr. MICHEL.

The resolution before us would authorize and request from the President a proclamation calling on the American people to set aside this day to remember the thousands of Americans who, while in the service of their country, vanished or were forcibly taken from us.

It would also require that the National League of Families' POW/MIA flag be displayed at all national cemeteries, the Vietnam Veterans Memorial, and certain Federal buildings on Memorial Day, Veterans Day, and on National POW/MIA Recognition Day.

It is, when compared to the sacrifice of these brave American servicemen, a small gesture—but not a hollow one.

It says to those families whose sons, brothers, husbands, and fathers never came home, that we remember.

It says to the families of those young Americans whose final resting place remains unknown, that we remember.

And that on this day, when they bow their heads and grieve, they will not be alone.

And it says to those Americans who may still be wearing the shackles of their captors that we will not cease our efforts—we will not slacken in our resolve, until they are home.

This resolution again demonstrates the broad bipartisan support that exists in the Congress not only for the families of our POW's and MIA's, but also for the efforts continuously underway to get the answers that have eluded us for so many years.

There are no heroes or villains on this issue—only Americans—Americans from every walk of life and every region of this country who have expressed to this Congress their concern and their commitment to our POW's and MIA's.

We, in this body, will not forget.

The American people will not let us forget. With this resolution, the Congress reminds the administration that we, in turn, will not allow it to forget the unfinished business at hand—that we will accept nothing less than that this issue continue to be pursued as one of the highest national priority.

I wish to thank BOB LAGOMARSINO for the tremendous job he has done over the years as chairman of the POW/MIA Task Force.

Long before it was politically fashionable and with few political rewards for doing so, BOB doggedly pursued fact over fiction concerning the fates of our POW's and MIA's.

In my 10 years as chairman of the Subcommittee on Asian and Pacific Affairs, I have presided over more hearings on this issue than on any other—having held four hearings and two briefings between May and July of this year alone.

This is added to the other 50 hearings and briefings we've held over those 10 years. The subcommittee has heard from over 120 witnesses and compiled over 3,000 pages of testimony.

But in the final analysis, it is the governments of Vietnam, Laos, and Cambodia who can and must provide the answers we seek.

I applaud Gen. Jack Vesey, the President's special envoy to Vietnam for POW/MIA's, and the Vietnamese Government on the establishment of a temporary investigative office for POW/MIA's currently in operation in Hanoi.

This is perhaps the single, most important development to come about on the road to improving the bilateral relationship between our two countries.

With regard to Laos, that country's recent efforts in helping the United States track down and resolve the mystery behind the photographs purportedly showing Navy Lt. Daniel Borah warrants our sincerest thanks.

It is the fervent hope of all Americans that the spirit of cooperation on this humanitarian issue will continue.

Together, we can not only seek the truth regarding the fates of our POW's and MIA's—but also flush out the forgers and profiteers whose manipulation of the emotions of their families has been nothing less than criminal.

Unity of purpose between the countries of Southeast Asia and the United States—and unity of purpose among Americans here at home—provides the best chance we have to resolve this issue once and for all—and to heal the wounds that have been festering for over 20 years.

In conclusion, I would like to add that while our POW's and MIA's who served in Southeast Asia weigh heaviest on our minds, this resolution establishes a day to remember all those American servicemen who remain MIA's—and perhaps even POW's—including from the Korean war and the two world wars.

The passage of time does not lessen their courage, their sacrifice, or the loss still felt by their families.

Time does not decrease our gratitude.

On September 20, we will commemorate and honor not only the men who are our POW's and MIA's, but the cause in which they believed and the love they had for their country—the country for which they gave the last full measure of their lives.

I urge my colleagues to support House Joint Resolution 233.

Mr. RIDGE. Madam Speaker, I withdraw my reservation of objection.

The SPEAKER pro tempore (Mrs. KENNELLY). Is there objection to the request of the gentleman from Ohio?

There was no objection.

The Clerk read the joint resolution, as follows:

H.J. RES. 233

Whereas the United States has fought in many wars, most recently in unprecedented unity with Allied forces in the Persian Gulf War;

Whereas thousands of Americans who served in those wars were captured by the enemy or listed as missing in action;

Whereas many American prisoners of war were subjected to brutal and inhumane treatment by their enemy captors in violation of international codes and customs for the treatment of prisoners of war, and many such prisoners of war died from such treatment;

Whereas many of these Americans are still listed as missing and unaccounted for, and the uncertainty surrounding their fates has caused their families to suffer acute and continuing hardships;

Whereas in section 2 of Public Law 101-355, the Congress officially recognized and designated the National League of Families POW/MIA flag as the symbol of the Nation's concern and commitment to resolving as fully as possible the fates of Americans still prisoners of war, missing in action, or unaccounted for in Southeast Asia; and

Whereas the sacrifices of Americans still missing and unaccounted for from all our Nation's wars and their families are deserving of national recognition and support for continued priority efforts to determine the fate of those missing Americans: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. DESIGNATION OF "NATIONAL POW/MIA RECOGNITION DAY".

September 20, 1991, is hereby designated as "National POW/MIA Recognition Day", and the President is authorized and requested to issue a proclamation calling upon the people of the United States to observe such day with appropriate ceremonies and activities.

SEC. 2. REQUIREMENT TO DISPLAY POW/MIA FLAG AT ALL NATIONAL CEMETERIES, THE NATIONAL VIETNAM VETERANS MEMORIAL, AND CERTAIN FEDERAL BUILDINGS.

(a) IN GENERAL.—The POW/MIA flag shall be displayed—

(1) at all national cemeteries and the National Vietnam Veterans Memorial on May 30, 1991 (Memorial Day), September 20, 1991 ("National POW/MIA Recognition Day"), and November 11, 1991 (Veterans's Day), and

(2) on, or on the grounds of, the buildings specified in subsection (b) on September 20, 1991,

as the symbol of our Nation's concern and commitment to resolving as fully as possible the fates of Americans still prisoner, missing, and unaccounted for, thus ending the uncertainty for their families and the Nation.

(b) BUILDINGS.—The buildings specified in this subsection are—

(1) the White House, and

(2) the buildings containing the primary offices of the—

(A) Secretary of State,
(B) Secretary of Defense,
(C) Secretary of Veterans Affairs, and
(D) Director of the Selective Service Commission.

(c) PROCUREMENT AND DISTRIBUTION.—Within 30 days after the date of the enactment of this joint resolution, the Administrator of General Services shall procure POW/MIA flags and appropriate distribute such flags as are necessary to carry out this joint resolution.

(d) POW/MIA FLAG.—As used in this section, the term "POW/MIA flag" means the National League of Families POW/MIA flag recognized officially and designated by section 2 of Public Law 101-355.

The joint resolution was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

GERMAN-AMERICAN DAY

Mr. SAWYER. Madam 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. 151) to designate October 6, 1991, and October 6, 1992, as "German-American 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. Madam Speaker, reserving the right to object, within this reservation I yield to the gentleman from Ohio [Mr. LUKEN], who is the chief sponsor of this resolution.

Mr. LUKEN. Madam Speaker, I am happy to draw attention to an important resolution that officially designates October 6, 1991, and October 6, 1992, as German-American Day. This annual celebration of German-American Day calls attention to the many contributions Americans of Germanic descent have made to the building of our country.

Madam Speaker, we are experiencing an era of unprecedented change in our world. Recent events showed that people everywhere are rising out of the bonds of oppression and taking control of their own destiny. This trend toward democratic reform was most particularly evidenced when the Berlin Wall fell.

The celebration of German-American Day here in the United States will allow Americans of Germanic descent time out to reflect on their achievements as well as on their obligations. It revives the spirits of all German-Americans.

Madam Speaker, since the arrival of the first German immigrants in the United States on October 6, 1683, their number has grown to an estimated 52 million, making them one of the largest ethnic communities in the United States. German-Americans have contributed immensely to all facets of American life and culture, and they will continue to contribute to the development, life, and culture of our great country. These outstanding people have earned this very special day to pay tribute to their achievements.

This is truly an important sign of recognition and appreciation from the United States Congress to German-Americans across the country.

Madam Speaker, I thank my friend, the gentleman from Pennsylvania [Mr. RIDGE], and my friend and colleague, the gentleman from Ohio [Mr. SAWYER], for bringing this legislation to the floor.

Mr. RIDGE. Madam 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. 151

Whereas since the arrival of the first German immigrants to America on October 6, 1683, in the area of Germantown, Pennsylvania, German-Americans have made significant contributions to the quality of life in the United States;

Whereas German-Americans are proud of the existing friendship and cooperation between the Federal Republic of Germany and the United States, of which the German-American Friendship Garden in Washington, D.C., is evidence;

Whereas German-Americans pledge their unconditional support for further expansion of the existing friendship between Germany and the United States, and will continue to contribute to the culture of the United States, support its Government and democratic principles, and will also work to help assure the freedom of all people;

Whereas President Bush lauded German unification and the spirit of friendship and cooperation between the people of the Federal Republic of Germany and the people of the United States during proclamation ceremonies for German-American Flag Day on October 3, 1990; and

Whereas the Congress unanimously passed joint resolutions designating October 6 of 1987, 1988, 1989, and 1990 each as "German-American Day"; Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That October 6, 1991, and October 6, 1992, are designated as "German-American Day", and the President is authorized and requested to issue a proclamation calling on the people of the United States to observe such days 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.

COUNTRY MUSIC MONTH

Mr. SAWYER. Madam Speaker, I ask unanimous consent that the Committee on Post Office and Civil Service be discharged from further consideration of the joint resolution (H.J. Res. 305) to designate the month of October, 1991 as "Country Music Month," and ask for its immediate consideration.

The Clerk read the title of the joint resolution.

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

Mr. RIDGE. Madam Speaker, reserving the right to object, I do so simply to acknowledge the work of our colleague, the gentleman from Tennessee [Mr. CLEMENT], who is the chief sponsor of this resolution.

Madam Speaker, I withdraw my reservation of objection.

H.J. RES. 305

Whereas country music derives its roots from the folk songs of our Nation's workers, captures the spirit of our religious hymns, reflects the sorrow and joy of our traditional ballads, and echoes the drive and soulfulness of rhythm and blues;

Whereas country music has played an integral part in our Nation's history, accompanying the growth of the United States and reflecting the ethnic and cultural diversity of our people;

Whereas country music embodies the spirit of America and the deep and genuine feelings individuals experience throughout their lives;

Whereas the distinctively American refrains of country music have been performed for audiences throughout the world, striking a chord deep within the hearts and souls of its fans; and

Whereas the month of October 1991 marks the twenty-seventh annual observance of Country Music Month: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the month of October 1991 be designated as "Country Music Month" and that the President is authorized and requested to issue a proclamation calling upon the people of the United States to observe such month with appropriate ceremonies and activities.

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

There was no objection.

The Clerk read the joint resolution, as follows:

The joint resolution was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

NATIONAL CHILDREN'S DAY

Mr. SAWYER. Madam 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. 126) to designate the second Sunday in October of 1991 as "National Children's 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. Madam Speaker, reserving the right to object, I do so first to acknowledge the chief sponsorship of this resolution by our colleague and friend, the gentleman from Massachusetts [Mr. KENNEDY], and also to yield to our colleague, the gentleman from New York [Mr. GILMAN].

Mr. GILMAN. Madam Speaker, I am pleased to rise in support of Senate Joint Resolution 126 which designates October 13 as National Children's Day, and I would like to commend the gentleman from Massachusetts [Mr. KENNEDY] for his efforts in bringing this measure to the floor of the House of Representatives.

Madam Speaker, as we review our current education policies and as we review the statistics on child welfare, we cannot help but conclude that our Nation is not taking appropriation care of its children.

Birth weights are down, illiteracy is up, and more children live in poverty in the United States than in other developed countries. The most important priority we, as legislators, could have is our children. Our national policy should first be directed toward bettering the condition of our next generation, who indeed are our future. If we fail them, we are failing our Nation.

Madam Speaker, I welcome designating the second Sunday in October as "National Children's Day," in order to help draw necessary attention to the plight of children in the United States.

I urge my colleagues to join in full support.

Mr. RIDGE. Madam 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. 126

Whereas the people of the United States should celebrate children as the most valuable asset of the Nation;

Whereas children represent the future, hope, and inspiration of the United States;

Whereas the children of the United States should not be allowed to feel that their ideas and dreams will be stifled because adults in the United States do not take time to listen;

Whereas many children face crises of grave proportions, especially as they enter adolescent years;

Whereas it is important for parents to spend time listening to their children on a daily basis;

Whereas modern societal and economic demands often pull the family apart;

Whereas encouragement should be given to families to set aside a special time for all family members to remain at home;

Whereas adults in the United States should have an opportunity to reminisce on their youth to recapture some of the fresh insight, innocence, and dreams that they may have lost through the years;

Whereas the designation of a day to commemorate the children of the United States will provide an opportunity to emphasize to children the importance of developing an ability to make the choices necessary to distance themselves from impropriety;

Whereas the designation of a day to commemorate the children of the Nation will emphasize to the people of the United States the importance of the role of the child within the family;

Whereas the people of the United States should emphasize to children the importance of family life, education, and spiritual qualities; and

Whereas parents, teachers, and community and religious leaders should celebrate the children of the United States, whose questions, laughter, and tears are important to the existence of the United States: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the second Sunday in October of 1991 is designated as "National Children's 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 the 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.

GENERAL LEAVE

Mr. SAWYER. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the 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.

THE DANGERS OF INCREASING BORROWINGS OF PUBLIC DEBT

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Illinois [Mr. ROSTENKOWSKI] is recognized for 5 minutes.

Mr. ROSTENKOWSKI. Mr. Speaker, I rise today to express serious concern with the economic dangers facing this Nation resulting from dramatically increasing levels of Federal debt.

In August 1989, during consideration of the \$50 billion savings and loan bailout legislation, I stood here in the well of the House and warned my colleagues that within 2 or 3 years the administration would be coming back to us, looking to the American people for more money to finance the bailout. Regrettably, my fears were more than justified.

Today, a little over 2 years since that prediction, the administration has made three further requests for bailout funds: A \$30 billion financing request that Congress approved last spring; an \$80 billion request to cover still more thrift institution losses made last week; and a \$25 billion request to recapitalize the bank depository insurance fund, an amount that may also grow in the future.

Mr. Speaker, in 1989 and with every new request, the administration has insisted on not paying for this bailout money. However, it is inescapable that the Federal Government has to borrow to cover these financing commitments, or it can properly finance these commitments through self-initiated revenue increases or spending cuts.

Make no mistake about it. The extra Federal borrowing to finance the administration's request for insolvent thrifts and recapitalized banks will mean that the Federal debt ceiling will be reached much sooner than anticipated last year when the budget agreement was enacted. All the more sooner due to budget deficits in excess of \$350 billion.

This greatly increased level of public debt will result in a long-term financial burden to our Nation, will further slow our recovery from the recession, and will make for explosive politics just prior to next year's election.

Let me issue a new warning to my colleagues and to the American people: If the Federal Government—the Congress and the President alike—do not take our collective budget responsibilities seriously, we will be engaged in an ugly, divisive debate over increasing the debt ceiling during the final months of the 102d Congress, right during the heat of the Presidential elections.

I take no pleasure in being right in my 1989 predictions about the soaring

costs of the thrift institution bailout. Don't prove me right again about the dangers of soaring amounts of Federal debt. I appeal to the President—to my colleagues in the Congress—and to the American people—let's get our economic house in order now before the political finger-pointing starts next year.

□ 1840

PASSIVE LOSS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New Jersey [Mr. DWYER] is recognized for 5 minutes.

Mr. DWYER of New Jersey. Mr. Speaker, I would like to rise today to voice my strong support as an original cosponsor of H.R. 1414. This legislation would amend the Internal Revenue Code provisions on the treatment of rental and nonrental real estate activities under the limitations on losses from passive activities.

Though this issue can be a confusing one, H.R. 1414 currently has over 300 cosponsors. Similar legislation in the 101st Congress had over 325 cosponsors, of which I was proud to be one. These bills seek to redress a situation which originated in the tax law changes of the mid-1980's.

Before the Tax Reform Act of 1986, few limitations were placed on the ability of real estate professionals to offset losses from investments in rental real estate against income from other real estate activities and from non-real estate activities, including wages and investment portfolio income.

Provisions were included in the Tax Reform Act of 1986 which limited the deduction of passive activity losses to the amount of income or gain from passive activities. Therefore, passive losses could not be offset against active income or investment portfolio income.

Passive loss is generally defined as a trade or business in which a taxpayer does not materially participate. All rental activities, including rental real estate, are classified as passive activities, even if the management, ownership, and operation of rental real estate were an integral part of a taxpayer's real estate business. To materially participate in nonrental activities, a taxpayer must be involved in the operations of the activity on a basis that is regular, continuous and substantial.

Active participation requires at least a 10-percent interest in the property and participation in the form of making significant management decisions. There is a small exception which allows persons who actively participate in rental real estate activities to offset up to \$25,000 in losses from such activities against all income.

As a result of the current passive-loss regulations, professionals in the real estate business are taxed on the gross income of their overall real estate business operations, and not on their net income, as is the case with other small business people.

Not only do the current regulations unfairly penalize just one class of small businessmen and women, but it places an additional burden

on an industry which has been extremely hard hit by the current economic downturn. I call on my colleagues to redress this issue and join me in supporting H.R. 1414.

THE COLLAPSE OF COMMUNISM IN RUSSIA—NOTES ON THE INHOFE FLIGHT

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California [Mr. DORNAN] is recognized for 60 minutes.

Mr. DORNAN of California. Mr. Speaker, I am going at some point during this special order—hopefully, sooner rather than later, after a few minutes—to invite to join me one of my colleagues, one of the most famous private aviators in our great distinguished body, a man who pulled off a childhood dream of mine, and accomplished something magnificent. He flew around the world in a two-engine light plane, a Cessna 414. I am speaking, of course, of JIM INHOFE of the great State of Oklahoma, the former mayor of Tulsa, a pilot who has also trained all of his children and checked them out himself as the IP to become private pilots.

He has been trying for several weeks, since he got back from the Soviet Union, to find the right moment to do this, and I think the right moment, given the central time zone of Oklahoma, for all the great people in that State, the right time is now. So I am going to defer what I thought was a very important special order and just tease it and say that maybe with a little luck I will do it tomorrow afternoon, because we are going to adjourn early for the Jewish high holy days.

What I did want to speak about again was this amazing passage of history, the collapse of communism in the motherland of communism, the Soviet Union, in Moscow itself. I do not know how many Members in this Chamber find it absolutely glorious to see the name of Leningrad change from bearing the name of one of the world's great killers. There are still apologists all across this country on our politically correct campuses, carrying out what I consider to be incorrect teaching. It is said that Stalin was the evil usurper who destroyed the great Marxist dream of Mr. Ulyanov Vladimir Ilyich, Lenin, the name Lenin being an assumed name, just as Stalin, "man of steel," was an assumed name.

But there are other great scholars of the Soviet Union around the world who feel that Stalin was a natural outgrowth of the bloody terror that had been unleashed by Lenin himself. I would like to do something commercial without having talked to the Oxford University Press. Let me recommend a book that I think should be in every home in America where there is serious reading on what is going on right at the current time. We can understand it

by understanding the prologue, and this is about the 73, almost 74 years of the Soviet Union, since the November 17, 1917 revolution. That is according to our calendar; their calendar is October 25. I recommend this book by a gentleman whom I had the honor to have on a television show I was fortunate enough to host almost 20 years ago, and it was written by Mr. Robert H. Conquest. His book, "The Great Terror," that came out 20 years ago is a study of the unbelievable holocaust, of killings that went on under Stalin. He was British-born, but he is an American. He has spent the last 20 years studying, writing, and lecturing at the Hoover Institute on War, Revolution, and Peace at Stanford University, and he has taken his great seminal work, "The Great Terror," and updated it with all the new information that has been available in the last amazing year and 10 months, since the Berlin Wall came down, and he can probably do a fine-tuning on a slightly amended version a year or two from now when we get into the bowels of the KGB and look at all these records and see in final, positive detail just how incredibly mind-numbing was this murderous wave of killing unleashed by Lenin but brought to a satanic level by Stalin.

I am looking at a review that is a year and a half old now from the Los Angeles Times, written by another great Soviet scholar, Robert V. Daniels, who is an instructor at the University of Vermont, professor emeritus of Russian history, and just listen to one or two lines here. He says: "There is scarcely anyone in the Soviet Union today who did not have a relative or a friend's relative either perish or emerge half-dead from the holocaust perpetrated on his own people by the dictator Stalin, whom one eminent Soviet historian recently described as even worse than Hitler."

We do not have to learn this from some anonymous Soviet historian. How about Mikhail Sergeyevich Gorbachev? I was in the Soviet Union in August 1988 with my older son, my younger son Mark, having just ridden the trans-Siberian railroad from Mongolia up to Irkutsk and across the whole country. I did what JIM INHOFE did, but I did it the hard way, on rails, and I was in Moscow listening to a documentary with one of our great embassy people, one who is fluent in Russian.

□ 1850

He is translating for me as Gorbachev is speaking, it was a rebroadcast of something he had done the month before in July 1988, and I heard this out of the mouth of Gorbachev, that Stalin killed millions more people than Hitler, and it is a terrible, sad reckoning that the Soviet people are going to have to come up with as they dig for the remains of people under huge apartment complexes where they delib-

erately built these apartment buildings on top of mass graves of people slaughtered in Stalin's name.

I will probably do a special order tomorrow night and read a great amount of this review by a professor at the University of Vermont, Prof. Bob Daniels, and then encourage a lot of you, and I think this Christmas I am going to be giving out terrible presents for Christ's birthday, but I am going to be giving some friends who I think are serious about understanding what has gone on in the Soviet Union, why it took so long for the people to fight back, and why there are very few liberals in this Chamber—there are a handful, TOM LANTOS, my good friend STEVE SOLARZ, and a few others, who have a piece of this action—even though I bet they were on the wrong side in Vietnam.

But this vote I want to talk about for a couple of minutes, and then defer to Mr. INHOFE.

This was a stunning vote today. A straw in the wind, I do not want to put too much emphasis on it, because things change quickly around here, but we had a vote, two votes ago, on, complicated congressional language, the previous question on the motion to instruct the conferees, and this Chamber went with Mr. BILL DICKINSON, a Republican from Alabama, ranking member, leader of the Republicans, on the Committee on Armed Services, and rejected instructions from Mr. BARNEY FRANK of Massachusetts to our conferees to break the, nonetheless flawed, October surprise, the budget agreement, where our great President asked all of us to unread our lips, and a lot of us refused to.

But nevertheless this great gentleman was trying to compromise with the majority leadership in this House and the other body, liberal as it is, and say if you will promise to defend defense at least 3 out of the 5 years of this budget agreement, and make these massive billion dollar cuts, I will go along with massive billion dollar tax increases.

Here we are, it is not even October yet, 11 months later, and Mr. FRANK of Massachusetts is suggesting we break that budget agreement, and a huge percentage of us here did not even go along with it as it was, and start to gut the second of these 3 years that defense was supposed to be fenced and protected.

So we had a classic struggle here between a conservative from Alabama, Mr. DICKINSON, and a very liberal person from Massachusetts, Mr. FRANK.

I stood right on that spot next to BILL DICKINSON, who was sitting in this chair behind me, and I said, what do you think, Leader? I said, is this going to be a party line vote? Mr. ASPIN, the Democratic leader of the Armed Services Committee, is probably going to try to make this a party vote. Do we

have enough conservative boll weevil Democrats out there?

If all of our 166 Republicans are here, and they aren't, there are 9 Californians battling in Sacramento at this moment for reapportionment and 8 Democrats are up there, so I said we are not going to have a full House here. But if we get all our Republicans, can we get 40 or 50 Democrats to go with us, so we go into a conference, and I am one of the conferees, thanks to Mr. DICKINSON, I said, can we go into this conference without instructions from the House, overwhelming instructions, to gut strategic defense, stay with the House position, to zero out the B-2 stealth bomber? What do you think?

He says, I do not know. It is going to be a close call.

Ladies and gentlemen, here is the glorious vote. We did not get 40 Democrats, 50, 60, 70; we got 84. There is an Orwellian number for you; 84 Democrats joined 136 Republicans. We only lost 4, so there are 26 Republicans who were not here for the vote around the country. We were not supposed to have all these big votes today.

The four Republicans are, from New York, BILL GREEN; from Maryland, CONNIE MORELLA. She thinks that is what best serves all of her feather merchants, all of the Federal workers that live in this district north of us here in Maryland. MARGE ROUKEMA of New Jersey. That is kind of a surprise to me. And CHRIS SHAYS of Connecticut. A tiny surprise.

We lose 4 Republicans, we gain 84 Democrats, a net gain of 80. And the result was 220 to 145 saying don't gut defense.

Now, I repeat, this is a straw in the wind. So far, so good. But I just came back from Anaheim, the Republican Convention in Anaheim, CA. When we were not doing interparty battling over the direction of our State, where the conservatives are still the majority force in our California Republican Party, people were saying to me over and over again, Friday night, all day Saturday, all day Sunday, "Congressman, are we going to cut defense? Are we going to cut defense? Are we going to repeat the mistakes of the post-World War I, post-World War II, post-Korea, post-Vietnam? Are we going to cut all our defenses and get caught in a still dangerous world with our powder wet or gone or destroyed?"

I kept saying, I don't know.

Well, I am a pretty happy Congressman right now, because it looks like we have learned the lessons of those other four mistakes, all of them within this century, from 1919 to today. It looks like we are going to draw down our military in a careful way. That means a 25-percent cut. Five hundred thousand good men and women, many of them with combat and service decorations from the gulf war, we are telling them we don't need you any more.

You volunteered your life for your country in the military. We are cutting back 500,000-plus people.

Why should we gut ourselves and cut 1 million people out of our military, when we still do not know what is going to happen with these 15 so-called Republics in the Soviet Union, these former States, spinning off all these ethnic rivalries, people dying in Croatia, which I only visited just a few months back in March, people still suppressed in China.

You take 250 million Americans and add 1 billion people, and that is the population of China. There are people in Tibet right now, people in Vietnam, North and South, and there are people in Tibet right now, people in Vietnam, North and South, and there are people in Cuba, 90 miles from Key West, that still do not feel peace breaking out all over.

So I am really pleased with this vote, and I will talk more about it tomorrow.

Now, with great pleasure I would like to invite into my special order in the preeminent position in the well, with some charts that I have not had an opportunity to see, except a little piece here and there on the floor, the gentleman from Oklahoma [Mr. INHOFE].

The gentleman has told me about this great journey. Please take the floor. I will be Walter Mitty, you did it. Tell me how you fulfilled one of my boyhood dreams.

Mr. INHOFE. Let me first thank the gentleman from California. That is great. I cannot think of anything more appropriate than for us to join special orders. Because the whole reason for having this one is to share with the American people some of the things that I have discovered, that we discovered, going through Siberia, as to why we cannot afford to cut defense in this country.

I did not know what your special order was going to be on, but it could not be more appropriate.

Mr. Speaker, I thank you for the time that we will be taking today to share these revelations that took place in the Soviet Union, or what was then known as the Soviet Union, in making a passage.

Mr. Speaker, 60 years ago a very famous aviator, that certainly the gentleman from California [Mr. DORNAN] will be eminently familiar with, named Wiley Post, flew a very famous airplane, it was a Lockheed Wasp, it had a Wasp engine, a 9-cylinder round engine, around the world. It is called the *Winnie Mae*.

Wiley Post may not be quite as well known to some people, I would suggest to the gentleman from New York, as Charles Lindbergh, as Amelia Earhart, but, nonetheless, he was a very, very famous aviator.

This happens to be a picture of Wiley Post, the only picture known in cir-

culuation of Wiley Post without his patch over his eye. He was one who, I would suggest to the gentleman from California, they always tell us as pilots you don't have your depth perception. But he had pretty good depth perception.

Anyway, in Oklahoma he is considered to be one of our two very famous Oklahomans, Wiley Post and Will Rogers. Ironically, Wiley Post and Will Rogers died in a plane crash at Fort Barrow. This was not the trip in the *Winnie May*, however.

I had three other individuals, four of us made this trip. The other three were more concerned about commemorating the 60th anniversary of Wiley Post than perhaps I was in terms of priority. I was concerned about that, of course.

But the main thing I wanted to do in going around the world was to tell the world that we can offer a very compelling case that Tulsa, OK, in my district, is the aerospace and aviation capital of the world.

I remember many years ago when I was mayor of the city of Tulsa for 3 years, I put together some statistics that drew us to that conclusion. Nobody believed it.

But now, today, since the demise of the oil industry, without any close seconds, aviation and aerospace is the No. 1 employer in my district.

□ 1900

I am not talking about just the very large giants, American Airlines, Rockwell International, McDonnell Douglas, Nordam, but many of the others. We have a total of over 300 companies that are in aerospace or in aviation.

When we single out one particular specialty, for example, training, we are going to be celebrating the 50th anniversary of the Spartan School of Aviation here in just a few weeks, and that is where most of the Royal Air Force, from Great Britain was trained prior to World War II. They are coming back for the 50th anniversary.

I would like to have the gentleman from California [Mr. DORNAN] come in and join. There is no greater group to have around a table at one time than that group that fought that war.

Mr. DORNAN of California. Please make me part of that. I was lucky enough to have President Bush appoint me to be leader of the Presidential delegation to the 50th anniversary of the Battle of Britain and to the air show last year, and most people do not know the great role we played because President Roosevelt was doing a lot of this sub rosa, the great role we played along with the Commonwealth nation, then Canada, in training all of these young British aviators who went and faced Adolf Hitler and his Fascist hordes alone during the early years of the war. So I do know the role that Oklahoma played and also some bases around the country, like Thunderbird

Field in California, training Flying Tigers to go over to fight as civilians and then the war caught up with them and only a handful fought before Pearl Harbor, but that 50th anniversary, I invite the gentleman to be with me at Pearl Harbor coming up December 7. We will try to put together a Codel, and I sure accept the invitation to be there with the gentleman.

Mr. INHOFE. That would be great.

We had, in the 40th anniversary, I was there at that time, we had this group. There is no greater bunch of guys than those guys that fought from Great Britain, and they all looked so young considering how old they must have been. Maybe they drafted them into that at 12 years old.

The gentleman talks about the Battle of Britain Museum. Every time I go to London, this same group that I met 10 years ago, we meet and we go out to the museum out there and see the old hoppers and everything that we enjoy so much looking at now. In areas, especially in my district, simulators, flight simulators, not just the big companies like Aviation Resources, Inc., and Burtel and Flight Safety, but we have seven more, Aero Weld, AMI, Hill, Rediffusion Simulation, and Safety Training Systems, Inc. Virtually all of the simulators used throughout America in defense and in civilian aviation are manufactured right in Tulsa, OK.

The second reason I wanted to go was because as many of the pilots are aware, we have a problem in congested air space. I have a bill; in fact, I was not the one who thought of this change in air space. It was a guy that was from, I believe the district of the gentleman from California. His name was Barry Shiff. Barry Shiff is a TWA pilot who told me back in 1986, he said, "Why won't Congress look at our corridor system for getting into TCA's and ARSIS for VFR pilots?" We went into it. We have experimented in several areas.

When I left for my trip around the world, I did not have one coauthor on that bill. Two days after I got back, including those who are in the Chamber today, I had 136 coauthors. So as a result of that, I think that did give some credibility in order to get some things passed in the House of Representatives concerning air space.

We had a number of sponsors on this trip, as we always have to have. Mobil was the sponsor that bought the gasoline and also their AV-1 engine oil. This is 100 percent synthetic oil. It was so good that we, by accident, had to break in a new engine, a right engine, on that oil. That is something normally you do not consider doing on synthetic oil. To this day, it does not use a drop. Another one was Avemco, writing the insurance.

I do have to single out, when one is trying to fly around the world, we had one of the gentlemen with us, Joe

Cunningham, who was a navigator in World War II on B-17's. So we had ground reference charts in case our system went down. But we had, from Trimble Navigation, a global positioning system that was redundant. We had one with a back up that was Omega and one with a backup that was Ioran. And the satellites never came down. The system never failed.

We went entirely around the world and knew within 50 meters where we were all the time. That was the system that is shown in these two items here on this panel, the 421 that we flew around the world.

I hasten to mention one other name, too. His name is Dr. Millard Harmon from Delmar, NY. Dr. Harmon has flown his Bonanza into the Soviet Union, into places mostly in the area of Moscow and Leningrad. He was a big help to us on this trip.

So if I might, I would like to take just a few minutes and take us around the world, the way we went. Then I want to return to three places for the three lessons that I learned, or reminders. I did not need to learn those lessons, because I knew them before I left.

We were going to make this circumnavigation from Tulsa, OK, to Tulsa. Then we decided, since there is an airport in Oklahoma named after Wiley Post, we would also make it from Wiley Post to Wiley Post.

As it turned out, since I had to jump in the plane and come back to Washington, we also had one from Washington National to Washington National.

We took off from Washington National after coming up here from Oklahoma. We had to vote for 3 days, and I did not want to leave until after that. That coincided with the day that Wiley Post was leaving on his trip around the world 60 years ago.

So we took off from National Airport, and I have to say, and it is kind of an indictment on our system, the only runway delay that we had of any length of time at all was at Washington National Airport.

In fact, we had to take off to go around the world without our IFR clearance, and we had to pick that up right before getting into Moncton and crossing into Canada.

Mr. DORNAN of California. Let me ask the gentleman one question. A lot of world attention, I mean amazing world attention went to Dick Rutan, the younger brother, and Jeana Yeager in their nonstop flight around the world, because they were going for a record. And they flew a little south of your route, but they took off at Edwards and landed at Edwards. So they did not have a chance to learn some of the lessons that you did or have them reinforced. And between the two, except for going in the history books and saying I flew around the world nonstop, what was it called, the *Condor*? The *Voyager*. It is hanging in the

entranceway now from the ceiling into the Smithsonian, which the gentleman's is not.

Other than that tremendous historical first, I would rather have been a stowaway on the gentleman's voyage. I am just telling people that the reason they never heard of your trip is because many people have done it before you, Howard Hughes. But Howard Hughes stopped, refueled and hardly got off the airplane, when he did it in the late 1930's and took the Post record. And we have had a lot of businessmen doing this going through Tehran, not going through the Soviet Union, flying a well-beaten path across the world and up through Tokyo.

The gentleman's flight is a very unusual flight because he got the Soviets to cooperate. So blast off again and take us around.

Mr. INHOFE. That is true. As a matter of fact, I was at the Bell Helicopter plant the other day. I flew down there and talked to Dick Smith.

Dick Smith flew a Bell helicopter on the route that was first suggested. He got as far as Sydney. That was a great flight, the *Rutan*, they were talking about endurance on that flight and also new technology. We will not get into that. That would take another special order. We will have to talk about some of the contributions that they have made to aviation.

We circled Roosevelt Field. Roosevelt Field was where Wiley Post took off on his trip around the world. It would be a McDonald's parking lot today, so we were not able to stop there.

Mr. DORNAN of California. And Charles Lindbergh, Lindbergh took off at Roosevelt Field also.

Mr. INHOFE. So we tried to replicate that as nearly as possible, where the airports would cooperate with us.

So in going around the world, we went from there to Moncton, went to Goose Bay. Goose Bay is an interesting place. I am quite sure that the gentleman has flown into Goose Bay, but that is really kind of remote up there, not to have to mention say one, maybe two or three pilot stories, but only one that I can think of.

Coming out of Goose Bay, in taking off from Goose Bay, we did not have time to take care of our squawk list on our 414 before we left. We did not have an outside air temperature gauge.

One can imagine starting around the world in some of the parts of Siberia and places without that. We took off. It was one of those blinding rainstorms on the ground at Goose Bay, very, very cold, even though we are talking about June. And we took off, could not see the wings of our airplane. We took off, and I was thinking, going up, that freezing level has got to be up here somewhere.

So we got in contact with one of the Canadian Air Force guys and asked if they would read off the temperatures,

and we went up and we found where the freezing level was. And that is how we keep from going into the freezing level.

□ 1910

The reason I mention this is when I came out from the clouds and I looked down, the one comfortable thing I had about this flight was that we were going to be over gross the entire flight. That means in a twin-engine airplane you have to land if you lose an engine, you cannot fly on, so the only comfortable place would be crossing the Atlantic, because you can always ditch it and at least walk away from it. And I always remember coming out from these clouds and looking down for my first time at the North Atlantic, and there is nothing but icebergs, I mean nothing but icebergs. You know, you talk about the tip of the iceberg, well you can really see how it is there. And if you run into those, it is like a brick wall. So that is not a really reassuring thing.

We went on to Narssarsuaq, and for those of you who have flown out of there, you have to come in, and this is a picture of coming into Narssarsuaq right here, and this is a fjord, about 50 miles up this fjord, and you hit the runway, and when you take off to go to Iceland you are going up this ice cap that rises 7,000 feet from sea level. So you are climbing up this 7,000 feet, it looks like that would be easy to land on. I understand you do not want to land on an ice cap.

So we made it from there on to Keflavik in Iceland to Manchester.

One of the interesting things is when you fly, and we were going over here and going across Goose Bay—

Mr. DORNAN of California. Could you bring that map over a little closer and that tripod a little closer, because I know the limitations of the camera, and that map is fascinating.

Mr. INHOFE. I will try this, but when you are going across, going east, as all of us pilots know, we are so smart, we know that we are going to have tailwinds when you go up to altitude. Well, we had headwinds every time, every single time going around and between, and that is what we discovered going along between these bodies of water to Keflavik, to Manchester, and we looked down at the groundspeed. When we looked down on the GPS system you can tell the groundspeed, and our groundspeed was 150 knots. And we calculated, we went entirely around the world and our average speed, taking total difference of time it took, it was 150 knots. Let me assure you that it is a big world at 150 knots.

Mr. DORNAN of California. And that is a pretty standard speed for pilots before our generation. That is for the Gooney Birds, their speed flying supplies over the hump, and the Catalina speed, or a little below that. Also the B-17, full load of bombs, B-24, and B-29,

and guys like BEN GILMAN who flew those probably cranked up about 40 knots on that. But that is about pretty standard. That was the speed of the HU-16 I piloted from Hamilton all the way to Hawaii, 14 hours and 15 minutes without stopping, the pilot going to Vietnam. That is one of the biggest distances, Hawaii to the West Coast. What was Wiley Post's speed?

Mr. INHOFE. He had just about the same groundspeed, because he had the normal type of tailwinds you would expect to have. The Lockheed he was flying was one that actually has its true airspeed at only about 30 or 40 knots which was different than mine was. But as it turned out, we ended up with just about the same groundspeed going all the way around the world.

The difference between his flight and ours is that he had some advantages. For example, as the gentleman well knows, if you are over gross weight and you have two engines and you lose an engine, you have to land. The likelihood of losing an engine in a twin-engine plane is twice as great as losing one in a single-engine plane.

Second, he had a much longer range than we had. Third, he had one of these big round wasp engines, and you can knock out one, two or three cylinders and still keep going on those.

Mr. DORNAN of California. What was your best leg range compared to Wiley Post?

Mr. INHOFE. He had one leg considerably longer than ours. However, there was only one that was longer, and our longest leg was about a little over 1,400 statute miles. That was with headwinds.

Anyway, let me go on. We went from here to Berlin. And this is one of the things I want to come back to, the experience we had in Berlin, because in Berlin I got a chance to see a contrast as to what it was like before the wall came down and after the wall came down. We will save that for just a minute.

In Berlin I went to the Soviet Embassy. One of the problems in the Soviet Union is that they do not talk to each other. You know, we had it arranged that we would pick up our visas in what used to be East Berlin in the Soviet Embassy. We went by, and I spent 3 days in the Soviet Embassy and I finally gave up. I can remember watching the people. The only place that is still impoverished looking in East Berlin, and it is not just bustling right now with prosperity, is the Soviet Embassy. I sat down there and I finally gave up.

We went out and got in the plane and we flew from Berlin to Moscow, landed in Moscow with no visas. And when we landed in Moscow the officer there said, this official said he would like to see our visas. I said we did not have any. I said they were supposed to be in Berlin but we could not wait any

longer. I had Admiral Busey with me, and we were going to a procurement seminar, and he had a deadline, and I had to get him back to Tulsa. So I had to go, and we got there, we got to the Soviet Union without a visa. I asked the guy where are you taking us, and he just told me to go along, to follow him. I said where are you taking us, I pressed him, and he said that we are going to the hotel for visitors without visas. You know what that is.

So luckily we were saved by someone from our American Embassy and we did not have to go to the hotel for visitors without visas.

After that we went to Sovetsky. That was a long leg going up to Sovetsky. We did not want to go to Sovetsky. Wiley Post did not go to Sovetsky. We did not know why we went to Sovetsky, but since we had to take a Soviet navigator, and here is the picture of Igor in front of the 4414, the spirit of Wiley Post, we had to take him along, and then we found out later that he had friends in Sovetsky. So that is why we went there.

We landed there, and it is so primitive that they still harness reindeer as their primary mode of transportation. And in Sovetsky we had an experience which would be the second thing that I want to come back to. I am going to read a letter to you from four people who gave me a letter when I came back. They had never seen an American before.

We got gas and we left, and in fact, Sovetsky is the first place I saw an AN-2. You know what that is? An AN-2 is this biplane, big round engine. I do not know when they were made, somewhere back around the Wiley Post era. And they go in there, and they will load the people in, and then they will stand there and hold onto hoops like in a trolley, and then they will take off. They might make 80 knots. It is a pretty reliable form of transportation. But that is what they are using in Aeroflot to transport most of the people within Siberia. There is a fleet of three of them.

Mr. DORNAN of California. We captured one of those in Grenada, so our Defense Department has one somewhere. And I believe they are still using them, and they use them for paratroopers, and they use them all over in the farming industry, and there were some in Nicaragua.

Mr. INHOFE. I remember seeing them in Honduras or in an area just north.

Mr. DORNAN of California. This first stop then, is it west of the Urals? In other words, Sovetsky in Russia, where would that be?

Mr. INHOFE. I would classify that as northwestern Siberia. But here is what it looked like. It was a beautiful place. We stayed there and slept on boards. They did not have mattresses. They had a thin blanket there on these

boards, and we stayed there where the workers stay. There were 23 rooms and a bathroom in there, but again, we are going to come back to Sovetsky. That is really critical to understand some of the things that happened.

So from there we went to Novosibirsk, and this is where I had the first realization that we were having a problem with the airplane. The gasoline in the Soviet Union does not look very pretty. When you look at it, it does not look like ours. It is not clear, beautiful blue. It is kind of like a urine specimen, has things floating around in it kind of, kind of a yellowish and greenish color, and it had little specks. And yet I was told that you cannot really strain it because they get some of their octane from some of these little particles that are in there. I do not know that much about it. But we brought a specimen back that we are going to find out a little more about.

The octane was not the problem as we thought it would be. It was the particles. When we were on our way down on this long leg to Novosibirsk, right down here, I looked over here and the fuel that goes from the nacell tanks right here to the tip tanks, as the fuel transfers it does not go directly, but it has to go to the tip tank and then go back to the engine. It clogged up and it stopped flowing. So we turned it off and on, and off and on, and off and on. At the time we thought this could be a serious problem so we punched in the nearest airport with our navigation system, our GPA system, and the nearest airport was 512 nautical miles.

Mr. DORNAN of California. And you are flying over forests?

Mr. INHOFE. This is a picture taken, and this is rugged mountains and snow-capped peaks. There is no place that we could see, no river beds, no sign of anyone ever having been there, like a road. So this is the concern we had.

Incidentally, when you look down it is so incredibly beautiful, no sign of human life, but the natural resources, the timber, and the prosperity that could have been there if they had some other system.

Then the other problem we had going on that same leg was that we noticed that we were losing manifold pressure on the left engine, which was the new engine. And what do you do on a twin-engine plane when you lose manifold pressure?

□ 1920

You drop the other engine down, so we were running along at about 50-percent power, and with the headwinds, as it turned out, and, now, I happen to be a Christian, the Ephesians, second chapter, verse 8 and 9 type, and I really believe we were not alone on that trip, because by having to bring it down to 50-percent power, there are two legs that we probably would not have made

under the conditions of the headwinds and the groundspeed that we were making.

But anyway, that got us through there. We went down from Novosibirsk to Irkutsk. Irkutsk is supposed to be one of the places that people visit, that is supposed to be pretty nice. It is just north of Mongolia. You can see Mongolia from there. You can almost see Japan if you look a little east and south from there. In landing there, I thought that this was a place that was considered to be a resort area on the water, and I went into two stores.

There was not any meat in either the two stores. They had some bloated cans of something that I do not know who ever would buy it, and they had some gallon jars of colored water like Kool Aid. That was the extent of what they had in there. This was supposed to be one of the wealthier areas, more prominent areas, of the Soviet Union in southern Siberia.

The gentleman was there, was he not?

Mr. DORNAN of California. I was there in 1988, with my son, Mark. We went into one store there, and there was like a big 2-gallon oil can, paint can, and it had tomatoes in it. Unfortunately they were all mildewed on the top, and my son, first, as sons will do, criticized me for staring. He got over it after about a week on the trip, and he started staring at everything, too. You cannot travel; it is hysterical.

He said, "Don't, you are going to embarrass them. Don't look at those mildewed tomatoes." I said, "Wait a minute, why are they there? Why are they not thrown out? I think they are selling them." "No. Come on, Dad." And a little babushka goes over and lades these mildewed tomatoes into a little can.

We found one thing, and I do not know if you were by the fish store there, kind of nice main street, and every now and then these pre-Bolshevik, these wood-carved, filigreed houses, so beautiful, and you can imagine what it was like, all new in snow, and we went into one store and found lemon wafer cookies. They were pretty good. We stored up on them and ate them for the next 4 days on the train to Moscow. If it were not for the cookies, we would have starved on the train, because the dining car did not come up to the title "dining car." It was borscht, and back to our room in the East German-made car for our cookies, but Irkutsk is worth seeing. It is way upriver from Lake Baikal, but it is beautiful.

Mr. INHOFE. This is Irkutsk right here, and you know what I thought of, and I will just share this with the gentleman from California, that when I saw those wood-carved buildings, I thought of the old Hansel and Gretel storybooks. That is what it looked like. That is what I am sure inspired that. That is what it was.

There was a lot of beauty there, and I am certainly not here to beat up Siberia. I am just saying that those people there that had a starvation for freedom and knew there was a better way out there, they have been eating this stuff.

The only thing we ate all the time going across was all they had, and maybe it was because it was the season, but it was a pasty white stuff, and I know there is a name for it, and I cannot remember what it is, and on top of it they put a hunk of meat. That meat, depending upon where you are, and up in Sovetsky it is probably bear meat, and down here it could have been anything else. But I got so tired of that that I lost 10 pounds in 8 days going across Siberia, and I was not even trying.

One of our sponsors was Nutri-System, and I did not even use that. I was just trying to get along on the food that was there.

What year was it that the gentleman was there?

Mr. DORNAN of California. In 1988.

Mr. INHOFE. 1988. You know, it has not really changed.

Mr. DORNAN of California. From what I can hear, and from what I can understand, and I have been back once to the western side, it just keeps going downhill. That is why Gorbachev might come over here and declare in the Democratic primary for President. He has got a great amount of support here, more than he does over there. I do not know now that he has given up Marxism if he would get anywhere looking for his percentage of the Democrat vote.

Mr. INHOFE. Well, that is the other thing we want to talk about in just a minute. I am not sure that they have completely given up all of these things.

But look at the expanse here, going across Siberia from here all the way to Providencya, and you go across 11 time zones, the size of this, the magnitude of this great country that they have got there. It was incredible. So we went to Olekminsk, and then from there to Magadon, and I am going to come back to Magadon, too, because I met a young man there, an incredible guy, a 23-year-old guy, but that was probably the best accommodations we had in Siberia or even in all of the Soviet Union, because we found a five-story structure where all of the Aeroflot pilots stay, five stories, one bathroom, but it was the best place that we had all the time we were staying, and it was even the little restaurant that they had, it is still white stuff with meat on it, but it was the best white stuff with meat on it that we had during the time we were going across the Soviet Union.

So Magadon is something I want to come back to in just a minute. We went from there to Providencya.

Incidentally, when you leave the Soviet Union, they take their money. If

you ever wonder what happened to the KGB, I found her. She was the customs official in Providencya, just before you cross over to Nome, AK, across the Bering Strait, the meanest gal I think I have ever seen in my life. She was not going to let us go for a while there. We gave up all of our money, and off we went.

Anyway, it was just so great after going across Siberia to go across and land at Nome, AK, United States, even though it was that far north. We enjoyed the trip across there. We went from there to Fairbanks, followed the routing of Wiley Post, and people remembered him. They remembered Wiley Post. They talked about him. There were things in writing about him.

In fact, in Germany when we were going across, we talked to a man who actually did meet him on his trip coming across in the Winnie Mae 60 years ago.

Mr. DORNAN of California. Just a little cultural question: Did you go into a market in Nome to get resupplied or anything?

Mr. INHOFE. We did not. Nome is the same as it was 100 years ago. Nome, as far as I could say, had not changed a bit. I do not think there is a structure there that was not built back during the Gold Rush.

Mr. DORNAN of California. I just wondered. Whenever I come out of the Soviet Union, the first supermarket I go into, whether it is in Helsinki, Finland, or London, or back in the States, it just hits you right away.

Mr. INHOFE. There is no supermarket that I know of in Nome. You can see everything in town. There was not one but in Fairbanks there was. And what a feeling it was. There were supermarkets there, but I went into the PX, the commissary at Fort Wainwright. That is when I looked around, and it is so hard to reprogram yourself. You know, we went into, in Magadon, we went into a store that is supposed to be a big clothing store. They had in shoes one pair for each size of women's shoes, one pair. Now, if they, or unless they wanted that brown pair of shoes, there was no choice. Then the next one coming around who wanted size 7 or however they size them over there, they are out of luck.

Mr. DORNAN of California. We use this term of Hobson's choice incorrectly. I just learned this recently, I do not want to sound pedantic. But we always say Hobson's choice as if it means both choices are bad. That is not what it means. What little Mr. Hobson did in his British shoe store was say you take what he offers first up. If you say that you would like those, "No; no. That is tomorrow or the next day. You take this or nothing." And that is what you get is a Hobson's choice in the Soviet Union. You say, "I am in line, and I would like that." "We do not have that

today. All we have today is toilet paper, and you are lucky to get that, and that is all that is on sale today. Goodbye." So we don't know but what the whole place is one big Hobson's choice.

Mr. INHOFE. Magadon is supposed to be one of the areas that has the most selection and the most variety, and that is, again, what it was. When we went in there was just one of everything if you are lucky. We went from there down to Juneau, back here in the United States, Fairbanks to Juneau, and in fact right here in Juneau, going down, is the only time we really got disoriented. We had one serious navigation problem there the whole trip. We made the mistake of taking our eyes off the Trimble GPS system and trusted our judgment, and you know what can happen to you in fjords. Here it is, in fact, right here. This is the picture. Look how low that is. What would you say that ceiling is right there?

Mr. DORNAN of California. Fifteen hundred feet, a thousand feet?

Mr. INHOFE. Not 1,000 feet. This is right down on the water. We are flying up and down these fjords. We did have one close call there. It comes in like that.

Mr. DORNAN of California. Like a legal buzz job.

Mr. INHOFE. Exactly. Anyway, from here down to Edmonton. Edmonton was kind of good for me, because we had quite a large delegation there meeting us who were able to tell Tulsa, OK's, aviation and aerospace story, and we had contact from an individual who may be relocating part of his operation as a result of that trip.

Mr. DORNAN of California. Did Wiley Post follow that route down through Canada?

Mr. INHOFE. Yes, to Edmonton. In fact, if you go in the Edmonton airport, you see pictures of the Winnie Mae and of Wiley Post. He rode there. I do not know of anyone who is more of a hero than Wiley Post is in Edmonton and some of the other places where he went. Anyway, we went down across Cut Bank and then back into the United States at Cheyenne. He did not stop at Cheyenne. He stopped at a different place. We went from there to Wiley Post Airport in Tulsa, had our seminar with Admiral Busey, and then I looked, and I got a call from the office up here, and the first thing I thought when I got down there was that I would never want to get inside for at least another month the cabin of that 414, but we got down, and we found out we had a vote, and the only way to get there was to fly, get in it and fly back to Washington Airport.

□ 1930

Mr. DORNAN of California. Did the tower give the gentleman permission to do a flyby at Tulsa?

Mr. INHOFE. No. We did not ask for that. We landed there and made that one of our circumnavigations.

In fact, this is my hangar in Tulsa right here.

Mr. DORNAN of California. So the gentleman was met by family, Miss Oklahoma, the chamber of commerce, and all that?

Mr. INHOFE. I even had my mother-in-law there, and she does not even like airplanes.

Mr. DORNAN of California. May I ask the Speaker a question. We can revisit those and the gentleman can reallocate his time.

How much time do we have left now, Mr. Speaker?

The SPEAKER pro tempore. The gentleman has 15 minutes left of his time.

Mr. DORNAN of California. Good, 5 minutes for each one of those 3 that the gentleman wants to pause in.

Let me tell people who always comment, it happened to me again at the Republican Convention in Anaheim this weekend, they always say, "You had a great special order. I was watching it, but I was embarrassed."

So some people are thinking here is Mr. INHOFE giving these fascinating experiences to Mr. DORNAN, who is the only one on the floor.

Folks, as the Speaker knows, there are 1½ million people watching right now and that C-SPAN audience keeps growing, so we are not alone here. Have a second cup of coffee, or a cup of tea, enjoy yourself and do not feel embarrassed. There are plenty of people sharing this experience with Mr. INHOFE.

Mr. INHOFE. I mentioned before this to the Speaker that we may run over a little bit and I am going to be prepared to ask unanimous consent to do so, because this is the critical part right here.

Mr. DORNAN of California. Well, the gentleman has his own special order coming up.

Mr. INHOFE. That is next in line, so there should not be a serious problem there.

In East Berlin, I mentioned that the last time I was there was October 7, 1989. The gentleman remembers what happened. Hans Honneker was making his speech. It was after Tiananmen Square. That is when we were expecting to see incredible riots to the same dimension they were at Tiananmen Square.

I wanted to see it firsthand, because I do not really believe a lot of things I get out of the Washington Post and some of the Eastern newspapers. I wanted to see what happened there, so I went out, as the gentleman has done many times. I do not know why more Members of Congress do not do that. I went out to Andrews Air Force Base and jumped on a military transport. I went over there and then I went over with a plain clothes military.

Now, this is in October 1989. We heard the speech. We saw a few bottles being

thrown and all that, but it was not successful. I think we all know why it was not.

Mr. DORNAN of California. Jump ahead, too. This is 1 month and 2 days before the wall comes down, that great historical day, November 9.

Mr. INHOFE. I had no way of knowing that the wall would come down. If I had, I would not have been tempted to do what I almost did not do. I was in the Soviet sector and two Soviet soldiers tried to bribe me to get me to let them go across Checkpoint Charlie back to West Berlin in the trunk of our car. I did not do it. I swear I did not do it, but I was tempted.

Mr. DORNAN of California. A noble temptation.

Mr. INHOFE. They knew they would be executed on the spot if they had been caught trying to go back across the border. They were willing to take that chance.

Mr. DORNAN of California. And now we are in East Berlin having trials of those who shot people, 200 or more, 86 just in Berlin shot.

Mr. INHOFE. Is that not incredible, to see the people at that time who were yelling across, hundreds of them hanging on that wall on the west side talking to their loved ones, hoping that someday they would be able to come across, not knowing that a month later that wall would be down, the remnants, as it is today. So there they were doing that and there we were looking at a society in East Berlin that was supposed to be the epitome, supposed to epitomize everything good about communism. You know, if you are a good Communist, you are going to spend a week in East Berlin. The gentleman remembers that.

You go down the streets of East Berlin, we walked by a liquor store. There were three bottles there. That was their total inventory, with something oozing out of the top of each bottle, and it was just like the stores were that we just described. Then you come back on this trip around the world, 18 or 20 months later and see what changes have been made in just 20 months of freedom, a bustling, prosperous East Berlin, and it is one that you cannot even tell where the wall used to be now. Just a few remnants are left there for collectors, and all that happened in just 18 or 20 months.

Mr. DORNAN of California. Just a curious question. I was first in Berlin in 1966, crossed over, bought a tie that fell apart, I just wanted to have something to buy, and I asked where Hitler's bunker was and they got hostile. "Why do you want to know? No, it's gone. We don't know where it is."

So I followed old maps and finally I found a street, there was black rubble and all these cones saying you cannot go in here.

I would hope they would turn it into a tourist place to visit, running the

risk that some incipient Nazis are going to go there and genuflect, but I think it is good to show people that he died like a little rat coward at his own hand, Goebbels executing his wife and six kids with poison and then shot himself or poisoned himself, to show this sick end in this bunker being hammered by artillery of the "Thousand Year Reich."

The gentleman did not happen to hear if they are going to do that or if it is still up a dark alley somewhere?

Mr. INHOFE. No; I did not. I do not have anything to reflect on that; but what the gentleman said reminded me of a friend of mine.

I think every Member of Congress has kind of his unofficial advisers in different areas. You go back home and one guy is only interested in social issues, one guy in defense and all that. Well, my East Berlin expert is a German who came to this country after the war as a prisoner of war. He fought as a sailor in the German Navy in World War II. He lives in South Padre Island, TX. His name is Helmut Kade.

Two of his brothers lived in East Germany. He would tell me all about what happened after the war in East Germany, how they started taking their property. Any of the farms over 100 acres they automatically took and the Government then became the owner of those farms, and the smaller ones they would leave in private ownership but they were not able to buy anything on the market, so they would end up giving it up.

If somebody had a small business, a butcher shop, as I think one of his brothers did, they could have kept that in private ownership. But where would they buy the meat? They had to buy it from the Government.

So the bottom line is that Helmut Kade is right. He mentioned to me just this morning on the phone, one of his brothers took a 1½-hour video in East Berlin and different towns in East Germany. He said it was just amazing the difference that has taken place already.

I wanted to mention also the experience that we had in Magadon. There is a young man there in Magadon by the name of Roma Gagara. Roma Gagara is 23 years old. He taught himself English and Japanese, speaks them both fluently. He started telling me about life over there and what is going on. He talked about the one manufacturer of cars and how you can buy a car for 22,000 rubles, which did not sound like very much money, but there is no supply, so the black market gets them and it costs 80,000, if they want one.

Mr. DORNAN of California. How big a city is that?

Mr. INHOFE. The city is a pretty good-sized city. It is about 400,000 people; although most of the activity is in the mountainous area right around the airport. It is beautiful. You have the

rolling hills and the mountains around there.

He took me to where his parents lived in one of the communes, I guess. His dad has a good job. He makes 600 rubles a month. His mother has a good job working for the airport on avionics. She makes 400. That is 1,000 rubles, which is about \$40 a month. Now, that is considered a good job.

Mr. DORNAN of California. A far cry from the legal price of a car for 22,000 rubles.

Mr. INHOFE. Yes. When you stop to think about it, you are talking about \$880 for an automobile.

Mr. DORNAN of California. One thing I learned riding on the train, that even if you get the car, there is no garage. None of their apartment buildings have underground garages. They do not even have proper parking lots. Sometimes you are not allowed to park on the streets, so they go down to the railroad by the right-of-way. Because of the noise and all the soot from the railroad, they get packing crates that just barely would fit around your car. If you went into the garage, you would be hunched over with 8 inches on each side and they put these mini self-made garages all along the railroad tracks. It took us a day to figure out what the heck they were. So if you are lucky enough to get a car, you have no place to put it.

Mr. INHOFE. You see, part of that propaganda in all this at the time was, look, for 22,000 rubles you can get a fine automobile. That is \$880, that is what it costs in the United States. What they did not say, No. 1, it does not work because there is no profit motive there. It might as well be \$200, or it could be \$2,000. It would not make any difference.

No. 2, they are not available anyway. You can buy a lot of things cheap when there are none, just like their gas over there. I would not want to go make that trip again using that gas, but it was only a nickel a gallon. A nickel a gallon; is that not a bargain?

Mr. DORNAN of California. I was thinking, you are going to find that your chemist's reindeer contribution is going to be in that specimen of fuel.

Mr. INHOFE. I think that is probably right; but I wanted to mention this because he acted as an interpreter. In fact, he talked a little bit about Boris Yeltsin's campaign.

He said, you know, there is a guy named Geronovski who ran against him. The gentleman may or may not be aware of that. Geronovski was in the election running against Yeltsin. His platform was they were going to get Alaska back from the United States for the Soviet Union. That is what his platform was. They say things like that. I guess politics is the same all around the world.

This guy acted as an interpreter and I have got to share this with the

Speaker and with the gentleman from California and others, and that is when you get into the Soviet Union and you talk to people who knew people individually, such as Boris Yeltsin, they tell you stories about him. This guy told me, and looked me in the eyes. He looked like a very honest person and I had the interpreter there whose name I just mentioned to you, and he said that Boris Yeltsin was the hardest of hardliners when he was in Magadon in that area, the hardest of hardliners, and when he saw that the people could not be suppressed, that they knew that freedom was out there and they were going to have their experiment in freedom and capitalism and democracy, that he then said, "Well, since we can't suppress them, we'll join them." He jumped on that horse, rode that horse to freedom with these people, and now he is the great freedom rider; but as he said to me, he would be just as comfortable on the other horse that he was riding before.

I think Richard Nixon the other day, the gentleman was sitting right next to me when he addressed a group of Republicans in a conference, and he said, "You know, it's a lot easier to gain democracy and freedom than it is to keep it."

Look at Chamorro down in Nicaragua. That is true, and that is what our major concern is.

Mr. DORNAN of California. Look at Cory Aquino, the President of the Philippines, trying to get a referendum to get the money from the United States for Subic Bay or that country is going to go belly-up economically.

Mr. INHOFE. Well, he went on to say that we would be a lot better off if it had not happened than if it happened, and it fails and they go back. He said, "How many years is it going to be until that can emerge again?"

□ 1940

I think we are all concerned about that. But I have to share one story with the gentleman from California that is something that I will not give the name of the Soviet official who told me this, but I was trying to secure a mission to go down to this island right here in southeastern Siberia. I had met the governor of that island, and I wanted to go down there. So I said I would like to go about 250 miles south of my course at that point and go to the Sakhalin Islands. He said, "No, you can't," very abruptly. Now, this is a Soviet official. I said, "Why? They posted it 60 years ago." He looked at me and he said, "Yes, but 60 years ago we had nothing to hide. If you take a chance and go down there, you may be shot down." Now, that is pretty terrifying when there are Members of this body who feel there is no threat out there. I can assure you one thing I did learn on this trip is that they have never quit cranking out their hard-

ware. All the good things that they are talking about, the experiment in freedom, sure it is a Third World nation in most of the countries, but it is a first-class defense nation. They have never stopped cranking out the tanks, and they are all out there right now.

The gentleman from California and I learned this when he and I went out on the first freedom flight to Kuwait City, the first 12 Members of Congress to go in right after the Persian Gulf war. What did we see there? We saw their threats all over the world. It is not just in the Soviet Union. So that is the message I brought back from Magadon. It is that we have got to keep a strong America.

Mr. DORNAN of California. That is why it does dovetail to the vote that I mentioned today, 220 to 145; 145 is an interesting number because in this House that is a perfect third, when all seats are filled, everybody is healthy and all the men and women are here; 145 is what you need, a third, for a veto, to keep the President veto-proof. But in this case it is the other way around; 145, a third of this House, says, "Let's go for BARNEY FRANK's idea to cut SDI and kill the B-2 and start chopping up all these priorities." And then they always say, "Well, I am pro-defense, I want to keep this base open, I want to build more F-15's, 16's, 14's, more tanks, more this." We have to let our former colleague, Dick Cheney, and the President structure the strategic defense system, the strategic defense systems of which you have almost nothing. Patriot is a tactical battlefield weapon. We have to be careful how we do this.

Mr. INHOFE. I would suggest to the gentleman from California that it is important for people not just to look at a vote that somebody has cast but look at the critical votes. Look at the votes to give the President the power to use force in the Middle East. A lot of people do not realize what would have happened if that vote had failed, and it almost did fail in the Senate. That would have been, for all practical purposes, a 90-day moratorium that would have given Saddam Hussein time to develop his nuclear capability. The outcome could very well have been different.

To look at the American security rating, if you want to know how somebody votes on security issues, that is very, very significant.

I would like in the final few minutes that we have to go back to Sovetsky in that northwestern part of Siberia, where the people are so remote that they had not even been subjected to anti-American propaganda. They loved us.

Mr. DORNAN of California. Did they talk about any gulag camps that were in that area in the archipelago, the prison camps?

Mr. INHOFE. No, they did not. And I asked them And they were very, very

quiet about anything having to do with that. They were trying to keep everything upbeat. I ran into four guys, and I have to share this with the House, with the Speaker and with the Nation, and the gentleman from California. This is a letter in Sovetsky, primitive Sovetsky—

Mr. DORNAN of California. Spell that name very slowly so I can look for it on my map tonight.

Mr. INHOFE. You will not find it on your map. But we put it on this map. It is S-o-v-e-t-s-k-y.

Mr. DORNAN of California. It is almost like Soviet-sky.

Mr. INHOFE. That is right.

Now, this letter is a letter where one guy several years ago taught himself English and taught himself how to write English, and he wrote this letter, waiting for an American to come through one day, and we were the Americans that came through. He gave us this letter and said, "Can you take this letter back?" This is beautiful handwriting. And by the way, this is the size of this letter. This is not blown up for the camera. This is the size of this letter.

Mr. DORNAN of California. It look like the Declaration of Independence.

Mr. INHOFE. It does. It looks like a John Hancock could have drafted it and signed it. These four fellows, the one who presented it to me, were so proud of it—he took it out of this folder that he had kept I don't know how many years, waiting for someone to come through and bring it back. And the thrust of the letter is "would someone back in the United States consider hiring the four of us?" Collectively, they had about 20,000 hours of helicopter time in the most severe northern region of anywhere in the world, where they operate them. Sovetsky, the main reason for the town is that it is a little helicopter pad. That is where we landed when we came down to refuel in that area.

So this letter is begging for a job in the United States of America; a man to seek this freedom and, hopefully, fulfill is someday, learned English, learned to write, wrote this beautifully grammatically perfect letter, to send it back to the United States of America to find someone who would give him a job so he could go over there on a visa and work in the United States.

Mr. DORNAN of California. The unfortunate thing is, because of our long, hard struggles against communism in the cold war that was very hot and very bloody at times, Vietnam, Korea, that we trained 19- and 20-year-old warrant officers by the thousands to fly our Huey Slick's and Hawk's and gunships and Cobras in Vietnam, and the Marines too, and that is the one job category where we have more talented young Americans in their thirties now available to fly pararescue, lumber, transport out to oil rigs; that is the

one thing we do not need from the Soviet Union. If they want to come and drive cabs in New York, we can use them.

Mr. INHOFE. But they do not need English for that.

Mr. DORNAN of California. That is right.

Mr. INHOFE. Well, I would have to say that the rewarding part of getting that letter was that it was America, there was not anybody else there waiting to come through. We are still the beacon of hope and freedom.

Do you remember in one of the most famous speeches of all time, and I think history will reflect that someday, when Ronald Reagan back in 1965 or 1966 gave his "Rendezvous with Destiny" speech? Do you remember that? I am sure you do. That was during Castro's reign, when he was just getting in and people were fleeing from Cuba. He told a story about a Cuban who was trying to get out of the enslaved situation. They had broken up his family, put him in a labor camp, and he escaped from Communist Cuba, and he came over here, and there was a lady on the shores of Florida who welcomed him as he came off. He was talking about the atrocities and all that that he had been under. The lady said, "I guess we don't know how lucky we are in this country." And the Cuban said, "How lucky you are? We are the ones who are lucky; we had a place to escape to."

Do you remember the hospital tent in Honduras when we were down there trying to help the freedom fighters gain their freedom? I will never forget as you have stood in that hospital tent many, many times, it was a hospital tent about a fourth the size of this Chamber, 46 beds all the way around in a circle, and in the middle was the operating table, almost all amputations, if you will recall.

Mr. DORNAN of California. Is this Aqua Cate?

Mr. INHOFE. Yes. Now, I speak Spanish. I remember asking each one, "I want to know why you are doing this? I admire you. You are so incredibly brave. But knowing there is no way you can win this thing, no way in the world, the incredible odds of all that Soviet equipment that the Sandinistas have to work with, how can you win this, do you think? Why are you doing this? The last person was a little girl named Maria Elena Gonzalez, and I remember she might have gone 85 pounds soaking wet. She had those beautiful big, limpid eyes. And she—this was her third trip, even though she was only 19 years old, it was her third trip back to the hospital tent. She would not be going back out again. She had been fighting since she was 13 years old. They amputated her leg that morning. I saw it still bleeding through the bandages. I remember talking to her and asking her that question.

She looked up and this is her response. She said,

Estamos luchando porque han tomado todo de lo que teniamos. Creemos que ustedes en Los Estados Unidos nos entienden, ya que tuvieron que luchar para su libertad lo mismo que estamos luchando ahora.

What that means was she said, "We thought we were fighting because they had taken everything, our farms, our homes, taken everything away from us. But surely you in the United States would understand because you had to fight for your freedom the same as we are fighting." That little girl could not read or write. She was ignorant, but she was brilliant in her knowledge of freedom. She did not know whether our Revolution was 20 years ago or 200 years ago but she knew that we felt the same way, we fought against impossible odds. And that we were that beacon of freedom.

□ 1950

Mr. DORNAN of California. Mr. Speaker, let me close on a tough note because this is a political Chamber, this great legislature.

One of our former colleagues just recently declared for the Presidency. I will mercifully not mention his name, but in his declaration speech he talked about traditional family values. What the Senate needs, like a load of dynamite that is unstable, is another Catholic for abortion, and then he said, "We have conquered nazism, fascism, and communism," and this particular person has never lifted a finger to conquer communism since the day he got elected to this Chamber as a Watergate baby. As a matter of fact, he was down there meeting with the Ortegas to help figure out how to crush this little girl and all of her fellow freedom fighters.

So, we have got a lot of people running around the country now talking about conquering communism, how great it was, that never lifted their pinkie to conquer communism. They never have done anything for traditional family values, and that is going to be their pattern. They have to check the scorecard to follow the dialog and the rhetoric coming up in this Presidential campaign.

Mr. Speaker, I thank the gentleman for absorbing my special order. I have loved it better than any special order I have done myself because this, I repeat, was something I wanted to do all my life.

We had a young man from my district. I am so embarrassed that I cannot remember his name. It is like Allamande or something. He is 10 years of age. His dad was the pilot, because he could not do it legally; but he flew at the controls, another Cessna—Citation—single engine, and he got all the way through a somewhat similar route. He had a little bigger cities in the Soviet Union, and he made the mistake of letting his dad take him on a side trip

fishing in Alaska, and they wrecked their plane. So, they had to borrow a plane to finish the trip, but it was still a great effort by this family from San Juan Capistrano, and there will be other Americans going through there. But you had the eyes of a Congressman, and the experience of a lifelong anticommunist, who has seen freedom fighters throughout the world, to appreciate some of the fine tuning that you can absorb on one of these great experiences.

Mr. INHOFE. Mr. Speaker, I thank the gentleman from California [Mr. DORNAN] for letting me impose upon his special order, and let us keep America strong and the beacon of freedom bright.

LEAVE OF ABSENCE

[Omitted from the Congressional Record of Thursday, September 12, 1991]

By unanimous consent, leave of absence was granted to:

Mr. COUGHLIN (at the request of Mr. MICHEL), for today, after 12:30 p.m., on account of accompanying the President on a visit of the Philadelphia Veterans Hospital Drug Treatment Program.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. RAHALL (at the request of Mr. GEPHARDT), for today and tomorrow, on account of a death in the family.

Mr. WASHINGTON (at the request of Mr. GEPHARDT), for today, on account of official business in the district.

Mr. ZELIFF (at the request of Mr. MICHEL), for today until 5 p.m., on account of official business.

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 Mr. INHOFE) to revise and extend their remarks and include extraneous material:)

Mr. BURTON of Indiana, for 60 minutes each day, on October 7, 8, 9, 10, and 11.

Mr. EMERSON, for 5 minutes, on September 17.

Mr. THOMAS of Wyoming, for 5 minutes, today.

Mr. CHANDLER, for 5 minutes, on September 17.

Mr. MILLER of Washington, for 5 minutes, on September 17.

(The following Members (at the request of Mr. SAWYER) to revise and extend their remarks and include extraneous material:)

Mr. ROSTENKOWSKI, for 5 minutes, today.

Mr. BACCHUS, for 5 minutes, today.

Mr. PALLONE, for 5 minutes, today.

Mr. ANNUNZIO, for 5 minutes, today.

Mr. DWYER of New Jersey, for 5 minutes, today.

Mr. CARPER, for 60 minutes, on September 17.

Mr. COYNE, for 5 minutes, on September 17.

Mr. SOLARZ, for 60 minutes, on October 2.

EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

(The following Members (at the request of Mr. INHOFE) and to include extraneous matter:)

Mr. MACHTLEY in two instances.

Mr. BURTON of Indiana.

Mr. CUNNINGHAM.

Mr. GALLEGLY.

Mr. COLEMAN of Missouri.

Mr. CALLAHAN.

Mr. EMERSON in two instances.

Ms. ROS-LEHTINEN in three instances.

(The following Members (at the request of Mr. SAWYER) and to include extraneous matter:)

Mr. YATRON.

Mr. ANDERSON in 10 instances.

Mr. GONZALEZ in 10 instances.

Mr. BROWN in 10 instances.

Mr. ANNUNZIO in six instances.

Mr. DORGAN of North Dakota.

Mr. MCMILLEN of Maryland.

Mr. FUSTER.

Mr. MONTGOMERY.

Mr. LUKEN

Mr. NATCHER.

Mr. TRAFICANT.

Mr. ANDREWS of New Jersey.

Mr. VISCLOSKEY.

Mr. TORRICELLI.

Ms. PELOSI.

Mrs. LOWEY of New York.

SENATE BILLS REFERRED

Bills of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 260. An act to provide for the efficient and cost effective acquisition of nondevelopmental items for Federal agencies, and for other purposes; to the Committee on Government Operations.

S. 627. An act to designate the lock and dam 1 on the Red River Waterway in Louisiana as the "Lindy Claiborne Boggs Lock"; Committee on Public Works and Transportation.

S. 1418. An act to designate the Federal building located at 78 Center Street in Pittsfield, Massachusetts, as the "Silvio O. Conte Federal Building", and for other purposes; to the Committee on Public Works and Transportation.

ADJOURNMENT

Mr. DORNAN of California. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 7 o'clock and 53 minutes p.m.), under its previous order, the House adjourned until Tuesday, September 17, 1991, at 9 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

2060. A letter from the Assistant Secretary of the Army (Financial Management), transmitting a report on the value of property, supplies, and commodities provided by the Berlin Magistrate for the quarter March 1, 1991, through June 30, 1991, pursuant to Public Law 101-165, section 9008 (103 stat. 1130); to the Committee on Appropriations.

2061. A letter from the Secretary, Department of the Navy, transmitting notification that a major defense acquisition program has breached the unit cost by more than 25 percent, pursuant to 10 U.S.C. 2431(b)(3)(A); to the Committee on Armed Services.

2062. A letter from the Under Secretary of Defense for Acquisition, transmitting notification that a major defense acquisition program has breached the unit cost by more than 25 percent, pursuant to 10 U.S.C. 2431(b)(3)(A); to the Committee on Armed Services.

2063. A letter from the Assistant General Counsel (Legal Counsel), Department of Defense, transmitting a report of individuals who filed DD Form 1787; report of DOD and Defense Related Employment, for fiscal year 1990, pursuant to 10 U.S.C. 2397; to the Committee on Armed Services.

2064. A letter from the Secretary of Health and Human Services, transmitting a report on the study on the application of job programs to Indians, pursuant to 42 U.S.C. 681 note, Public Law 100-485, section 203(d) (102 Stat. 2380); to the Committee on Education and Labor.

2065. A letter from the Chairman, Securities and Exchange Commission, transmitting the Commission's 1990 Annual Report of its activities, pursuant to 15 U.S.C. 78w(b); to the Committee on Energy and Commerce.

2066. A letter from the Deputy Director, Defense Security Assistance Agency, transmitting notification of the Department of the Air Force's proposed Letter(s) of Offer and Acceptance [LOA] to Egypt for defense articles and services (Transmittal No. 91-48), pursuant to 22 U.S.C. 2776(b); to the Committee on Foreign Affairs.

2067. A letter from the Director, Defense Security Assistance Agency, transmitting notification of the Department of the Army's Proposed Letter(s) of Offer and Acceptance [LOA] to the Coordination Council for North American Affairs for defense articles and services (transmittal No. 91-47), pursuant to 22 U.S.C. 2776(b); to the Committee on Foreign Affairs.

2068. A communication from the President of the United States, transmitting the bi-monthly report on progress toward a negotiated solution of the Cyprus problem, including any relevant reports from the Secretary General of the United Nations covering the period from April through mid-May, 1991, pursuant to 22 U.S.C. 2373(c); to the Committee on Foreign Affairs.

2069. A letter from the Assistant Secretary of State for Legislative Affairs, transmitting copies of the original report of political con-

tributions of Robert Stephen Pastorino, of California, to be Ambassador to the Dominican Republic, and members of his family, pursuant to 22 U.S.C. 3944(b)(2); to the Committee on Foreign Affairs.

2070. A letter from the Assistant Secretary of State for Legislative Affairs, transmitting copies of the original report of political contributions of Edward Gibson Lanpher, of the District of Columbia, to be Ambassador to Zimbabwe, and members of his family, pursuant to 22 U.S.C. 3944(b)(2); to the Committee on Foreign Affairs.

2071. A letter from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting copies of international agreements, other than treaties, entered into by the United States, pursuant to 1 U.S.C. 112(b)(a); to the Committee on Foreign Affairs.

2072. A letter from the Bureau of Naval Personnel, Department of the Navy, transmitting the 1989 annual report for the Navy nonappropriated fund retirement plan of employees of civilian morale, welfare, and recreation, pursuant to 31 U.S.C. 9503(a)(1)(B); to the Committee on Government Operations.

2073. A letter from the General Counsel, Department of the Treasury, transmitting a draft of proposed legislation to amend section 516 of title 44, United States Code, with respect to the prosecution of defaulting contractors by the General Counsel for the Department of the Treasury; to the Committee on House Administration.

2074. A letter from the Librarian of Congress, transmitting the report of the activities of the Library of Congress, including the Copyright office, for the fiscal year ending September 30, 1990; accompanied by a copy of the annual report of the Library of Congress Trust Fund Board, pursuant to 2 U.S.C. 139; to the Committee on House Administration.

2075. A letter from the Assistant Secretary of the Interior for Indian Affairs, transmitting a proposed plan for the use of the Zuni Indian Tribe's judgment funds in Docket 161-79L (Railroad Claim) before the U.S. Claims Court, pursuant to 25 U.S.C. 1402(a), 1404; to the Committee on Interior and Insular Affairs.

2076. A letter from the Deputy Associate Director for Collection and Disbursement, Department of the Interior, transmitting notice of proposed refunds of excess royalty payments in OCS area, pursuant to 43 U.S.C. 1339(b); to the Committee on Interior and Insular Affairs.

2077. A letter from the Deputy Associate Director for Collection and Disbursement, Department of the Interior, transmitting notice of proposed refunds of excess royalty payments in OCS areas, pursuant to 43 U.S.C. 1339(b); to the Committee on Interior and Insular Affairs.

2078. A letter from the National President, Women's Army Corps Veterans' Association, transmitting the annual audit of the Association as of June 30, 1991, pursuant to 36 U.S.C. 1103; to the Committee on the Judiciary.

2079. A letter from the Acting Commandant, United States Coast Guard, transmitting an update on the status of the study of problems on commercial fishing industry vessels and a study of fish processing vessels, pursuant to 46 U.S.C. 4502 note; to the Committee on Merchant Marine and Fisheries.

2080. A letter from the Administrator, General Services Administration, transmitting copies of Report of Building Project Survey for Northwest Indiana, pursuant to 40 U.S.C. 610(b); to the Committee on Public Works and Transportation.

2081. A letter from the Administrator, General Services Administration, transmitting copies of Reports of Building Project Surveys for Laredo, TX, and Pembina, ND, pursuant to 40 U.S.C. 610(b); to the Committee on Public Works and Transportation.

2082. A letter from the Secretary of Health and Human Services, transmitting a draft of proposed legislation to amend part D of title IV of the Social Security Act to authorize financial incentives for more effective State child support enforcement programs, to provide for the charging of fees for State child support enforcement services, and for other purposes; to the Committee on Ways and Means.

2083. A letter from the Chairman, Physician Payment Review Commission, transmitting the Commission's report commenting on the Notice of Proposed Rulemaking released by the Health Care Financing Administration on June 5, 1991; jointly, to the Committees on Energy and Commerce and Ways and Means.

2084. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting notification of the termination of the designation as a danger pay location for all areas in Kuwait, pursuant to 5 U.S.C. 5928; jointly, to the Committees on Foreign Affairs and Post Office and Civil Service.

REPORTS OF COMMITTEES 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:

[Pursuant to the order of the House on Sept. 11, 1991, the following report was filed on Sept. 13, 1991]

Mr. FORD of Michigan: Committee on Education and Labor. H.R. 3083. A bill to amend the Higher Education Act of 1965 to ensure the continued safety and soundness of the Student Loan Marketing Association, and for other purposes; with an amendment (Rept. 102-203). Referred to the Committee of the Whole House on the State of the Union.

[Pursuant to the order of the House on Sept. 12, 1991, the following report was filed on Sept. 13, 1991]

Mr. DINGELL: Committee on Energy and Commerce. H.R. 3090. A bill to amend the Public Health Service Act to revise and extend the program of assistance for family planning services (Rept. 102-204). Referred to the Committee of the Whole House on the State of the Union.

[Submitted Sept. 16, 1991]

Mr. DINGELL: Committee on Energy and Commerce. H.R. 2607. A bill to authorize activities under the Federal Railroad Safety Act of 1970 for fiscal years 1992 through 1994, and for other purposes; with an amendment (Rept. 102-205). Referred to the Committee of the Whole House on the State of the Union.

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. DREIER of California:

H.R. 3335. A bill to amend the Internal Revenue Code of 1986 to allow up to a \$2,000 deduction for retirement savings for a nonworking spouse; to the Committee on Ways and Means.

By Mr. BAKER:

H.R. 3337. A bill to require the Secretary of the Treasury to mint a coin in commemoration of the 200th anniversary of the White House; to the Committee on Banking, Finance and Urban Affairs.

By Mr. BATEMAN:

H.R. 3338. A bill to authorize the Secretary of the Interior to permit the use of lands within the Colonial National Historical Park in the Commonwealth of Virginia to enable natural gas service to be provided to the Coast Guard Reserve Training Center; to the Committee on Interior and Insular Affairs.

By Mr. BEREUTER:

H.R. 3339. A bill to improve supervision and regulation with respect to the financial safety and soundness of the Federal Agricultural Mortgage Corporation, and for other purposes; to the Committee on Agriculture.

H.R. 3340. A bill to prevent potential abuses of electronic monitoring in the workplace; to the Committee on Education and Labor.

By Mr. FRANK of Massachusetts (for himself and Mr. GEKAS):

H.R. 3341. A bill to amend the Ethics in Government Act of 1978 with respect to honoraria, and for other purposes; jointly, to the Committees on Post Office and Civil Service, House Administration, Armed Services, and the Judiciary.

By Mr. GEKAS (for himself and Mr. FRANK of Massachusetts):

H.R. 3342. A bill to amend title 5, United States Code, to provide for the forfeit of the retirement annuity of an individual convicted of bribery; to the Committee on Post Office and Civil Service.

By Mr. HASTERT:

H.R. 3343. A bill to suspend temporarily the duty on 3,4,4'-trichlorocarbanilide; to the Committee on Ways and Means.

By Mr. HOCHBRUECKNER (for himself, Mr. BARNARD, Mr. BROWDER, Mr. PENNY, Mr. DANNEMEYER, Mr. HUGHES, Mr. ERDBREICH, Mr. BACCHUS, Mr. McMILLEN of Maryland, Mr. MAZZOLI, Mr. McNULTY, Ms. KAPTUR, Mr. DOOLITTLE, Mr. PAYNE of Virginia, Mr. HENRY, Mr. HOUGHTON, and Mrs. PATTERSON):

H.R. 3344. A bill to establish the National Commission on Intergovernmental Mandate Reform; to the Committee on Government Operations.

By Mrs. MINK:

H.R. 3345. A bill to amend the Immigration and Nationality Act to provide for prompt parole into the United States of aliens in order to attend the funeral of an immediate blood relative in the United States; to the Committee on the Judiciary.

By Mr. TORRICELLI:

H.R. 3346. A bill to amend title XVIII of the Social Security Act to permit separate payment under part B of the Medicare Program for the interpretation of electrocardiograms provided by a physician during a visit, and for other purposes; jointly, to the Committees on Ways and Means and Energy and Commerce.

By Mrs. BENTLEY (for herself, Mr. ALEXANDER, Mr. ANDERSON, Mr. ANDREWS of New Jersey, Mr. AUCOIN, Mr. BACCHUS, Mr. BALLENGER, Mr. BARNARD, Mr. BENNETT, Mr. BERMAN, Mr. BEVILL, Mr. BILIRAKIS, Mr. BLAZ, Mr. BLILEY, Mr. BORSKI, Mr. BREWSTER, Mr. BUSTAMANTE, Mr. CALAHAN, Mr. CARPER, Mr. CHAPMAN, Mr. CLEMENT, Mr. DANNEMEYER, Mr. DELLUMS, Mr. DE LUGO, Mr. DORNAN of California, Mr. DREIER of Califor-

nia, Mr. EMERSON, Mr. ERDREICH, Mr. EWING, Mr. FALCOMA, Mr. FEIGHAN, Mr. FORD of Tennessee, Mr. FROST, Mr. FUSTER, Mr. GILCREST, Mr. GUARINI, Mr. HALL of Texas, Mr. HARRIS, Mr. HAYES of Illinois, Mr. HEFNER, Mr. HOCHBRUECKNER, Mr. HUCKABY, Mr. HUTTO, Mr. JACOBS, Mr. JONTZ, Mr. KLECZKA, Mr. KOLTER, Mr. LEHMAN of California, Mr. LEHMAN of Florida, Mr. LENT, Mr. LIPINSKI, Mr. LIVINGSTON, Mr. MCDADE, Mr. McMILLEN of Maryland, Mr. McNULTY, Mrs. MEYERS of Kansas, Mr. MONTGOMERY, Mr. MOODY, Mr. MOORHEAD, Mr. NEAL of North Carolina, Ms. OAKAR, Mr. OWENS of New York, Mr. PACKARD, Mr. PAXON, Mr. QUILLLEN, Mr. RAMSTAD, Mr. RANGEL, Mr. ROE, Mr. SCHEUER, Mr. SKEEN, Mr. SLATTERY, Mr. SOLARZ, Mr. TOWNS, Mr. WEISS, Mr. WOLF, and Mr. YATRON):

H.J. Res. 325. Joint resolution to designate the weeks of September 22 through 28, 1991, and September 20 through 26, 1992, each as "Religious Freedom Week"; to the Committee on Post Office and Civil Service.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII,

Mr. HOYER introduced a bill (H.R. 3336) for the relief of Florence Adeboyeku; to the Committee on the Judiciary.

ADDITIONAL SPONSORS

Under clause 4 of rule XXII, sponsors were added to public bills and resolutions as follows:

H.R. 74: Mr. HANSEN, Mr. WEBER, Mr. ROGERS, and Mr. JAMES.

H.R. 123: Mr. EDWARDS of Oklahoma.

H.R. 177: Mr. MCCLOSKEY.

H.R. 187: Mrs. COLLINS of Michigan, Mrs. KENNELLY, Mr. PETERSON of Minnesota, Mr. FASCELL, Mr. WILLIAMS, Mr. SABO, Mr. BROWN, Mr. COSTELLO, Mr. UPTON, Mr. VENTO, and Mr. SMITH of Iowa.

H.R. 213: Mr. VENTO and Mr. RANGEL.

H.R. 328: Mr. PETRI.

H.R. 394: Mr. SKAGGS and Mr. MAVROULES.

H.R. 418: Mr. GILMAN, Mr. OBERSTAR, Mr. RIGGS, Mr. TAUZIN, Mr. PERKINS, Mr. DE LUGO, Mr. WISE, Mr. MARTIN, Mr. APPLIGATE, Mr. BUSTAMANTE, and Mr. GEKAS.

H.R. 585: Mr. MCCLOSKEY.

H.R. 623: Mr. BENNETT and Mr. BOEHNER.

H.R. 722: Mr. OBERSTAR, Mr. PETRI, and Mr. GUNDERSON.

H.R. 723: Mr. OBERSTAR, Mr. PETRI, and Mr. GUNDERSON.

H.R. 924: Mr. COSTELLO.

H.R. 945: Mr. HAMMERSCHMIDT, Mr. TAYLOR, of Mississippi, Mr. BATEMAN, Mr. CRAMER, and Mr. WILLIAMS.

H.R. 1154: Mr. BILIRAKIS, Mr. NAGLE, Mr. SANDERS, Mr. PAYNE of New Jersey, and Mr. SPRATT.

H.R. 1202: Mr. GILMAN, Mr. ROYBAL, Mr. MINETA, Mr. DIXON, Mr. MILLER of California, Ms. KAPTUR, and Mr. DURBIN.

H.R. 1241: Mr. TAYLOR of North Carolina, Mr. STAGGERS, Mr. COYNE, Mr. RHODES, Mr. ROE, Mr. BILBRAY, and Ms. KAPTUR.

H.R. 1288: Mr. FAZIO, Mr. BRYANT, Mr. DWYER of New Jersey, and Mr. VENTO.

H.R. 1318: Mr. HORTON, Mr. SPRATT, Mr. MARTINEZ, Mr. YATES, Mr. SCHEUER, and Mr. JEFFERSON.

H.R. 1346: Mr. CLAY, Mr. MANTON, Mr. KOSTMAYER, and Mr. ACKERMAN.

H.R. 1389: Mr. BORSKI.

H.R. 1414: Mr. SWETT and Mr. STALLINGS.

H.R. 1446: Mr. SHAYS.

H.R. 1456: Mr. PACKARD.

H.R. 1483: Mr. ATKINS and Mr. PRICE.

H.R. 1500: Mr. TORRICELLI, Mr. GUARINI, Mr. MARTINEZ, Mr. EDWARDS of California, Mr. DIXON, Mr. FRANK of Massachusetts, Mr. PEASE, Mr. LEHMAN of Florida, Mr. MFUME, Mrs. UNSOELD, Mr. MOODY, Mr. DERRICK, Mrs. MORELLA, and Mr. KLECZKA.

H.R. 1502: Mr. COLLINS of Michigan, Mr. FAZIO, Mr. FEIGHAN, Mr. VENTO, Mr. FALCOMA, Mr. KASICH, Mr. VISCLOSKEY, Mr. EVANS, and Mr. SANGMEISTER.

H.R. 1515: Mr. CHAPMAN, Mr. BACCHUS, Mr. JEFFERSON, Mr. WYDEN, Mr. WILSON, Mr. TOWNS, Mr. FUSTER, Mr. RAVENEL, Mr. MARTINEZ, Ms. PELOSI, Mr. WOLPE, Mr. SERRANO, and Mr. EWING.

H.R. 1717: Mr. RHODES.

H.R. 1809: Mr. CONDIT and Mr. LANCASTER.

H.R. 2008: Mr. OBERSTAR, Mr. UPTON, and Mr. FISH.

H.R. 2072: Mrs. MEYERS of Kansas.

H.R. 2299: Mr. KOPETSKI, Mr. BEILENSEN, Mr. ESPY, and Mr. DOWNEY.

H.R. 2363: Mr. UPTON, Mr. PANETTA, Mr. LEWIS of Florida, Mr. RHODES, Mr. ANDREWS of New Jersey, Mr. HOBSON, and Mr. FISH.

H.R. 2365: Mr. FISH.

H.R. 2385: Mr. LENT, Mr. ANNUNZIO, Mr. FASCELL, Mr. MONTGOMERY, Mr. BATEMAN, Mr. NATCHER, Mr. CRAMER, Mr. CARDIN, Mr. FAZIO, and Mr. BENNETT.

H.R. 2419: Mr. WISE, Ms. HORN, Mr. STUDDS, Mr. COSTELLO, Mr. STARK, Mr. JOHNSON of South Dakota, Mr. SCHEUER, and Mr. ERDREICH.

H.R. 2470: Mr. FISH.

H.R. 2553: Mr. APPLIGATE, Mr. LEWIS of California, Mrs. JOHNSON of Connecticut, Mrs. COLLINS of Illinois, Mr. PEASE, and Mr. PAXON.

H.R. 2565: Mr. ACKERMAN, Mr. BEREUTER, Mr. BERMAN, Mr. BOUCHER, Mr. BROWDER, Mr. CHAPMAN, Mrs. COLLINS of Illinois, Mr. COX of Illinois, Ms. DELAURO, Mr. DINGELL, Mr. DURBIN, Mr. FOGLETTA, Mr. FROST, Mr. HORTON, Mr. HUGHES, Mr. JEFFERSON, Mr. JONES of Georgia, Mr. JONTZ, Mr. KILDEE, Mr. KOLTER, Mr. LAFALCE, Mr. LANCASTER, Mr. LEHMAN of Florida, Mr. LIPINSKI, Mr. MARTINEZ, Mr. MILLER of Ohio, Mr. MURTHA, Ms. OAKAR, Mr. OBERSTAR, Mr. ORTON, Mr. OWENS of New York, Ms. PELOSI, Mr. REGULA, Mr. ROE, Mr. SANGMEISTER, Mr. SCHIFF, Mrs. SCHROEDER, Mr. SKEEN, Mr. TOWNS, Mr. WALSH, Mr. WILSON, and Mr. YATES.

H.R. 2607: Mr. SLATTERY and Mr. PERKINS.

H.R. 2652: Mr. LAFALCE, Mr. FROST, Mr. HUGHES, Mr. LEHMAN of California, Mr. BILIRAKIS, Mr. EMERSON, and Mr. OBERSTAR.

H.R. 2782: Mr. FRANK of Massachusetts.

H.R. 2811: Mr. BRUCE, Mr. PARKER, Mr. MURPHY, Mr. DURBIN, Mr. DE LUGO, Mr. LIPINSKI, Mr. JEFFERSON, and Mr. EWING.

H.R. 2812: Mr. OWENS of New York, Mr. PEASE, Ms. NORTON, Mr. SMITH of Florida, Mr. MORAN, and Mr. SCHEUER.

H.R. 2825: Mr. PAYNE of Virginia.

H.R. 2833: Mr. OBEY.

H.R. 2838: Mr. FORD of Tennessee, Mr. ACKERMAN, Mr. FALCOMA, Mr. LANCASTER, Mr. MARKEY, Mr. MCCLOSKEY, Ms. OAKAR, Mr. STUDDS, Mr. WALSH, and Mr. WILLIAMS.

H.R. 2855: Ms. DELAURO, Mr. EMERSON, Mrs. LOWEY of New York, Mr. BURTON of Indiana, Mr. KOPETSKI, Mr. DAVIS, and Mr. ESPY.

H.R. 2860: Mr. TOWNS, Mr. FEIGHAN, Mr. ACKERMAN, and Mr. LENT.

H.R. 2861: Mr. ROE.

H.R. 2862: Mr. SERRANO.

H.R. 2870: Mr. RHODES, Mr. RAMSTAD, Mr. GREEN of New York, Mr. HENRY, Mr. RIGGS, Mr. MARTIN, Mr. GUNDERSON, Mr. FAWELL, Mr. BOEHLERT, Mr. KYL, Mr. DORNAN of California, Mr. BATEMAN, Mrs. VUCANOVICH, and Mr. HANCOCK.

H.R. 2926: Ms. HORN.

H.R. 2936: Mr. ORTON and Mr. FASCELL.

H.R. 2944: Mr. HUGHES, Mr. MARTINEZ, and Mr. FROST.

H.R. 2946: Mr. SAXTON.

H.R. 2959: Mr. BREWSTER, Mr. BROWDER, Mr. GEREN of Texas, Mr. HUTTO, Mr. ORTON, Mrs. PATTERSON, Mr. TAYLOR of Mississippi, Mr. VALENTINE, Mr. EMERSON, and Mr. ECKART.

H.R. 3006: Mr. FALCOMA and Mr. WALSH.

H.R. 3122: Mr. JOHNSON of South Dakota, Mr. MARTINEZ, and Mr. CONYERS.

H.R. 3142: Mr. DORGAN of North Dakota, Mr. SABO, and Mr. EMERSON.

H.R. 3209: Mr. McNULTY.

H.R. 3216: Mr. EWING, Mr. DORGAN of North Dakota, and Mr. BOEHNER.

H.R. 3233: Mr. FALCOMA.

H.R. 3252: Mr. JACOBS, Mr. OWENS of New York, Mr. DELLUMS, Mr. DEFazio, and Mr. STARK.

H.R. 3285: Mr. BROWN, Mr. JONES of North Carolina, Mr. LANCASTER, Mr. MILLER of California, Mr. MINETA, Mrs. MINK, Mr. ROSE, Mrs. UNSOELD, Mr. ATKINS, Mr. HENRY, Mr. SKAGGS, Mr. WOLPE, Mr. PAYNE of Virginia, Mr. SPRATT, and Mr. WALSH.

H.R. 3296: Mr. HENRY, Mr. FRANK of Massachusetts, Mr. PAXON, Mrs. KENNELLY, Mr. LIPINSKI, Mr. FEIGHAN, Mr. SARPALIUS, Mr. PENNY, Ms. OAKAR, Mr. ECKART, Mr. BEREUTER, and Mr. BATEMAN.

H.R. 3314: Mr. SENSENBRENNER, Mr. MILLER of Washington, Mr. LIPINSKI, Mr. ARMEY, Mr. SAWYER, Mr. GLICKMAN, Mr. KANJORSKI, Mr. EVANS, Ms. OAKAR, Mr. ANNUNZIO, Mr. HUGHES, Mr. FUSTER, Mrs. BYRON, Mr. RUSSO, Mr. JEFFERSON, Mr. STUDDS, Mr. PORTER, Mr. HERTEL, and Mr. BRUCE.

H.R. 3329: Mr. ROEMER and Mr. PAYNE of New Jersey.

H.J. Res. 67: Mr. VENTO, Mr. SCHAEFER, Mr. VOLKMER, Mr. GEJDENSON, Mr. MCCLOSKEY, Mr. SHAW, Mr. RINALDO, Mr. ANDREWS of New Jersey, Mr. JONES of Georgia, Mr. MILLER of California, Mr. CALLAHAN, Mr. KILDEE, Mr. TALLON, Mr. WOLPE, Mr. DIXON, Mr. WAXMAN, Mr. ROSE, Mr. HEFNER, Mr. RHODES, Mr. MCDADE, Mr. SISISKY, Mr. PARKER, Mr. PRICE, Mr. GEKAS, Mr. HOUGHTON, Mr. MCCOLLUM, Mrs. PATTERSON, Mr. KASICH, Mr. COYNE, Mr. CONYERS, and Mr. TRAXLER.

H.J. Res. 69: Mr. REED, Mr. GORDON, Mr. HUNTER, and Mrs. BOXER.

H.J. Res. 177: Mr. VOLKMER.

H.J. Res. 180: Mr. COX of California.

H.J. Res. 191: Mr. STUDDS, Mrs. VUCANOVICH, Mr. HUNTER, Mr. FRANKS of Connecticut, Mr. DORNAN of California, Mr. ROSE, and Mr. HERTEL.

H.J. Res. 201: Mr. YATRON, Mr. KOLTER, Mr. MARKEY, Mr. VISCLOSKEY, Mr. UPTON, Mr. TRAFICANT, Mr. SMITH of Oregon, Ms. OAKAR, Mr. LEVIN of Michigan, and Mr. BENNETT.

H.J. Res. 230: Mr. McMILLAN of North Carolina, Mr. LEHMAN of Florida, Mr. SMITH of Florida, Mr. SAWYER, Mr. STALLINGS, Mr. OWENS of New York, Mr. MACHTLEY, Mr. MRAZEK, Mr. LEVIN of Michigan, Mr. NEAL of Massachusetts, Mr. GUARINI, Mr. BENNETT, Mr. DWYER of New Jersey, Mr. McNULTY, Mr. HALL of Ohio, Mrs. PATTERSON, Mr. ESPY, Mr. ANDERSON, Mr. BUSTAMANTE, Mr. AUCCOIN, Mr. MFUME, Mr. TRAFICANT, Mr. DE LUGO, Mr. RAVENEL, Mrs. MORELLA, Mr.

MCHUGH, Mr. RANGEL, Mr. SMITH of New Jersey, Mr. JONTZ, Mr. ENGEL, Mr. EMERSON, Mr. SCHEUER, Mr. MARTINEZ, Mr. ROE, Mr. CAMP, Mr. DORGAN of North Dakota, and Mr. HUGHES.

H.J. Res. 241: Mr. ALEXANDER, Mr. ANNUNZIO, Mr. BILLEY, Mr. BREWSTER, Mr. BUSTAMANTE, Mr. FEIGHAN, Mr. GEREN of Texas, Mr. GREEN of New York, Mr. GUNDERSON, Mr. LANTOS, Mr. LENT, Mr. LEWIS of California, Mr. MAVROULES, Ms. MOLINARI, Mr. MONTGOMERY, Mr. MURTHA, Mr. NOWAK, Mr. PAYNE of Virginia, Mr. RIDGE, Mr. RINALDO, Mr. SAWYER, Mr. SKAGGS, Mr. TALLON, Ms. WATERS, Mr. WISE, and Mr. WYLIE.

H.J. Res. 283: Mr. RHODES, Mr. BILBRAY, Ms. KAPTUR, and Mr. SCHUMER.

H.J. Res. 300: Mr. ACKERMAN, Mr. BILIRAKIS, Mr. BORSKI, Mr. ESPY, Mr. FASCELL, Mr. GREEN of New York, Mr. KOLTER, Mr. MILLER of California, Ms. OAKAR, Mr. PRICE, Mr. QUILLEN, Mr. SKEEN, Mr. FAZIO, Mr. HERTEL, Mr. DE LUGO, Mr. FUSTER, Mr. SHARP, Mr. EMERSON, Mr. GEDENSON, Mr. EVANS, Mr. MAVROULES, Mr. BONIOR, Mr. CLEMENT, Mr. LEVIN of Michigan, Mr. MARTINEZ, Mr. HOCHBRUECKNER, Mrs. JOHNSON of Connecticut, Mr. MANTON, Mr. LANCASTER, Mr. BERMAN, Mr. BEVILL, Mr. BUSTAMANTE, Mr. CARDIN, Mr. DIXON, Mr. GRADY, Mr. HATCHER, Mr. HAYES of Illinois, Mr. MARKEY, Mr. MURTHA, Mrs. ROUKEMA, Mr. SABO, Mr.

SPRATT, Mr. TAUZIN, Mr. TRAFICANT, Mr. WILSON, Mr. WEBER, Mr. FEIGHAN, Mr. KENNEDY, Mr. MATSUI, Mr. MFUME, Mr. MOAKLEY, Mr. RAVENEL, Mr. ROYBAL, Mr. SCHEUER, Mr. WHEAT, Mr. YATRON, Mr. MCGRATH, Ms. NORTON, Mr. DWYER of New Jersey, Mr. RANGEL, Mr. STARK, Mr. FALCOMAVAEGA, Mr. GUARINI, Mr. HAMMERSCHMIDT, Mr. SPENCE, Mr. YATES, Mr. JONTZ, Mr. DE LA GARZA, Mr. JEFFERSON, Mr. ERDREICH, Mrs. MORELLA, Mr. WEISS, Mr. WAXMAN, and Mr. TRAXLER.

H.J. Res. 303: Mr. FAZIO, Mr. WAXMAN, Mrs. UNSOELD, Mr. CAMP, Mr. LEVINE of California, Mr. SMITH of Texas, Mr. FEIGHAN, Mr. SKAGGS, Mrs. BYRON, Mr. MCGRATH, Mr. GONZALEZ, and Mr. MAVROULES.

H. Con. Res. 119: Mr. FALCOMAVAEGA and Mr. SKEEN.

H. Con. Res. 160: Mr. FALCOMAVAEGA.

H. Con. Res. 188: Mr. JONES of Georgia, Mr. STOKES, Mr. ATKINS, Mr. BROOMFIELD, Mr. ANNUNZIO, Mr. LAFALCE, Mr. ARMEY, Mr. TOWNS, Mr. FALCOMAVAEGA, Mr. ROEMER, Mr. ENGEL, Mr. MARTINEZ, Mr. SIKORSKI, and Mr. GALLEGLEY.

H. Con. Res. 193: Mr. ACKERMAN.

H. Con. Res. 197: Mr. HYDE and Mr. TORRES.

H. Con. Res. 199: Mr. HUTTO, Mr. HUGHES, Mr. JEFFERSON, and Mr. WALSH.

H. Res. 139: Mr. LEWIS of Georgia, Mr. STUMP, Mr. SPRATT, Mr. REED, Mr. BURTON of Indiana, and Mr. DARDEN.

H. Res. 140: Mr. HUGHES, Mr. TRAFICANT, Mr. COYNE, Mr. TOWNS, Mr. FALCOMAVAEGA, Mr. ENGEL, Mr. SCHEUER, Mr. ROE, Mr. GORDON, and Mr. PAYNE of New Jersey.

H. Res. 184: Mr. BAKER.

DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, sponsors were deleted from public bills and resolutions as follows:

H.R. 330: Mr. WILSON.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

120. By the SPEAKER: Petition of the town of Rice Lake, Duluth, MN, relative to opposing "Police Bill of Rights" legislation (H.R. 2946); to the Committee on the Judiciary.

121. Also, petition of the council of the city of Fairview Park, OH, relative to the National Labor Relations Act and the Railway Labor Act; jointly, to the Committees on Education and Labor, Energy and Commerce, and Public Works and Transportation.

SENATE—Monday, September 16, 1991*(Legislative day of Tuesday, September 10, 1991)*

The Senate met at 12:30 p.m., on the expiration of the recess, and was called to order by the President pro tempore [Mr. BYRD].

The PRESIDENT pro tempore. As we prepare to pay reverence to the Supreme Judge of the world, the Senate will be led in prayer by the Senate Chaplain, Dr. Halverson.

PRAYER

The Chaplain, the Reverend Richard C. Halverson, D.D., offered the following prayer:

Let us pray:

*** forgive us our trespasses as we forgive those who trespass against us *** if ye forgive not men their trespasses, neither will your Father forgive your trespasses.—Matthew 6:12,15.

Eternal God, our loving Heavenly Father, forgive us for the ease with which we abandon relationships. In our contemporary culture, especially in this city, relationships are disposable, like cartons and containers. (In our contemporary culture, we use people and love things, when we ought to love people and use things.) We develop relationships only for what we can get out of them and then abandon them. We do this with spouses, with children, with peers, colleagues, neighbors, and friends. We treat relationships as if they are meant to be exploited, after which they are of no further use to us. Forgive us, Lord. Help us to take reconciliation seriously, to deal with alienation in love and forgiveness, that broken relationships may be healed, restored, and dignified.

In His name who was incarnate forgiving love. Amen.

RECOGNITION OF THE MAJORITY LEADER

The PRESIDENT pro tempore. Under the standing order, the majority leader is recognized.

Mr. MITCHELL. Mr. President, am I correct in my understanding that the journal has been approved.

The PRESIDENT pro tempore. The majority leader is correct.

SCHEDULE

Mr. MITCHELL. Mr. President, following the time reserved for the two leaders there will be a period for the transaction of morning business not to extend beyond 1:30 p.m., with Senators permitted to speak therein. During that time, Senator WELLSTONE will be

recognized to address the Senate for up to 30 minutes. When morning business is completed at 1:30 p.m. today, the Senate will resume consideration of H.R. 2686, the Interior appropriations bill, with the Jeffords-Metzenbaum grazing fees amendment No. 1138 pending. Debate on that pending amendment as well as other amendments is expected to continue throughout the day.

At 6:30 p.m. today, under a prior agreement, the Senate will go into executive session to vote on the agreement with the Soviet Union on the maritime boundary. Upon conclusion of that vote, the Senate may then turn to the consideration of either H.R. 2426, the military construction appropriations bill, or H.R. 2942, the Transportation appropriations bill.

RESERVATION OF LEADER TIME

Mr. MITCHELL. Mr. President, I reserve the remainder of my leader time and I reserve all of the time of the distinguished Republican leader.

The PRESIDENT pro tempore. The time of the two leaders is reserved by unanimous consent.

MORNING BUSINESS

The PRESIDENT pro tempore. Under the order, there will now be a period for the transaction of morning business not to extend beyond the hour of 1:30 p.m. with Senators permitted to speak therein.

The Senator from Minnesota [Mr. WELLSTONE] is recognized for not to exceed 30 minutes.

Mr. WELLSTONE. Thank you, Mr. President.

STATE SINGLE PAYER ENABLING AMENDMENT

Mr. WELLSTONE. Mr. President, I rise today to discuss an amendment that I have developed to S. 1227, the health care reform bill introduced by the Democratic leadership.

My proposed amendment is called the State single payer enabling amendment. This amendment would enable and encourage States to move forward and experiment with alternative systems of health care other than those mandated by the Democratic leadership bill.

I am pleased to state this proposed amendment is endorsed by Senators SIMON and ADAMS, two of my colleagues on the Labor and Human Re-

sources Committee. We have all been working on a State single payer enabling amendment and I looked forward to working with them to move this idea forward.

Mr. President, I will describe the proposed amendment in more detail below and I ask unanimous consent that the text and summary of the proposed amendment be printed at the conclusion of my remarks.

The PRESIDENT pro tempore. Without objection, it is so ordered.

(See exhibit 1.)

Mr. WELLSTONE. Mr. President, everywhere I travel in Minnesota and around the country, health care is the most pressing issue on the minds of people I meet. Everywhere I go, health care is what people want to talk to me about and it is what they want me to talk to them about. In small towns it is the issue; cafes, it is the issue; farms, it is the issue. At the Minnesota State Fair, day after day after day, it was the issue. In the cities, on street corners, in the neighborhoods, it is the issue.

Mr. President, it is clear to me that in the last 6 months there has been a dramatic change in what people in our country collectively are feeling and thinking and hoping for and angry about in our country, and there is no question in my mind that health care is a very, very central issue to peoples' lives. Increasingly the voices that are calling for reform here in the U.S. Congress represent every segment of our society.

The astronomical increases in health care costs bring us all together and a crisis which once affected the poor now affects all of us in our country.

Mr. President, I think it is interesting for someone who has always cared fiercely about this issue to look at the way in which the political dynamic is changing. So many people in our business communities, small businesses and larger businesses, are calling for major health care reform. And so many providers, the doctors and the nurses and the nurses' assistants are calling for health care reform.

Mr. President, this crisis increasingly unites us all. My basic starting principle is that every citizen in the United States deserves access to affordable, dignified, humane, and quality health care regardless of employment status, regardless of income regardless of age and regardless of current or prior health care condition. But increasingly, Mr. President, the economics of health care, the cost of health

care, and the unavailability of private health insurance has put this goal out of reach for many, and more and more Americans.

There is no doubt that the health care system is in a state of crisis, all spelled in capital letters, and that this is a national crisis demanding a national solution. Yet in Washington I hear so often from my colleagues, colleagues that I respect and that I work with every day, about the so-called political realities, that we really cannot push forward any major health care reforms in our country. But I do not hear this talk in towns, in cafes. It is the talk I hear in Washington about the political realities.

And the question, Mr. President, is this: Can we make universal health care a reality? That is the question that we ask right here in the U.S. Senate. And to answer that question, can we make it a reality, let us look at some other realities.

Our health care system is in a state of crisis. That is a reality. More than 34 million people in our country have no health insurance whatsoever. That is a reality. Double that number are underinsured. That is a reality. The number of underinsured and uninsured are growing daily. That is a reality. The United States of America, a country I love very much, is the only advanced economy in the world without a form of universal health care coverage. That is a reality; I think a disgraceful reality.

Families can be bankrupted by long-term illness at any time, and that is a fate that could befall any of us—a reality. The United States spends more on health care than any other country; 12 percent of our GNP—a reality.

Automobile manufacturers spend more money for health care coverage for workers per car than the cost of steel. That is a reality. A quarter of our health care bill, a \$750 billion bill, is spent on administration instead of caring for people who are in need; one-quarter of the health care dollar is spent on administration. That is a reality.

The number of health care administrators is rising three times as fast as the number of physicians or health care workers. That is a reality.

Mr. President, it is because of all these realities that health care reform must become a reality right here in the U.S. Senate.

The question is not whether we are going to have any health care reform. The question is no longer whether or not we are in crisis. The question is no longer whether or not there are problems. The question is what kind of reform will we have? What shape will it take?

In the Senate this year the debate over reform is centered to a large extent on S. 1227, the legislation introduced by the Democratic leadership,

Senators MITCHELL, KENNEDY, RIEGLE, and ROCKEFELLER. This legislation is an employer mandate, or pay-or-play proposal. And it is coupled with a new, expanded public health care program, to provide universal health care coverage for our citizens. The leadership bill also proposes to control spiraling health care expenditures by establishing a mechanism which would make recommendations on costs in different sectors of the health care economy.

I commend my colleagues, the sponsors of S. 1227, for their efforts to address one of the key imperatives of our day. And I share the goals of the sponsors of this legislation: Universal access to health care and cost containment. But I differ with them in some of the goals. And I want to lay out some of my critique and some of my proposals.

The leadership bill is an important bill but I think we need to do even more to control health care costs. The bill mandates the establishment of a health expenditure board as an independent agency of the executive branch and the bill gives this board a broad mandate to look at expenditures and to establish expenditure goals. But it has no power. It has no power to enforce these recommendations.

Given the crisis in health care costs I think it is essential that this board be given more enforcement power. I worry about cost containment. I worry about State governments that are being hit by these costs. I am worried about the ability of our businesses to continue to absorb these costs. And I am worried about the cost to our society of these increased health care costs.

More fundamentally, I am concerned about the way in which this legislation links health care coverage to employment status. My concern is that this could very well lead to a two-tier system, which is inefficient and inequitable. And I am also concerned that this employer-mandate may be putting too much of a burden on our businesses and our workers for the financing of health care.

Achieving universal health care coverage and some cost control through an employer mandate system may be an interim solution to our crisis. It may be an important step in the right direction. But I am convinced that the ultimate answer to our crisis of access and the crisis of cost is a single-payer system, a national health insurance program. It is the simplest. It is the most efficient. And it is the most equitable path to health care reform.

The concept is to streamline and simplify the administration and financing of health care and to preserve consumer choice in the delivery of health care. In other words, the Federal and State governments would finance the system. But the Government does not run the clinics. Government

does not run doctors' offices. Government does not run the hospitals. Services will be delivered through the same sources that we have today, the same sources: Private doctors and nurses; health maintenance organizations, HMO's, clinics, nursing homes and hospitals.

The goal is to make the system simpler. Everyone will be covered by the same system instead of this confusing and inefficient system we have today. And administrative costs will drop dramatically with a single payer. Capital costs will be budgeted at a regional or State level. And there will be some control over what has become a spiraling medical arms race.

Such a system can work and it does work. We only need to look to our neighbor in Canada. We need to study the Canadian example, borrowing from what works well there and not using what does not work. No one is saying we should adopt the Canadian system in the whole. But many are saying that we ought to take advantage of this system and study its successes and see what we can learn.

There are several features of what we have in the United States today that I would fight to the very end to preserve. I come from a State where managed care is very important. We need to preserve those HMO's. I spent time and visited with the Mayo Clinic in Rochester, MN, and no one needs to tell me about the importance of education and to continue to have these centers of excellence. I took part in a 2-day internship, spent time in hospitals, two major hospitals in Minnesota. Nobody needs to convince me about the importance of technologies that save lives and in the long run lead to less expense.

In large measure, I believe that the cost of a national health insurance program could be borne by the savings gained from the administrative efficiencies and other cost control measures. And these savings which come from single payer may be the way in which we finance long-term health care as well. In fact, a report introduced and published by the General Accounting Office in June pointed out that we can save an estimated \$67 billion a year if we move to single payer; \$67 billion a year.

The New England Journal of Medicine pointed out that we could save \$136 billion a year. I firmly believe that what is going to drive this debate is how we control these health care costs and how we make quality health care available to people. I firmly believe otherwise we will never be able to address this crisis of long-term care; that people toward the end of their lives should live in such fear of catastrophic expenses—that is wrong. For citizens, older Americans, not insured by private insurance—and our public system is woefully inadequate, and you only

receive public assistance when all of your resources, or just about all of your resources of depleted—and that is wrong.

I am convinced that only with a universal health care coverage program, single payer, with these huge savings in administration will we be able to have a serious, long-term health care program. As a matter of fact, I would argue that a single-payer system has the ability of bringing together the broadest coalition of citizens. I am talking about the vast majority of people in this country, united behind a universal health care coverage for our country.

The point is this. Health care reform is not a liberal issue. And it is not a conservative issue. It is not a Democratic issue. And it is not a Republican issue. It is not a business issue. And it is not a labor issue. It is an issue that unites the people in this country.

The Wall Street Journal pointed out this summer a poll that found that 69 percent of the Americans in our country support a Canadian style national health system; almost 70 percent of the people. We have to listen to voices of people. We have to make this reality. This is a national crisis that demands a national solution.

But if Washington is not ready to act decisively with a national single-payer bill, if we are not ready to act decisively and enact national health care reform, if there is gridlock here in Washington, then I think at the very minimum if we cannot be a part of the solution, we should not be part of the problem, and it is important that we encourage States to move forward with their own health care reform.

There are dynamic ideas and dynamic forces for change coming at the State level. That should not surprise anyone. We live in a grassroots political culture. And the States are closer to the crisis that people face. I have seen these forces in Minnesota and I have seen these forces in other States as well.

As an illustration of this activity in the States, I point to a survey by Citizens Action which summarizes single-payer legislation in 20 different States.

Mr. President, I ask unanimous consent that this summary be printed in the RECORD at the conclusion of my remarks.

The PRESIDENT pro tempore. There being no objection, the Senator's request will be agreed to.

(See exhibit 2.)

Mr. WELLSTONE. We should tap into the ideas and creativity and commitment of those people working in the State level on health care reform. In the history of our country States have often served with distinction as the leaders and the laboratories for reform.

And so, Mr. President, it is in this spirit that I have developed an amendment to the leadership health care leg-

islation. My proposed amendment encourages individual States to set up single-payer systems on a statewide basis as model demonstration projects. The amendment specifies minimum requirements that States must meet to qualify for Federal financial incentives. But the States will be given maximum flexibility to design their own single payer systems.

Under this amendment, a public authority in each participating State would administer the single-payer plan or a public employee or a public authority would designate an intermediary agent to administer the plan. For States that qualify, the amendment encourages the development of a single-payer system with some grant money. It provides States that implement the single-payer system with Federal waivers for AmeriCare, for Medicare, for Medicaid, for ERISA—in other words, States that move forward with their single-payer systems will receive the same amount of Federal money. There is also a provision for matching Federal grants for the 10 demonstration States that implement single-payer plans.

Mr. President, I must acknowledge and thank all the people, particularly in my home State of Minnesota, who have given so generously of their time and who have helped me to develop the policy that is embodied in this proposed amendment.

I also want to pay tribute to Representative MARKEY. His work in the House of Representatives is essentially on what we built this amendment. His bill is called the State Health Reform Opportunity Act. It was introduced earlier in the House of Representatives by my friend from Massachusetts, and I thank him for his work. This proposed amendment is built upon his legislation.

I would encourage my colleagues to help improve and refine this proposed amendment. I think it is going to happen in the discussion and in the debate. I would urge my colleagues to give a lot of thought of this general concept of State-enabling legislation so that States can move forward with their own proposals if we have gridlock in Washington.

But I would conclude, Mr. President, by saying in as strong a way as I can, in the last analysis we must understand that this is a national crisis and it certainly requires a national solution. In no way, shape, or form should we put the burden on the States. I am talking about enabling legislation that allows States to move forward with their own proposals, backed by some Federal waivers and incentives, because I think that may be the way we move our country forward.

As I said earlier, this is a national crisis.

Too many people in this country have no health insurance, too many

people in this country have too little health insurance, and too many businesses in our country cannot afford to cover their employees with health insurance. Virtually no one in this country, no one in this country, including everybody in the gallery today, is immune from the crisis that could affect them if there is a catastrophic illness and expense in their own families. Too many individuals and too many businesses and the vast majority of people in our country are affected by our failure to move forward with serious national health care reform.

Roosevelt talked about it in 1935. That was over a half a century ago. But I will tell you something, Mr. President. There is no question in my mind that we could do much better, much better in a country which spends more on health care than any other country in the world and in a country which has the best medical services and the best research in the world, the tragedy being that it is not for all the citizens who live in our country. It is time for a fundamental change to address a fundamental problem. There really is no other choice but to enact major health care reform in the United States of America. This time of crisis requires no less.

Mr. President, I will finish by speaking in a very personal way to you, because you are someone, from the time I first came to the Senate, with whom I have had a chance to speak in a very informal and personal way. I want to do well for people in the State, and I think the way you do well for people is to try to understand what people are really thinking about, what they really care about, and you try to enact good public policy that will improve the lives of people. You try to enact public policy that will make a real difference.

I am convinced that the honor of speaking in this Chamber, the honor of being in the Senate—every single day I think about the honor of it—is to be here to do well for people. I did not say, Mr. President, that it would be easy. You have so much experience and you know how difficult it is to pass major legislation. I am just starting out in the Senate. But what I want to say in this Chamber today is that I think this is an important idea. I think this proposed amendment is an important amendment.

I really look forward to being a part of the discussion and the debate starting in my own committee, the Labor and Human Resources Committee, and the debate and discussion we will have on the floor.

This is what it is all about. This is why you put so much sweat and tears to a campaign to get elected, so you can come to Washington and develop legislation, and you work with your colleagues. So you never give up; you keep on pushing and you keep on pushing until you pass legislation that you

know will lead to the improvement of peoples lives. That is what I think this health care legislation is all about.

I thank the Chair. I yield the remainder of my time.

EXHIBIT 1

STATE UNIVERSAL ACCESS LEGISLATION
(Summary provided by Citizen Action,
August 15, 1991)

CALIFORNIA

SB 36, the California Right to Health Care Act, has been introduced by Senator Nick Petris. It would create a publicly financed state health plan to provide comprehensive benefits to every Californian. In April, SB 36 passed the Senate health committee and is now pending in the tax and revenues committee.

COLORADO

HB 1251, the Universal Health Insurance Colorado Plan Act (UHICO), would create a single, publicly financed statewide health plan by January 1, 1991. The bill was assigned to the House Finance Committee where, on February 13, it was tabled by a narrow 6-5 vote. The UHICO coalition is currently considering revisions and the bill will be reintroduced in 1992.

FLORIDA

HB 1 and SB 1212, the Florida Universal Health Access Plan would establish a single, publicly financed statewide program to provide coverage to all residents. The legislation, sponsored by Representative Gordon and Senator Weinstock, was passed by the House Health Services Subcommittee (7-3), the House Health Care Committee (14-4), the House Appropriations Committee (17-12), and the Senate Health and Rehabilitative Services Committee (7-0). The legislative session ended, however, before the legislation was considered by the Senate Finance and Taxation Committee or the full House or Senate. The bill will be reintroduced in the next legislative session.

ILLINOIS

SB 300 and HB 300 (now HB 1217) was introduced by Senators Smith and Del Valle and Representatives Young and Scharowsky. The Universal Health Care Act would create a single, publicly-financed state health plan covering all Illinois residents and providing comprehensive, equitable benefits. On April 23, the House Insurance Committee voted 11-6 in favor of HB 300 but, because 12 positive votes were needed to advance the bill under committee rules, fell just one vote short. The legislation was attached as an amendment to HB 1217. During floor consideration on May 23, the bill received the support of the Speaker of the House and the chair of the Health Committee but failed on a 52-64 vote.

INDIANA

HB 1898, the Indiana Universal Health Plan, was introduced by Representative Brown and was the subject of a hearing before the House Ways and Means Committee on February 26. HB 1898 would establish a statewide plan to cover all residents in Indiana and others who agree to pay appropriate charges.

IOWA

The Iowa Universal Health Insurance Plan, sponsored by Representative Johnie Hammond, would establish a single, publicly financed and publicly accountable statewide health plan to cover all residents. The bill, House File 329, passed the House Human Resources Committee on March 18 by a vote of

12-6. It will be the focus of legislative hearings throughout the state this summer.

KANSAS

SB 205, introduced by Senators Walker and Winter, would cover all Kansas residents and out-of-state residents employed in Kansas if they pay the requisite fees. Kansas would receive a basic set of health care benefits, with an emphasis on primary and preventive care, through a state-run program. They could purchase an additional package of approved benefits through the state program or from private insurers. The bill will undergo interim summer study in 1991. The Kansas legislature passed SB 403 this session, creating the Kansas Commission on the Future of Health Care to develop short-term and long-term strategies of the state.

MAINE

LD 1727, the Universal Health Care bill, was introduced by House Speaker John Martin, Representative Charlene Rydell, and Senators Dale McCormick and Beverly Bustin. The bill would create a select committee to develop and, by July 1, 1993, implement a statewide, publicly financed health program which would be run by a publicly-accountable, non-profit agency. An amended version of the bill requiring a feasibility study to provide universal access passed both houses and was opposed by the governor, although further action may occur a special legislative session this year.

MASSACHUSETTS

The Massachusetts Family Health Plan, HR 4145, introduced by Representative John McDonough, would establish the Health Resources Corporation to develop and implement a state health care plan. Under the plan, Massachusetts residents, (as well as out-of-state persons working or attending post-secondary educational facilities in the Commonwealth if they pay appropriate fees), would be able to select coverage through a state-run program or alternative plans which meet Corporation-established requirements. The bill is currently pending in committee.

MICHIGAN

Michicare is being sponsored by Representative Perry Bullard. It would create a single-publicly-financed program to provide comprehensive benefits to all residents of Michigan and non-residents employed in the state who pay the requisite tax. The bill will be introduced this summer and is expected to be the focus of public hearings.

MINNESOTA

The Minnesota Health Assurance Plan, sponsored by Representative Lee Greenfield and Senator Ron Dicklich, would be an established, phased program leading to implementation of a single, statewide program covering all Minnesotans by January 1, 1996. During a transition period, the bill would establish a number of insurance underwriting reforms. HF 393 is currently in committee and was the focus of an April 5 hearing before the Health Care Access Division of the Senate Health and Human Services Committee.

MISSOURI

HB 28, the Missouri Universal Health Assurance Plan, was introduced by Representative Gael Chatfield. The bill would create a single, publicly financed state health plan covering all Missouri residents and, upon payment of appropriate surcharges, out-of-state residents who work in Missouri. In February, HB 28 passed the House Critical Decisions Committee by a 7-5 vote. It was debated in the House in April, where pro-

ponents successfully prevented a gutting of the bill by amendments. The bill lost on a final vote by 63-86.

NEW YORK

An Act to Provide Health Care to All New Yorkers and to Control Health Care Costs will be introduced shortly and will be one of the proposals to be discussed in a June 4 legislative hearing. Under the NYHEALTH plan, all residents of New York would receive a full range of services through a single, publicly financed state program.

OHIO

The Ohio Universal Health Insurance Plan, HB 175, was reintroduced this session by Representative Robert Hagan and 29 co-sponsors. The bill would establish a single, publicly financed state program to provide comprehensive benefits to all residents of Ohio. The legislation was the focus of a major lobby day in April by the wide-ranging coalition supporting the bill. It is currently being considered by a select committee, whose membership includes 4 HB 175 co-sponsors.

OKLAHOMA

The Universal Health Care Act, offered as a substitute for HB 1578, would establish a Universal Health Care Board, is sponsored by Representative Angela Monson. The Board is required to develop a plan by January 1, 1993 to provide universal coverage of comprehensive benefits to all residents of Oklahoma. The Board would also establish the date for actual implementation. The bill passed the health committee but was sent back to committee after it failed to win passage in the full House. It will be reintroduced in the 1992 legislative session.

OREGON

SB 790, sponsored by Representative Carl Hosticka and others, would create a universal, single-payer system to provide comprehensive, quality benefits to all Oregon residents beginning January 1, 1994. The bill is currently in committee and a Senate floor vote is anticipated this summer.

VERMONT

S. 217, a bill creating the Vermont Health Care Program, sets a timetable and criteria for establishing a single-payer health care system covering all Vermont residents. The bipartisan bill, sponsored by Senators Cheryl Rivers and Tom McCauley, would establish a 7-member committee to develop and implement the plan. S. 217 will be one of the proposals considered by a Senate commission established to study the state's health care system and access problems this summer. The bill's sponsors intend to reintroduce the bill next year.

WASHINGTON

The Washington Health Care Service Act of 1992 was introduced in April by Representative Dennis Braddock. Representative Braddock was the author of universal coverage legislation which passed the House during the last legislative session. The bill would require that all Washington residents be covered for basic health services through the state plan or a state-approved alternative by July 1, 1996. The bill will be one of the alternatives studied by a state commission this summer and may be considered during the next legislative session.

WEST VIRGINIA

HB 2925, the West Virginia Universal Health Care Act, introduced by Delegate David Grubb, would cover all state residents under a single, publicly financed insurance program. Regional public hearings would be required to obtain consumer and provider

input into the development of the program, which would be implemented by July 1, 1993. HB 2925 is one of the proposals which will be considered by a state commission created by the passage of HB 2461 to study solutions to West Virginia's health care problems.

WISCONSIN

The Wisconsin Universal Health Plan, authored by Assembly Speaker Pro Tem David Clarenbach and Senator Russ Feingold, would create a single-payer, publicly financed program to cover all Wisconsin residents. The bill, which will be introduced officially within the next two months, already has three Senate and 17 Assembly co-sponsors.

AMENDMENT INTENDED TO BE PROPOSED BY MR. WELLSTONE

On page 340, between lines 3 and 4, insert the following new section:

SEC. 602. SINGLE-PAYER HEALTH CARE PLANS.

(1) **SHORT TITLE.**—This section may be cited as the "State Single-Payer Enabling Amendment".

(b) **DEFINITIONS.**—As used in this section:

(1) **FEDERAL HEALTH CARE PROGRAM.**—The term "Federal health care program" means—

(A) the AmeriCare program established under title XXI of the Social Security Act, as added by section 601 of this Act;

(B) the Medicare program established under title XVIII of the Social Security Act (42 U.S.C. 1395 et seq.);

(C) the Medicaid program established under title XIX of the Social Security Act (42 U.S.C. 1396 et seq.);

(D) the maternal and child health block grant program established under title V of the Social Security Act (42 U.S.C. 701 et seq.); or

(E) any other Federal health care program that the Secretary identifies as providing health care services to qualified recipients.

(2) **SECRETARY.**—The term "Secretary" means the Secretary of Health and Human Services.

(3) **SINGLE-PAYER HEALTH CARE PLAN.**—The term "single-payer health care plan" means a plan described in subsection (c)(4) under which—

(A) all residents in the State are provided with health care insurance for basic benefits through a State-sponsored plan;

(B) one entity in each State reimburses all health care providers for the basic benefits covered by the State-sponsored plan; and

(C) the plan is funded through the use of tax revenues.

(4) **STATE.**—The term "State" includes the District of Columbia and the Commonwealth of Puerto Rico.

(c) **DEVELOPMENT GRANTS.**—

(1) **IN GENERAL.**—The Secretary shall make development grants of not to exceed \$2,000,000 to each State submitting an application approved under paragraph (2) to assist the State in developing a health care planning process that—

(A) provides for the participation described in paragraph (3); and

(B) will result in development of a single-payer health care plan designed to accomplish the requirements specified in paragraph (4).

(2) **APPLICATION.**—To be eligible to receive a development grant under this subsection, a State shall submit an application to the Secretary at such time, in such manner, and containing such information as the Secretary may specify.

(3) **PARTICIPATION.**—Each State receiving a development grant under this subsection

shall provide for representative participation in the health care planning process that shall include—

(A) participation by—

(i) individual and business consumers of health care;

(ii) individual and institutional health care providers; and

(iii) representatives of State and local governments; and

(B) full opportunity for public comment, in writing and in public hearings.

(4) **REQUIREMENTS OF HEALTH CARE PLAN.**—The requirements of a single-payer health care plan of a State are as follows:

(A) **UNIVERSAL ACCESS.**—The plan shall guarantee access to services covered under the plan on uniform terms and conditions for all residents in the State, except that the preceding shall not be interpreted to preclude targeted programs to serve the special needs of special populations, or reduced cost-sharing requirements for low-income populations.

(B) **ELIMINATION OF DISPARITIES.**—The plan shall not permit disparities in health care access to services covered under the plan on the basis of age, gender, occupation, race, income, health status, and geographic location, except that the preceding shall not be interpreted to preclude targeted programs to serve the special needs of special populations, or reduced cost-sharing requirements for low-income populations.

(C) **CONSOLIDATION OF PROGRAMS.**—The plan shall, to the maximum extent practicable, provide for the consolidation of Federal, State, and local programs that provide health care services in the State. As part of the development and planning process, the State shall identify all such public programs that currently provide health care services in the State.

(D) **BENEFITS.**—The plan shall provide for access to medically necessary health care services, with a focus on primary and preventive care, including benefits at least as comprehensive as the benefits covered under section 2102 of the Social Security Act (as added by section 601 of this Act). The cost-sharing requirements of the State single-payer plan shall not exceed the cost-sharing requirements under title XXI of the Social Security Act (as added by section 601 of this Act).

(E) **COST CONTAINMENT.**—The plan shall provide for a cost containment program that will achieve the expenditure goals established for that State by the Federal Health Expenditure Board established under section 2761 of the Public Health Service Act (as added by section 411 of this Act).

(F) **REDUCTION IN ADMINISTRATIVE COSTS.**—The plan shall provide for a reduction in the rate of growth in health care costs by lowering administrative costs and eliminating unnecessary paperwork.

(G) **REIMBURSEMENT SYSTEMS.**—The plan shall include standardized reimbursement systems (including fee schedules, global budgets for hospital operating costs and separate capital budgets, and capitation for group practice arrangements) for institutional and individual providers.

(H) **FINANCING.**—The plan shall provide for progressive and equitable financing of health care costs.

(I) **ADMINISTRATION.**—

(1) **PUBLIC AUTHORITY.**—The plan shall be administered and operated on a nonprofit basis by a public authority appointed or designated by the government of the State.

(ii) **COMPOSITION.**—The public authority shall include representatives of—

(I) individual and business consumers of health care;

(II) individual and institutional health care providers; and

(III) State and local governments.

(J) **DESIGNATION OF INTERMEDIARY AGENT.**

(1) **IN GENERAL.**—Under the plan, the public authority of a State shall have the power to designate an agent to serve as an intermediary. Such agent shall carry out on behalf of the public authority any responsibility in connection with receipt or payment of accounts rendered for covered services.

(ii) **ASSESSMENT AND APPROVAL.**—It shall be a condition of the designation under clause (i) that all accounts are subject to assessment and approval by the public authority.

(K) **TRANSITION.**—The plan shall provide for full implementation and achievement of the requirements of this paragraph within a 6-year period, except that coverage shall be provided during the transition period for at least as great a portion of the population in the State as would occur without implementation of the State single-payer plan.

(5) **AUTHORIZATION OF APPROPRIATIONS.**—There are authorized to be appropriated to make development grants under this subsection such sums as necessary for fiscal year 1992 and each subsequent fiscal year.

(d) **TRANSFER TO STATE OF FEDERAL HEALTH CARE EXPENDITURES FOR SERVICES COVERED UNDER THE STATE SINGLE-PAYER HEALTH CARE PLAN.**—

(1) **IN GENERAL.**—

(A) **PAYMENTS.**—Notwithstanding any other provision of law, if a State makes the demonstration described in paragraph (2), the Secretary shall provide that, instead of any payments made under Federal health care programs with respect to residents or providers of health care in the State for services for which payments may be made under the State single-payer health care plan, the total of such payments shall be transferred to the State to be used for implementation of the plan of the State.

(B) **BASIS.**—Such payments shall be made on such a periodic basis as approximates the periodic payments made under such programs.

(2) **DEMONSTRATION.**—In order to receive the payments described in paragraph (1), a State shall demonstrate to the satisfaction of the Secretary that—

(A) the State has enacted a law that establishes a single-payer health care plan;

(B) under the plan there would be no reduction in the quality of care or the number of individuals covered under the Federal health care programs within the State; and

(C) no Federal funds to be provided under this subsection would be used to replace State or local revenues that would otherwise be spent providing to qualified recipients services covered under the single-payer health care plan.

(3) **LIMITATION TO COVERED SERVICES.**—Paragraph (1) shall not affect payments under Federal health care programs within a State for services not covered under the single-payer health care plan.

(4) **CONSTRUCTION.**—This subsection supercedes any provision of law that otherwise entitles individuals or providers within a State to payment under Federal health care programs for health care services covered under the single-payer health care plan in the State.

(e) **DEMONSTRATION PROJECT IMPLEMENTATION GRANTS.**—

(1) **AUTHORITY.**—The Secretary shall award implementation grants to the first 10 States that enact laws that establish single-payer health care plans that meet the require-

ments of this section. The implementation grants shall be utilized to pay for the Federal share of the State single-payer health care plans. Such grants shall be available in each such State for a period of 6 consecutive years.

(2) FEDERAL SHARE.—The Federal share of the single-payer health care plans as described in paragraph (1) shall be an amount equal to 50 percent of the amount of the increase in total health care spending in the State that is attributed to activities undertaken to achieve the requirements described in subsection (c)(4).

(3) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this subsection such sums as may be necessary for fiscal year 1992 and each subsequent fiscal year.

(f) RELATION TO OTHER LAWS.—

(1) ANTITRUST LAWS.—

(A) IN GENERAL.—Notwithstanding any provision of the antitrust laws, it shall not be considered a violation of the antitrust laws for a State, or a public authority described in subsection (c)(3)(E), to develop or implement a single-payer health care plan in accordance with this section.

(B) DEFINITION.—For purposes of this section, the term "antitrust laws" means—

(i) the Act entitled "An Act to protect trade and commerce against unlawful restraints and monopolies", approved July 2, 1890, commonly known as the "Sherman Act" (26 Stat. 209; chapter 647; 15 U.S.C. 1 et seq.);

(ii) the Federal Trade Commission Act, approved September 26, 1914 (38 Stat. 717; chapter 311; 15 U.S.C. 41 et seq.);

(iii) the Act entitled "An Act to supplement existing laws against unlawful restraints and monopolies, and for other purposes", approved October 15, 1914, commonly known as the "Clayton Act" (38 Stat. 730; chapter 323; 15 U.S.C. 12 et seq.; 18 U.S.C. 402, 660, 3285, 3691; 29 U.S.C. 52, 53); and

(iv) any State antitrust laws that would prohibit the activities described in subparagraph (A).

(2) EMPLOYEE RETIREMENT INCOME SECURITY ACT OF 1974.—With respect to single-payer health care plans implemented in accordance with this section, the provisions of this section supersede any provision of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1001 et seq.) and section 301, in the event of any conflict.

(3) HEALTHAMERICA ACT.—With respect to single-payer health care plans implemented in accordance with this section, the provisions of this section supersede any provision of the HealthAmerica Act in the event of any conflict.

EXHIBIT 2

STATE SINGLE-PAYER ENABLING AMENDMENT TO S. 1227, HEALTHAMERICA: AFFORDABLE HEALTH CARE FOR ALL AMERICANS

Purpose: To enable and encourage interested states to develop and implement statewide single-payer health care plans. The amendment specifies minimum requirements the states must meet to qualify for federal financial incentives, but the states are given a maximum amount of flexibility to design their own single-payer systems to serve as demonstration projects.

Definition of "single-payer": All residents of the state are provided with health care insurance for basic benefits through a state-sponsored plan; one entity in each state reimburses all health care providers for the basic benefits covered under the plan, and the plan is funded through tax revenues.

Requirements for states:

Participation: Full opportunity for public comment, in writing and in public hearings, in the health care planning process.

Universal access: To covered health care services.

Elimination of disparities: Based on age, gender, occupation, race, income, health status, and geographic location.

Consolidation of public health care programs: To the maximum extent practicable.

Benefits: Must be at least as comprehensive as the basic benefits mandated in S. 1227, the HealthAmerica Act. The cost-sharing requirements of the state plan shall not exceed the cost-sharing requirements under the HealthAmerica Act.

Cost Containment: The state shall provide for a cost containment program that contains costs, at least in part, by reducing administrative costs.

Reimbursement of providers: Standardized reimbursement systems, including fee schedules, global budgets for hospital operating costs and separate capital budgets, and capitation payments.

Financing by the state: Progressive and equitable financing of health care costs.

Administration of the state single-payer plan: On a nonprofit basis by a public authority or an intermediary agent designated by and accountable to the public authority. The public authority shall include representatives of individual and business consumers of health care, individual and institutional health care providers, and state and local governments.

Transition: The state may phase-in the single-payer system over a six-year period.

Incentives to states to develop and implement single-payer plans:

Transfer to state of Federal payments: Including federal payments for AmeriCare, Medicare, Medicaid.

Development and planning grants: Of up to \$2,000,000.

Implementation grants: To cover, for a six-year period, 50% of the amount of increase in total health care spending in the state attributed to achieving the requirements of this legislation. These implementation grants shall be awarded to the first 10 states to enact laws establishing single-payer plans that meet the requirements of this amendment.

Preemption of ERISA.

The PRESIDENT pro tempore. What is the will of the Senate?

Mr. WELLSTONE. Mr. President, I suggest the absence of a quorum.

The PRESIDENT pro tempore. The absence of a quorum has been suggested. The Clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. DOLE. 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. DOLE. Mr. President, is leader the time reserved?

The PRESIDING OFFICER. The Senator is correct.

The Republican leader is recognized.

Mr. DOLE. I thank the Chair.

(The remarks of Mr. DOLE pertaining to the introduction of S. 1711 are located in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

THE DISMISSAL OF CHARGES AGAINST OLIVER NORTH

Mr. DOLE. Mr. President, it is no secret that I have been very critical of Mr. Walsh's investigation for some time, so, in fairness, I do want to congratulate him on making the right decision in dropping charges against Colonel North.

Unfortunately for Colonel North, this decision was made only after the years of harassment and millions of dollars of legal fees.

I think the next decision is obvious. It is time to close the doors on the investigation once and for all. For nearly 5 years, Mr. Walsh and his army of attorneys and investigators have run up a \$50 million bill, operating out of some of Washington, DC's most exclusive office space.

What have American taxpayers received for their \$50 million? A lot of press releases. A lot of rumor and innuendo. But little in terms of justice. Every conviction won by Mr. Walsh has been overturned, or is likely to be overturned.

So it seems to me that we will reach a point where the American people are going to say how many millions should we spend, how many attorneys do we need, and how much office space do we need, if we are going to finally catch somebody and convict somebody. I do not suggest that people should not be brought to justice, but we do have the Justice Department, full of lawyers and, again, costing the taxpayers a lot of money. It seems to me that this duplication has gone on long enough. If there is any evidence of any wrongdoing, Mr. Walsh can certainly turn it over to the Justice Department, and I believe we have outstanding men and women in the Justice Department who will make certain that everybody is treated fairly, as they should be, of course, in the American system of jurisprudence.

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. MURKOWSKI. 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. MURKOWSKI. Mr. President, I ask that I may be able to speak in morning business for 5 minutes.

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

THE UNITED STATES-SOVIET MARITIME BOUNDARY TREATY

Mr. MURKOWSKI. Mr. President, I rise in support of the new United States-Soviet Maritime Boundary Agreement, which is a treaty of the greatest importance to the United States, especially my State of Alaska.

I am pleased to report to you, Mr. President, that this agreement, which was approved overwhelmingly in committee, at long last resolves areas of dispute between ourselves and the Soviet Union over fishing rights and mineral exploration in the Arctic Ocean and the Bering Sea.

The United States-Soviet Maritime Boundary Agreement represents a very favorable outcome in terms of United States strategic and resource interests. It precisely defines the convention line which was drawn when we purchased Alaska from Imperial Russia in 1867.

Mr. President, in particular, this is the line that separates Siberia from Alaska near the area of the Bering Strait.

The treaty limits the United States and the Soviet Union's territorial sea, exclusive economic zones, or the EEZ's, as they are referred to, and the Continental Shelf jurisdiction when they would otherwise overlap.

As a result, it settles disputes which have in the past arisen concerning fishing rights and oil and gas explorations in this disputed area. Under the terms of the Maritime Boundary Treaty, the parties agreed that the 1867 convention line is the maritime—and I stress maritime—boundary between the United States and the Soviet Union.

It also clarifies how the 1867 line is to be defined, something that was left ambiguous in the convention because we and the Russians used different mapping techniques. Rope line and various other technologies were used and they meant different things to different people. This difference resulted in almost 21,000 square nautical miles in the Bering Sea being claimed by each nation as falling on its side of the 1867 line. The disputed area contains rich fishing grounds and may have tremendous potential for offshore oil and gas exploration. The new agreement divides the disputed area between the parties. The 1,600-mile maritime boundary it creates—the longest in the world—will definitively establish United States and Soviet territorial sea jurisdiction, as well as EEZ and Continental Shelf jurisdiction in the Bering Sea and Arctic Ocean. The treaty also establishes a precise maritime boundary in areas where our two countries' 12-mile territorial seas or 200-mile EEZ's overlap or are otherwise in dispute, and delimits the parties' Continental Shelf jurisdiction beyond their 200-mile EEZ's. Finally, by adopting an innovative special areas formula the treaty minimizes the size of the so-called doughnut hole in the Bering Sea that is beyond the fisheries jurisdiction of either party. In other words, that area of the North Pacific Bering Sea 200 miles from Alaska.

The bottom line is that this treaty places about 70 percent of the Bering Sea under U.S. jurisdiction and gives the United States an extra 13,200

square nautical miles—an area nearly equal in size to the combined area of New Hampshire and Vermont—as compared with the most favorable equidistant line.

I hope the Chair will not admonish the Senator from Alaska as he attempts to generalize the size areas we are talking about by using a formation of States. As the Presiding Officer knows, Alaska is almost three times as big as Texas. The interior of Alaska, of course, is an area that is substantially vast as well.

The entire Alaskan congressional delegation supports the Maritime Boundary Treaty, and I am equally pleased to note that it has the support of the State of Alaska. In fact, I have received a copy of a May 31 letter from Governor Hickel to the Foreign Relations Committee in which he states that:

I support the proposed U.S.-Soviet Maritime Boundary agreement and am satisfied that the agreement adequately addresses and protects the interests of the United States and Alaska.

I ask unanimous consent that Governor Hickel's letter be printed in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

STATE OF ALASKA,
Juneau, May 31, 1991.

Hon. JOSEPH R. BIDEN, Jr.,
Chairman, Senate Subcommittee on European
Affairs, Washington, DC.

DEAR MR. CHAIRMAN: I support the proposed U.S.-Soviet Maritime Boundary agreement and am satisfied that the agreement adequately addresses and protects the interests of the United States and Alaska.

This treaty would resolve longstanding boundary disputes between the U.S. and the Soviet Union that have retarded fisheries management and mineral development. The treaty would allow oil development by U.S. companies in previously disputed areas, and would facilitate fisheries management and enforcement by clearly delineating extensive areas available to U.S. fishermen. Also, the treaty would extend U.S. jurisdiction to an additional 13,200 square nautical miles, thereby placing approximately 70% of the Bering Sea under U.S. control.

The final resolution of the current dispute would be further evidence of the evolving cooperation and goodwill between the U.S. and the Soviet Union. In turn, this spirit of cooperation will create increased trade, scientific and medical exchanges, and other types of economic and social interchange between U.S. and Soviet citizens.

It is my understanding that the treaty negotiations never encompassed the issue of ownership of Wrangel and other Bering Sea islands and that the proposed treaty does not address this question.

Thank you for considering my views.

With best regards.

Sincerely,

WALTER J. HICKEL,
Governor.

Mr. MURKOWSKI. Mr. President, I would like to take a moment to address a peripheral issue—an issue which really has nothing to do with the

treaty before us today, but one which has nonetheless attached itself to it. This is the matter of the so-called Five Islands, or Wrangel Island, that island being the largest of the five. U.S. citizens were involved in the discovery or exploration of each of these islands located in the Chukchi and East Siberian seas. It is alleged that by ratifying the Maritime Boundary Treaty the United States would recognize Soviet claims to these islands. But such an allegation is mostly definitely not true. The treaty, as I emphasized a minute ago, is a maritime agreement, not an instrument that addressed the issue of sovereignty over territory. The five islands are not mentioned or alluded to in the treaty we are now considering, and a vote in favor of the treaty in no way prejudices potential future U.S. claims to these islands, whatever they may be.

It appears, Mr. President, that these islands, while founded by various sea captains, made no claim from the standpoint of filing the claim, and, as a consequence, there is no formal claim having been filed by the United States according to the information supplied to us by the State Department.

Mr. President, I have a particular sensitivity to one Wrangel Island, having lived in Wrangel, AK, from 1962 to 1966, and I can vouch that the Wrangel Island in southeast Alaska is not the Wrangel Island referred to in any dispute over the United States-Soviet boundary treaty.

In conclusion, I urge the Senate to ratify the United States-Soviet Maritime Boundary Agreement. It will resolve significant bilateral differences between us and the Soviet Union in the Bering Sea and will allow for the peaceful management of fisheries and mineral exploration in the area, and it will be most beneficial to the United States and my State of Alaska because it puts an area that was previously under questionable jurisdiction clearly under the jurisdiction of the United States. Therefore, we can enforce fisheries in those areas and, as a consequence, that will have a substantial beneficial effect to maintaining and managing those resources for future generations.

I thank the Chair 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. BYRD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

DOUG GEORGE

Mr. GORE. Mr. President, I rise to join my colleagues in saying a few words in memory of Doug George, a

member of the staff of the Senate Armed Services Committee who passed away last Friday.

Everyone in the Armed Services Committee knew that Doug George was seriously ill with cancer, and we also realized that his odds of surviving were not good. But his courage and grit were such that as we saw him in the course of business, that thought somehow was pushed aside. He was still a lucid and forceful voice, a profound expert, and a man of great intellectual integrity and courage, so much so that the announcement of his death came as a shock. He had not faded. He had persevered almost to the end, with such grace that he made us forget to think of him as anything else but our respected associate.

It is difficult to accept this loss. I have recollections of Doug during his work not only for this body, but years before, as a senior official at the CIA carrying heavy responsibilities for arms control verification. I can see him in those older days, armed with a cigar and a grin, trying to make sure that whatever else happened, no one who sought the truth from him would leave with anything less than that. Given the political sensitivity of the issues he dealt with, there were plenty of people in this town across a number of administrations who must have wished that Doug would bend the truth to accommodate the existing policy and fashion. But he did not, which marked him as a rare and valued associate.

Let me therefore join in expressing my respect for his memory and in extending my prayers and condolences to his wife.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

DEPARTMENT OF THE INTERIOR AND RELATED AGENCIES APPROPRIATIONS ACT, FISCAL YEAR 1992

The PRESIDING OFFICER. The Senate will now resume consideration of H.R. 2686, which the clerk will report.

The legislative clerk read as follows: A bill (H.R. 2686) making appropriations for the Department of the Interior and related agencies for the fiscal year ending September 30, 1992, and for other purposes.

The Senate resumed consideration of the bill.

Pending:

Jeffords/Metzenbaum amendment No. 1138, to increase grazing fees assessed to ranchers on Forest Service and Bureau of Land Management Lands.

AMENDMENT NO. 1138

The PRESIDING OFFICER. The pending question is amendment No. 1138.

Mr. BYRD. Mr. President, the pending question is the grazing fees amendment. Most of those Senators who are interested in this amendment one way or another will come to the floor this afternoon and debate the amendment. I also hope that some agreement can be reached on the amendment before the evening hours begin as to a time for voting on or in relation to the amendment.

In order to expedite that hoped-for result, I also have to express the hope that Senators will come to the floor. I know this is a controversial amendment and there are several Senators who are very much opposed to it and others who support it. This would be a good opportunity now for them to air their views so that we might expedite final action on or in relation to the amendment.

I yield the floor.

Mr. NICKLES. Mr. President, I certainly concur with Chairman BYRD's comments and hope that colleagues would use this time available to discuss this amendment. It is a controversial amendment. We have Senators who have very strong feelings on both sides of the issue. I just hope that the proponents and opponents would use this time to debate this issue.

If other Senators have other amendments, if we have an interlude, I would ask the chairman, I expect he would be willing to wrestle with those and set this amendment aside and dispose of those amendments.

We have kind of a busy agenda. This is the Interior appropriations bill. The chairman has additional appropriations bills he would like to pass before the week is out. With no votes on Wednesday, we are going to try to get as much work done as possible. I would like to finish this bill today or tomorrow, if possible. If our colleagues have amendments, we hope they would bring them over and maybe we will be able to dispose of those, probably even without rollcall votes. I urge our colleagues, whether it be on the grazing fees amendment or other amendments, to bring those up as soon as possible.

Mr. BYRD. Will the Senator yield?

Mr. NICKLES. I am happy to yield.

Mr. BYRD. I thank the Senator for his suggestion that Senators who have other amendments might also stay around close to the floor, because if there are interludes, as the distinguished Senator has suggested, the Senator from Oklahoma [Mr. NICKLES] and I would be happy to take a look at their amendments and possibly we could dispose of some of those amendments this afternoon.

In the meantime, I also express the hope that the Senate can, during the evening hours today, take up the Transportation appropriations bill and/or the military construction appropriations bill and perhaps dispose of one or both of those bills.

Wednesday is a religious holiday. Several of our Jewish Members will be away from the Senate on Wednesday, but the Senate can proceed with business and postpone rollcalls until the next day. But in looking forward to Wednesday and the fact that there will not be any rollcall votes that day, I urge that we attempt to complete action on the Transportation appropriations bill and the military construction appropriations bill prior thereto, as well as the bill that is now pending before the Senate, the Interior appropriations bill. I thank the Senator for yielding.

Mr. NICKLES. 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. BYRD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. ROBB). Without objection, it is so ordered.

ORDER OF PROCEDURE

Mr. BYRD. Mr. President, I ask unanimous consent to speak out of order for not to exceed 5 minutes.

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

RESPONSE TO REMARKS OF ISRAELI CABINET MINISTER ZEEVI

Mr. BYRD. Mr. President, this morning a Reuters wire service story reported that an Israeli Cabinet Minister, Rehavam Zeevi, has accused President Bush of being a liar and an anti-Semite and has called for the peace conference to be delayed until the \$10 billion loan guarantee issue is resolved.

Mr. President, I am distressed that a member of the Israeli Cabinet would inflame an already difficult situation by charging the President of the United States with anti-Semitism. Mr. Zeevi's accusations are incomprehensible under any interpretation of the facts. Mr. Zeevi's accusations are untrue, and they are wrong. For asking that Congress delay consideration of the loan guarantees for 120 days, Mr. Bush has now been labeled an anti-Semite by a member of the Israeli Cabinet. This is a sad development.

It is a sad day, indeed, when the President of the United States cannot propose to Israel a different course of action—or express a difference of opinion—without being labeled anti-Semitic. Our long-standing, close, relations ought to be able to weather such differences of opinions without vicious name calling. We do not always agree; we need not always agree. But we must never give vent to our emotions in ways that are so inflammatory and that can do so much harm. One Amer-

ican lobbyist in favor of providing all the housing aid now has, according to the press, characterized the President's remarks about "powerful political forces" as "coming pretty close to the line of inciting anti-Semitism." No reasonable person could possibly make such a connection. I get the impression that such comments really reflect the belief that any critical expression about using political influence is somehow to be regarded as out-of-bounds. But no lobby group should be sacrosanct and above discussion or comment in our representative democracy.

Healthy debate and commentary are vital to our system. Intimidation and innuendo, on the other hand, are not healthy, proper, or tolerable.

The difference between healthy and poisonous commentary is like one between night and day and is easily recognizable. Unfounded charges of anti-Semitism, from whatever source, are inappropriate and counterproductive.

The Washington Post also reported this morning that 80 percent of Israelis favor their country's participation in a regional peace conference; 67 percent would favor freezing construction of settlements in the occupied territories in order to get peace negotiations going. It is obvious that Mr. Zeevi's opposition to convening a peace conference is not shared by the Israeli people.

I hope that this ugly incident will not impede the efforts of President Bush and Secretary Baker to finalize plans for the peace conference.

I deplore Mr. Zeevi's comments, and I welcome Defense Minister Arens' subsequent repudiation of those comments. I hope Mr. Arens' views are shared by the rest of the Israeli Cabinet.

Mr. President, I ask unanimous consent to have printed in the RECORD a news article from the Washington Times of today, Monday, September 16.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

JEWIS IRKED BY BUSH'S POSITION ON ISRAEL

(By Ralph Z. Hallow)

Strong sentiments are raging in the American Jewish community in the wake of President Bush's stepped-up—and increasingly public—campaign to delay \$10 billion in U.S. loan guarantees to Israel.

Some Jewish leaders took offense at the president's highlighting of the intense pro-Israeli lobbying effort on Capitol Hill, while still others hoped to avoid a confrontation with Mr. Bush by working out a compromise that would ensure approval of the loan guarantees as quickly as possible.

"We take strong issue [with] what the president has said. But we still need to be looking for ways to move forward on the loan guarantees, and it doesn't serve anyone in the Jewish community to get into a fight with the administration," American Jewish Congress spokesman Mark Pelavin said Friday.

"The community's reaction is real anguish and concern that there not be a confronta-

tion with [Mr. Bush]. Both sides seem to have painted themselves into a corner," agreed Jewish Community Council Director Murray Tennenbaum.

Perhaps the most extreme view is that of Morris Amitay, treasurer of the pro-Israel Washington Political Action Committee and former executive director of the powerful American Israel Political Affairs Committee.

"What really disturbed our community was that the president talked about 'powerful political forces,' whom he called 'lobbyists,'" Mr. Amitay said. "But he was really referring to hundreds of Americans merely exercising their right to influence their government."

"That bothered a lot of people who felt that the president was coming pretty close to the line of inciting anti-Semitism," he said.

The use of the highly charged word "anti-Semitism" was a measure of the depth of feeling the confrontation between Mr. Bush and Israel's friends has elicited.

But other Jewish leaders, clearly eager to avoid a fight with the president, cast about for an acceptable way out. Some looked to Sen. Phil Gramm, Texas Republican and a friend of the president's who has met with both sides, to fashion a compromise.

"It would be helpful if someone with the credentials of Phil Gramm, who has been helpful to us in the past, were to try to find a path the two sides can walk together," said Mr. Tennenbaum.

A Gramm spokesman would say only that the senator has met with both sides.

Most Jewish leaders agreed that the meeting scheduled tomorrow between Secretary of State James A. Baker III and Prime Minister Yitzhak Shamir in Jerusalem might produce the mechanism to allow both sides "to get off the collision course they seem to be on."

A compromise that some of Israel's supporters began floating privately among members of Congress late last week envisions a veto-proof majority in each house passing a resolution instead of the loan package. The resolution would pledge Congress to enact the loan legislation in 120 days.

"If Israel's friends in Congress, the government in Jerusalem and the [Bush] administration are of one mind that this compromise is the way out [of confrontation], and it defuses the situation, then we would look favorably on it," said Dan Mariaschin, B'nai B'rith international affairs director. "But our preference is that the matter be dealt with now rather than later."

Although Mr. Bush said at his news conference Thursday that he would not unconditionally agree to support the loan guarantee to win delay, some Jewish leaders think he may signal acceptance without public endorsement.

"It would let the president, Israel's supporters in Congress and Shamir off the hook," said a Jewish activist who has been meeting with all sides but asked not to be identified.

An alternative may be for the Senate to pass an authorization for the \$10 billion, leaving it up to the president to say when and how the loan guarantee would actually go to Israel.

A third way would be for Congress to enact a partial bill, giving Israel only \$2 billion in guarantees next year, with the remainder to be decided on depending on what transpires at the peace talks.

The Israeli government insists it needs U.S. backing as quickly as possible so it can

secure loans to provide for the growing wave of Soviet Jews emigrating to Israel. The administration is fearful, however, that many of the new arrivals will be settled on the occupied West Bank, thus aggravating tensions between Arabs and Israelis on the eve of the hoped-for Middle East peace conference.

"Nobody disputes the fact the settlements are controversial and have to be negotiated, but why ask the Israelis to make a concession of that magnitude before they come to the table?" Mr. Tennenbaum asked.

Mr. BYRD. 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. JEFFORDS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. REID). Without objection, it is so ordered.

The Chair recognizes the Senator from Vermont [Mr. JEFFORDS].

DEPARTMENT OF THE INTERIOR AND RELATED AGENCIES APPROPRIATIONS ACT, FISCAL YEAR 1992

The Senate continued with consideration of the bill.

AMENDMENT NO. 1138

Mr. JEFFORDS. Mr. President, I am going to speak on my amendment. I certainly want to express my appreciation to the Senator from West Virginia for his courtesy, and to the Senator from Oklahoma, also, for allowing me to have this rather long gap between when I proposed the amendment until I had an opportunity to speak on it.

Also, Mr. President, this will be a novel moment for me, having been 14 years in the House and having not made any speech longer than 5 minutes there and only, I think, one other speech to fill time here, in the area of 20 minutes. Because I do not anticipate there is going to be a large number of Members of the Senate rallying behind me to talk on this amendment, I will be speaking for some length of time.

The Senator from Ohio [Mr. METZENBAUM] will be joining me at some time to assist me in this. But this is one of those issues, when you get involved, obviously you are picking on programs very dear to the hearts of citizens of certain States. It is difficult for us to take on the issue and say this is an important enough issue that, notwithstanding the problems it creates, we believe it is important enough to the country that we try to take care of what I consider very serious, actually unfair advantages that certain areas of the country have regarding beef production relative to other areas, at the taxpayers' expense. Basically, what I am looking for here is to try to establish equity among beef producers as well as equity to taxpayers because it is unfair to subsidize certain producers

when the people in the private enterprise system have to pay so much more for the right to graze.

So what I am going to try to establish as we go along is the fact that all we are trying to do is promote equity among beef producers. And, having been 14 years on the House Agriculture Committee, I am aware of these issues. But I am also very concerned that I don't do anything that would unfairly affect certain regions of the country, and that any impact we make is not one that is going to reduce the amount of grazing that is going to occur. But on the other hand, we need to take care of the cost of that program so that it is not a burden on our taxpayers.

What our amendment does is change the formula that determines the fee charged for grazing livestock on public rangelands. The fee would increase under our amendment. But I point out—at the beginning—what we will be doing is putting in a fee that will be one half in the final analysis of the fee which is presently in the bill before us, the Interior appropriations bill.

The House increased that fee rather dramatically. I just felt it was too high. The House fee level would result in a reduction in the amount of grazing. So we basically have half of what the House has attached to the Interior appropriations bill. In addition to that, at best, our fee next year is only 40 percent of the fair market value of the Federal forage.

Let me speak about that again. We are using terms like AUM and all of that. Let us get it down to a simple understanding. An AUM [animal unit month] is the amount of feed it would take to feed a cow and a calf or five adult sheep for 1 month. It is about 900 pounds of forage. So we are really going to be talking about AUM's. So, an AUM in Arizona is the same in Oregon or Washington or wherever. It is 900 pounds of feed.

Now if you want to think about it, on the private lands, an AUM is about a penny a pound. For the people we are talking about here, it is about two-thirds of a cent a pound, to give you some idea of the kind of range of benefit we are looking at here. The difference, of course, the fair market value now and the fees as a subsidy amounts to about only 2 percent of the livestock industry holding Federal grazing privileges.

In other words, producers that have that special fee represent only 2 percent of the beef industry in this country. And the others have to pay a lot more for these so-called AUM's, or forage.

The subsidy itself will total \$71 million—that is the Federal subsidy—this year, or \$2,627 for each permittee. The top 12 percent of the permittees—those with herds bigger than 500 head—will capture 48 percent of that subsidy, or about \$10,256 per producer.

I could show you who these permittees are. For instance, we have here one from the Union Oil Co. of California. So a large number of these AUM's go to the kinds of people and the kinds of corporations who don't need the subsidy. There is absolutely no way we could justify this kind of Federal subsidy for them.

Our amendment gradually moves the fee to fair market value, netting the Federal Government \$110 million in additional receipts over fiscal years 1992 through 1996. Fifty percent of these receipts, incidentally, will be plowed back into range improvements that benefit the permittee. So although we are increasing the amount of the permit fees, 50 percent is going to go right back into improving the rangeland upon which these permits are.

In addition to that, and I will bring this out again, another \$28.8 million over and above the \$110 million in additional Federal receipts will go back to the counties of origin for schools and roads.

So what we are doing here is, yes, we are increasing the fees to bring them up nearer to fair market value, but the money is going to be used to benefit permittees and people in their communities. The net increase that will go to our Treasury is substantial, some \$40 million that will help reduce the Federal deficit.

The permittees can afford to pay more for their privilege because grazing fees amount to only \$6.25 per cow. What does that mean? That means of all the cash expenses permittees have in raising a cow, only \$6.25 is for Federal forage, on the average. It is done usually at a time when the calf is just born and while the calf is building its structure. So this is less than 3 percent of the total cash cost on a per cow basis.

I want to make it clear that what we are doing here is not a substantial or very substantial part of the cow production costs.

The U.S. Forest Service and Bureau of Land Management administer public rangeland grazing. The agencies agree—this is very, very important—the agencies agree that under my amendment, the so-called Regula amendment in the House, no reduction in grazing will occur. In other words, we are not going to reduce the amount, because of the increase of the fee, of the number of cows that will be grazing on the land.

Mr. President, the debate on this amendment will be long, and I believe, arduous. It will end sometime tonight. I think the last time the Senate debated the grazing fee issue was in 1978, when it passed the Public Rangelands Improvement Act, [PRIA].

PRIA established the current formula on a 7-year trial basis. Congress instructed the Departments of the Interior [DOI] and Agriculture [USDA] to

study the formula and to report their findings to Congress by the end of the 1985 grazing season.

Before the Departments could issue the report the cattle industry convinced President Reagan to issue an Executive order in February 1986 extending use of the PRIA formula indefinitely. The report was dated February 1986, but was released 1 month later—after the Executive order. In other words, a study went on and recommendations were made to change this formula, to make it more equitable for all beef producers and taxpayers. But political pressure was applied and that study was set aside. An Executive order was issued to replace it and continue a formula I do not think anybody can defend now. And I do not know anyone that is involved in this issue that can defend the current formula, or does not know that there has to be changes.

The PRIA formula is seriously flawed. It produces grazing fees much lower than the true market value of the Federal forage. In fact, fee revenues do not even cover the costs of administering the grazing program.

Now why should we be allowing this to happen? I cannot answer. The House of Representatives recognized this. Last year, the House attached a grazing fee increase to the Interior appropriations bill, but the Senate deleted it in conference. It was dropped.

But in the conference committee the conferees said "You are right, we have to do something. This cannot go on." So the conference committee ordered as much as you can in an appropriations bill. Anyway, the appropriate authorizing committees hold hearings and provide a resolution to the issue."

Well, the Senate energy committee did not see fit to hold any hearings.

The House passed two grazing fee reform amendments earlier this summer. The first—known as the Synar amendment—is a part of the House version of the Interior appropriations measure we are considering right now. It passed by a 232-to-192 vote.

The second—known as the Regula amendment—was attached to the Bureau of Land Management reauthorization bill by an even larger margin of—this is my amendment right here—254 to 165.

Now it is time for the Senate to act.

The amendment Senator METZENBAUM and I are offering is similar to the Regula amendment. The fee for the 1991 grazing season, which runs from March through next February, is \$1.97 per animal unit month or AUM, as I mentioned.

An AUM is the amount of forage—about 900 pounds—that one adult cow with calf or five adult sheep require for 1 month. So a livestock operator who turns out a 500-head herd for 4 months would be billed for 2,000 AUM's [500×4=2,000] or \$3,940.

Let me go to my chart here first and show what this demonstrates. This is a comparison of my amendment. My amendment, which is in the white, is the "good guy amendment" right here. And this is what the House did, the Synar amendment.

This is the first year fee level, the second, third, fourth, and fifth year—fee levels, under each amendment.

We start off with a fee, \$2.63 next year, compared to the House bill, which has \$4.35 in it. In 1993, our amendment goes to \$3.50 per AUM. The Synar amendment goes to \$5.80. In the third year, 1994, our fee level is \$4.67, Synar: \$7.25. Then we go to \$5.09 and Synar goes to \$8.70. In 1996, the Synar fee stays at \$8.70; we go to \$5.13.

This makes some presumptions, of course, because the formulas have what is called a forage value index [FVI]. We have presumed a 1-point annual increase in the FVI. But the relative difference will be the same because the two amendments would move the same way.

I wish my colleagues would keep this in mind. In the final analysis, what you will be voting for if you vote for my amendment is you think that the House version of the bill has too extreme a fee increase. I think the Jeffords-Metzenbaum amendment is much more reasonable, and is one the Senate can support.

So you can go away feeling good. You will have helped ranchers out in the West by reducing what the House bill would impose and put them in a position to feel good about themselves and recognize that they will pay a fair share and contribute to reducing the deficit. Half of what they pay, as I pointed out, will improve the range in their own areas. In addition, they will be helping their school systems out.

As my colleagues can see, as I pointed out, this amendment also is 40 percent lower, on the average, than the fee levels under the Synar amendment. I might add that we do not allow any more than a 33-percent increase in our fee level from one year to the next.

Our amendment is designed to promote equity among the livestock producers and for the American taxpayer. I hope my colleagues will see that and study it because they are going to hear a lot of information and a lot of facts here.

I am not going to use any facts I cannot verify from people who work on these issues—BLM, Forest Service, or GAO.

Incidentally, I will point out again, GAO did a study and agreed the present formula is inherently designed to yield a low fee. We will get to that in a minute. I went to BLM, to the Forest Service, and asked is my amendment going to reduce grazing? And they said, no, it is not going to promote any loss of AUM's. There will be no decrease in grazing.

Twenty-seven thousand operators hold permits to graze their livestock on nearly 300 million acres of public rangelands in 16 Western States. The U.S. Forest Service and BLM administer these lands. These operators represent just 2 percent of the Nation's cattlemen. In the 11 States where most of this grazing occurs, Federal permittees are just 16 percent of the total number of producers. Over the past 10 years this fraction of the industry has seen its Federal forage costs decline 15 percent. This is according to GAO. The grazing fee was, for instance, \$2.31 in 1981; now it is \$1.97.

During this time, the amount of money that cattlemen have received for their cattle has increased. The amount private lessees have paid has increased very substantially over this period. So the other 98 percent of the industry, not fortunate enough to have these grazing privileges, have seen their forage costs increase.

Let me demonstrate with another chart here. I think it is much easier to see this.

Over this period of time, from 1975 to 1990, the green line indicates what has happened to private lease rates. They have gone from a little under \$6 to over \$8; in fact, this year, it's \$9.66 per AUM. This red line represents what has happened to the Federal grazing fees or public rangelands. You will notice that it has gone down. It has a little peak in 1980, but it has gone down.

The GAO found that the current formula is flawed because it has two factors that reflect ability to pay. According to the GAO, if you revise the formula—eliminate double counting and index the base value, the formula would produce a fee not too far from where our amendment is.

As my colleagues can see, the grazing fee has hovered around \$2, while the private lease rates climbed slowly but surely. The average private land lease rate in the West—just announced by USDA—is \$9.66.

Keep in mind a couple of things there. CBO estimates that Federal permittees spend about 16 cents per AUM each year, on the average, for improvements. That investment should be considered, but it is nowhere near the \$7 or \$8 difference between those two Federal fees and the private grazing land lease rate.

So, we are here taking a look at this just to show how bizarre and out of whack this system is. A moment ago I mentioned a permittee would spend about \$3,940 for 2,000 AUM's for public forage. His neighbor might spend \$19,320 for the same amount of public forage. That is a different of \$15,380 between the two producers. There is no way you can justify that.

Public and private land ranchers face the same market conditions, send their cattle to the same sale yards. So it's not surprising not all of the beef pro-

ducers are opposed to what I am trying to do. I know the Independent Cattlemen's Association of Texas supports me. They point out they go to the same sale yards, and they have this tremendous disadvantage over those who come in off the public grazing land.

Public land ranchers have seen their forage costs drop 15 percent over the past 10 years because, the GAO says, "low fees are an inherent result of the current formula's design." I talked about that a minute ago.

Private land ranchers have seen their forage costs increase 17 percent over the past 10 years because they compete for forage on an open market. That is not fair. It is that simple.

Now, before one of the opponents of this amendment jumps up, let me point out that private lease rates should be higher than the Federal grazing fees. We do not deny that. Private lands tend to have better forage conditions. Lessors may provide services the Federal Government as a landlord does not. So we are going to see some differences and they are justified. We do not argue that. We do not argue that.

Let us get something else straight. One amendment will not make grazing fees equal to private land lease rates, as I was just saying. Fees will stay substantially below the private land lease rates. Even our 1996 fee of \$5.13 is only 53 percent of the average lease rate this grazing season. We are still going to have a tremendous deal here.

What concerns me is that the forage costs for private land ranchers are going up. Forage costs for public land ranchers have been going down. That is not fair.

I mentioned at the outset that our amendment is designed to promote equity for the American taxpayer as well, and I think it is important for us who are not out in those areas, who are not beef producers or represent beef producers to take a look at the impact on the taxpayer.

Public rangeland forage is a resource all Americans own.

Now, I recognize that when you get into the Far West, without the use of the public lands, many cattle ranchers could not exist. So I do not have a problem with the fact that they get a private benefit from the public lands. I do not have a problem with that. But the question is, how much of an advantage should they have?

First is the equity issue—fairness to the non-Federal permit beef producer. But second and importantly for all of us who do not live in the region or who do have beef producers is the fairness to the American taxpayer.

For instance, the Federal Land Policy and Management Act of 1976 mandates that the Federal Government receive fair market value for its public land resources. At a minimum, we ought to cover the costs of the grazing program with fee revenues. Remember,

a lot of this money does not go to the cost of the grazing program. It goes to other places. Right now, though, we are getting neither. We are not getting enough to cover the grazing program.

Let me explain why. The 1986 USDA-DOI fee evaluation study reported that in 1983, the two land management agencies spent \$2.87 per AUM on managing livestock grazing.

I will put that in the RECORD at the end. This amount does not include range improvements. It reflects management costs only.

Let me give you that figure again—\$2.87 per AUM just to administer the program. You will note that that does not get you, with all the moneys collected, anywhere near covering the costs of that program.

Even if there were no inflation over the past 8 years, that total is still 90 cents higher than the current fee.

Here is the rub. Both agencies use 50 percent of their receipts for on-the-ground range improvements, which is fine. The Forest Service, by statute, returns 25 percent of its receipts to the States for distribution to the county of origin for schools and roads. Keep that in mind. What will happen is that some fee receipts accrue to the Treasury but most of the receipts go back to help those people in those areas that are paying the fee.

BLM, on the average, returns 17 to 18 percent of its receipts for distribution by the States to the county of origin. That is fine.

So the Treasury retains 25 percent of Forest Service receipts, or 49 cents per AUM at the current fee level, and about 32 percent of the BLM receipts, or 63 cents per AUM. Remember that 8 years ago it cost the agencies \$2.87 to administer each AUM of livestock grazing.

This fiscal year, Forest Service and BLM expenditures on livestock grazing will exceed grazing fee revenues by \$65 million.

The Congressional Budget Office, [CBO] estimates our fee formula will increase net Federal receipts by \$110 million over the fiscal years applicable here. By "net," I mean after the States receive their shares. And that is good for the American taxpayer.

Before I demonstrate how the current fee is below fair market value, I want to address the most serious issue of the debate: how our amendment affects small family permittees. As I mentioned earlier, that question disturbed me greatly, and I got the people in BLM and the people in the Forest Service to come in and meet with me and go over this amendment and address that question. The last thing I want to do is create a situation which is going to create serious hardship for large numbers of beef producers, or small numbers of beef producers for that matter.

Opponents of this amendment will, as they have in the past, characterize this

whole approach as "No Moo in '92." They will claim the ulterior motive is to price cattle off the public rangeland. There are people, quite candidly, who would like to see that done.

I do not go along with that. I do not believe that. Knowing the history of the West and how it was developed and all, we should not deny access to those lands to the ranchers who over the years have depended upon them because there are no private lands readily available.

Well, back to whether or not our amendment is going to create a loss of a substantial number of beef producers: There is absolutely no evidence that will occur. I might add, I find such characterization, in view of my own deep interests in farmers, personally offensive. No one has worked harder to protect the small family farmer and rancher than I have. I served many years on the House Agriculture Committee, worked on farm credit, and all of these issues to ensure that we enhance the ability of farmers in the United States to be able to stay in business.

Indeed, if there are "No moo in '92" forces out there, they should be lobbying against this amendment. They should be saying, "Hey, this is not going to do the job."

The evidence is you are not going to knock anybody off grazing. I am sorry, that is the truth. The Forest Service and BLM, no friends of any "cattle-free" movement, agree that this amendment will not reduce the amount of AUM's used—the amount of grazing that occurs.

Anyone who argues this amendment will lead to the demise of family ranchers is just plain wrong. There is an old saying, "Everyone is entitled to his own opinion but not his own facts."

Anyone who argues that this amendment will shut down the livestock industry is appealing to emotion because he does not have the facts, and I hope the debate today can stay on the facts and merits of this amendment. Let's not get off on an emotional argument.

I will tell you why this amendment will not have the cataclysmic effects some claim it will have. I will get into some facts and figures and certainly if anyone wants to argue about them, that is his or her option to do so, and I look forward to that.

The average Federal permittee relies on public rangeland forage for 23 percent of his herd's total feed requirements. The grazing fee, which amounts to about \$6.25 per cow—that is about four AUM's, a little less than that—represents a little less than 3 percent of the permittee's total cash cost.

If you are in business, and an input that amounts to less than 3 percent of your total cash cost goes up—in our amendment by 33 percent—you may not be happy about it but generally you can afford it.

All the evidence we have—there is plenty there, and this is another thing I checked on with the Forest Service and BLM people when they were before me, whether a higher fee will drive down grazing, not just in the first year but in the out years, too. They said no. If you are purchasing an input at a price below fair market to begin with, you can afford that kind of increase.

In 1982 and 1983, the Forest Service and BLM undertook a massive market value appraisal of public rangelands. The purpose of the appraisal was to determine the price livestock operators would pay for grazing use of public rangelands if it were offered for rent or lease on an open market.

Thirty professional appraisers took 17 months to complete the fieldwork, interviewing over 100,000 individuals—permittees, nonpermittees, farm management specialists, local bankers and loan officers, and others knowledgeable about livestock production in the West.

The Forest Service and BLM appraisers determined that the 1983 westwide market value of grazing on public rangelands—that is all the Western States—was \$5.99 per AUM. This is back in 1983, I remind you. The westwide average market value of grazing on public rangeland was \$5.99 per AUM.

(Mr. ROCKEFELLER assumed the chair.)

The appraisal factored in the differences in terms and conditions that presumably make public rangelands less desirable than other forage alternatives.

The Federal grazing fee at the time was \$1.39 per AUM, or just 23 percent of the fair market value. Even today, without indexing the \$5.99 to 1991, the current fee is \$4.02 below the fair market value on a per-AUM basis.

The difference, of course, represents a subsidy for the 2 percent of the industry that grazes its livestock on public rangeland.

One of the things that the appraisers discovered is that Federal permittees were subleasing their grazing privileges. This is a very important thing to note. What is a better way to determine the value of the lease? The best way to determine fair market value is to go out and sublease the privilege. What can you get for it?

In August 1986, two Colorado State University faculty members published a study analyzing the 1983 appraisal data of 1,000 sublease arrangements across the West. The authors revealed that Federal permittees who were paying a Federal fee of \$1.39 at the time, were subleasing their privileges to other operators for rates exceeding \$7, and pocketing the difference.

Now you will hear that Congress has taken steps to prohibit subleasing. But that misses the point. Subleasing points to the fact that there is a huge difference between the fair market

value and the fee level permittees are paying.

In 1981 the Forest Service and BLM contracted for an inventory and analysis of grazing fees charged by other Federal agencies such as the Fish and Wildlife Service, the Bureau of Reclamation, the Department of Defense, the Army Corps of Engineers, and State and local governments.

I think this is very critical, very, very important to take a look at. These are not private lands. These are public lands that are leased to beef producers. And you will remember that we are talking now about comparing what the present fee system for the Federal Government under BLM and Forest Service is.

Let us take a look at this chart that tells how much the State and local governments and other Federal agencies charge to allow them to be used for grazing. Again, these are State, local, and other Federal agency grazing fees. This is the total number of the States. Take a look at each State. I will give you a moment to do that as I talk.

For instance, in California, the Federal agencies and the State and local governments get \$9.21 per AUM. You go to other areas, some areas where it would be much less, New Mexico, for instance, is \$4.41; up to North Dakota, \$6.63; \$7.76 for South Dakota. All much, much higher than what the BLM and Forest Service leases even today are bringing into the Treasury. How can you possibly defend what is being charged now?

The study revealed, as I said, that the average is \$6.44. The BLM and the Forest Service—at the time when the average of these other leases here was \$6.44—charged \$1.86; or less than one-third of what these other public bodies were getting for their leases.

There is no evidence there is any difference in the kind of services provided, at least on the Federal land.

The appraisers who prepared the 1983 study noted that 600 competitive leases involving 9 million acres of Federal lands brought an average price of \$6.53 per AUM.

In each instance, the landowner, whether the Fish and Wildlife Service, the Army Corps of Engineers, or the Bureau of Reclamation, did not provide caretaker services for the livestock. Remember that, because that is one of the big arguments for those who say the fee should be so much lower for Forest Service and BLM lands because they do not provide services.

Here you clearly see the Government—whether other Federal agency, State, or local—does not provide services and yet receives \$6.53 per AUM.

Mr. President, I would like to take the next few minutes describing the current fee, why it is flawed, and how our amendment would fix it.

As mentioned earlier, Congress established the current fee formula when it

passed PRIA 13 years ago. The formula consists of a base value—\$1.23 per AUM. I would point out that the base value has never been updated by inflation. That base was derived from 1966 and is supposed to represent a fee level that would equalize total fee and nonfee costs for public and private land ranchers.

The theory was that if total costs were equal, the public lands ranchers would not be advantaged or disadvantaged relative to the private land competitor.

At any rate, under PRIA, the base value, \$1.23 per AUM, is modified by annual changes in three indices. The first index, forage value index, tracks changes in the average lease costs of private lands in the West. In other words, what percentage did they go up over last year?

The second index is the beef cattle price index, which tracks the fluctuations in prices livestock operators receive for their cattle. That is, of course, again, a percentage. If it goes up, obviously, then the fee should go up.

The third index is the prices paid index, which tracks changes in the prices that permittees pay for certain of their inputs. This is the one so troublesome.

The PPI reminds me just of other farm indices—all the figures we used to use for our farm products. They got so far out of skew that we threw them away for dairy and feed grain years ago. But PPI remains. GAO reported that PPI overstates what the actual production costs are. It really skews the formula.

In fact, I know we will be talking later about the industry itself, and certainly one of the great leaders of it, Dr. Frederick Obermiller, of Oregon State University, who has advised the industry on formula changes. He has admitted that the present formula is no longer accurate. He goes to an updated index with just the one index, forage value. We still have problems with that one. But at least it is a change in the right direction.

In June GAO issued its report stating that "low fees are an inherent result of the existing formula's design." That is GAO's interpretation.

The formula, according to GAO, double counts ranchers' ability to pay by including both the forage value index and the prices paid index. That is what I was talking about.

The latter is so skewed and wrong that it really has, for instance, given us a ridiculous result where you would think that the price of beef has been going down or all of the people in the industry would have gone broke years ago.

The PPI overstates livestock operation costs by excluding certain inputs and heavily weighting others, such as fuels, that are sensitive to inflation.

I already mentioned that the grazing fee is 15 percent lower now than it was in 1981. That is basically because of two factors. One, not indexing the rate. Two, more importantly, the costs that the producers are paying out are greatly overstated. As a result, although grazing lease rates generally have gone up in the private sector—by 17 percent—under this formula, for the producers who are Federal permittees, the fee has gone down by 15 percent.

The 1986 fee study and the GAO report both observe that the PRIA formula adds and subtracts the indices, rather than incorporating them into a ratio format. In other words, it is flawed from a mathematical perspective. By adding and subtracting the indices, it is possible for the formula to generate a negative value.

In other words, the Federal Government would have to pay ranchers to graze their livestock on public range lands. Obviously, that would be bad. Instead of "no moo in '92," we might have "no fee in '93." That is how bad the formula is.

Our amendment streamlines and updates the formula by replacing the current base value of \$1.23—which was arrived at 25 years ago—with new base value of \$4.89. The 1986 report indicated the fair market value of forage ought to be around \$4.89.

Then we index the new base with the forage value index, which is the change in the cost of private grazing land lease rates. Obviously, that is a good index for what we ought to be charging on public lands. If cattle prices go up, the value of the leases will go up. If cattle prices go down, the value of the leases will go down. FVI gives you an accurate picture of what is occurring in the free market system.

The new base value reflects the 1983 appraised value for public rangeland forage, as I stated. I mentioned a moment ago that the study revealed an average price of \$5.99 per AUM. What the appraisers did was break the west into 6 pricing areas, because forage conditions vary from area to area, as we can see on this chart.

We have taken the fair market value for the least expensive pricing area, area 5, which contains States like New Mexico, Arizona, most of Nevada, and southeastern California. The 1983 appraisal estimated the fair market value for pricing area 5, which includes those States, at \$4.68 per AUM in 1983. We have taken that value and indexed it to 1991 for the new base of \$4.89. That is how we got our figure.

Because we update the base value, we need to update the forage value index, too. To establish an updated base for the forage value index, we used the average price for 1989-91, set to be equal to 100. We start off with our base value, and with a new index.

We calculate annual changes in the forage value index on a rolling 3-year

average value. The use of a multiyear base reduces the risk of relying on a single atypical year. A rolling average reduces volatility.

The forage value index is sufficient proxy for market conditions. When prices are high, ranchers expand their herds and bid up the price of the forage; when low, the forage drops.

As I mentioned, our formula is similar to the Regula formula, which passed overwhelmingly in the House. It is also similar to the one that existed prior to 1978, in concept. By the way, a joint USDA-Department of Interior 1977 study endorsed the concept of this formula that we are presenting to you today.

Mr. President, I have one more chart, which depicts where we are on the grazing fee issue. This is a pretty lively one, and has a lot of material in it. Let me explain it, to show you all of the ways of looking at this issue. No matter how you get there, this current fee is nearly off the chart it's so low. In fact, the only thing that is close to it is the fee level under my amendment, in the first year.

This is a current fee right here, \$1.97. This is where we would start, next year, \$2.63. The next value is an interesting one. Keep this in mind. This is what the banks, the beef producers on the public lands, figure the additional value is of that permit. That is the one they will give you. You can borrow money on this. If you have a lease, you can borrow money, using the \$3 or more as a value of each AUM you have. You can use that as an asset. That includes the fee. It would be up here, if you put the fee on.

Anyway, this is our amendment on the final year; OK. This one here is an interesting one. Sometimes, because the fencing is not too good, and sometimes a cow roams around—this is a Forest Service trespass fee right now—if the Forest Service finds an "innocently interloping cow" wandering onto agency land, it charges \$6.08. If you have a permit and your cow wanders over there, you end up paying \$6.08.

Then the next one here, this is the average USFS sublease rate, from the study done by the University of Colorado 5 years ago. If you look at the average USFS sublease, these are the guys that have the permits, and then they say: Well, if we can make more money by subleasing our AUM's than we can by ranching them ourselves, we will sublease them.

That is the one I showed you, a lease from the Union Oil Co. in California, which has some of this—\$7.06. Pay \$1.97 and sublease it for \$7.06; not a bad deal. I wish I could find something like that.

BLM is even better. I do not know if that means better lands, but you can get \$7.75 for a sublease. This is years ago, not this year. Also, notice how close this is to the recent figure I gave

you as to private lands. The innocent trespass fee for the BLM—that is, your innocently interloping cow strays onto Federal lands—is \$9.19. Just as a footnote, if you do it deliberately—this is normal trespass law—it is \$27 per AUM, or treble damages.

Here we are. This is the present situation. There is nothing close to it except our amendment. So certainly, if you want evidence that we are being reasonable, of course, ours goes up to here. But still, we are well below all these other values.

How can you answer the question: Why are we charging this? It does not even pay the cost of the program. We are subsidizing something which is worth so much more than what we charge for it. Permittees can turn around and receive a 350-percent profit.

I tell you, at this time, I just cannot see how anyone can defend voting against increasing this fee. How do you go home to your taxpayers and say: Yes, they have a deal out there, but they are nice guys. We did not want to hurt them.

Not only that, when what you do—most of it—will be a transfer from the pocket of the ranchers, which will put them up into fair competition with others. The money will be used to take care of their land. Then additional funds will be used to help schools, roads, and the community. How in the world can you vote to say that we should not change this?

Mr. President, my friend from Ohio will have a good deal more to say about the merits of this amendment. I will yield to him in a moment if he is here. I know he is presently involved in two very critical nomination hearings, both very much in dispute. But I certainly expect him to be here sometime in the not too distant future. I tell you I finished earlier than I anticipated. He did not expect to be here this soon. I want to make sure everyone has available time because I know our leader on this bill, Senator BYRD, desires to finish this tonight.

I want to review again, just before I yield the floor, some of the important points I have tried to bring home to you. First, we are talking about 2 percent of the beef industry. We are not talking about a large percentage of it. We are talking about 2 percent that have near-permanent rights to this land. That is another thing I have not talked too much about. You should know how this land gets to a rancher.

If you live near Federal grazing land, you probably do not have enough land to really be in the ranching business. It is understandable you look to the Federal Government. That is appropriate and nothing wrong with it. Without it the West would not be the West we know and love. That is not the question. But when you do have one of these permits, it is in perpetuity. It is not theoretical. It is a 10-year lease.

You get very substantial rights on that. For example, if you do not want to graze 3 years, you still keep the permit. If you went to the bank, as I said earlier, they will recognize that you have this permit because tradition allows you to renew the permit, even give you a value for it, so you can capitalize that value.

These are wills, they are for life. In fact, many of Federal permittees have had them so long they really and sincerely believe that is their land, and they get upset if someone is going to raise the fees. It is so valuable they have an argument here when they do transfer it. It was transferred to them; they probably paid for that extra value in some form. So they will argue that you should not consider the fact that it is more valuable.

Second, I want to again remind you that we are proposing the formula which does not even get close to what fair market value ought to be for those grazing fees. We are only at 40 percent. I do not think that is unfair. I agree there is some basis to the argument Federal permittees provide services that the Government does not, services you get with private leases.

Again, I will point out, all the money here is not going to the Federal Government. It is going back to the areas where those leases are changed. Still, I am willing to say if we get a little more than what we are getting right now, I will be happy; it will help reduce the deficit and cover the cost of the program. In addition, it will help the grazing lands. I continue to have a problem that revenues from these leases do not cover the cost of the program.

Third, the current formula is inherently designed to produce low fees. If that is the policy you want, if you want to continue subsidizing Federal permittees at a time when we are cutting back on everything else, and you do believe they should have an advantage over the other 98 percent of the industry, then oppose this amendment. But I cannot go along with that. I do not believe that we should be allowing a fee, which is, admittedly, designed poorly, to keep the price down, to never even catch up. You have to at least correct the formula. As I mentioned before, Professor Obermiller is willing to say he recognizes you have to change the formula; it is a terrible one. It grossly misrepresents the real values here.

Fourth, the grazing fees—keep this in mind—amount to less than 3 percent of the average cash cost per cow. The Federal permittee, pays \$6.25 per cow to the Federal Government—and gets either \$400 or \$500 or \$600 for that cow. So, the increase affects a very small percentage of cash costs, 2.8 percent. You remember that I mentioned I met with the BLM and Forest Service and asked them at least two times this

question because I wanted to make sure we would not in any way be reducing the amount of grazing on Federal lands. I said: Will they have the ability to pay this increase? The answer was, yes, there is the ability to pay it even when it reaches the highest amount. If you take a look at the facts and figures, it is true. There is no evidence to support the position otherwise.

Fifth, permittees can afford to have the fee gradually inch closer to the formula. That is all we are doing, raising it gradually. If you changed it tomorrow, the evidence from BLM and the Forest Service is that it would be painful. We all have a tendency to spend every buck we get. Sure, you have to adjust and do things. As far as what they get and what they pay for raising that cow, they could afford it.

Sixth, the amendment will ensure equity to taxpayers. By raising the fee, our amendment will increase net Federal revenues from grazing fees by \$110 million over the next 5 years.

Seventh, our amendment is supported by taxpayer groups, including the National Taxpayers Union. The Council for Citizens Against Government Waste lists increasing the grazing fee to reflect the market value as one of its critical issues for the 102d Congress. I do not quite raise it to that level. Also, it was one of the items on the Grace Commission. Remember the Grace Commission? I do. I am sure many of you do. The Grace Commission recommended actions that we should take to restore equity and fairness and get rid of Government waste.

In addition, the environmental groups support the amendment because they feel this is important that all the money goes for multiple use of the lands. The Federal plan ought to be multiple use, and most of the money should go back for range improvements. They are also in favor of it because it reduces the deficit.

I know the opponents are lining up. My friends are still languishing somewhere, I am sure. These are the toughest amendments you can bring up. I hate to do it. I try not to pick on people whom I have tremendous confidence in their abilities. I understand they have to fight this. I hope that those who are not involved in this personally will take a look at these facts, recognize that if we in this Congress cannot do something as glaring as this just because it affects the States of some of our friends, how can we expect the public to have confidence in us to handle some of the tougher issues? Certainly I think that this is a test. It is a test as to whether or not you are willing, notwithstanding the fact it is a hard and emotionally difficult thing to have to face your fellow Senators, to address these tough issues. It will establish some credibility about our real willingness to tackle some of the problems we have with our Government of

not having an equitable situation or giving unfair advantages.

So I urge you to listen to all the debate, take a look at it, closely examine it, take a look at the figures I give you, nothing I cannot give you the document for. I have told you nothing which I have not had a chance to talk to the people who will be affected. If you do not want to see a single increase here, then you vote against me. But if you want to run middle road and say, hey guys, the House version is too high, Jeffords is 40 percent less—that is a pretty good deal, it should not make anybody too mad, and is certainly a lot better than the House version, then vote for my amendment. Otherwise, it is going to look like you do not want to change anything at all, you feel the current formula is fair and appropriate and should go on the way it is.

Mr. President, I yield the floor.

Mr. CONRAD. Mr. President, I rise in strong opposition to the proposed increase in grazing fees on public lands. Quite simply, this amendment will bankrupt hundreds of hard-working ranchers in my State of North Dakota, and thousands of farm families all across the Great Plains. It will deal a harsh blow to the already fragile farm economy. It will do a great deal of harm, without doing any good. This amendment may be well intentioned, but it will not accomplish its goals.

I am not overstating the case. I am not exaggerating. If we raise these grazing fees, thousands of farm families will be driven out of the ranching business, families that have worked their ranches for generations, who have been good and faithful stewards of their own land and of public land. We have heard that leasing public lands for grazing harms wildlife. If that is true, then why have big game populations increased so dramatically? Since 1960, the elk population has grown 782 percent. The antelope population has grown 112 percent.

I will tell you why. It is because the ranchers who lease public lands have built tens of thousands of watering sites, providing water in the arid West not only for livestock, but for millions of wild animals. They build these sites and maintain them at their own expense, and the public benefits.

We have heard a good deal of talk on this floor that there is a difference between the public grazing fees and what is being paid on private land. That is true. But that is comparing apples and oranges, Mr. President. On private land, fencing is provided, water is provided, roads are provided. With respect to public lands, the lessor provides the fencing, provides the water, and in many cases provides the roads. A dramatic difference.

Why should we deny these people their livelihood? Who will gain? Will the wildlife be better off? The answer to that is simply, "No." The wild ani-

mals will have less access to water. Will the consumer be better off? Again, the answer is, "No." The producers who can remain in business will pass the higher grazing fee costs on to the consumer, inevitably pushing up meat prices. Or, the deficit in U.S. meat production will be filled by imports from countries in Central and South America, where they are cutting down rain forests just to create grasslands.

Mr. President, what sense can this possibly make to have a policy that would encourage the cutting down of rain forests to create grasslands because we are not willing to use our natural grasslands to produce the meat that is necessary to feed this society?

We have heard this amendment will drive huge corporate ranchers off public lands. I do not know about that, Mr. President. I am not so sure. But I am certain that it will drive family farmers out of business in my State.

The ranchers who lease public lands in North Dakota run small family sized operations.

I cannot speak for other States. I can speak for my own. In North Dakota, we have just over 1 million acres of national grasslands managed by the Forest Service, and I now understand that the Senator has excepted those grasslands from this amendment. We appreciate that. But we know where this will go. We know that if this formula is established for other public lands, that soon it will apply to the national grasslands.

In addition we have 67,000 acres managed by BLM to which this amendment does apply. This land is leased to 630 ranchers in my State, Mr. President, who lease an average of 830 animal unit months. An animal unit month is the land necessary to sustain a cow and a calf for 1 month. Eight hundred and thirty AUM's allows the average holder of a lease in my State to run about 104 head of cattle for 8 months on public lands.

Let us repeat that, Mr. President. We have heard talk that this legislation is going to get the big corporate rancher. In my State, the average public lands lease is for 104 head of cattle. That is not a big corporate operation. That is a very small ranching operation, and they are experiencing extraordinarily difficult times. That is the reality.

I just spent the better part of a day going through the grasslands of a BLM area that would be affected by this amendment. I wish my colleagues could have been with me. I wish they could look into the faces of the people who are running animals on that land. I wish they could see their financial situation.

Mr. President, these people sent me their tax returns. They sent me their tax returns so that I could see what it is that they are making or, in some cases, not making. Mr. President, almost without exception in my State,

these ranchers are on the brink of going broke. That is the reality that we are dealing with.

One hundred and four head of cattle—that is not a corporate ranch. Most North Dakota ranchers must own or lease private land to have a large enough ranch to make a living for their families. Even the members of the McKenzie Grazing Association, the largest in North Dakota, run an average of just 140 cattle. These are family sized ranches—and not very big family ranches either.

Raising the grasslands fees to the levels suggested in this amendment will close the grasslands to these ranchers and put many of them out of business. Are we willing to bankrupt thousands of family ranchers to deny access to a handful of corporate ranchers? Is that really what we are about here?

Mr. President, I hope that any such amendment would be targeted. If you want to go after the corporate ranchers, that is fine. But goodness knows, leave these small family ranchers alone. They are having enough trouble. It simply does not make sense.

Let me provide some real-life examples, Mr. President, of what we are talking about with respect to this amendment. Melvin Leland leases 254 animal units. He has provided over \$30,000 in improvements, including an extensive watering system.

Again when we here talk of the difference between private lease rates and public lease rates. Let me remember that, on these public lands, the ranchers have made significant investments in water, in roads, in fencing, and in other improvements in order to have an operation. That is different than what private landowners provide.

The maintenance of watering facilities and fences on public lands costs Mr. Leland more than \$18,000 per year in supplies, depreciation of equipment and his own time and labor.

The Greenwood ranch in western North Dakota has invested \$54 per animal unit for water and fencing alone, not including equipment costs, labor, and the material needed for maintenance. Because the Greenwood ranch has invested so much in improving the public land, it could be leased for more than the current fee that applies on the Forest Service land, the national grasslands, of \$3.82 per animal unit month.

Certainly, now that the improvements have been made by the Greenwood family, the Forest Service could lease it for more to someone else. Would that be fair to the Greenwood family that, in good faith, made those improvements, made those investments? I think not, Mr. President, and lest anyone think Mr. Greenwood is getting rich on this lease, I would be happy to show them the Greenwood ranch cash-flow analysis which he sent me.

I would be happy to share it with any colleague.

Sufficient to say, he is netting only a fraction of the income of those who would put him out of business.

More eloquent than anything I can say are the words of the ranchers who have written to me concerning the grazing fee issue. They are proud people, and they do not like to admit they are living on the edge. But after 4 long years of drought, many are barely hanging on.

These ranchers do not live and work in isolation. The life of the small communities that supply and support agriculture is at stake as well. Allow me to quote another handwritten letter from Medora, ND, a family that runs 200 head on public lands.

Our family has lived on and operated this ranch for twenty-six years. . . . We depend on the National Grasslands to carry (us) through the summer grazing season and partly for winter use also. If the grazing fees are raised to the proposed \$8.70 per animal unit. * * *

I want to acknowledge here the formula has been changed and the \$8.70 that they were referring to was the legislative proposal that passed the House, not the one we face here today, which is more in the range of \$5. Nonetheless, I think this will give my colleagues some sense of what we are dealing with.

* * * our operation will phase out in a very short period of time. This then will reflect onto the bankers, the grocery store operator, the fuel supplier, the feed plant people, everyone on down the line that we do business with. We would have to move to town and take a job away from someone there or else go on county welfare causing higher taxes for the taxpayers. We feel we have been using these National Grasslands to help make a living for us and the local business places and we do take care of them by making range improvements. We would like to continue this type of lifestyle if we are allowed to.

This rancher attached a worksheet and his tax returns for the past few years. If the higher fee had been in effect for the 1990 grazing years, this family's net ranching income would have dropped from \$18,000 to \$10,600. Big corporate ranchers? Big bucks cattle operation? They are making \$18,000 now, on a fee of \$3.80, which is what we pay in the forest land.

If they were asked to go to the \$5, they will be slowly pushed out of business, I understand that \$5 is the level in this amendment, I also understand what will happen if this amendment passes, I know what will happen. They will be next in line for a sharp increase in fees.

If the fees had been in effect for the past 7 years, this rancher would have seen big annual losses, instead of small annual profits. In short for this rancher, raising the fees would make the difference between earning a living and losing his shirt.

It seems to me that this amendment is aimed solely at removing domestic animals from the Nation's grasslands. Those who support this amendment may not intend it, but it will also remove thousands of family ranchers from their homes and their lands. And I think that if the supporters could spend just a few weeks with one of these families, see how hard they work, and how small the reward for that work is, they would change their minds.

I believe we can continue to improve the management of our national rangelands without driving honest and hard-working ranchers out of business. I urge my colleagues to defeat this amendment.

Mr. President, let me just conclude by saying I do sincerely wish my colleagues could spend time with the ranchers of western North Dakota. They are the ones who are on the public lands, the BLM lands, that are affected by this amendment—the national grasslands would be next.

I wish they could just see the extraordinary economic struggle that these folks put up with every day of their lives. I believe if they could, this amendment would be defeated in a resounding fashion. I thank the Chair and yield the floor.

Mr. JEFFORDS. Will the Senator from North Dakota yield for a question?

Mr. CONRAD. I am pleased to yield to the Senator.

Mr. JEFFORDS. I am concerned with the issues he raised, and that is the reason we reduced ours, because there was evidence that the rate of the Synar, the one in the bill before us, would hurt farmers.

We have exempted grasslands. Looking at the census of 1983, with respect to North Dakota, it lists 18,548 producers at that time, but only 100 would be affected by this bill.

Is that accurate? This is what our evidence is, that only 100 of your farmers out of the whole State would be affected by my amendment. I appreciate knowing the answer to that.

Mr. CONRAD. I will be glad to do that. The Senator is right if the Senator accepts the notion that this would only apply to the BLM lands and would not be soon translated over into the national grasslands.

Let me just say right now, national grasslands are paying about double the AUM rate that the BLM land is paying. I think it is clear what would happen. This situation of differential rates would not last very long; one rate on one type of public lands and another rate on other public lands is not sustainable. Even if the current legislation directly affected the national grasslands, it would not be large numbers of people because we only have 630 lessors, including on the grasslands.

Let me say I do not care if only one rancher is affected. If you could spend

time with the folks I am representing, and I am speaking for, I think honestly you would come away and say: My God, we should not increase those people's rates a penny. They are on the brink now.

Mr. JEFFORDS. Will my colleague object to the rate that is being paid on the grasslands?

Mr. CONRAD. Would I object to a \$3.80 rent applying to the BLM land?

Mr. JEFFORDS. Yes.

Mr. CONRAD. I would not mind seeing an equalization for everyone. But I would roundly oppose going to \$5. And I must say before I would sign off on any increase in BLM land rents, I would want to see the specifics of who was affected. What would happen—I can tell my colleague right now—that, because my people are on Forest Service land paying \$3.80 instead of the \$1.90, there is real hardship.

I would say to my friend and colleague, I would like to see an equalization. But I think the equalization ought to occur at a level much less than \$3.80, that is what our folks are paying.

I must say, if you would come and see the people that I am talking about, the average income—average income, \$18,000. I used to be the tax commissioner and I know these ranchers are not making much, about \$18,000 per year on average.

These ranchers are in very tough financial condition. So I would say to my friend, I favor an equalization but it would be at a rate for below the \$3.80 that we are paying now.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. DOMENICI. Mr. President, I note other Senators are on the floor who want to speak. I yield myself 6 minutes at this point, if the Chair will advise me when I have used that time.

I want to say, for fellow Senators, this particular situation is not going to be resolved this evening. We believe it will be resolved tomorrow morning. Those of us who come from public domain States must have the opportunity to be heard. And we cannot do that without using up part of tomorrow morning.

Then we will propose a motion to table because we truly believe there is not a situation more suited to a motion to table than this situation.

Now let me proceed for a few moments to try to tell the Senate why.

First of all, we are talking about thousands of acres of public domain land, and because institutions like the GAO, who do not have a cattleman around, have done studies on this particular grazing of public domain. Today in an appropriations bill where there has not been one single solitary hearing about the livelihood of 31,000 Americans—31,000 ranchers with their families, so it is far more than 31,000—no hearings whatsoever in the U.S. Senate

in the Appropriations Committee. This amendment does not belong on this bill. This amendment belongs in a free-standing bill with full hearings and full debate since some want to change the grazing fee 15 or 20 percent.

Oh, let us charge the big cattlemen, rich corporate cattlemen a little more, maybe 20 cents more an acre. It may be nothing. If it happens to be the marginal rate to stay in business—and we do not know that. We do not know if going from \$1.95 to \$2.50 will be too much for the average cattleman because we have not had any hearings. So we come along and say it is time to raise the fee because of some people headed by some House Member who loves to make noise, loves to get press, loves to use the GAO. So now, we are busy on an appropriations bill putting hundreds and hundreds if not thousands of Americans out of jobs. Is it not interesting? Do you know what kind of jobs? I do not believe a single one is in a city.

And what do we worry most about jobs? What is happening to rural America? We see bills come through here allowing us to spend \$150 million and let the Agriculture Department excite people about living in rural America. Is that not magnificent? For an additional \$7.5 or \$8 million, which is the first-year collection under this amendment, we are just going to go about putting hundreds of cattlemen out of work. Then next week or next month we will run an economic development for rural America bill through the Senate and it will say let us give the Council of Governments this much, and the State that much. To do what? To build jobs right where we got rid of them because we do not know what we are doing.

Let me repeat the numbers, a little State like New Mexico, 1.5 million people, at least 9,000 cattle ranchers who use some public domain land to live on.

And are they big, fat cats as some are implying around here?

Incidentally, Mr. President and fellow Senators, if you are looking to get so-called fat cats, if any exist, you are less apt to get them by raising the fees than you are the little man, the man who is making \$18,000 or \$20,000 with 100 head of cattle. That is who you are going to get. You go after the big guy and he will add this, that, and the other and he will make it and add some more land and you will not get him.

What kind of people are we talking about in terms of these cattle ranchers who will be affected with this amendment without knowing what we are doing? We can have all the charts we want and it does not substitute for a good solid set of hearings about the economic significance of these kinds of fees to permittees on the public domain.

And yes, while we are at it, since there is so much inference about

environmentalism in this, we ought to have that in one of the hearings, too. And we ought to ask those who say—and there are some, Mr. President, who are really saying it is not the fees we want; it is the cattlemen we want. We want them off the public domain.

We ought to ask experts what the public domain, which is owned by the American people, would look like if you had no cattle grazing on it. There is nothing on it. The Federal Government would have to maintain it all. There is hardly any water on it. Most of the water is on private land. They would have to fence it all. I think one of our Senators has some information about how much it might cost just to fence what the ranchers are now fencing because they have possessory rights, and to keep their cattle in line, they pay for it.

Now, in our State—and nationally we believe that family operations are about like this—88 percent of the ranches are on public domain who make less than \$28,000. And we have no idea what that means in terms of family members, their own acreage or anything else.

So we are not talking about extremely wealthy people. We are talking about ranchers who have had two reasonably good years, thank God. That good year is based upon the price of cattle.

Let me go on with just a couple more thoughts. In the State of New Mexico, for size, 8,900 ranches in my State, about 72 percent are small, 21 percent medium, and 7 percent we would call large ranches. Small is defined as zero to 99 head; medium, 100 to 499; and large, 500 or more.

So for those who wonder, in a poor state like mine, that is where we are. There are no fat cats. There are no big ranchers making a killing on the Federal Government, but quite to the contrary.

Now, Mr. President, let me talk about where we are today. A couple of things we will show the Senate tomorrow. We will have a Congressional Budget Office analysis that will show what kind of damage you can do by passing an amendment on an appropriations bill.

And I note sitting here today is a fellow Congressman, Representative SKEEN, who tried his best in the House not to let this happen. But the Synar amendment was passed in the House, and I just alluded today to how that came into being when I talked about those who use these kinds of situations to make a lot of racket.

It turns out, an independent firm working for the Congress at large, the Congressional Budget Office, says if you wanted to make more money for the Federal Government, you just failed because you will collect less money under Synar than you will under the existing law.

Lo and behold, why do you think that is the indication? It has gone up manifold. Do you know why? Because it is their estimate of what the real action on the range will be, and they are saying cattlemen will go broke. They will leave the range and give it back to you, and fewer will be paying.

So it is not just Westerners who are saying you can change that fee and cause far more damage than you know about. The Congressional Budget Office will now have to score an amendment which will affect those who are trying to make a living in a competitive world. You better know what you are doing or you might be playing right into the hands of the few who want no cattlemen on the public range.

I hope there are few. I hope there are few in the Senate who think that the public domain should not be used by private users who manage it properly, pay for the upkeep, put the fences in and pay for the water so they can make a living in a manner that their ancestors made it. It is probably one of the remaining lifestyles that carries some significant values. And why do we want to destroy it when we do not even know what we are doing?

Now, tomorrow we will put some more evidence in the RECORD. For now I just want those who are not present to know this is a very serious issue for us. We do not think we ought to raise the fee.

Please understand, Mr. President, we have to go to conference with an appropriations bill from the House that has the Synar amendment in it. It is already higher than \$8 in the fifth year. We think we ought to go to conference with nothing from the Senate, sending a strong signal that we do not like to legislate on appropriations bills when it has to do with thousands and thousands of lives and lifestyles of American people; that we ought to wait and do it right.

I yield the floor.

Mr. BURNS addressed the Chair.

The PRESIDING OFFICER. The Senator from Montana.

Mr. BURNS. Mr. President, I think the Senator from New Mexico, who talks with a great deal of passion about this subject, had a lot to say, and I want to footnote about trying to legislate on an appropriations bill.

There was a hearing held on grazing fees over in the House of Representatives. It was never voted on. In fact, a vote was taken on the committee, both Interior and Agriculture, it would not have passed. This would not have seen the light of day had it been dealt with in this body we call Congress if it had to be voted on in committee. And that is where we do most of our work. The Chair knows—and I serve on several committees with him—that is where a majority of the problems are solved. But if we cannot get something through that process, then we cir-

cumvent that and we find the place to do it.

The subject that the Senator from North Dakota brought up, the grasslands, yes, their grazing fees are a little higher than those found on BLM. I do not have a lot of fancy graphs, but I do have about 25 years in the livestock marketing business in the West and understand what those people make as income and what it takes to produce it. There are also 40 percent more bankruptcies of those producers who rented in the grasslands in western North Dakota than there are those who run on BLM, and the fee is not that much higher.

(Mr. AKAKA assumed the chair.)

Mr. BURNS. So much for that. I do not think we could stand 40 percent more bankruptcies on those folks who depend on public lands for grazing their livestock.

Let us address a few things that come up that will be talked about today and tomorrow which will probably lay the basis of what this discussion is all about down.

It is not all about income to the Government. You want to take livestock off the range? Twenty percent of the available grazing on public lands was not used this year or last year. Why? Economically it did not work, I would imagine.

We do not have a program out there to bail the cowboy out. He has to buy a cow, hope she has a calf, and hope the calf is worth something when it comes to market the next fall, or a yearling the fall past that. There is no program to protect him.

It is like getting back to the old watermelon story. Maybe we are not very smart, but a couple fellows used to drive down in Mississippi and buy watermelons for 75 cents, haul them back to Montana and sell them for 74 cents. One looked at the other, says "we are not making any money." He said, "I know it. We have to get a bigger truck." It does not make a lot of sense. We do not make the investment unless we can realize something out of it.

The cattle business has not been all that shiny the last 2 or 3 years. We have gotten well, paid some bills.

You want to know about the grazing up there. The reason grazing fees and the value of the livestock do not react as fast is because it is put into the formula the next year.

I can tell you that we might have sold calves for a dollar last year, but I can remember in 1982 when we sold them for 45 cents a pound. That market goes up and down. When it slides off, there are a lot of people that take a pretty big chipping.

Let us take the argument that Texas cattlemen do not want to compete against the producer that runs on public lands. No. 1, Texas has no public lands; not one producer runs competition against cattlemen that runs on public lands. Texas does not have it.

It only effects 2 percent of the business. Is 98 percent going to worry about 2 percent in the field of competition? I do not think so.

And we can put it down on paper. OK, BLM says it takes so much to administer this land—\$2. And I will not dispute those figures, although I can. I can remember when I moved to Montana back in the early 1950's there were probably 35 people who worked for the BLM and there are over 600 today. I do not know what they do. I guess they stay out of each other's way. But they have a lot of country to do it in because we are 38 percent public lands in the State of Montana.

So the price is not too high when you figure on your water. And I think the Senator from Vermont brought it up very plainly. There are things we receive that we do not receive on public lands that we do when we rent private lands. There is also a difference in the country. If some of that range was so good, why was not it homesteaded and held onto in the first place? At the time that the Society of Range Management was established and we thought we had problems in our rangelands—and we did have some problems at the time of that establishment—we could not hardly run our ranges anymore because there was not any grazing out there, and there was not any wildlife either. There was no water. All the good land had been taken up. It was purchased and paid for. This was kind of left over.

But there were some abuses. There was an organization established that has probably done more to bring these ranges alive in the area of water conservation, and wise water use, and yes, carrying capacity on dry lands. And keep in mind, folks, we are talking about short grass country. We are not talking about the lush meadows of the Forest Service. I am talking about eastern Montana, in short grass country, where less than 14 inches of rain fall a year. In the last 7 years we have been in a drought.

Do you want to look at the value of forage? It is not very high when there is not any, when grass in the spring stools out that is only this tall.

So there, in your formulas, the value of that particular acre goes way down.

I am just talking from personal experience—what it takes to make it work in communities where the biggest share of the county is public lands, and you increase those fees and only 25 percent of it comes back in the form of PILT—payment in lieu of taxes—do not even compare to personal property taxes paid on one cow or one yearling or one calf in a year to the county government.

I am an old commissioner. I can tell you about that. PILT payments will not even touch it.

Of course, maybe you do not have to worry about that. Maybe it will come

back to the county. There will not be any ranchers, no kids, so we do not need the schools. I guess you can think about that. Move to town, get on the welfare rolls, and it costs us seven times more.

So we look at all of these things put together and we wonder why we get so excited about those of us who live in States where we have high acreage of public domain.

We could look at it from an ecological standpoint, from the environment, from wildlife, from soil conservation—all of it. Because when the Society of Range Management was established it was outside the Federal Government. It said we have to start putting a partnership together and we have to become land managers along with the Federal Government because, to be right honest with you, very few schools back in the early 1950's and the late 1940's even offered a degree in range management. But it was through their efforts. And now we have people who suddenly come out and tell us what it is worth. But they also tell us they want us off, not giving two generations of Americans any credit at all for improving this great resource that is renewable every year—that is if it rains. No credit. "We do not want you. We want you out of there. Get off the range."

I will guarantee you—let us talk about subleasing. It is against the law to sublease. It is against the law. They just do not do it. Those that have been caught lost their permits. It is against the law.

So with all of these points that have been made—and as this debate goes on I hope Senators and people around America will keep all of these things that we bring to mind that are basic and American: if those who are born of the soil take care of the soil, they will provide food and fiber for this Nation at a very, very low cost.

They are asking nothing, just to raise their families. They buy pickups made in Michigan. We do not manufacture one pickup in Montana. We have oil and gas, but it costs us as much there as it does in Kentucky or anyplace else.

Of all the services that are required in animal health, none of it is produced in the State of Montana. It is bought from some other State. So it impacts their economy. But mainly we will get up here and make great speeches with family, keeping families together, keep people working.

Yet, everything we do undermines that very value. So as this debate goes on, I will speak on a cooperative event that is happening in Montana in providing winter range for elk, and how those grasslands are managed, with grazing included in the whole formula.

That makes a lot of sense. For what happens in some of our scenic areas in the State of Montana, for instance, if a

ranch cannot be viable as a ranch and raise livestock—and part of this public land is necessary to keep it economically viable—the rancher has no other alternative than to what? Develop his ranch and sell 20-acre plots to the folks who want to come in and play cowboy 30 days out of the year.

Once these ranches are broken up into 20-acre plots, folks, habitat for wildlife and our water quality goes down and, yes, this animal called man impacts every other animal in the area, and the whole ecosystem.

You will hear people that can put it in a lot better words and make it probably a little more understandable, but we are talking about the basic industry of the State of Montana—agriculture. It impacts that, and especially the people. If it was so lucrative—if it is a bird's nest on the ground, we would have people standing in line ready to invest in a ranch, and you have to have a ranch in the area before you can lease at BLM.

That is not the case. That is just not the case, because the margin of profit is just not there. That is why they call us "not very smart." We will work for nothing.

If a guy inherited a million dollars and they said: "What are you going to do with it?" He would say: "Stay on the ranch until it is all gone." And he will. But he will have something he will feel very dear about: this land of not only public domain, not only America's, but also their own.

This is an opening argument, so to speak, but I think we ought to lay it out in terms everybody can understand. We are talking about people that have raised this question, who live 2,100 to 4,000 miles away from any public lands whatsoever, and especially in an arid, harsh land, which can be harsh; we are talking about a way of life. This definitely would impact it.

I will go into a little more later on, as the debate carries on, about how this partnership between the Society of Range Management, who understood the problem, works diligently to correct those problems, to increase the carrying capacity, not only for just cattle or sheep, but any split-hoofed animal, such as elk, deer, and a multitude of other wildlife that we enjoy.

You have to remember that all wildlife that enjoy public lands in the summertime spend winter on private lands. They would starve to death. That is all part of it, too. So usually these questions are raised by people who just absolutely do not understand what grass is, how important a part it plays to the lives of those of us who live in the West, and also to the ecosystem of this great country, of which all of us like to be called environmentalists.

Mr. President, we will have our drafts done later on, and until that time, I yield the floor.

Mr. DECONCINI addressed the Chair.

The PRESIDING OFFICER. The Senator from Arizona is recognized.

Mr. DECONCINI. I ask unanimous consent that Floyd Deloney, a legislative aide from my office, be granted floor privileges during the pendency of H.R. 2686, the fiscal year 1992 Interior appropriations bill, including at the time of votes.

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

Mr. DECONCINI. Mr. President, I rise in strong opposition to the amendment of the Senator from Vermont. I have the greatest respect for the Senator, and we find ourselves often on the same side of certain issues.

This amendment, Mr. President, of my friend from Vermont, is devastating to the cattle industry in the State of Arizona, not to mention other Western States. It would raise the grazing fee over 200 percent by 1995. Imagine any business man or woman having to sustain an increase of 200 percent in part of their costs to produce. I do not know any business that could maintain that and stay in business. Indeed, that is exactly what would happen if this amendment is adopted and enacted into law.

This would literally wipe out rural Arizona, and I will explain that shortly to demonstrate why it is so devastating.

Most of the 3,700 Arizona ranchers who graze livestock on public lands operate small, family owned ranches. They depend on Federal grazing lands for their livelihood. These are not large corporations or meat-packing concerns that have a vast amount of acreage under lease in Arizona, because it does not work that way under our laws, or in practicality, in my State.

Under the amendment offered by the Senator from Ohio and the Senator from Vermont, if it is adopted, these operations will be forced to shut down due to the artificial increase in the operating costs.

They make a living, these ranchers, but they do not make a killing. Rarely is the price of beef of such a nature that these people are considered wealthy landowners or land tenants. To illustrate my point, I would like to point to a map of the State. We have asked for an easel, Mr. President. Maybe that will be coming.

To demonstrate the ownership of the State of Arizona—many Western States are similar to this—you see the various colors here indicating Indian reservations, which is the yellow land. You see how many we have in Arizona—20 altogether. You see the green lands for different parts, and other areas of State land indicated in the checkerboard here. The white is the only part of the State of Arizona that is owned by individuals, that is a tax base that is economically viable for use other than that part of the Federal lands are available for leasing.

This land is imperative to the well economic being of my State, the use of all these Federal lands—not the yellow land, the dark yellow Indian lands; some are used, but very little. But the rest of this, without it, we cannot survive, literally. The bottom line is that the constituents of these two Senators do not have this problem, as we do.

Let me just point out to you just one chart that we had drawn up. This is the State of Vermont, which gives you some kind of indication of what the land situation is in that State. There, they have 89.6 percent of their land which is privately owned, which means their farmers, their cattle growers, their dairy farmers own the land, and they are assessed taxes on it. But there is no fee to the Federal Government, other than what the local taxes and income tax on their profit is, if they have any.

In contrast, that State has all of 6 percent of Federal lands, and 4.4 percent of State lands. In Arizona, I point out that it is quite a different story. You will see the Federal lands, not counting Indian lands, which are in trust with the Federal Government as the trustee, amount to 44.5 percent of the State of Arizona—almost half of my State is Federal lands.

The Indian lands, which, as indicated, are held in trust for the native Americans by the Federal Government, amount to 25.4 percent.

That means almost 70 percent, or a little over 70 percent of the land in Arizona is controlled by the Federal Government. The State of Arizona has 13.1 percent of the land that they operate, and that land is set aside by our Constitution for school purposes, meaning that when it is sold or traded the profits must go to the education system, not for anything else, leaving a tax base and a fee simple transfer base of 17 percent for the State of Arizona.

I think a lot of people do not understand that, at least as I travel around the country. Even Members of this body, as I talked to them over the years that I have been here, have no understanding how the West came about being developed like this. Arizona is not an exception. You take Nevada and Utah—California, I believe, is 30-some percent federally owned. You wonder why a State like Vermont has only 4 percent Federal lands and a State like Arizona has, counting Indian lands, over 70 percent. It has to do with how we came into being as a State.

In 1912, when Arizona was granted statehood, 1 day after the State of New Mexico was granted statehood, there were less than 100,000 people in Arizona. Quite frankly, this body that voted to let Arizona in had no idea what to do with all the land out there. There was nobody there. So maybe at that time it was logical. Of course, I do not think so because I have to live with it on a day-to-day basis. But given the

fact that in 1912, a long time ago, it was logical, nobody is out there, so let us set aside this land for public domain for the use of everybody and to permit at that time those that were in Arizona to also use that land and, yes, pay a nominal fee. I do not know how many of you have been to Arizona. I think, of course, it is the most beautiful State in the Union. But much of my State is barren land. That is one of the beauties. We have all those wide open spaces and always have them primarily because we have land that cannot be developed. You do not see condominiums, hotels; the only thing you see on this land is what nature provides and some cattle, and that is why this is such a devastating amendment if it should be adopted.

The Jeffords-Metzenbaum amendment would have the effect of driving ranchers off Federal lands, and Arizona ranchers would literally be out of business. I think if anybody takes a moment, what are we talking about here is very little economic gain to the Federal Government and devastation for the free enterprise system. We in Arizona and in other Western States have to have a benevolent Federal Government, and not always is it benevolent. If it is not receptive to our needs, we might as well only have a State 17 percent of the size of Arizona. What Senator here would want to give up some 80 percent of their State? Nobody. So we have to deal with the here and now, and the here and now is that the Federal Government controls our destiny every day; it controls what we do in Arizona because of the makeup of the land that was granted to the States, to the Indians, and to the Federal Government, and that small amount that has been granted in 1912.

So I ask my colleagues to put themselves in our shoes. How would they feel if someone came along and proposed taking away some 80 percent of their State, just taking it away, just the use of it, not taking away fee title?

Those who support the amendment argue that because only 2 percent of the cattle in this country are grazed on public lands, we should raise the fees on these ranchers higher than economics truly warrant. That logic is similar to saying that because only 2 percent of the milk produced in this country comes from the State of the author of this amendment, we should eliminate dairy price supports. Nobody has offered that, but maybe somebody else will someday, particularly if we continue to do this kind of devastation to one part of our country. It does not make sense, I do not think, to do away with dairy supports for that reason. There may be other cost-savings reasons, but certainly not because 2 percent of the milk produced in this country comes from the State of Vermont.

For the information of my colleagues, 63 percent of the cattle pro-

duced in Arizona are grazed, at least part of the year, on public lands. So our cattle industry cannot survive. Livestock alone contributes almost three-quarters of a billion dollars annually to Arizona's economy. Again, if this amendment should become law, we are out of business. We lose three-quarters of a billion dollars.

There are other compelling reasons to block the amendment offered by my friend from Vermont. Practically speaking, the pattern of State lands interspersed with Federal lands in Arizona makes it difficult to separate the two ownerships from practical ranching.

Let me put this up. This may be a little difficult to see. The camera can focus in for anybody watching it. With the small checkerboard being the State land, the wide solid being the private land, of course, the cities of Phoenix and Tucson marked in black, you see you have to have cooperation with those who own the land next to you. Who owned the lands next to these ranchers? The State of Arizona does to a small extent, all of 13 percent, but Uncle Sam to the extent of 44.5 percent. So, how can you possibly have any economic benefit if you cannot deal and have some kind of relationship with the Federal Government?

The current grazing fee formula was established by bipartisan approval under the Carter administration and later extended under President Reagan by Executive order. This was not something that was cooked up in the back room with some kind of economic benefits going under the table or any such thing. It was in the public interest that these fees were set. It is my understanding that the Bush administration also supports the current formulation on these grazing fees. The current system of determining grazing fees is based on market conditions, and fluctuates, up and down, based on the changes in market variables. What can be fairer for the taxpayer who does own this land? All of us own this land. Our producers only have the right to use the surface, to put a few cows on that land, and the basis of our putting a few cows on that is on a formula based on market variables. Over the past years, Federal grazing fees have risen from \$1.35 per annual unit, known as AUM, to \$1.81 per AUM and have been as high as \$2.31 per AUM. So it goes up as the price of cattle and the economics go up, and, of course, the price comes down. As it goes up the taxpayer receives a little more benefit, but it does not put anybody out of business.

This amendment would artificially increase grazing fees nearly 200 percent and, as I said, who could sustain that in business today? Nobody could sustain a 200-percent increase. It is tough enough just when the market goes up and there is a justification to raise it 3, 4, 5 percent.

The amendment offered by my colleague from Vermont raises suspicions in my mind as to the reason it would be offered. I believe that the motivation is not to raise revenues but instead it is an effort to eliminate livestock from grazing on Western lands. I do not know and I cannot prove that, but I have a feeling there is more here than just raising a few dollars for the Federal Treasury because we are talking about not even a drop in the bucket or ocean by what would be raised by raising this amount of fees. I say this because the fiscal arguments used by the proponent of the amendment are simply not supported by the facts. A major argument for the amendment being offered by the Senators from Vermont and Ohio is that the current grazing fee is an unfair subsidy for public land ranchers. As evidence of this, the proponents of the amendment attempt to demonstrate that there is a disparity between the fees paid by ranchers who graze their herds on private range and those who graze on public lands. This rationalization is intellectually incorrect and bankrupt.

As many of my distinguished colleagues know, ranchers leasing on public lands are required to pay for and build improvements. They have to invest their money to build ponds, to do fencing, to build the trails. If they overgraze, they are subject to losing their lease. This does not come without somebody writing a check. The Federal Government does not pay for it. The rancher pays for it. On private lease land, these improvements are provided by the lessor, by the owner of the land, usually, and so that is not absorbed in the costs of the lessee.

Ranchers of public lands must also contend with higher cattle death rates due to predators as well as higher transportation costs. Combine these additional costs with the fact that on private land ranchers can graze virtually an unlimited number of cattle. If you have a lease with somebody, generally it does not restrict how many cattle you can put on it. Here it does. For every acre that is under lease from the Federal Government, there is a restriction on how many head of cattle or animals you can have on it.

On Federal land, the Government strictly limits the numbers. As a result the cost of grazing on Federal lands is comparable to the cost of grazing on private land. Mr. President, Federal grazing permit holders are not being unfairly subsidized.

The proponents of the amendment also argue that the costs of administering the grazing program are greater than the fees it generates. Again, blanket statements such as this are made without checking the facts. The BLM estimates that its cost to administer is \$1.66 per AUM. Thus the Government is making a profit of 31 cents per AUM. Proponents of the bill also contend

that livestock grazing is adversely impacting wildlife habitat.

Nothing could be further from the truth. I live it. I walk it. I see it. I do not just fly over it on American Airlines or on USAir when I am flying into Phoenix. I know Arizona. I was born there, walked part of it and driven over most of it.

While there is no question some public lands were overgrazed in the past, rangeland experts from a number of universities and Federal land agencies agree that the public rangelands are in better condition today than any time this century. And it is partly due to enforcement of the leases that are made. These are not giveaways. These are contractual leases that are entered into with the rancher and the Bureau of Land Management representing the Federal Government.

As evidence of this, one need only look at the soaring number of big game animals on public rangelands. Mr. President, according to the BLM, big game populations since 1960 have increased dramatically; 782 percent in fact for elk alone. One can give a great deal of credit to the ranches for this.

More than just cattle drink from those water ponds that are constructed by the ranchers for their cattle. There is no restriction. There is not a sign up there saying only Mr. Rancher's animals can come and drink here. No. Any animal can come and drink. So they are increasing. So we are actually giving something, in addition to the Federal Government, to us, to the people that own all of this blue land and own most of my State of Arizona.

As many of my colleagues know, in recent actions, the House has included language similar to the Jeffords-Metzenbaum amendment in the BLM reauthorization bill. This bill is the appropriate vehicle to consider this amendment. This issue deserves a full hearing before the appropriate authorizing committee in the Senate. I would suggest that it would be responsible public policy to consider the objectives of the Jeffords-Metzenbaum amendment during the debate on the BLM reauthorization.

Mr. President, I ask my colleagues to look at the equity of what one State or a group of States does to another. We all have interests to protect, I understand that. We all have interests that go beyond our own States and sometimes do spill over into other States, and we have seen that about waste management control and shipping solid waste from one State to another. This is not an issue of shipping solid waste from one State to another. This is an economic viability, this is the heart of rural Arizona and the West.

So I plead with my colleagues—when the appropriate time comes, I will make a motion to move to table, or somebody will, I believe—to vote to table this amendment that my friend

from Vermont took to the authorization committee. If he really believes that a public interest needs to be served here, that there should be hearings, that we should go back if he wants to as we did when President Carter's administration attempted to increase, and also as we did, and as President Reagan's administration discussed this, and we went through a public process and came up with a new formula.

I hope this is the way we would go rather than doing it on an appropriation bill, which is clearly legislating on appropriations.

Mr. CRAIG. Mr. President, I rise today to discuss with you and with our colleagues here in the Senate an amendment that has been offered by my colleague from Vermont as it relates to public land grazing fees in this Nation and to also join with my colleague from Arizona, who has just made some extremely valuable points as it relates to the economies of public land States like Arizona, Idaho, and Wyoming, the type of an economy and an inter-relationship that probably my colleague from Vermont does not begin to understand.

I say that not in a reflection of his studies and his efforts, but largely because he was not raised in a Western State and understands the uniqueness of the kinds of interrelationships between the local and State economies and the public land resources that make up those States and the decisions made in public policy historically in this country to reflect how this country would want its public resources to be managed and utilized to accommodate the economies of those States, but also to get a return for the American people from those resources, a return that the American people thought reasonable. That happened in our very early days. It has changed and moved over the years to accommodate public desire, but also to balance that with wise and judicious use of those resources.

I wish I could feel that my colleague from Vermont has presented the amendment in that context, in the good faith of demonstrating that there was a time for, a need for public policy change, because something was crying out that that need was necessary. But in all honesty, I do not believe that. I am disappointed that, at this point in time, there may be an effort at hand to create a schism between two segments of American agriculture that will not serve either of those two industries well—the public land grazing industry of American agriculture and the dairy industry.

For years I have worked, as others have worked, to make sure that, when competing forces within these industries got sidetracked, we tried to bring them back together and that in doing that it was important that American

agriculture stood together, was supportive of each other. And where it had its differences never did we try to surface those differences on this floor or in any major public forum. I wish that were the case today. I do not necessarily believe it is.

But aside from that, let me go on to debate the issues tied within this amendment. As they say, you have to be born in the West to understand the West. Not necessarily. You can read history. You can see what was intended by public policy historically. You see that those who stood on this floor before us recognized the importance of that balance of public resource that I talk about. It was reflective of those national interests and those local Western public land State interests.

It is not by chance that my grandfather grazed on public lands and was extremely desirous of the development of the Taylor Grazing Act, so that we could bring balance and management to our public lands. And I grew up listening to my father talk about grazing on public lands and its use and its balance.

I no longer do that. Neither I, nor does my immediate family, own or lease any public lands, so there is no personal interest in this today. But oftentimes we learn a good deal at the breakfast table of our family home, listening to our parents, or our grandparents.

I suspect one of the things I grew to appreciate was the unique balance that has occurred on our public lands in the West for well over 100 years, a balance that today my colleague from Arizona was very effective in recognizing. He was effective in recognizing the phenomenal increase in wildlife, in recognizing the wise management that improved natural habitat. And when you have better elk or deer numbers that says, when you have those numbers, there is more forage out there and a capability for those animals to sustain that livelihood. And wise management brought that about.

If we were to listen to the reports of some who have a different reason that the wise and judicial balanced management of our lands—I am speaking to a reason of single use—then you would believe our rangelands in the West are worse off today than they have ever been; that the management of the BLM, and the Forest Service under their plans and procedures, were not producing the kind of results we would need.

If that were the case, those public figures that speak to the increase of wildlife on the habitat of Western lands simply could not exist. Yet they do. And all of the fish and game management agencies of our States, and U.S. Fish and Wildlife Service, all agree with those numbers.

So why are we here today? We are here because one Senator has a dif-

ferent motive for doing certain things. And there are others I suspect who are now believing that a better way to manage our public lands is through a single use approach: We ought to lock this up; we ought not allow certain types of management practices and resource utilization efforts to go on.

We did that in 1963 with the Wilderness Act. We have done it through other kinds of public policies over the years. But we have always tried to keep a balance, and in so doing we felt it best served the Nation. But it also preserved and maintained livelihoods and economic viability for large public land States like my State of Idaho, like that of my colleague who just spoke, Arizona. All of those economies developed over the years by that interrelationship of being able to utilize the public land resource in conjunction with the private economies of those States. We have said it year after year, in public policy. We said it in 1978, after an exhaustive study of how we would manage those lands as it related to grazing.

Out of that study came what was known as the Public Range Improvement Act of 1978. Out of that act came a formula, known as the PRIMA formula, which is the one that currently is in use today. That balances costs of operation against private costs, all of those combination of things, and comes up with a method by which you arrive at an AUM, or an animal unit month, that the Forest Service and the BLM charge to the leaseholder for his or her animals.

Then again, in February 1986, Executive Order No. 12548, President Reagan largely agreed with the work that had been done by Congress and by its committees and by the agencies in 1978, in the establishment of that law.

That is what is being challenged here today. Is the work that was done in 1978 still valid? Or has the philosophy changed? Has the American public's attitude shifted away from a balanced use to a restricted single use? And, in so doing that, what have we accomplished, or what would we accomplish by this amendment?

I can say as many would suggest, you ought not legislate on an appropriations bill, Mr. President. Clearly one of the reasons for that, I think, is the technical nature of what we approach today in the amendment proposed by my colleague from Vermont, and what I am trying to explain.

We really ought not to be debating it here on the floor until after the fact, until after we have gone back and looked into the studies of 1978 and beyond to see whether they are still valid; whether our agencies are still managing in the way they should manage, consistent with the law.

There were no field hearings in the States; no work in the authorizing committees. Oh, yes, there is a politi-

cal drum beat out there today, spawned and promoted by certain interest groups who think differently than I do about resource management, and who have a different agenda about that management. And some Senators on this floor, believing it.

But, be that as it may, what is happening here—or I should suggest what is not happening—is a thoughtful, overall, extensive effort by the authorizing committee to review the processes at hand and what would result if these kinds of changes were made.

If this amendment were agreed to, if it were to become public law in this country, what would happen? I am going to try to address it in as fair and balanced a way as I might.

The debate should have gone on in the committees, I might suggest to my colleague, as the debate that will go on in the committees if we decide to change dairy policy in this country.

What will happen if we agree to the amendment of my colleague from Vermont? He might argue, what will happen is that the ceiling on the increase in grazing fees will be no more than 33½ percent annually. It could not rise any more than that. And that would protect, if you will, the grazer from a spiraling, astronomical increase, that would run that individual rancher off the land.

That does not sound too bad, if you were to allow that to happen. But anybody who has been in business, I suggest, would understand if you knew your costs of operation were going to go up 33 percent next year but you could not offset that with an increase in the price of the product you produced from that cost of operation, would that not in itself do you harm? In the dairy industry?

Mr. JEFFORDS. Is the Senator asking me a question?

Mr. CRAIG. Surely. I will yield to my colleague from Vermont.

Mr. JEFFORDS. Right now use of the AUM, it is less than 3 percent of the cost of raising the cow. So when my colleague says the cost of production goes up 33½ percent, my colleagues should be saying 3 percent of the cost of production goes up 33 percent. That is not a fair statement, the way my colleague made it. I hope my colleague would agree with me. It is not appropriate to say that this amendment is going to raise the cost of production by 33½ percent.

Mr. CRAIG. OK. Let me then change that because I think my colleague brings up a valid point, only to the extent as it relates to the number of AUM's, or the length of time of a AUM. Let me back off from that. That would not be appropriate to say.

The length of grazing months that a given operation would be involved in—

Do you graze cattle on public lands for 3 months? Or 6 months?

Well, it depends on the area of the country which you are in. It depends on a given range. It depends on the rainfall. It depends on the climate of the year, that exists over that given piece of public graze.

Let me suggest that in many instances it lasts for 6 months of the year and, I would suggest to my colleague from Vermont, that during that time the largest single cost of operation would be that grazing fee.

Mr. WALLOP. Will my friend from Idaho yield for minute?

Mr. CRAIG. I will be happy to yield.

Mr. WALLOP. Nothing yet has portrayed the lack of awareness of how this whole system works more than the interruption of the Senator from Vermont. If you are in Arizona it is a 12-month proposition, in which case it does raise it that much. If you are a permittee in the forest in Northern Wyoming, it may be 2 months. Then you come down and you go to the Bureau of Land Management, you might add the other 10 months there.

What it proves is that the Senator from Vermont does not have the faintest notion of how this system works, or how it affects people.

What my colleague said was absolutely true, in the case of a tiny proportion of the permittees who operate under these systems. But in the case of a much larger proportion of the permittees what the Senator from Idaho says is absolutely true. It is, again, the problem of somebody from New England making a blanket assumption of what happens to his idea of how the public lands ought to be managed.

Mr. CRAIG. I thank my colleague from Wyoming for adding to this colloquy and this debate because he is absolutely correct. Depending upon the climate, obviously, that you are ranching in, and the State in which you reside, it would vary.

I remember from my background that we grazed for approximately 5 months out of the year. And, as a cost of doing business, it was a substantial part of the overall cost. So it would vary. But I would have to believe that based on the figures you have given—

Mr. JEFFORDS. Will the Senator yield on that issue, because I want to let my colleague know where I am getting my figures from? Of course if they are wrong it is very difficult.

Mine come from the USDA Economic Research Service. I am reading from them here, where their conclusion is that grazing fees as a percent of cash costs is 2.8 percent, with the present permit fee. So that is what I am using.

I realize it may vary from State to State. I understand in Arizona it is going to be higher, and other States it is going to be more.

Mr. CRAIG. It could be higher.

Mr. JEFFORDS. The average AUM is around 3 or 4 months. I have to use the facts I am given, and I am sure they

vary in the Senator's State. But if USDA is wrong, then, of course, you have to take that up with them. But I just want to make sure this body knows all I can use, as a poor little farmer representative from the State of Vermont, who does not talk in terms of thousands, 2,000 and 3,000 acres, like you people do. It is a little bit difficult for me to understand. I have to rely on the figures USDA gives me. That is where they came from. If they are wrong, then I would apologize for them. But I have reason to believe they are not.

Mr. WALLOP. Will the Senator yield for another comment?

Mr. CRAIG. Yes, I will be happy to yield.

Mr. WALLOP. Again, I say this is precisely the problem with this amendment.

To base the livelihoods of our ranchers and farmers on a bureaucrat's idea of what constitutes profitability is not something I suggest to which the Senator from Vermont would entrust the livelihoods of his dairymen. The fact is that these figures all come out of a mishmash of things, but they do not relate to the individual experience of people.

The Senator mentioned USDA as the source of these figures. Lots of people in my State, probably most of the people in my State, graze both with the Department of the Interior and with the Department of Agriculture.

So these figures are irrelevant to making a livelihood. They may make a nice statistical statement, but they do not have anything to do with life and times on a real ranch, under real ranching circumstances. That is the problem that the Senators from the West are trying to point out to the Senator from New England, who comes from a State without a public land experience.

Mr. CRAIG. I thank my colleague from Wyoming for assisting me as it relates to those overall figures.

Let me suggest to the Senator from Vermont that in working on the Senate Agriculture Committee, one of the things I do and I have done consistently with him over the course of my short tenure here, some 8 months now, is to try to understand the uniqueness of agriculture's different faces. In struggling with this dairy problem that we have out there—and that relates to profitability of individual operations—I have taken the counsel and the advice of my colleague from Vermont as it relates to his dairy farmer, uniquely different from my dairy farmer. My dairy farmer is a different kind. Usually by age he is 20 or 30 years younger. The average herd size may be substantially different, much larger. All of those are different components. And you can take averages, if you wish, but averages do not always work very well. I think that my colleague from Vermont

probably understands his dairy farmer much better than I ever would because my dairy farmers are not like his. And as I have sought the Senator's advice and taken it, I would trust that maybe the Senator would listen for the next few minutes to some of the facts and figures I would like to talk about.

Mr. JEFFORDS. Sure.

Mr. CRAIG. Because I think they are substantially more relevant as it relates to the uniqueness of this kind of grazing in the West and how it works with a given farming-ranching operation that sometimes is not reflected in the figures, or if it is it is reflected in averages. The Senator and I both understand one thing very clearly. In fact, the Senator and I have talked about it—about the human tragedy, about the human drama that goes on when lack of policy or bad policy drives an economic unit out of place, destroys it. Dairy policy may be doing that in this country today.

Let me suggest to the Senator what he would be doing—and I say "he" because he is the author of this amendment—as it relates to family ranching operations in the West, not the big, expansive 2,000-cow operations because they are relatively few and far between. But let me talk to the Senator about the kind of rancher that exists in my State of Idaho and across the West that are so much in the majority as it relates to the Senator's amendment.

It is projected, based on analysis of a variety of interest groups, that if the Senator's amendment becomes law, in the first year you will drive 1,900 ranching families out of business—1,900 families out of business.

Mr. JEFFORDS. Is this Idaho or nationwide?

Mr. CRAIG. Nationwide.

That within 4 years two-thirds of western small ranching families, some 31,000 ranching families operating in America, of which only 88 percent—I should put it this way: 88 percent of them make less than \$28,000 a year, somewhere in about the category of the Senator's dairy farmers. In other words, not great big, massive, profitable businesses but a family-related business where father and son and father and mother and daughter work together, very typical of the dairy farms in Vermont, making \$28,000 a year on the average in a good year. Two-thirds of them will be out of business because of this amendment.

Now, when you talk about the human tragedy that is going on with the Senator's dairy industry, the Senator and I in a somewhat abstract way understand it but do not feel that we were the cause of it. We want to help it. We want to change it. We want to improve the dynamics of that economy so that it is better.

I will tell the Senator that if you pass this legislation, I personally believe the Senator will be the cause of

these kinds of families being disrupted and their lives being destroyed. And let me suggest that is devastating, where? In Idaho, in Montana, in Wyoming, in Arizona, in 16 Western States where there is substantial public grazing and where these very unique economies exist.

How do I arrive at those figures? Well the Senator talks about his indexes and new formulas and putting a cap that allows grazing fees to increase no greater than 33.3 percent—no greater than. But in reality what the Senator is proposing will ultimately in its cycling bring grazing fees to about a 380-percent increase based on the formula and analysis of the formula as it was first presented in the House and as different groups have had an opportunity to look at it and analyze it. When I suggest to the Senator that this type of economic dislocation will occur in the West, it is based on those kinds of facts. That is reality. That is the human tragedy.

Mr. JEFFORDS. Again, this is of great concern to me.

Mr. CRAIG. It should be.

Mr. JEFFORDS. What concerns me is the fact that BLM—and I had both BLM people and Forest Service people in. I asked them this question two or three times, as to what the impact would be. If the Senator is talking about SYNAR, I could agree with him.

Mr. CRAIG. I am not talking about SYNAR. I am talking about REGULA.

Mr. JEFFORDS. Which is only 40 percent of fair market value. They assured me, and we have a letter to that extent, written not to me but to Congressman REGULA, that there would be no decrease in the use of AUM's with my formula.

Now, I understand that some marginal producers obviously could go out and somebody would pick those AUM's up. But I am confused. When I asked that question and I got those responses, and I have that letter that was—

Mr. CRAIG. If I can stop the Senator at that point, I can understand why the Senator is confused, and the reason is the way the words were used.

Did the Senator ask them if current permittees, current operating ranchers, would still be operating—I am talking about the current family.

Mr. JEFFORDS. I understand.

Mr. CRAIG. Would they still be operating 4 or 5 years from now under these new prices? I will have to tell the Senator, in many instances probably not. What they did tell the Senator is there would not be a loss of AUM's.

Now, that is a whole lot of difference. Am I going to suggest that there will be under the current dairy policy fewer milking cows or fewer hundredweight of milk being produced in the Nation 5 years from now than today?

The answer is probably not. That is not the issue here. The Senator's con-

cern is the current operating farmer in Vermont, and will he and his family be operating 5 years from now if we do not change policy. The answer is probably they will not be because they are currently in great economic stress.

So you see, what we are talking about is fundamentally the same thing. Will these AUM's be filled at that number? In some instances, yes, they would. And yet today, under the current structuring of the AUM, a substantial number are not filled as of today.

Did the Senator ask them how many current available AUM's were not being filled today? Is there this great demand for public grazing? There is not.

I think my colleague from Arizona talked about that unique border boundary—adjacent, interrelated management type of thing that goes on with a ranching unit, the public lands around it, and the interdispersed lands; all of those kinds of things.

Let me ask to continue a few more moments.

Mr. JEFFORDS. Let me answer the question.

Mr. CRAIG. I will yield for a question.

Mr. JEFFORDS. They told us there were a substantial number of AUM's not being utilized at this time. I asked that question. The answer I got was that all those that are available are being used, and they have no problem in leasing them. There is a substantial number that are out there, but presently not available.

Mr. CRAIG. The figure is 20 percent. Mr. JEFFORDS. That is the figure I have. That does not indicate there would not be a demand for them if they were available, is my understanding. These are the facts. I am just here trying to learn.

Mr. CRAIG. Again you have to be awfully careful the way the words are being used, and the questions get asked and how they get answered. The reality is that 20 percent of the AUM's that are out there—and in many instances being offered—are not being filled today.

If that is the test of the Senator's legislation, let me suggest that his legislation has no strength. What is the test of his legislation, in my opinion, is will this serve to do a couple of things. Will it serve to return more money to the Treasury of this country, and therefore to be argued as a more fair approach toward the current resource allocation of our public lands?

Mr. JEFFORDS. The answer to that is yes.

Mr. CRAIG. That is what the Senator believes. I believe it will not, based on the fact that this is only a portion of the total cost, and does not effectively compare it with private grazing. But aside from that, I think what is most important and what is so tragic about the Senator's amendment is that the

very people he is trying to address, in a circular approach, the dairy industry of his State, based on the same kinds of human concerns that I have about this, are not being met; that he is going to disturb the lives and the economy of thousands of western ranching families, and not solve his own problems, the problems of his State's dairy industry, and the problem of our Nation's dairy industry.

For the life of me, I find that very, very difficult to understand why the Senator would approach it from this manner then. I think I know. But I will leave it at that.

Let me go ahead and talk some more about the kinds of impacts we are talking about. There is a popular word out there today. In fact, we are talking about a word called linkage. The Senator knows about linkage. The Senator knows about linkage in the context of an agricultural will economy. What happens when the dairy farmer in the local community goes down? Well, it means that he or she is no longer buying fuel at the local fuel distributor, the local co-op; no more tires, no more baling twine, no more new equipment. They are out of business. When they go out of business, small town America begins to die even more.

That is what the Senator and I fight to preserve. That is called linkage when that dairy farmer goes down, so the community around him goes down. When the western ranching family goes down, so the community around him goes down. But it goes beyond that.

If 400 percent—that is about where the formula of the Senator gets us, in a 3- to 5-year period. If there is a 400-percent increase in grazing fees and this Senator is anywhere near accurate in the dislocation, the human dislocation that he talks about, what are we going to do about this? What is the Senator and I going to do about these new figures? What happens when 16.4 percent of the farm credit loans in the Farm Credit Administration tied with public land ranchers in the State of Arizona goes down the tubes?

Are we going to have a farm credit system back here saying you have got to help us, got to bail us out? They might because in the State of Nevada, it is not 16.4 percent of the total loans of the production credit association or the Federal land bank. I will tell you it is 42.9 percent of their loans tied to public grazing ranchers. And in the State of Utah it is 16 percent.

What are we talking about there? In those instances we are talking collectively of almost 300 million dollars' worth of loans out. If I am anywhere near accurate, that two-thirds of current AUM usage by current permittee's will no longer be in existence by those permittee's. They will be out of business. They will then have to be addressing this shortfall.

That is what I think is linkage in the current context, linkage that the Sen-

ator and I, coming from current small agricultural States, probably know and should be able to speak about better than anyone else.

Mr. JEFFORDS. Will the Senator yield for another question? I am concerned about what he says.

Mr. CRAIG. I hope the Senator is.

Mr. JEFFORDS. Whether or not the Senator has seen the chart, the information we have again from USDA says that in the Senator's State that the average charge for AUM's by State, local, and other Federal agencies other than BLM and the Forest Service is \$6.20. Can the Senator tell me as to whether or not his State or his local governments are reducing their charges for AUM's in order to solve the problems that the Senator is dealing with?

Mr. CRAIG. Let me answer the question.

Mr. President, my colleague from Vermont places a very important question as it relates to the cost of AUM charged by the State land agency in my State. Again, let us go back to a little bit of western knowledge and western understanding.

You do not have large tracts of State land in my State, contiguous blocks of lands of thousands and thousands of acres. What you have are sections, individual sections spread amongst the Federal lands, the public land. In other words, State agencies do not have much cost of management.

Those State lands are also spread within private lands. In a ranch that I used to be a partner in there are several State sections in amongst our private, deeded lands. There were not any fences around them. If you rode out across them on a horse or in a Jeep, you would never see them or at least you would never know you were on them.

Why am I giving you this as a point and example? Because there is little management cost, because they are tied within; and because they hold us hostage to them, in essence, I am willing to pay substantially more to retain that 600-plus acres inside my private land than to let it go, and State land agencies know it, and they bid accordingly.

That is why we would pay more. If they stood alone and had to compete with BLM, the price would come down, and that is absolutely the case.

I am sorry the Senator is rubbing his chin. The reason is he probably has never been West. He has never sat in on public State land board meetings, as I have, and heard the debate, and listened to how they interrelate these lands and how they arrive at their formula, based on what they can get, because of the way the Federal Government formulates.

Mr. JEFFORDS. If I may, Mr. President. This mystifies me. You are talking about economic devastation, and you are talking about your State and

the local governments taking advantage of ranchers in your State because of the location of their particular lands, and getting a much higher price than the Federal lands.

I cannot believe that if you have that economic problem there, that your State would be taking this much higher fee from their own farmers. I do not understand. Maybe that is the West. I do not understand the west, if that is the case.

Mr. CRAIG. Mr. President, let me try to explain. When 64 percent of your State is Federal and 3 percent of it is State owned, and that 3 percent is spread amongst the 64 percent, maybe that helps you get a better understanding.

It is also because when this land got divvied up out there, when the Federal Government said to the States, "You can have those sections of land for financing schools and universities," guess what happened? The States went out and picked the very best. There was a higher value established from that moment of selection.

When you lease the broad sense of a BLM allotment or a Forest Service allotment that may involve hundreds of thousands of acres, and you and other ranchers are out there grazing in common, you take it all. You and I both know that if you are going to rent something, if you are going to lease something, you go out and look at it; you yourself assess a value to it, based on what you think you can get in return.

That is as good an explanation as I can give, because I think it is the right one; it is the truthful one; it is the one that history supports me on. It is the one that, if you would come West and ride over those lands with me, I can show you those State sections versus the Federal sections, and you can begin to get an understanding of the uniqueness of this relationship. I think, then, you would begin to recognize that the kind of an amendment you have, the very technical amendment that was studied for several years in the 1970's, and out of it came what appears to be a relatively complicated formula of all kinds of indexes, from market value to forage values, all of those got interplayed into what is known as the PRIA formula.

One thing I know for sure is that you would not be here on the floor of the Senate trying to legislate a very technical piece of legislation, until it was handed in the authorizing committee.

Like we both know, we are not going to try to craft a formula regarding the dairy industry that brings some kind of economic hardship and hurts the stability of that industry and bring it here to the floor. We are going to do that in the appropriate authorizing committee, because that is the way you do good public policy. You do not do that on the floor of this Senate.

Mr. JEFFORDS. If I may inquire, Mr. President, I do not disagree with what the Senator is saying. But what concerns me, again, is that for 13 years there has been no hearing, no action whatsoever in the Energy Committee.

Mr. REID. Parliamentary inquiry, Mr. President. Who has the floor?

The PRESIDING OFFICER. The Senator from Idaho has the floor.

Mr. CRAIG. Thank you, Mr. President. I am about to conclude. My colleague has responded to some of my comments. It was a response of frustration and I think one that deserves comment from me and others who would debate this issue on the floor today and tomorrow.

There are oftentimes issues that come before the House or the Senate that do not get heard because a majority of the Members of these bodies feel it is unnecessary to hear them, that the existing public policy serves the need. I think that was largely true since 1978 on.

It was in 1986, with an executive order during the Reagan administration, that this policy was extended forward. And we live with that executive order today, which retained the PRIA formula.

We have constantly reviewed dairy policy, rightfully or wrongfully so. Why? Because a majority of the body felt it was necessary. In all instances, it was not legislated here on the floor of the Senate. It was legislated in committee, and the work product of the collective minds of the authorizing committee was brought to the floor to be debated and voted upon.

The issue before us is important. The value of public graze in the West as it relates to the economies of the States involved is in many ways incalculable. I speak to that because I talk of that linkage within the economies of the local areas that is so darned important.

Only after that farmer or rancher has failed and gone out of business did we begin to realize that there are just a few less tires sold at the local tire shop, a few less gallons of fuel bought from the local distributor, a couple of layoffs occur on Main Street because those people no longer have those kinds of businesses, and that kind of economy, and that dollar that rolls so successfully down the main streets of America that we call our market system.

What my colleague from Vermont attempts to do today with this amendment, in my opinion—and in the opinion of a good many people—is to substantially alter the face of Western America and the economies of those States as we now know them, and the thousands of ranching families that will largely be dislocated by this, as turmoil exists and will be increased by this effort.

That is to speak to the human side of it. I will go on later, as others will, to

talk about the environmental side of it. And while there are many who would argue that this is an appropriate environmental move, I think my colleagues and I will be able to clearly demonstrate that it will be a fundamental change in the environment of our Western grazing lands, Western public lands, our Western habitat lands, whatever they wish to be called by those who call them. But it will significantly alter the environments and, in most instances, not in a positive way.

In my State of Idaho today, we have more elk, more deer, more antelope than ever in the history of the State. When Lewis and Clark came through my State, they recorded in their journals that they nearly starved to death. In a State with thousands of head of elk today, thousands of head of deer, antelope abundant, why would they have starved to death? Because the elk were not there, and the deer were not there.

Men helped them get there. By the stewardship of our lands, we have not only created a positive environment for man and his efforts, but for wildlife. And it is this kind of unique balance that, ever since the Taylor Grazing Act days forward to today, we in the West, along with this Congress, have attempted to maintain.

The amendment that has been presented by my colleague from Vermont does not speak to balance; it speaks to imbalance. It speaks to single-use management. It speaks to the kind of economic dislocation that will severely damage ranching families in the West, thousands of them, who rely on public land graze as a part of the blend of their operating unit for the purposes of maintaining their economy and, just by chance, supplying an abundance of red meat protein to the consuming people of our Nation.

I hope that both colleagues watching and those who will read the debate and those who will participate in it today and tomorrow recognize how really significant this is, and these kinds of changes do not deserve the treatment they are getting on the floor. This legislation has to go back to the authorizing committee, with hearings and studies. Understanding the kinds of dislocations that would occur if we are to make changes is fundamentally important as we work to address this kind of public policy. It is significant and I trust that my colleague from Vermont may now, with the little bit I have been able to offer, recognize some of the consequences of his potential actions here on the floor. The kind of loss that he wishes to address in his own State with the plight of his dairy industry, he, by his efforts, is now inflicting upon Western States, those that are dominantly public land-grazing States with the small farmer and

rancher family that this particular economy is tied to.

I yield back the remainder of my time.

The PRESIDING OFFICER. The Chair recognizes the Senator from Wyoming [Mr. WALLOP].

Mr. WALLOP. Mr. President, I thank the Chair and thank my colleague from Idaho and, in fact, I thank my colleague from Vermont because I think that at last we are beginning to get to know how little of the consequences of this amendment he understands. I say that not by way of criticism but by way of suggesting there is lots yet to learn for the Senate and the Senator.

Mr. President, I am a rancher and I prefer to call myself that still over Senator. I think it probably is a more honorable profession. My family has been for a hundred years on our ranch in Wyoming. That is not long in New England's terms or Virginia's terms, but it is getting to be a long time in western terms.

I do not run on public lands, Mr. President, but I used to. And I do not run on public lands because it was not a good deal. And the issue that was raised, quite correctly, by the Senator from Vermont in questions to the Senator from Idaho as to what is happening, Are your States and private people gouging your ranchers merely because they happen to have land in between them? does not come close to talking about fact. I lease private property now to run livestock, and I pay a higher fee. I do not know where the Senator got the averages; that is not the kind of fee I pay that the Senator's chart shows for Wyoming. I pay a higher fee. But, Mr. President, my lessor fences it. My lessor maintains the reservoirs. My lessor keeps the public out from amongst my livestock. My lessor helps put out the salt, he manages my cattle. I am responsible for looking at their well-being from time to time. My lessor is responsible for looking at their well-being virtually on a daily basis. These are not the kinds of services provided by the Bureau of Land Management or the Forest Service, I say to my friend. These are quite the opposite in the private sector. And the Forest Service can, at the drop of a hat, change the rules, and does.

I have a letter here dated September 4 to the lessees, permittees on the Big Horn National Forest. It says: "Dear Permittee: I appreciate all the work you put in maintaining the range lot and improvements over the years"—proof positive, the obligation of the permittee and not of the Forest Service. "In the past, the Forest Service has supplied some of the materials for maintenance, but due to the tightening of our budget this practice will be curtailed. We may be able to provide some supplies, but each will need to be evaluated individually. Of course, we will

still provide some materials for new improvement," so on and so forth.

The point I am making is that that permittee contributes to a fund which obligates the Forest Service to pay the expenses, and they are telling him he will not. That is what the Land Improvement Fund is about, and that is what all these fees that they pay are supposed in part to cover, but they do not.

You have the process with a private lessor to negotiate terms and conditions upon which your livestock run, but the Forest Service can tell you what the terms and conditions of grazing will be even to the extent that, if you have private land which surrounds their public land, they will tell you what you can do with your private land as a condition of allowing your cattle onto their public land. Nobody in the private sector does that, and it is worth a lot of money not to have it happen to you.

Mr. President, I am a rancher who does not use public lands, though I did, for the very reason they are not good value. I was in a fortunate position to be able to step out from under that burden because of where my lands lay. Some of my friends in the business are not.

Mr. President, I want to make a couple other points here. This amendment is not just about the effect on ranchers, stockmen, sheep men. This is an amendment about the effect on our small towns in Wyoming, our small businessmen in Wyoming, our small businessmen in the West.

The people who supply the propane gas, the veterinary medicine, the balers, truckers, the bankers, the savings and loan operators, druggists. Yes, Mr. President, we have a very robust tourist business in Wyoming, but it is seasonal and its employees provide a drain on the amount of unemployment compensation and other kinds of things. It is fundamentally the livestock industry—the agricultural industry—which is the underpinning of the tax base of our State. Fundamentally the livelihoods of small towns are sustained by that. They are embellished by tourism. Many of the bills in Wyoming are paid by oil and gas. This Congress does its best to level assaults on that, but that is another issue. My town of Sheridan is just under 15,000 people, but it serves a market area of a little over 30,000 people. A substantial proportion of the area are ranchers who graze on the public land. Some grazing comes to us from Montana and from areas east as far as 70 miles from our little town. Toying with the livelihoods of those ranchers, my small bankers, schoolchildren, propane suppliers, medicine suppliers and the others, calls me to rise up just as the Senator from Vermont would, or any Senator on this floor would when the live-

lihoods of small towns, small-time America are threatened.

So the Senator from Vermont uses statistics provided by bureaucrats to say whether or not these people can conduct their lives and make a living on public lands—these are people who have never been in the private sector. And the bureaucrats can say that you can stand this rise in prices, which the Senator has said and he quoted his letter. There is now a new letter that addresses the Senator's information and it says this is so if one assumes that these AUM's would be easily transferable. They are not.

Over the course of this debate I will have maps which will edify the Senator from Vermont, the Senator from Ohio, and hopefully others in the Senate trying to use this vote as a cheap environmental way to get well with some groups that give ratings because they simply do not have the constituency affected by it, and that is the truth. But for the grasslands east of Wyoming, there are no public lands so no constituents are affected by it. The Sierra Club, Audubon Society, the National Taxpayers Association come along and others come along and say this is good for America. But, it is not good for the people who have to cut a living with Uncle Sam as a neighbor. Fifty percent of my State is owned by the Federal Government, it is much higher in Nevada, and somewhat lower in Montana. It depends on where you are, but the fact of it is that public employees do not know what it takes to live on your own with Uncle Sam as a neighbor. There are those who stand and sup at the public trough and cannot make that judgment from experience and they do not make that judgment from experience; they make it from tables such as the ones that have been provided for display in the Senate this afternoon.

It is not the fee that controls overgrazing. If there is overgrazing on these public lands, it is because these same bureaucrats who say that you can easily sustain this grazing are not managing well.

But I would say to the Senator, that the public lands are by and large well managed and not overgrazed. But the fact of it is, they are going to be overgrazed if the fees go up.

Now Americans do not trust their Government. I think that is proven by innumerable polls. And one of the reasons they do not trust their Government is because small groups, 31,000 ranchers, cannot believe that their Congress would act without thinking, without hearings, on the basis of a few tables and just go change it on the judgment of an expert from Vermont and his colleague from Ohio that says they will not be hurt. Well, they will be hurt. And it is not just the ranchers again that will be hurt, but it is the

people who live and populate our small towns.

Mr. President, when the Government of the United States began withholding land in the public lands States, its purpose was a viable broad-based economy. They did not want the lands to fall into a few hands so there would be one great timber operation, or one great ranching operation, or one great mining or oil operation. They wanted oil and gas and timber and recreation and livestock and grazing and all of those things to coexist. And they have.

Now, one by one, with amendments like this, you are starting to pick off those multiple uses, to satisfy the elitist demands of people who live in apartments in New York City and Washington, DC, who think that somehow or other there should be no commercial use on public land, lest they be changed. And the result is going to be that, whether it is the intention or not. I am not suggesting it is the Senator from Vermont's intention. I am suggesting it is the Senator from Vermont's result.

Mr. President, I said before this is a cheap vote for a lot of people, who get a nice little race which brings in a lot of contributions, and it does not affect or risk any constituent dissatisfaction because they do not exist in all the States east of Wyoming, Colorado, Montana, but for that little piece grasslands.

Now the Senator from Vermont has made the case that this would raise our PILT payment, payment in lieu of taxes.

Again, it is hard to argue this thing because it is not the truth. The truth of it is that the formula for PILT, we will get a slightly higher payment from the Government, from the Forest Service, to BLM and to the counties and school systems because of the increased taxes. But, guess what? The payments in lieu of taxes are offset directly, so all we get is the economic consequence of it. It is one of those lovely things that makes Americans wonder what their Government is all about; oh, you get this nice little percentage increase in your fees, so raising the fees is not going to be nearly as bad to your tax base as you thought, but while we are at it, there is a direct offset.

It hurts, my friends, for people in my State to sit around and think that people could make such glib comments and get away with them and have the public believe it, have it enter the public domain, have people say, well, see it is not going to hurt them after all. And what does it matter? It is not going to hurt them in their tax base and there are going to be a few less ranchers around, a few little people who have been in the country 75 years, 50 years.

My county was settled primarily by folks of my heritage, by Texans and Poles and Slovaks, who came to mine.

I have neighbors out in the country called Badger Creek with names like Koltiska or Gorzalka, brothers whose parents came to mine and who saved money from mining and who bought small ranches to begin to put themselves in the dream of Europeans to become land vested in their country, in America. Part of their vestment, so says the Internal Revenue Service of the United States, is their grazing allotment, which goes into their estate, a value upon which they have borrowed from banks for money.

That is why banks begin to fail when these allotments begin to lose, because they have to say to the Koltiska or Gorzalkas and other people of that extraction, you have to give us the money because the value of the land upon which you are operating, upon which money has been borrowed is not as high anymore because the Government wants you off because they have raised grazing fees and you cannot make a living off it. So pay us more. And they say, I cannot, and the banks begin to foreclose, and the towns begin to collapse.

That is what takes place. Make no mistake about it. Tomorrow or later this evening I will try to demonstrate to the Senate that the view that most people have of the public lands is totally irrelevant. They are not seas of Federal land managed by people who can go ride across them for days, drive across them for days and cannot see the end. In a State like Wyoming, they intermingles.

If you have a piece of Taylor grazing land that is more than 240 acres—it is really rare to have one big as a section. Guess what? They are surrounded up by the deeded land. Guess what else happened? I said it earlier. In being surrounded by the Federal land, the Federal Government comes along and says you may not graze on your own land any more than I say you can graze on it, lest some of your livestock sets foot on the Federal land.

And I will show you a place in Wyoming where the Union Pacific goes across and the old checkerboard came about. And the old checkerboard will show you every other section is private and public, and private and public, and private and public.

Now not one of those sections of and by itself is an annual, seasonal habitat for wildlife. Not one of them. Some will have a little shelter and some grass; some will have a little water and no shelter; some will have various combinations. But you cannot lease just a section, because there is no value in it. And besides, it is not fenced. And therein comes the rub. This is going to cost money, \$97 million just to fence the Rocks Springs Grazing District in my State.

What happens? A year ago, 2 years ago, maybe a couple more than that, a rancher named Taylor Lawrence put in

a drift fence of some 8 or 9 miles in the southwest part of Wyoming, and the Fish and Wildlife Service and Fish and Game of Wyoming, and the State of Wyoming, Bureau of Land Management all sued him though the fence was on his property. They said he was interfering with the migration of antelopes onto winter range. And they won, because the fence did in fact block access to some of what is critical winter habitat, some of which is owned by the BLM and some of which is privately owned.

Now what happens to the wildlife when you put a fence on every section, because somehow or other you are going to have to keep those people's private livestock off the public lands?

When you do that, there will be suits on the Federal Government, either to pay for the fencing or pay for the taking. Because something is going to happen to private property—which I understand according to some on the Judiciary Committee, is not important in America anymore—yet private property is one thing driving revolutions in the old Communist empires.

You do not have any idea of the consequences of this. Many of the private lands along the forest are the winter habitat of the wildlife that summer in the forest.

In my State of Wyoming in the Big Horn Mountains, an elk cannot winter over the winter months on the mountain. Nor can a deer. Ranchers provide the winter habitat.

How many of those people who lose their leases are going to be willing to try to provide habitat for the Government's wildlife when their own livelihood has been taken from them and they have to maximize the amount of grass they have left?

What is going to happen to traditional elk and deer migration patterns, antelope migration patterns, when these fences start to go in?

Whoever ends out having to pay for them, make no mistake they will have to be fenced, otherwise there is a taking. Ranchers are going to have to allow people to use their private property. I will have maps of the several different kinds of ranches in Wyoming to demonstrate this. But what I am saying is this amendment has not been thought out. This has been brought out. It has been trotted out in the House; a similar kind of thing by a man from Oklahoma. But it has not been thought out. The consequence of it has not even begun to be realized, even by those of us who are public land States representatives.

I yield the floor to the Senator.

Mr. JEFFORDS. The Senator has alluded to some information, and he was saying tomorrow he was going to get into it in more detail. I wonder if he would share with me the source of the figures on the cost of improvements? I am concerned because the figures we

get from a joint BLM-Forest Service study are 16 cents per AUM for improvements and Forest Service, 30 cents per AUM for management. Those figures seem to be very small and difficult to put in perspective with respect to what the fair market value is with private leases.

A lot of emphasis has been placed on the tremendous burden on permittees, on the management. I wonder where the Senator got his information? The Senator from Idaho told me his information on the economic impact came from the CONGRESSIONAL RECORD and debate in that. We are going to be able to find that if it is there. I wonder if you could share with me where the Senator's facts come from?

Mr. WALLOP. Once again you are relying on bureaucrats for the information what is and what is not. Bureaucrats are saying we are going to be able to take this land from the people who presently use it and transfer it to somebody else.

I am using standard fencing costs in Wyoming per mile. I have a figure in the middle of it, between the lowest and the highest. If you have to start fencing these lands off in order to protect the public's investment in the public lands, and to deny the former user access, these are fencing costs. You are going to have to fence the land off, I would say to my friend from Vermont. You have to fence them off or you have to do the worst of all possible things and tell somebody with private property that he or she may not use that property.

Mr. JEFFORDS. Are you referring to possible future improvements?

Mr. WALLOP. They will be mandated future improvements because the only way to keep these livestock off of public lands that are surrounded totally by private lands is to fence them. No other way.

We do a lot of things with livestock. But nobody has yet figured out how to train one not to set foot over an imaginary piece of ground. You just do not seem to understand, because the experience is not there, about these lands. Some are contiguous to public lands and some surround public land—in the southwest part of my State, all of which surround public lands. And what is going to happen? How are the antelope going to migrate through these fences? How are they going to do it?

How are the elk going to come down from the mountains through these fences, or the deer? Who is going to say to the rancher who has been denied an economic use that his Government taxed him on and has charged him for, that he must continue to shoulder the burden of wintering and harboring the State's wildlife? Who is going to do that?

Mr. JEFFORDS. I point out 50 percent of the money from this increase is going into the improvement of the lease land.

Mr. WALLOP. Mr. President, I again say this is just blatantly typical of the lack of understanding of what I am trying to say.

These lands commingle. They are not separate seas of private land and public land. They commingle.

Raise the fee to the point where the guy who is currently leasing them says: Look, my friend, I can no longer do this. It is beyond my ability to pay. These are not improvements. These are barriers to the use of those lands as they have been traditionally used. They are not improvements. They are obligations, either of the lessee, who you are going to charge \$97 million, or the Government who you are going to charge \$97 million. Or you are going to have to get in some kind of massive land trade where they block up exchanges of public lands for private lands so you can get these things into the kinds of seas that sit in the back of your mind as you run this equation through your head.

Mr. JEFFORDS. Let me ask the Senator this. You asked who is interested in my area? My taxpayers want to know why we, who receive less money from the Federal Government than we send down, should provide this kind of a subsidy to your ranchers to pay for the management and things which now our tax dollars are paying for when your area, those 16 States, receive \$11 billion more a year than goes to the Federal Government. So why should my taxpayers support this kind of thing?

Mr. WALLOP. I find it ironic that somebody who comes from a dairy State starts talking about subsidies. But let me suggest the fundamental thing is when the BLM testified in the House, they testified they were approximately making money. One of the problems with the Forest Service is that they have not figured out they are going to have to operate these lands with the same set of criteria and requirements with or without their grazers. The grazers pay for the improvements today, I say to my friend.

There is no subsidy here. I would again say that for any of us in agriculture who speak of trying to exist without some level of subsidy. The livestock industry is the least of it. The dairymen have it, as do the corn growers and the soybean growers. The public have to pay for wheat to be grown and then they have to buy it back and pay for it to be exported because we have raised it beyond the price of the market. But the fact of it is that when the BLM testified in the House Committee, that taking into account that they had certain sets of fixed obligations and maintenance, they were essentially making a little money. Not very much.

And I say again, the Senator is not talking about subsidizing some ranchers and some livestock men. The Sen-

ator is talking about the livelihoods of small towns and banks. They may not mean anything to people in Vermont. But they mean a lot to us.

The Secretary of Health and Human Services in his wisdom has now made a new rule that will mean we cannot have magnetic resonance imagers in the State of Wyoming because the only way we can afford them is to have some of them partly physician owned. So the Government at the drop of the hat, the same kind of thing the Senator is trying to do here, said you can go to Billings, or Denver, or Salt Lake City to be examined. We do not go to Billings, or Salt Lake City, or Denver to bank. And we cannot do it, those few of us who have a little private land and can manage to continue to survive. We need the breadth of economic vitality that multiple use offers. And, while your people are questioning you about this subsidy, ask them of the subsidy for the recreation industry that uses those same lands. Ask them what the recreation industry pays for the privilege of fishing, hunting, driving, backpacking. A pittance here and there for camping overnight; nothing else.

Subsidy in the public lands as an American subsidy goes all the way around. Those paying their way are the commodity users of the lands. Timber operations, livestock operations, the oil and gas operations. The rest of them do not pay. And nobody says to Americans that they should have to pay to set foot in their forests, nor ought they. So I am suggesting that we are toying with 31,000 people because they do not seem to count.

Mr. President, I yield the floor.

Mr. REID addressed the Chair.

The PRESIDING OFFICER (Mr. KOHL). The Chair recognizes the Senator from Nevada [Mr. REID].

Mr. REID. Mr. President, I would first like to express my admiration and respect to my friend, the junior Senator from the State of Vermont, for the way in which he has presented this amendment.

I do not agree with the amendment. I strongly oppose the amendment. But I do believe the Senator from Vermont, knowing him the way I do, thinks his position is right. I hope in this day that we have been able to educate those Members of the Senate, including my friend from Vermont, how people do not understand the Western part of the United States, how, in fact, it would have been better had this legislation been presented to the authorizing committee where hearings could have been held, where evidence could have been taken, and that the matter could have reached the floor, if in fact it would have reached the floor, through the ordinary authorizing process. This is not the appropriate place to deal with a matter of this magnitude.

For those Members present who may not understand the grazing fee for-

mula, let me, Mr. President, provide a few brief facts to shed additional light on this complex matter. As we have been told by people who have appeared here before, PRIA, or the Public Rangelands Improvement Act, was passed in 1978, and is based on a set of three things: One, the price of beef; two, the cost of production; and three, the lease rate index, which is the difference between the cost of grazing on public and private lands. These issues have more to do with policy than appropriations, and therefore it should not be on this Interior appropriations bill.

It has been argued that grazing fees on public lands constitute a subsidy. Conveniently, this argument generally falls well short of a thorough examination of factors that go into grazing livestock on public lands.

Mr. President, I should like to take a short time this afternoon to talk about some things that have been raised during the debate and things that have been raised only indirectly during this debate. These are what we can call key talking points about grazing fees.

For example, Mr. President, over the past 4 years the grazing fee has been increased by almost 50 percent—to be exact, 46 percent. The grazing fee formula has changed because it was set up to change. But the formula does provide, under the bases that I just indicated, stability and predictability. That is what this important part of American industry, that is, the cattle industry, needs, stability and predictability. That is why in 1978 the formula was developed.

It is true that private rangeland rents are typically higher than public rangeland grazing fees. We acknowledge that. But we have not discussed here today in any detail the fact that private leases are self-sufficient units, where the owner typically provides fencing, water improvements, and roads.

On public lands, by contrast, Mr. President, almost nothing is provided. Instead, the public leaseholder must bear most of these costs, including larger management costs, higher death loss and poor animal performance due to the inherently wider open range environment.

Finally, ranchers leasing public lands also bear the increased costs of complying with today's range management guidelines—and we will talk about some of those, but they are significant.

Public land livestock grazing makes a significant contribution to rural economies in the West. Mr. President, consider 88 percent of the cattle produced in Idaho, 64 percent in Wyoming, and 63 percent in Arizona depend in part on public grazing lands. In Nevada, my State, 87 percent of the land is owned by the Federal Government. We cannot lease private lands. It is owned by the Federal Government—87 percent of it.

For this reason, the Director of the Bureau of Land Management maintains that significant increases in grazing fees would result in devastating impacts on Western States where the ranching areas have historically low base values.

Even if no livestock grazing were permitted, the Bureau of Land Management and the Forest Service would still bear the cost of basic legislative requirements such as monitoring, analysis, and management. In fact, if the practice of grazing lands ended tomorrow, the Bureau of Land Management estimates that its range management program budget would increase by as much as 50 percent.

I think it is of note, Mr. President, that in 1990 the Bureau of Land Management grazing fee receipts were about \$19 million, roughly two-thirds of the BLM's \$29 million budget. Those moneys would have to come from someplace.

I think it is also interesting that there are many, many scholars who talk about the ranges of this Nation being in the best condition they have been in during this century.

I have a magazine article here that we distributed, Mr. President, to all the Senators. We did that last year. It is interesting that in this magazine we supplied to the entire Senate—Range magazine, spring of 1991, on page 12 there is a picture from the State of Nevada. In fact, it is a picture within a picture. It shows some rangelands with grass that is knee high. But on the inset in this photograph, we have a picture taken in 1919 that shows devastation. It shows mud holes, it shows the exact same feature of land, without thick foliage on it; the other devastated because of overgrazing. This is how the rangelands have improved.

There is also a picture from the Santa Rosas, also in Nevada, that shows a hillside that is denuded, that has been overgrazed especially by sheep, and it shows there being nothing in this land. Whereas, in 1991, it shows beautiful, thick rangeland.

There are many other such examples that show the change of the rangelands based upon proper management. Rangelands have not gotten worse. They have gotten better.

It is like mowing a lawn or pruning. Controlled grazing promotes plant vigor and diversity, aerates soil and scatters seeds. Grazing itself, plus the brush clearing, and grazing operations also help prevent fires.

That, Mr. President, is fact, not fiction.

We know that by bringing on water and salt for livestock, and the other improvements that ranchers make, that the rancher invites a host of other animals, including, in fact, many predators.

On public lands, the cost of predation and disease are cyclically higher than

those on private lands. Wide open spaces are what we are talking about. The cost of lost livestock is very high. Then there are broken fences, wounded stock, trash, and the like. Unfortunately, often this comes from the public, which also shares this land. That is what multiple use means. And for the western rancher, this is all the cost of doing business.

Most of the ranchers who depend on Federal lands, we have been told time and time again, are small, family-run operations, and they are. Many make under \$28,000 and many make a lot less. For example, in South Dakota during the late 1980's, the bankruptcy rate among public land ranchers was over three times that of ranchers who use private lands. Struggling with the availability of land and sheer geography, the rancher is in no position to shop for land. He cannot very well haul his stock around looking for more affordable private pastures to rent.

Even if public grazing were ended tomorrow, the next day, next week, next month, next year, the agencies would still have to make substantial outlays to take care of these lands. You just cannot let them go.

In 1987, the Interior Assistant Secretary Griles testified that such basic activities as modern analysis management would require still 40 percent of BLM's range budget. What we have to understand in this debate, Mr. President, is that cattle contribute as much, for example, to Montana's economy as wheat does to the economy of Kansas, or oranges to the State of Florida.

But Montana is hardly the only Western State that depends on affordable public forage; 88 percent of Idaho's cattle depend on public forage. In States like Wyoming and Arizona, this figure is also high, better than 60 percent. In Nevada, it is also very high.

I have here some quotes from people who are talking about these range lands. These are direct quotes. I will give a couple of them. This is from Patricia Honeycutt, executive director of the Public Lands Restoration Task Force for the Izaak Walton League of America, a conservation group. Here is what she said:

There has never been a time when a conscientious cowboy (livestock herder) has been more valuable to the West. In his act of being environmentally conscientious with his livestock, he's helping bring back watershed, which leads to increase water resources. If this were left to natural forces alone, there are places in the West where the process could take a century or more. But where there's conscientious cowboy, we can cut that time to about a decade. I've seen it done.

A Georgia cattleman by the name of Bill Bullard said:

My first impression (on seeing a public range) was that if a rancher was paying anything to graze that land, he was paying too much.

The U.S. Forest Service:

Twenty percent of public grazing permits and allotments go unused by ranchers, in part because of the high cost associated with their use.

Finally, Cy Jameson, the Director of the Bureau of Land Management, says:

If ranchers are removed from public land, the cost to government of managing the range in their place could rise by as much as 50 percent.

I have also, Mr. President, a letter that I ask unanimous consent be made part of the RECORD. This letter is from Roger E. Porter, Assistant to the President of the United States.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

THE WHITE HOUSE,
Washington, April 2, 1991.

HON. MALCOLM WALLOP,
Russell Senate Office Building, Washington,
DC.

DEAR MALCOLM: Thank you for your thoughtful letter to Governor Sununu expressing your concerns about Federal grazing fee legislation.

As you are aware, the Bush Administration supports the current system based on the PRIA grazing fee formula established by the Public Rangelands Improvement Act of 1978. In his recent testimony before the House Interior and Insular Affairs Subcommittee on National Parks and Public Lands, Bureau of Land Management Director Cy Jamison stated unequivocally that "the present system is inherently more fair than the proposals in H.R. 481 and H.R. 944."

We believe there are compelling reasons to continue the current grazing fee system. The grazing fee formula acknowledges the contribution of Federal permittees to the maintenance of the public rangelands. And abandonment of the formula could significantly harm the economic base of many Western communities.

Thank you again for taking the time to express your views about the grazing fee issue. We appreciate your interest in working with the Administration to achieve a workable and effective grazing policy.

Warmest regards,

ROGER E. PORTER,
Assistant to the President
for Economic and Domestic Policy.

This is written to Senator MALCOLM WALLOP. It says:

As you are aware, the Bush Administration supports the current system based on the PRIA grazing fee formula established by the Public Rangelands Improvement Act of 1978. In his recent testimony before the House Interior and Insular Affairs Subcommittee on National Parks and Public Lands, Bureau of Land Management Director Cy Jamison stated unequivocally that "the present system is inherently more fair than the proposals in H.R. 481 and H.R. 944."

My friend from Vermont, in his opening statement this morning, said: See how much more fair we are than the House. Our cuts are only this high.

Well, this is like, someone reminded me, having a bully on the block, and he is telling you what a great guy he is because he only beats you up every other day, while the bully before him beat you up every day. The increases suggested by this amendment are outrageous, and are no better than the leg-

islation that Cy Jameson talked about, and that Roger Porter refers to in his letter.

Roger Porter, Assistant to the President, further states:

We believe there are compelling reasons to continue the current grazing fee system. The grazing fee formula acknowledges the contribution of Federal permittees to the maintenance of the public rangelands. And abandonment of the formula could significantly harm the economic base of many Western communities.

We have heard statements here today suggesting that perhaps the Senator from Vermont and the Senator from Ohio should take a trip to the West and spend a day or two, or a week, in effect watching what these cowboys do, what these ranchers have to put up with.

When I went home during the break, I had the opportunity to visit a couple of ranches. I did this after holding a number of town hall meetings throughout the rural part of Nevada. These ranchers that came to these town hall meetings are not people that would normally come to town hall meetings. This had to be a crisis, in their minds, for these cowboys, and sometimes their families, to come to these town hall meetings.

They came to these town hall meetings because they are frightened. They are frightened because they believe their way of life is going to be wiped out.

If this grazing fee formula is increased, not all of them will go broke, but it will wind up like the people from the grasslands. With this extraordinarily high grazing formula, about half of them will go broke. But they came to these town hall meetings, which was unusual for them, as I indicated. Some of them came mad. They were upset that the Government would try to take away their way of life. Some of them came sad, afraid.

So after I attended these town hall meetings, Mr. President, I went and spent a day on two ranches. One of them was the Glaser Ranch in Elko County, OH, the other occasion, I went up into the Marys River area to watch what the Federal Government is doing in conjunction with ranchers to increase, to improve, and to benefit that whole area; to bring up high terrain areas, to do a lot of good things that they could only do with the help of the ranchers.

The trip I took was extraordinary because I went with my friend, Norm Glaser, to his ranch. Here is a report in a newspaper of the trip that I took:

The Glaser ecology ranch tour viewed part of the Old United States Cavalry. They were there way before the turn of this century, the Fort Halleck preserve, a natural wetlands originating during the confluence of the Humboldt Creek. We also viewed irrigated, manmade wetlands made by ranchers, pond construction made by ranchers, meadow rehabilitation by ranchers, a bird island made possible by ranchers.

The rookery on the ranch is composed of hundreds of birds of various species, according to the game biologist that went with us from the Nevada Game and Wildlife.

In the middle of the hot summer, August, in this clump of trees, which is not often seen in the desert, there were hundreds and hundreds of birds during the day at this resting place of theirs.

Glaser explained the ranch conservation program of providing biodiversity in this construction of ponds along with shaping, grading, and seedbed preparation. Glaser stated the enhancement program has been accelerated and has become more sophisticated in recent years with the planting of trees, milo, and other grain.

In addition, Glaser explained that the program accomplishes three things: It provides a grass cover higher in protein and increased yields. Ranchers now work with the Government to get better grass. It is better for the environment and better for their cattle. It increases the efficiency of water distribution and utilization and smoother meadows, and prolongs the life of expensive haying equipment.

Although a restoration program has been in effect for many years in the Star Valley Conservation District, it has been reviewed affirmatively by the Army Corps of Engineers and Fish and Wildlife Service to see if it complies with section 404 of the Clean Water Act. It has a positive potential for improving conditions for migratory geese, wildlife, and domestic stock. The ecosystem has definitely been improved.

In this article is a picture of two sandhill cranes we saw that day looking at us. They are there because of level pasture. Norm Glaser said he had not seen many of these cranes lately, and he hoped the work he had done environmentally will bring back more of these birds.

Mr. President, I ask unanimous consent that a statement by Robert Wright and letters by Harvey and Susan Barnes that set out what they do on the ranches be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

PUBLIC LANDS COUNCIL

My name is Robert R. Wright, and I am a lifelong resident of northeastern Nevada. I have been involved in the livestock business all of my life. My ancestors were also livestock producers, and they settled in the area in 1872.

The ranch that we own is a family operation. Our son is part-owner, and will, hopefully, carry on the family ranch. My wife and

I have five grandchildren, and four of them help with the ranch work, when not in school. The ranch is a definite adhesive factor for our family.

One of my relatives was an organizer of the Taylor Grazing Act. He served on the committee that drew up the Act and the rules and regulations that followed. These people recognized that a coordinated system of grazing on public lands needed to be initiated. It would be interesting to have these people see the improved ranges that has resulted from their work. Unfortunately, none are alive today.

Congress was delegated the authority under the Taylor Grazing Act to set grazing fees each year. As soon as Congress convened in January it would set hearings to set fees by the billing date of March 1st. Of course, Congress rarely had the feed set by then. It was particularly difficult for the "permittees" to finalize their budgets on January 1st, not knowing what the grazing fee would be. The hearings were a hassle with the testimony being given by land-managing agencies, western congressmen and senators, livestock organizations from every western state and numerous "permittees". That is one of the desirable features of the grazing fee formula; eliminating the hearing process that was expensive and time consuming. "Permittees" can also finalize their budgets on January 1st, for they know what the grazing fee is to be. Don't do away with the grazing fee formula for it works in more ways than just setting the fee.

If the grazing fee is increased as being proposed in legislation, then "permittees" would have to decide if it was economical to produce food from the public lands. Many would just vacate, and parts of the West would become another "Grapes of Wrath".

The public land ranges that I am familiar with, have improved substantially since the enactment of the Taylor Grazing Act. There are more species of wildlife, and in greater numbers than ever before. Congress should adhere to the testimony of range researchers and university economists who are experts in their fields, rather than radical extremists and their emotionalism. The ranges today are in better condition than at any time in this century.

My family and I hope to carry on in the food producing business and particularly in the livestock part of it. It would be very disheartening to see over a hundred years of endeavor go for naught. The present grazing fee formula is not a subsidy and should be allowed to continue for it is in the best interest of everyone concerned.

BARNES RANCHES

Barnes Ranches is a Small Business family corporation established in 1968 to make it possible for us (Harvey and Susan Barnes) to acquire ownership in his parents' ranch. We now have 75% of the shares.

The ranch is located 40 miles south of Elko near the base of the Ruby Mts. Barnes' purchased it from the Ed Carville Estate in 1948. Hillery Barnes had been cattle foreman for 19 years for the Mary's River ranches north of

Elko and wished to settle on a smaller operation.

Ed Carville bought tracts of land from several people to form the present main ranch. His first acquisition was in 1878.

E. P. (known to all as Ted) Carville was a Governor and Senator of Nevada. He was a lawyer and handled the selling of the ranch for the heirs. The ranch had been leased for 28 years because the family's professions were elsewhere.

During the 1940's and 1950's fencing was the primary project on public lands by Barnes. The ranch did all the labor and also bought the materials. The BLM money at that time was used primarily for artificial revegetation. Following the fences which created allotments, came wells, troughs, pipelines from spring to better distribute and increase water supplies, which also had to be mainly supplied by the ranch. We invested between \$25,000 and \$35,000 in these Federal land projects—which compensate for fees not recognized by non-range users. Allotment management plans were made feasible by these expenditures and intensified grazing systems have been administered by the Forest Service and BLM.

In 1948 my parents were able to buy 640 A. of fenced Federal land and in 1962 they bought 760 Acres of land being used by the ranch. This land is the only owned grazing land encompassed in the ranch. The meadow lands supply the hay for winter feed and must be free of livestock during the growing and haying season. Livestock remain on the private land from November to April 15, during which time vaccinating, culling, winter feeding and valving occurs. From April 15 to June 1st livestock are on BLM ground. After that time half are on BLM and half on Forest land. The ranch is absolutely dependent upon the rights acquired on Federal lands.

Labor costs have been kept at a minimum. The family have had to be frugal and provide their ranch labor. Labor costs have been kept at a minimum.

A substantial grazing fee increase would have a devastating affect on our family operation. The profit margin on a well managed ranch is narrow even in prosperous years that we have recently enjoyed. To survive such a fee increase, the ranch would have to cut down on maintaining conservation practices and would have to curtail improvements and maintenance on federal lands. This would be the rule for western livestock operations. Our climate with short growing seasons limit any diversification opportunities for these livestock operations. By eliminating a productive segment of an areas economy, it creates a downward trend in other industries. Immediate effects may not be felt by the entire country, but I will guarantee an erosion from within will expand and in future years our nation will add a paragraph of destruction in our history.

Our son graduated from UNR this spring and wants to return to the ranch, and it is our hope that he may be able to continue the operation that has been in the family for 43 years.

NORTHERN NEVADA RANCH, MEDIAN SIZE FAMILY RANCH

[Analysis of effect of grazing fee increase]

	Number of AUM's	Cost per AUM paid	Net income	If cost of AUM is	Net income	If cost of AUM is	Net income	Difference what paid and \$5.09	Difference what paid and \$8.70
Sept. 30, 1990	2,902	1.81	\$4,909	\$5.09	(\$4,611)	\$8.70	(\$15,097)	\$9,519	\$19,995
Sept. 30, 1989	2,264	1.86	15,978	5.09	8,665	8.70	492	7,313	15,486
Sept. 30, 1988	2,256	1.54	2,157	5.09	(6,917)	8.70	(16,144)	9,074	18,301
Sept. 30, 1987	2,760	1.35	22,243	5.09	11,921	8.70	1,957	10,322	20,286

NORTHERN NEVADA RANCH, MEDIAN SIZE FAMILY RANCH—Continued

[Analysis of effect of grazing fee increase]

	Number of AUM's	Cost per AUM paid	Net income	If cost of AUM is	Net income	If cost of AUM is	Net income	Difference what paid and \$5.09	Difference what paid and \$8.70
Sept. 30, 1986	3,030	1.01	(17,788)	5.09	(30,150)	8.70	(41,088)	12,362	23,300
Sept. 30, 1985	2,684	1.35	(898)	5.09	(10,936)	8.70	(20,625)	10,038	19,727
Sept. 30, 1984	2,357	1.37	(29,125)	5.09	(37,893)	8.70	(46,402)	8,768	17,777
Sept. 30, 1983	2,519	1.40	(2,993)	5.09	(12,288)	8.70	(21,382)	9,295	18,389
Sept. 30, 1982	2,267	1.86	15,053	5.09	7,731	8.70	(453)	7,322	15,508
Sept. 30, 1981	2,519	2.31	45,650	5.09	38,647	8.70	29,554	7,003	16,096
Total		1.59	55,185	5.09	(35,831)	8.70	(129,178)	91,016	184,363

Mr. REID. I would like to read one paragraph from Wright's letter which says:

One of my relatives was an organizer of the Taylor Grazing Act. He served on the committee that drew up the act and the rules and regulations that followed. These people recognized that a coordinated system of grazing on public lands needed to be initiated. It would be interesting to have these people see the improved ranges that has resulted from their work. Unfortunately, none are alive today.

I guess what we are saying here today is that we want understanding; we want people to appreciate what these cowboys go through, because it is not easy. We hear a lot of things kicked around about prices and whether it should be this much or that much. But what, in fact, we have here that we are trying to protect is a way of life that contributes to the economy of this country.

Mr. President, I have been to Elko County, and I was there recently. Once each year, they hold a cowboy poetry contest which has become world famous. They do not have enough rooms to take care of the people that come there once a year. These poems are written by cowboys in their bunkhouses or around a campfire. They can say in just a few words perhaps what we have been trying to say here all day. Let me read to you a poem written by Nyle Henderson, which is entitled, "How Many Cows?"

A fella from town stopped by the other day.
The talk that we had sorta went this-a-way.
He said, "I've got something that I'd like to ask you,

And if you know the answer, I'd like to know, too.

"I want to be a rancher and at prices today,
How many cows would I need to make my livin' pay?

Would a thousand cows be better than just one or two?

Do you have any advice on what I should do?"

"Now that's a tough question I'll tell you for sure,

Not one that can be solved with any one cure.

Machinery's sky high and so is the land,
And interest rates are more than anyone can stand.

"And there's imports and embargoes and all the like,

Remember now, as a rancher that you can't go on strike.

There's politicians, vegetarians and ecologists, too,

And a hundred government agencies telling' you what to do.

"There's the cost of fuel and fences and labor and seed,

And tools and tires and water and feed.
There's always a horse needin' shod and veterinary bills,

I'll tellin' ya friends, ranchin' ain't all thrills!

"Startin' early in spring you'll be calvin' all night,

There's still feedin' to be done and the water's froze tight!

Insurance and utilities are always goin' up,
And remember, that wife of yours is about ready to pup.

"The whole cost of operating hasn't yet reached a peak,

While the price of beef is just pretty darn weak.

So here is the answer to this little test,
The man with the fewest is doin' the best.

"Only he's not makin' more, like you might guess,

The fact is, my friend, he's just losin' less!"

Well, I think that that is what it is all about here, Mr. President. This is not a situation where these ranchers, cowboys, are taking vast amounts of money, putting it in the bank and shipping it overseas. These are people that are barely surviving; yet, they contribute a great deal to our economy. What would rural Nevada be without ranching and mining? It has only been in the last few years that we have had mining. Mining has made a comeback, as we talked about Friday. Prior to mining, all rural Nevada had was ranching. That is how the schools were kept. That is how the roads were paved. That is how the cities were maintained. People would come to Elko, Battle Mountain, and buy a piece of farm equipment. That is how it kept going.

So it is really important to our way of life that these number of unseen expenses we have talked about are calculated and remembered by people in the Senate, because the costs are significant.

Mr. President, I see my friend from Alaska, who is such a protector of the public lands, and I want to leave time for him to speak. But I do want everyone that can hear my voice to understand that we cannot appreciate what these ranchers go through. It is not easy. But to them, it is their lives. It is their lives, and in these letters I have introduced which were made part of this RECORD, they talk about their children being on the land and their grandchildren and how they work the

land. That is what we are trying to do, protect a way of life.

So, if, in fact, there is something wrong with the grazing fee, let us change it by having hearings so that people from Nevada, Arizona, Idaho, and other Western States, can come and talk about what impact it would have on their lives. Do we want all the cattlemen to go out of business, or 50 percent of them?

I heard my friend from North Dakota talking here today, defending a way of life. He was asked a question, if an increase only applied to about 100 people in his State. Only 100, in a State like North Dakota, is a significant number of people. In fact, what we should be doing here today, instead of trying to increase the formula for these rangelands, is to be decreasing the fee for those in the grassland States, because, as I have indicated, half of them have gone bankrupt because of that increased formula.

I will close, Mr. President, recognizing, as I indicated, that others wish to speak. Ranchers and cowboys, consider themselves stewards of the land and in fact they are. These pictures I have talked about here today show the dramatic improvement in the rangelands. We have heard from the people that run Government agencies; the Forest Service, and the Bureau of Land Management, saying if we are going to maintain the lands even at the level they are now maintained and you get rid of the cowboys, the ranchers, consider that you are going to have to increase our budget significantly.

I yield the floor.

The PRESIDING OFFICER. The Chair recognizes the Senator from Alaska.

Mr. STEVENS. Mr. President, I certainly appreciate the very strong statement of the Senator from Nevada in defense of the ranchers and cowboys of the West.

REFINED PRODUCT RESERVE

Mr. D'AMATO. Mr. President, I am pleased that our committee's Interior appropriation bill includes funding under strategic petroleum reserve to initiate a 3-year test of the refined petroleum product reserve [RPR] that we established in legislation passed last fall. The RPR should be an effective way to avoid great human suffering and economic loss in times of shortage

and high demand for refined products such as heating oil.

I am concerned, though, that the Department of Energy apparently still plans to make this test entirely at a facility on the gulf coast rather than in product-importing regions of the country. The authorizing legislation lists three criteria for citing RPR facilities. One of those criteria is proximity of RPR facilities to product-importing regions. A site on the gulf coast clearly doesn't qualify, and the law doesn't let DOE pick and choose the criteria it wants to apply. DOE is required to meet all the criteria in this law.

I note that the committee report on this appropriation in the other body contained language making this point. I expect that will change DOE's mind on locating RPR facilities. I hope the Interior appropriations conference will adopt language making clear to DOE that its present RPR plans do not comply with the law, and that it must implement the RPR in full compliance with all three criteria in the law.

Also, DOE's insistence that it would be too expensive to have more than one RPR facility makes this issue much more difficult than it needs to be. DOE must lease unused private storage for the RPR because the law says it can't build any facilities. So using smaller, multiple facilities in different regions is just a matter of accounting, not a cost problem. I hope the conferees will make this point to DOE. It would also be useful for them to mention that multiple facilities will better serve the purposes for which we authorized the RPR by putting stored product closer to the markets in several major product-importing regions: For example, the Upper Midwest and Hawaii as well as my own Northeast region.

WEATHERIZATION PROGRAM

Mr. LIEBERMAN. Mr. President, I rise to commend the chairman of the subcommittee, Senator BYRD, for putting together such a well balanced piece of legislation. This was particularly difficult this year since the budget compromise put real constraints on subcommittee spending.

I would like to make one comment on the subcommittee's funding for the Weatherization Program. The Senate bill cuts funding for this most important program by 11 percent. I would ask the distinguished chairman of the subcommittee to consider acceding to the House number, which increases funding by 1 percent.

I make this request with the greatest respect. The DOE Weatherization Program is alive today only because of the support of Chairman BYRD. That point must be clearly understood. Unfortunately, today States face declining resources for helping the poor with the essentials like keeping warm in the winter, while demand continues to increase.

Because of severe budget difficulties, Connecticut will no longer be able to meet past Weatherization Program amounts. And Connecticut is not unique. There has been a severe slowdown in all energy conservation activity for the poor.

Yet, at the same time, we are trying to make our Nation more energy efficient. The Weatherization Program is one of the most effective tools we have for helping the disadvantaged with their energy problems. It cuts energy costs by weatherizing housing units. The program has been shown to save approximately 20 percent of the average clients' usage or about \$240 each year. This amount exceeds the average fuel assistance payment. Cutting back on conservation wastes money.

In addition, weatherization is attracting tens of millions of dollars in matching energy investments from utilities and landlords. When we cut funding at the Federal level, we lose funding from the private sector as well.

Again, I appreciate the chairman's hard work in putting together this bill, but I ask that he consider acceding to House numbers in conference on the Weatherization Program.

Mr. STEVENS. 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. BURNS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

Under the previous order, the Senate is scheduled to vote at 6:30.

UNANIMOUS-CONSENT AGREEMENT

Mr. MITCHELL. Mr. President, I ask unanimous consent that, upon the disposition of the Executive Calendar, treaty No. 10, and the return to legislative session, the Senate proceed to the consideration of H.R. 2426, the military construction appropriations bill; that the committee amendments be agreed to en bloc and considered original text for the purpose of further amendment; and that the bill be considered under the following time limitation: 30 minutes of debate on the bill equally divided and controlled in the usual form with no amendments in order to the bill other than the committee amendments and the three amendments listed below, the time for consideration of which to be included in the overall 30-minute time limitation on the bill. The amendments are an amendment by Senators SARBANES and MIKULSKI regarding a land transfer at Fort Meade, MD, to the Fish and Wildlife Service; an amendment by Senator DOLE regarding tornado relief money at McConnell Air Force Base; and an amendment by Senator GARN regarding

a land transfer at Fort Douglas; further, that upon the conclusion or yielding back of time, the Senate proceed to third reading and final passage of the bill.

The PRESIDING OFFICER. Is there objection?

Mr. NICKLES. No objection.

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

ORDER OF PROCEDURE

Mr. MITCHELL. Mr. President, Members of the Senate therefore should be aware that following the vote which is about to occur on the treaty, the Senate will proceed to consideration of the military construction appropriations bill under the agreement just approved. It is not my intention, nor the intention of the distinguished Republican leader, nor the managers of the bill, to seek a rollcall vote on any of the amendments or on final passage of that bill. We cannot preclude that in advance, but if no Senator seeks a rollcall vote, in that event, the vote about to occur will be the last rollcall vote this evening.

If a Senator does intend to seek a rollcall vote on the military construction appropriations bill, it is obviously important, for the convenience of our colleagues, to express that indication now or as soon as possible so that Senators can be aware of the schedule.

Further, it is my intention, as I previously stated on many occasions, to proceed, upon the disposition of the military construction appropriations bill, to the Transportation appropriations bill. I hope that we can at least get that laid down tonight and complete action on that tomorrow, and then be in a position to return to the Interior appropriations bill and have a vote on the pending amendment or in relation to the pending amendment sometime during the day tomorrow.

Mr. President, I know of no Senator who would seek a rollcall vote. I am pleased to yield to the distinguished Republican manager at this time.

Mr. NICKLES. If the Senator will yield, I agree with the scenario the majority leader outlined. I hope though, before we leave tonight, that we could agree to a vote at some time certain on the Jeffords-Metzenbaum grazing amendment. I do not care what time it is. I would just like to have a time set down or else we would have another full day of debate.

Mr. MITCHELL. I hope we can do that. I see the distinguished Senator from Vermont on the floor and inquire through the Chair if the Senator from Vermont and if he could speak for his cosponsor of the amendment, the Senator from Ohio, would be prepared to agree to a vote on or in relation to the amendment at a time certain tomorrow?

Mr. JEFFORDS. Mr. President, in reply to the question, I have no objec-

tion whatsoever to setting a time certain. I do want to accommodate all of those who have a desire to speak against the amendment. I think many have been accommodated. I know there are one or two that will be here tomorrow, so there should be some more time. But I have no objection to a time certain, providing all the Members that want to speak are accommodated. And I say it is not a great line behind me on my side.

Mr. MITCHELL. Mr. President, might I suggest that the Senate could of course continue to debate this evening if any Senator wishes to address the matter. It is my hope that we can get to it and complete action on the Transportation appropriations bill during the day tomorrow and have a vote on or in relation to this amendment during the day tomorrow.

Mr. DOMENICI. Mr. President, I might say that anyone could move to table. Thus far, I have indicated that I intend to. There are a number of us who have already spoken.

We would like, rather than to jump back and forth from Transportation without us understanding where we are, we would like some time preceding a tabling or a vote on the amendment. I think maybe without asking Senators, since there are still five or six who have not spoken, we could just leave it tonight that in the morning, you, or the managers of the Interior bill will accommodate us with a reasonable request that some time during the day we will return to Interior for this amendment, at which time a vote on it or in relation to it will occur 1 hour thereafter, or 40 minutes.

Mr. MITCHELL. Certainly; what I suggest now is that we proceed to the vote, and during the time of that vote and during the time that the military construction appropriations bill is being considered for its disposition, I think we can work out an agreement that will be acceptable to all concerned.

Mr. SYMMS. If the Senator will yield, I think what the Senator from New Mexico is trying to say, for those of us who feel strongly about this amendment is until we see how the tabling motion comes out we cannot do anything on the Interior bill.

Mr. MITCHELL. Nobody has asked for that.

Mr. SYMMS. Just as long as we understand that.

Mr. MITCHELL. Nobody has asked for anything beyond that. The understanding is that at a time certain tomorrow there would be a vote on or in relation to the amendment which presumably would be on a tabling motion, and I have not asked anybody to do anything beyond that.

Mr. DOMENICI. Mr. President, if the leader will yield, I see the distinguished chairman of the full committee, who happens to Chair the Sub-

committee on Interior, on the floor. I want to say although he is not from a public lands State, he has been most accommodating. This Senator has no intention at this point but to reciprocate and be as accommodating as possible. He knows this is a very contentious issue, and I have told him that.

Mr. BYRD. Will the majority leader yield?

Mr. MITCHELL. I am pleased to yield to the distinguished Senator from West Virginia.

Mr. BYRD. Mr. President, I wonder if we could proceed as the majority leader has suggested and during the vote see if we could work out a time that would be agreeable to all concerned on this amendment or on a tabling motion.

Mr. MITCHELL. Mr. President, before we vote, those Senators who have just come in should be aware, and I will repeat for their benefit, that we are going to take up the military construction appropriations bill immediately after this vote. It is not my intention to seek a rollcall vote on that. But should a Senator insist, then that could occur and we are going to proceed. We are going to finish that bill tonight. So Senators who depart immediately after this vote do so understanding that risk. I do not think it is a substantial one because neither side has received any notice of any Senators desiring to have a rollcall vote on that. But so there is not any misunderstanding, we are going to finish the military construction appropriations bill this evening, and I hope to start on the transportation bill and finish that tomorrow.

Mr. STEVENS. Mr. President, will the Senator yield?

Mr. MITCHELL. Yes.

Mr. STEVENS. Will there be any votes on the amendments themselves?

Mr. MITCHELL. I am advised that the committee has indicated willingness to accept the amendment. So there will not be any vote on those.

Mr. STEVENS. I thank the Chair.

Mr. MITCHELL. I thank my colleagues for their cooperation, and I yield the floor.

EXECUTIVE SESSION—AGREEMENT WITH THE UNION OF SOVIET SOCIALIST REPUBLICS ON THE MARITIME BOUNDARY

The PRESIDING OFFICER. Under the previous order, the hour of 6:30 p.m. having arrived, the Senate will proceed into executive session to vote on Executive Calendar Order No. 10, 102d Congress, 1st session, Agreement with the Union of Soviet Socialist Republics on the Maritime Boundary.

The resolution of ratification will be read for the information of the Senate.

The resolution of ratification was read, as follows:

Resolved (two-thirds of the Senators present concurring therein), That the Senate advise and consent to the ratification of the Agreement Between the United States of America and the Union of Soviet Socialist Republics on the Maritime Boundary, with Annex, signed at Washington, June 1, 1990.

Mr. PELL. Mr. President, I am pleased to bring before the Senate today a treaty concerning our maritime boundary with the Soviet Union. This treaty was approved and favorably recommended to the Senate by the Foreign Relations Committee just before the August recess.

This maritime boundary agreement defines the maritime boundary between the United States and the Soviet Union off the coasts of Alaska and Siberia in the North Pacific Ocean, the Bering and Chukchi Seas, and the Arctic Ocean. It resolves conflicts concerning the sovereign rights and jurisdiction of the two countries with regard to territorial sea, exclusive economic zone, and Continental Shelf jurisdiction, thereby settling longstanding disputes over fishing rights and mineral resource development.

In the 1867 United States-Russia Convention Ceding Alaska, Russia ceded to the United States all territory and dominion up to the western limit specified in the convention, which became the maritime boundary for purposes of defining fisheries and oil and gas deposits in the seas between Alaska and Siberia.

Sometime in 1977, it became clear that the two countries were measuring the location of the 1867 line differently, resulting in a disagreement over some 21,000 square nautical miles in the Bering Sea, which each country claimed were on its own side of the 1867 line. Discussions about the boundary began in 1981, resulting in the agreement which is now before the Senate. It was submitted for advice and consent in September of last year.

The agreement reaffirms that the 1867 convention line is the maritime boundary between the two countries and agrees upon a common depiction of that line. The disputed area is divided, and territorial sea, exclusive economic zone, and Continental Shelf jurisdictions are established by a precise boundary.

This agreement, which represents a compromise between the two nations' competing claims, will serve this country's political and economic interests in several ways:

First, it will remove a significant potential source of political dispute between the two countries;

Second, it will settle disputes concerning jurisdiction over fish, seabed, and subsoil resources, enabling development of these valuable resources—especially fisheries and seabed resources—to go forward;

Third, it will place 70 percent of the Bering Sea under U.S. resource jurisdiction; and

Finally, it will end harassment of U.S. fishermen and companies in the maritime areas between Alaska and Siberia.

Mr. President, I am pleased to present this treaty to the Senate today and I urge that the Senate give its advice and consent to its ratification.

Mr. HELMS. Mr. President, the maritime boundary agreement between the United States and the Soviet Union has been a matter of concern to this Senator for a number of years.

I have had four major areas of concern:

First, I have sought to ensure that the agreement be in treaty form and be duly submitted to the Senate for its advice and consent as required by the Constitution.

Second, I have sought to protect the status of the DeLong Islands—Bennett, Henrietta, and Jeannette Islands—in the Arctic.

Third, I have sought to protect the status of Wrangel and Herald Islands in the Arctic. While several islands bear the name Wrangel or Wrangell, the island that I am referring to lies in the Chukchi Sea of the Arctic Ocean about 100 miles off the Siberian coast. The island is about 80 miles long and about 30 miles wide. A harbor in the southeastern part is in latitude 70°57' N. and longitude 178°10' W. The island is about 2,925 square miles in area.

Finally, I have sought to ensure that the proposed maritime boundary treaty would not foreclose the U.S. right under international law to pursue its claims to sovereignty over the five islands. I believe these four goals have been achieved.

The first concern has been resolved to my satisfaction through the submission of the U.S.-U.S.S.R. Maritime Boundary Agreement to the Senate in treaty form for its advice and consent.

The second concern has been resolved to my satisfaction through assurances given by the Legal Adviser of the Department of State, Edwin D. Williamson, to the Committee on Foreign Relations and to me personally and through my staff. The Legal Adviser has assured the committee that this maritime boundary agreement does not affect the status of the Arctic islands. Further, the Legal Adviser has stated that the United States has neither relinquished claims to these islands nor officially acquiesced to other claims over these islands. Referring specifically to the five American Arctic islands in his testimony before the committee, Mr. Williamson states as follows:

The agreement is a maritime boundary agreement. It does not recognize Soviet sovereignty over those islands.

The third concern has also been resolved to my satisfaction with respect to Wrangel Island, since the statement of the Legal Adviser of the Department of State that the maritime boundary

agreement does not affect the legal status of the five Arctic islands clearly includes Wrangel Island.

Therefore, the legal situation that obtains today with respect to these Arctic islands will remain exactly what it is today, namely, one of conflicting claims under international law. The guarantee of the Legal Adviser of the Department of State that the U.S.-U.S.S.R. Maritime Boundary Agreement itself does not take a position with respect to the conflicting claims of the United States and the Soviet Union with respect to these five islands.

This means that the question of ultimate ownership is not prejudiced by the treaty, and remains open for future decision. The legal adviser has assured me that the United States has never officially relinquished its claims to these islands nor officially acquiesced to Soviet claims to these islands. In my judgment, the U.S. claims are sound, and should be pursued vigorously.

Unfortunately, past experience has shown that the State Department frequently regards legitimate American interests as obstacles to accomplishment of its grandiose plans for an international order based upon the subordination of national sovereignty to a global governmental regime.

Since I doubt that the State Department will make use of the opportunity to press U.S. claims to the five islands—even though the right to do so is preserved—I intend to vote against the treaty.

BOUNDARIES AND THE SENATE

On September 26, 1990, the White House submitted the U.S.-U.S.S.R. Maritime Boundary Agreement to the Senate for its advice and consent. This action by the executive branch was the proper course of action and satisfied this Senator's concern that agreements affecting the boundaries of the United States—whether land boundaries or maritime boundaries—must be in treaty form and duly submitted to Congress and not merely in the form of an executive agreement.

I was concerned for a number of years that the executive branch would seek to use an executive agreement procedure rather than a treaty procedure for our maritime boundary with the U.S.S.R. Such a procedure would circumvent congressional review of the matter and would circumvent the advice and consent of the Senate. There is nothing more fundamental to national sovereignty and to national security than the question of boundaries. Our land boundaries with Canada and Mexico were established by treaty. All previous maritime boundary agreements between the United States and foreign nations were established by treaty. The issue of maritime boundaries has become important since World War II. Modern 20th century international law, owing to advances in

science and technology, has had to concern itself with issues such as Continental Shelf rights and exclusive economic zones out to 200 miles from shore. The Alaska Purchase and the discovery and claim of the Arctic islands being considered here occurred in the 19th century.

The convention line of 1867 for purposes of the Alaska Purchase was never a boundary line as understood by international law either at the time of the Alaska Purchase or under today's modern international law. The line was merely a line of demarcation to indicate what the United States had purchased from the imperial Russian Government; that is, everything east of the line. It by no means indicated the status of territories, such as the five islands under discussion, which was not claimed as part of imperial Russia in 1867.

Nor did it relate to territories undiscovered at the time. The DeLong Islands were not discovered until 1881. Wrangel Island was sighted by an American whaling vessel in 1867 but claimed for the United States in 1881. Herald Island was sighted by a British ship in 1849 but later fell under the penumbra of the United States claim to Wrangel Island.

The Department of State in its own publication entitled, "International Boundary Study, No. 14, October 1, 1965, United States-Russia Convention Line of 1867" specifically states as follows:

Furthermore, in keeping with the policy that the line does not constitute a boundary, the standard symbol for the representation of an international boundary should never be used.

During the course of my staff's review over the past decade of the maritime boundary negotiations information reached my office that the legal adviser's office in the Department of State was considering a procedure which would have alleged that the convention line of 1867 was indeed a boundary line. From this position the Department would then allege that all that was needed to arrive at a maritime boundary agreement with the U.S.S.R. was an executive agreement which would have technically described a variation of the convention line, the supposedly already existing boundary line.

The originally proposed procedure was averted because of congressional vigilance and action.

On December 18, 1985, I introduced Senate Resolution 279 relating to the transfer of U.S. territory in the Arctic Ocean. On January 25, 1989, I introduced Senate Resolution 20 relating to the preservation of U.S. territory in the Arctic Ocean. The purpose of these resolutions was to clarify the historical situation relating to these islands and to underscore the proper constitutional procedures relating to boundaries of the United States.

Fortunately, pressure from concerned Senators and Congressmen was sufficient to ensure that the executive branch follow the Constitution. On July 20, 1989, I submitted amendment No. 387 to the Foreign Relations Authorization Act. The amendment, which was agreed to, stated as follows:

It is the sense of the Senate that—

The Department of State shall submit to the Senate in treaty form for advice and consent all agreements with the Soviet Union which relate to boundaries of the United States.

The final language which appears in title X, section 1007 of the Foreign Relations Authorization Act, fiscal years 1990 and 1991 is as follows:

It is the sense of the Congress that all international agreements pertaining to the international boundaries of the United States should be submitted to the Congress for such consideration as is appropriation pursuant to the respective constitutional responsibilities of the Senate and the House of Representatives.

For the record, it should be noted that opposition to the maritime boundary agreement has been registered in several resolutions passed by the Alaska State Legislature. For example, Alaskan Senate Joint Resolution No. 12 relating to the determination of the State's boundaries with the Soviet Union and Canada was approved by both houses of the Alaska State Legislature and signed into law by the Governor in 1988. Alaskan Senate Joint Resolution No. 61 requesting the Government of the United States to reassert jurisdiction over Wrangel Island, Herald Island, Henrietta Island, Jeannette Island, and Bennett Island was approved by the State senate in February 1988.

The U.S. Supreme Court has repeatedly noted that the treaty power does not authorize the Federal Government unilaterally to divest a state of its territory without its consent. (See, e.g., *DeGeofrey v. Riggs*, 133 U.S. 258, 33 L.Ed. 642, 645 (1890); *Fort Leavenworth R.R. Co. v. Lowe*, 114 U.S. 525, 541 (1885).)

On May 17, 1991, the committee received an official letter from the Alaska State Legislature signed by 47 Alaska State representatives and senators. The letter, an additional copy of which was forwarded to me by Alaska State Senator Paul A. Fisher, states, in part, as follows:

No Alaskan official has ever been invited to participate in the treaty negotiations, in spite of abiding Alaskan interests in fisheries, petroleum and other potential continental shelf resources and the consideration of navigation in the area. In the entire history of the treaty negotiations, Alaska has had no official voice. There is precedent. In 1842, at the behest of Secretary of State Daniel Webster, two commissioners from the State of Maine and three from Massachusetts participated in U.S. negotiations with England over a border disputed since the time of the Revolutionary War.

* * * * *

It is our purpose to urgently recommend that the presently proposed treaty not be

ratified by the U.S. Senate, and that negotiations be continued to include appropriate Alaskan officials and current United States and Alaskan historic, territorial, and resource interests.

THE DELONG ISLANDS

The status of the five Arctic islands—the three islands in the DeLong group and the Wrangel and Herald group—which the United States had taken possession of during the last century also was of concern to this Senator.

The historical record is clear with respect to the history of the DeLong Islands. They were discovered in 1881 by an official U.S. expedition. They were immediately taken possession of in behalf of the United States in accordance with the accepted practices of the day. Numerous Senate and House documents as well as U.S. Government documents reveal this historical record.

The legal adviser of the Department of State, as noted earlier, has assured the Committee and this Senator that the U.S.-U.S.S.R. Maritime Boundary Agreement in no way affects the status of these three islands. That is to say, the United States by ratifying this treaty does not relinquish any claims to these islands nor does it acquiesce to any Soviet claims to these islands. This assurance by the Legal Adviser favorably resolves my concerns with respect to the status of these three islands.

The DeLong Islands were discovered and taken possession of in behalf of the United States during a congressionally authorized and financed expedition to discover the location of the North Pole. On March 18, 1878, the Congress approved an act in aid of a polar expedition designed by James Gordon Bennett, a citizen of the United States and widely known publisher of the New York Herald newspaper.

This act authorized the the Secretary of the Treasury to issue an American registry to the vessel *Jeannette* purchased in Great Britain in order that the ship could be used for the expedition. On February 27, 1879, Congress approved an act authorizing the Secretary of the Navy to accept and to take charge of the ship *Jeannette* for the use of a north polar expedition under the command of a U.S. naval officer.

Two congressional documents from the period, which include nautical charts, clearly reveal the historical record of the discovery of and the incorporation into U.S. territory of the three DeLong Islands. These documents are, House of Representatives, 47th Congress, 2d session, Executive Document No. 108, "Loss of the *Jeannette*"; and House of Representatives, 48th Congress, 1st session, Mis. Doc. No. 66, "*Jeannette Inquiry*."

These documents establish through testimony of members of the expedition and official documents of the ex-

pedition including the journals of Lt. Comdr. George W. DeLong (U.S.N.) commander of the Polar Expedition of 1879-81 the fact that the DeLong Islands were discovered and taken possession of in behalf of the United States by this congressionally authorized and funded expedition.

Subsequent official documents and nautical charts published by the U.S. Government clearly reveal the three islands as part of the territory of the United States. Examples of these documents include the U.S. Geological Survey document No. 187 entitled "Geographic Dictionary of Alaska" published in 1902 and printed in a second edition in 1906. It was written by Marcus Baker, the Secretary of the U.S. Geological Survey. Bennett, Henrietta, and Jeannette Islands are included in the book as part of the territory of Alaska.

In 1930, the U.S. Geological Survey published its bulletin No. 817 which was entitled "Boundaries, Areas, Geographic Centers and Altitudes of the United States and the Several States." This publication was written by Edward M. Douglas and was a revision and enlargement of the 1923 edition. The DeLong Islands are described as discovered by the DeLong polar expedition and claimed for the United States.

In 1986, the U.S. Naval Institute Press published a book entitled "Icebound, The Jeannette Expedition's Quest for the North Pole," by Leonard F. Guttridge. The book is an authoritative and exhaustive study of the expedition and documents the discovery of the DeLong Islands and the fact that they were taken possession of in behalf of the United States.

WRANGLER ISLAND

The status of Wrangel Island and nearby Herald Island which is associated with it has also been of concern. Herald Island was discovered in 1849 by Captain Kellett of the British ship *Herald* but in 1924 a group of Americans visited the island, found it unoccupied, and raised the American flag claiming the island in behalf of the United States. Information relating to both islands and to the American claim of Wrangel Island was published in Senate, 48th Congress, 1st session, Ex. Doc. No. 204, "Report of the Cruise of the U.S. Revenue Steamer Thomas Corwin in the Arctic Ocean 1881," by Capt. C.L. Hooper, U.S.R.M. commanding.

The logbook of Captain Hooper for August 12, 1881, off "Wrangel Land" states as follows:

Went on shore and took possession of in the name of the United States.

The Corwin voyage, including this passage from the logbook, has been documented in a study entitled "The Discovery of Wrangel Island," by Samuel L. Hooper published by the California Academy of Sciences as Occasional Paper No. XXIV, San Francisco, 1956. John Muir, the famous American natu-

ralist and founder of the Sierra Club, was a member of the Corwin voyage. In a memoir he wrote that "a notable addition was made to the national domain when Capt. Calvin L. Hooper landed on Wrangel Island and took formal possession in the name of the United States."

The U.S. Geological Survey documents cited above also include Wrangel Island and Herald Island as part of the territory of the United States.

The "Digest of International Law" by Green Haywood Hackworth, 1973 edition, in volume I, chapter IV, page 464 states as follows:

The United States has not relinquished its claim to Wrangel Island.

While the legal adviser stated that the U.S.-U.S.S.R. Maritime Agreement does not affect the status of these two islands, it must be noted that in order to implement the treaty provision relating to the northern Eastern Special Region a baseline must be used from Herald Island in order to depict this special region. Using such a method, Herald Island would apparently be considered to be Soviet territory. However, the status of Wrangel Island would not be affected nor would the status of the three DeLong Islands.

In my view, there can be no question that the DeLong Islands are a part of the territory of the United States. Even though Wrangel Island has been under Soviet occupation since 1924, the legal adviser to the Department of State as noted above has stated that the United States has never officially relinquished its claim to it and that this maritime boundary agreement does not do so.

Mr. ADAMS. Mr. President, I would like to congratulate the State Department, its Soviet counterpart and the Committee on Foreign Relations for their excellent work in completing the agreement being ratified by the Senate today.

The agreement divides the disputed maritime area along a 1,600-mile boundary between both countries. It clarifies the two countries' territorial seas, exclusive economic zones and Continental Shelf jurisdiction by establishing a precise boundary, where their jurisdictions would otherwise overlap. The disputed area contains rich fishery resources and, among other mineral resources, the potential of major oil and gas deposits. Under this agreement, both sides have reached a compromise based on their historical positions. Special areas will be under the exclusive control of each country.

I am particularly gratified about this agreement because it minimizes the size of the donut hole. The donut hole is an area of the Bering Sea where neither country can exercise its exclusive economic rights. As I stated a couple of years ago:

A predictable result of the displacement of the foreign fleet has been the effort by foreign fishermen to find a way to stay in business. Large numbers have turned their attention to the high seas region of the Bering Sea known as the donut hole. Since 1984, reported donut hole harvests by vessels from Japan, Korea, Poland, and China have increased. * * * Other foreign vessels have resorted to illegal fishing, especially in waters near the donut hole region.

This agreement will not solve the problem entirely. As long as there is no international fishery management system to scientifically assess stocks and to account for and control the level of harvest in this area, the Bering Sea fishery will be at risk. We must renew our efforts internationally to put an end to the uncontrolled fishery in the donut hole. The shelter it provides fish pirates must be destroyed.

I strongly urge my colleagues to vote for the agreement.

Mr. STEVENS. Mr. President, I am here to speak about the issue that will come before the Senate at 6:30 p.m., the United States-Soviet Maritime Boundary Agreement.

That agreement is very important to my home State of Alaska. Its ratification will improve cooperation between the United States and the Soviet Union, but most importantly it will improve the relations between Alaska and our neighbors to the west, and improve the continued United States-Soviet efforts to control international fishing in the Bering Sea.

Under the agreement the Soviet Union will permanently transfer jurisdiction over three special areas to the United States. These areas, whose combined area covers 3,850 square nautical miles, are presently within the Soviet Union's 200-mile exclusive economic zone. Under the agreement these areas will now be on our side of the maritime boundary. In exchange, the United States will give the Soviet Union control over one small 300-square-nautical-mile special area that is within the U.S. exclusive economic zone, but which lies on the Soviet side of the boundary.

As a result, the United States will gain control over 12 times the amount of territory ceded to the Soviet Union. This unprecedented transfer of sovereign jurisdiction ensures control over areas that would otherwise become international waters, the expansion of which would be detrimental to our fisheries because of the economic and ecological threat caused by unregulated high seas fishing.

Such unregulated fishing is already occurring in an area of international waters in the middle of the Bering Sea. This area, known as the Doughnut, is 48,000 square nautical miles and does not lie within the 200-mile exclusive economic zone of either the Soviet Union or the United States. In order to reach the doughnut, fishing vessels must pass through waters which belong

to the United States or the Soviet Union. Our Coast Guard has apprehended numerous foreign vessels that have used the doughnut as a staging area to illegally fish in our waters and illegally raid our stocks.

Through these illegal raids, large amounts of pollock are taken each year, as well as an increasingly large incidental take of salmon, herring, cod, and other species. Foreign fishing fleets report taking 1.4 million metric tons of pollock from the doughnut annually—that is more than the amount of pollock taken annually inside the U.S. exclusive economic zone legally. It is simply too much for the North Pacific.

Recently United States and Japanese scientists have reported that the pollock stocks in the doughnut are collapsing. This collapse is so drastic that in my opinion the United States should close a productive fishing area inside our exclusive economic zone, the Bogosloff, in order to protect the long-term health of the pollock resources within our 200 mile zone.

I have been working to address this problem for some time. In 1988 the Senate unanimously approved Senate Resolution 396, a resolution I introduced which called upon the State Department to work with the Soviet Union to bring about a moratorium on fishing in the doughnut. Since that time, negotiations have been underway between our two countries to try and address the problem of unregulated fishing on the high seas.

In addition, I will be introducing legislation to prohibit any vessel that has access to either fishing or purchasing of fish within our 200-mile limit, which operates in the doughnut area, from having legal access to our zone.

This maritime boundary is supported by U.S. fisherman because it grants the United States jurisdiction over 13,200 square miles more than the amount of territory that the United States would have received using a line equidistant between the two competing boundary claims. The transfer of the three special areas from the Soviet Union to the United States will give our citizens significant new areas from which to harvest fish and will settle a longstanding dispute over what portion of the Bering Sea each of our nations control. This clearly defined boundary will prevent the continued harassment of United States boats by the Soviet Union. As some may recall, as recently as 1987 Soviet gunboats and planes were threatening United States fishing boats in the disputed areas.

In summary, the benefits to U.S. fishermen and the protection of the marine ecosystem that come from increased U.S. control of the Bering Sea make this boundary agreement worthy of Senate ratification.

and real property for the Navy as currently authorized by law, including personnel in the Naval Facilities Engineering Command and other personal services necessary for the purposes of this appropriation, **[\$848,429,000]** \$878,211,000, to remain available until September 30, 1996: *Provided*, That of this amount, not to exceed **[\$79,700,000]** \$67,000,000 shall be available for study, planning, design, architect and engineer services, as authorized by law, unless the Secretary of Defense determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of his determination and the reasons therefor: *Provided further*, That of the funds appropriated for "Military Construction, Navy" under Public Law 100-447, \$10,972,000 is hereby rescinded: *Provided further*, That of the funds appropriated for "Military Construction, Navy" under Public Law 101-519, \$45,420,000 is hereby rescinded.

MILITARY CONSTRUCTION, AIR FORCE
(INCLUDING RESCISSIONS)

For acquisition, construction, installation, and equipment of temporary or permanent public works, military installations, facilities, and real property for the Air Force as currently authorized by law, **[\$1,129,420,000]** \$924,590,000, to remain available until September 30, 1996: *Provided*, That of this amount, not to exceed **[\$74,300,000]** \$62,000,000 shall be available for study, planning, design, architect and engineer services, as authorized by law, unless the Secretary of Defense determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of his determination and the reasons therefor: *Provided further*, That of the funds appropriated for "Military Construction, Air Force" under Public Law 100-447, \$16,900,000 is hereby rescinded: *Provided further*, That of the funds appropriated for "Military Construction, Air Force" under Public Law 101-148, \$63,900,000 is hereby rescinded: *Provided further*, That of the funds appropriated for "Military Construction, Air Force" under Public Law 101-519, \$13,600,000 is hereby rescinded.

MILITARY CONSTRUCTION, DEFENSE AGENCIES
(INCLUDING TRANSFER OF FUNDS)

For acquisition, construction, installation, and equipment of temporary or permanent public works, installations, facilities, and real property for activities and agencies of the Department of Defense (other than the military departments), as currently authorized by law, **[\$745,990,000]** \$654,330,000, to remain available until September 30, 1996: *Provided*, That such amounts of this appropriation as may be determined by the Secretary of Defense may be transferred to such appropriations of the Department of Defense available for military construction as he may designate, to be merged with and to be available for the same purposes, and for the same time period, as the appropriation or fund to which transferred: *Provided further*, That of the amount appropriated, not to exceed **[\$85,489,000]** \$56,340,000 shall be available for study, planning, design, architect and engineer services, as authorized by law, unless the Secretary of Defense determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of his determination and the reasons therefor.

NORTH ATLANTIC TREATY ORGANIZATION
INFRASTRUCTURE

For the United States share of the cost of North Atlantic Treaty Organization Infra-

structure programs for the acquisition and construction of military facilities and installations (including international military headquarters) and for related expenses for the collective defense of the North Atlantic Treaty Area as authorized in military construction Acts and section 2806 of title 10, United States Code, **[\$158,800,000]** \$254,400,000 to remain available until expended: *Provided*, That none of the funds appropriated or otherwise available under the North Atlantic Treaty Organization Infrastructure Account in this or any other Act may be obligated for planning, design, or construction of military facilities or family housing to support the relocation of the 401st Tactical Fighter Wing to Crotona, Italy.

MILITARY CONSTRUCTION, ARMY NATIONAL
GUARD

For construction, acquisition, expansion, rehabilitation, and conversion of facilities for the training and administration of the Army National Guard, and contributions therefor, as authorized by chapter 133 of title 10, United States Code, and military construction authorization Acts, **[\$161,281,000]** \$233,274,000, to remain available until September 30, 1996.

MILITARY CONSTRUCTION, AIR NATIONAL
GUARD

For construction, acquisition, expansion, rehabilitation, and conversion of facilities for the training and administration of the Air National Guard, and contributions therefor, as authorized by chapter 133 of title 10, United States Code, and military construction authorization Acts, **[\$172,690,000]** \$231,506,000, to remain available until September 30, 1996.

MILITARY CONSTRUCTION, ARMY RESERVE

For construction, acquisition, expansion, rehabilitation, and conversion of facilities for the training and administration of the Army Reserve as authorized by chapter 133 of title 10, United States Code, and military construction authorization Acts, **[\$94,860,000]** \$114,723,000, to remain available until September 30, 1996.

MILITARY CONSTRUCTION, NAVAL RESERVE

For construction, acquisition, expansion, rehabilitation, and conversion of facilities for the training and administration of the reserve components of the Navy and Marine Corps as authorized by chapter 133 of title 10, United States Code, and military construction authorization Acts, **[\$20,900,000]** \$60,400,000, to remain available until September 30, 1996.

MILITARY CONSTRUCTION, AIR FORCE RESERVE

For construction, acquisition, expansion, rehabilitation, and conversion of facilities for the training and administration of the Air Force Reserve as authorized by chapter 133 of title 10, United States Code, and military construction authorization Acts, **[\$20,800,000]** \$22,800,000, to remain available until September 30, 1996.

FAMILY HOUSING, ARMY

For expenses of family housing for the Army for construction, including acquisition, replacement, addition, expansion, extension and alteration and for operation and maintenance, including debt payment, leasing, minor construction, principal and interest charges, and insurance premiums, as authorized by law, as follows: for Construction, **[\$167,220,000]** \$141,950,000; for Operation and maintenance, and for debt payment, **[\$1,412,025,000]** \$1,367,025,000; in all **[\$1,579,245,000]** \$1,508,975,000: *Provided*, That the amount provided for construction shall remain available until September 30, 1996.

FAMILY HOUSING, NAVY AND MARINE CORPS

For expenses of family housing for the Navy and Marine Corps for construction, including acquisition, replacement, addition, expansion, extension and alteration and for operation and maintenance, including debt payment, leasing, minor construction, principal and interest charges, and insurance premiums, as authorized by law, as follows: for Construction, **[\$182,440,000]** \$166,200,000; for Operation and maintenance, and for debt payment, **[\$725,700,000]** \$694,700,000; in all **[\$908,140,000]** \$860,900,000: *Provided*, That the amount provided for construction shall remain available until September 30, 1996.

FAMILY HOUSING, AIR FORCE

For expenses of family housing for the Air Force for construction, including acquisition, replacement, addition, expansion, extension and alteration and for operation and maintenance, including debt payment, leasing, minor construction, principal and interest charges, and insurance premiums, as authorized by law, as follows: for Construction, **[\$161,583,000]** \$151,583,000; for Operation and maintenance, and for debt payment, **[\$924,400,000]** \$827,400,000; in all **[\$1,085,983,000]** \$978,983,000: *Provided*, That the amount provided for construction shall remain available until September 30, 1996.

FAMILY HOUSING, DEFENSE AGENCIES

For expenses of family housing for the activities and agencies of the Department of Defense (other than the military departments) for construction, including acquisition, replacement, addition, expansion, extension and alteration and for operation and maintenance, leasing, and minor construction, as authorized by law, as follows: for Construction, \$200,000; for Operation and maintenance, \$26,000,000; in all \$26,200,000: *Provided*, That the amount provided for construction shall remain available until September 30, 1996.

HOMEOWNERS ASSISTANCE FUND, DEFENSE

For use in the Homeowners Assistance Fund established pursuant to section 1013(d) of the Demonstration Cities and Metropolitan Development Act of 1966 (Public Law 89-754, as amended), \$84,000,000, to remain available until expended.

BASE REALIGNMENT AND CLOSURE ACCOUNT,
PART I

For deposit into the Department of Defense Base Closure Account established by section 207(a)(1) of the Defense Authorization Amendments and Base Closure and Realignment Act (Public Law 100-526), **[\$658,600,000]** \$674,600,000, to remain available for obligation until September 30, 1995: *Provided*, That none of these funds may be obligated for base realignment and closure activities under Public Law 100-526 which would cause the Department's \$1,800,000,000 cost estimate for military construction and family housing related to the Base Realignment and Closure Program to be exceeded: *Provided further*, That not less than **[\$200,800,000]** \$241,800,000 of the funds appropriated herein shall be available solely for environmental restoration.

BASE REALIGNMENT AND CLOSURE ACCOUNT,
PART II

For deposit into the Department of Defense Base Closure Account 1990 established by section 2906(a)(1) of the Department of Defense Authorization Act, 1991 (Public Law 101-510), **[\$100,000,000]** \$297,000,000, to remain available until expended: *Provided*, That of the funds appropriated herein such sums as may be required shall be available for environmental restoration.

GENERAL PROVISIONS

SEC. 101. None of the funds appropriated in this Act shall be expended for payments under a cost-plus-a-fixed-fee contract for work, where cost estimates exceed \$25,000, to be performed within the United States, except Alaska, without the specific approval in writing of the Secretary of Defense setting forth the reasons therefor.

SEC. 102. Funds herein appropriated to the Department of Defense for construction shall be available for hire of passenger motor vehicles.

SEC. 103. Funds appropriated to the Department of Defense for construction may be used for advances to the Federal Highway Administration, Department of Transportation, for the construction of access roads as authorized by section 210 of title 23, United States Code, when projects authorized therein are certified as important to the national defense by the Secretary of Defense.

SEC. 104. None of the funds appropriated in this Act may be used to begin construction of new bases inside the continental United States for which specific appropriations have not been made.

SEC. 105. No part of the funds provided in this Act shall be used for purchase of land or land easements in excess of 100 per centum of the value as determined by the Corps of Engineers or the Naval Facilities Engineering Command, except (a) where there is a determination of value by a Federal court, or (b) purchases negotiated by the Attorney General or his designee, or (c) where the estimated value is less than \$25,000, or (d) as otherwise determined by the Secretary of Defense to be in the public interest.

SEC. 106. None of the funds appropriated in this Act shall be used to (1) acquire land, (2) provide for site preparation, or (3) install utilities for any family housing, except housing for which funds have been made available in annual military construction appropriation Acts.

SEC. 107. None of the funds appropriated in this Act for minor construction may be used to transfer or relocate any activity from one base or installation to another, without prior notification to the Committees on Appropriations.

SEC. 108. No part of the funds appropriated in this Act may be used for the procurement of steel for any construction project or activity for which American steel producers, fabricators, and manufacturers have been denied the opportunity to compete for such steel procurement.

SEC. 109. None of the funds available to the Department of Defense for military construction or family housing during the current fiscal year may be used to pay real property taxes in any foreign nation.

SEC. 110. None of the funds appropriated in this Act may be used to initiate a new installation overseas without prior notification to the Committees on Appropriations.

SEC. 111. None of the funds appropriated in this Act may be obligated for architect and engineer contracts estimated by the Government to exceed \$500,000 for projects to be accomplished in Japan or in any NATO member country, unless such contracts are awarded to United States firms or United States firms in joint venture with host nation firms.

SEC. 112. None of the funds appropriated in this Act for military construction in the United States territories and possessions in the Pacific and on Kwajalein Island may be used to award any contract estimated by the Government to exceed \$1,000,000 to a foreign contractor: *Provided*, That this section shall

not be applicable to contract awards for which the lowest responsive and responsible bid of a United States contractor exceeds the lowest responsive and responsible bid of a foreign contractor by greater than 20 per centum.

SEC. 113. The Secretary of Defense is to inform the Committees on Appropriations and the Committees on Armed Services of the plans and scope of any proposed military exercise involving United States personnel thirty days prior to its occurring, if amounts expended for construction, either temporary or permanent, are anticipated to exceed \$100,000.

(TRANSFER OF FUNDS)

SEC. 114. Unexpended balances in the Military Family Housing Management Account established pursuant to section 2831 of title 10, United States Code, as well as any additional amounts which would otherwise be transferred to the Military Family Housing Management Account during fiscal year 1992, shall be transferred to the appropriations for Family Housing provided in this Act, as determined by the Secretary of Defense, based on the sources from which the funds were derived, and shall be available for the same purposes, and for the same time period, as the appropriation to which they have been transferred.

SEC. 115. Not more than 20 per centum of the appropriations in this Act which are limited for obligation during the current fiscal year shall be obligated during the last two months of the fiscal year.

(TRANSFER OF FUNDS)

SEC. 116. Funds appropriated to the Department of Defense for construction in prior years are hereby made available for construction authorized for each such military department by the authorizations enacted into law during the first session of the One Hundred Second Congress.

SEC. 117. The Secretary of Defense is to provide the Committees on Appropriations of the Senate and the House of Representatives with a report by February 15, 1992, containing details of the specific actions proposed to be taken by the Department of Defense during fiscal year 1992 to encourage other member nations of the North Atlantic Treaty Organization and Japan and Korea to assume a greater share of the common defense burden of such nations and the United States.

SEC. 118. For military construction or family housing projects that are being completed with funds otherwise expired or lapsed for obligation, expired or lapsed funds may be used to pay the cost of associated supervision, inspection, overhead, engineering and design on those projects and on subsequent claims, if any.

SEC. 119. Notwithstanding any other provision of law, any funds appropriated to a military department or defense agency for the construction of military projects may be obligated for a military construction project or contract, or for any portion of such a project or contract, at any time before the end of the fourth fiscal year after the fiscal year for which funds for such project were appropriated if the funds obligated for such project (1) are obligated from funds available for military construction projects, and (2) do not exceed the amount appropriated for such project, plus any amount by which the cost of such project is increased pursuant to law.

SEC. 120. Of the funds appropriated in this Act for Operations and maintenance of Family Housing, no more than \$15,000,000 may be obligated for contract cleaning of family housing units.

SEC. 121. None of the funds appropriated in this Act may be used for the design, construction, operation or maintenance of new family housing units in the Republic of Korea in connection with any increase in accompanied tours after June 6, 1988.

(TRANSFER OF FUNDS)

SEC. 122. During the five year period after appropriations available to the Department of Defense for military construction and family housing operation and maintenance and construction have expired for obligation, upon a determination that such appropriations will not be necessary for the liquidation of obligations or for making authorized adjustments to such appropriations for obligations incurred during the period of availability of such appropriations, unobligated balances of such appropriations may be transferred into the appropriation "Foreign Currency Fluctuations, Construction, Defense" to be merged with and to be available for the same time period and for the same purposes as the appropriation to which transferred: *Provided*, That the next to the last proviso of section 121 of the Military Construction Appropriations Act, 1987, (Public Law 99-500; 100 Stat. 1783-294 and Public Law 99-591; 100 Stat. 3341-294) is hereby repealed.

SEC. 123. None of the funds appropriated in this Act for planning and design activities may be used to initiate design of the Pentagon Annex.

SEC. 124. None of the funds appropriated in this Act, except those necessary to exercise construction management provisions under section 2807 of title 10, United States Code, may be used for study, planning, design, or architect and engineer services related to the relocation of Yongsan Garrison, Korea.

SEC. 125. Such sums as may be necessary for fiscal year 1992 pay raises for programs funded by this Act shall be absorbed within the levels appropriated in this Act.

SEC. 126. Section 402 of Public Law 102-27 (105 Stat. 155) is amended by inserting "(a)" preceding "In", by inserting "effective November 5, 1990" after "repealed", and by adding at the end thereof the following new subsection:

"(b) Effective November 5, 1990, chapter 113A of title 18, United States Code, is amended to read as if section 132 of Public Law 101-519 had not been enacted."

This Act may be cited as the "Military Construction Appropriations Act, 1992".

Mr. MITCHELL. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll, and without objection, the time will be charged to each side equally.

The bill clerk proceeded to call the roll.

Mr. BYRD. 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. BYRD. Mr. President, I ask unanimous consent to proceed for 5 minutes without the time being charged.

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

Mr. BYRD. Unless we are ready to go on military construction, I would like to have some understanding—

The PRESIDING OFFICER. The Senate is not in order.

Mr. BYRD. Mr. President, I would like to get some understanding, if we

can at this time, as to how we are going to proceed, and when, and on what, because there is the grazing amendment that will be subject to a tabling motion, and there will be a tabling motion.

In view of the fact that Wednesday is going to be a religious holiday, we cannot have any rollcall votes that day, and I had agreed to putting over the grazing fee vote, so that there would be a vote today to accommodate Senator SIMPSON and, I believe, Senator WIRTH. I would like to have some understanding, if we can get it, as to how we proceed on tomorrow, or the rest of the day.

I hope that we can dispose of this grazing fee amendment tomorrow. But prior to that, I hope that we can dispose of the defense appropriations bill. Senator LAUTENBERG, the manager of the Appropriation Subcommittee on Transportation, came to me Wednesday and, subsequently, we decided we can take it up on Wednesday. If we can finish that bill tomorrow, then we could have a vote on the grazing fee and then put this bill, my bill, the Interior appropriations bill, over until Wednesday, and then we can continue on it, and any votes that are ordered, we can stack them until Thursday.

Mr. MITCHELL addressed the Chair. The PRESIDING OFFICER. The majority leader.

Mr. MITCHELL. Mr. President, in response to the inquiry of the distinguished chairman of the Appropriations Committee, I have stated previously on several occasions that we hope to complete action on the transportation appropriations bill and the military construction appropriations bill this week. To accommodate the interests of all of the Senators concerned, it was agreed that today would be a day for debate on the grazing amendment, but that there would not be a vote, and that not having the vote was to accommodate Senator SIMPSON and Senator WIRTH, both of whom have an interest and wanted to be here for that vote.

My understanding, initially, was that they would be prepared to vote at any time on Tuesday. I am now advised that there is a request for additional debate on the grazing amendment and, of course, any Senator has a right to speak at any time for as long as he or she wishes. I had previously inquired of the Senator from Vermont and the opponents of that amendment as to whether it would be possible to agree upon a time certain for a vote on a tabling motion tomorrow, preceded by a specified time for debate that would be agreeable to all concerned.

What I had hoped to propose—and I am now responding sooner than I had intended to, but in answer to the question of the Senator from West Virginia—is that if we could proceed to the transportation appropriations bill

and then set a time certain for the debate and vote on the grazing amendment, to occur either at that time or upon disposition of the transportation matter, whichever first occurs—that is, if we set it for a time in the late afternoon, but then the transportation bill finishes sooner, that we could perhaps move it up some or perhaps expand the time for debate to give opportunity for everyone to have their say. In that way, we can finish the grazing amendment and the transportation bill tomorrow, if that were agreeable to all Senators. If we got to the time certain and the transportation bill had not been completed, then it obviously would be set-aside to go forward and complete action on the grazing amendment.

Mr. WALLOP. Mr. President, if the majority leader will yield, I did not know quite where that puts the grazing amendment in play. It is clear that, among those who have not been here and debated it today, although there was a good debate, was the other co-sponsor of the bill, Senator METZENBAUM. I talked with Senator JEFFORDS, and although this seems like a lot of time, it seems that some could and would be yielded back. And it would be our suggestion that we start closing debate on that at the hour of 2 o'clock when the policy lunches are finished, and each side would have 1½ hours with the intention of yielding some back. As I understood it from a conversation with Senator JEFFORDS, that would be acceptable to him.

Mr. MITCHELL. I think that would put the vote at a time too late for some of the Senators who are required, for religious reasons, to participate in religious activities tomorrow. Might I suggest having the vote not later than 4 p.m., which, if we ended the caucuses at 2 and had debate from 2 to 4, if that time would be divided in such form as both sides could agree, then we could hopefully try to finish the Transportation bill in the morning, if that is possible. We can start at 9 and try to finish that bill. If we cannot, then we cannot, and we have to come back to it at a later time.

Mr. DOMENICI addressed the Chair.

Mr. BYRD. Mr. President, I have the floor.

Mr. DOMENICI. Might I offer an observation?

Mr. BYRD. Yes.

Mr. DOMENICI. The problem is—not from this Senator's standpoint, because I was privileged to find some time today. We did not waste any time, but I think, leaving me out, I think there are eight Senators that have requested to be heard in opposition to the amendment. I do not know how to do that. Maybe we can just stay the hour and get it in.

It seems not enough time for it.

Mr. MITCHELL. Mr. President, I would like to discuss this with all Sen-

ators at once. I now suggest the absence of a quorum.

Mr. BYRD. I do not yield for that purpose.

Mr. MITCHELL. I would like to make a suggestion which I think will accommodate this and expedite it.

Mr. BYRD. I would like to say one thing and then I will yield.

It seems to me I have been pretty magnanimous agreeing not to vote on the grazing fee tonight, and a vote can be forced on that at any time by a tabling motion. I do not want that on my bill. But because Senator SIMPSON wanted to vote on that amendment in particular I agreed to protect him. After I did that I found that Senator WIRTH also wanted some protection. I agreed to protect Senator SIMPSON, but this bill I have to manage in conference. It seems to me some consideration ought to be given to the manager who was magnanimous enough to avoid having a vote on the grazing fee to protect a Senator on that side of the aisle. I did not know anything about Senator WIRTH when I made that agreement.

I am not bound to wait on any tabling motion except on my commitment not to do it tonight. So, I think somebody better be helping us to work out some kind of agreement, else we go on that bill in the morning and I will move to table when Senator SIMPSON gets back here, and Senator METZENBAUM is entitled to speak as he was tied up all day. We have been on that amendment 5 hours today. I do not now see why we have to repeat all this debate after 5 hours on it today. We could have the vote tonight if I had not made the agreement not to vote because I could move to table. I do not have to wait on anybody else. I want to accommodate other Senators, and I tried to accommodate them, and have accommodated them.

So, may I ask the Republican leader why cannot we lay down the Transportation bill tonight? We could at least get some debate on it tonight and possibly some amendments. Senator SIMPSON does not care whether we have other votes or not, just that particular vote he is interested in.

Mr. DOLE. If the Senator will yield, I indicated earlier we have an objection to going to the Transportation bill tonight. That happens from time to time. I think it will be resolved by morning. But it has already been said publicly on the floor there would be objection to taking it up tonight. So I think we have been fair. There has been a good spirit of accommodation. We finished a very important bill last week and we are going to finish MiCon here, maybe it will be finished before we conclude this colloquy. But in any event we certainly want to accommodate everybody, and I do not know how many amendments there are on the Transportation bill or how long it will take. Maybe it will not take long.

Mr. BYRD. It will probably not take long on the amendments.

Mr. DOLE. But, is it necessary to wait until afternoon to vote on the grazing fee? Can we not have that debate in the morning?

Mr. BYRD. The problem is if we have it in the morning we will not finish the Transportation bill, as the distinguished majority leader pointed out. We hoped to finish that because of the religious holiday on Wednesday.

Senator LAUTENBERG has to leave.

I yield.

The PRESIDING OFFICER. The majority leader is recognized.

Mr. MITCHELL. 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. 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.

Mr. MITCHELL. Mr. President, it is obvious we are trying to accommodate several people with conflicting interests and conflicting schedules. So let me make a suggestion to all of the Senators here, that in order to permit the full debate that Senators want on the grazing amendment, the Senators from New Mexico and Wyoming indicated a number of Senators still want to speak on it, that we set that debate for Wednesday during which time we are not going to have any rollcall votes because of the religious holiday. There could be the 4 hours that the Senator wanted or perhaps even more, and then have the vote on that set for first thing on Thursday morning. Tomorrow we could take up Transportation and be able to spend the full day at it.

We now had 1 full day of debate on the grazing amendment. This would permit another full day of debate on the grazing amendment and would accommodate the schedules of all concerned and give everybody the time they want to debate this.

Several Senators have already spoken, and if the Senator indicates they want 4 or 5 hours we can do that on Wednesday, the one exception being we have to accommodate Senator METZENBAUM to permit him to speak in the morning because he will not be here on Wednesday, and he was not able to make it today. That way we could take care of all of the time and all of the Senators without slowing up the business of the Senate.

Mr. BYRD. Mr. President, will the majority leader yield?

Mr. MITCHELL. I yield to the distinguished chairman.

Mr. BYRD. That is agreeable to me. I would like to have the understanding, however, between ourselves and the two leaders that on Wednesday if other amendments to the Interior bill were

available to be called up that we could call them up, debate them, and perhaps set them over to Thursday. There is a rollcall vote added. I simply want an understanding that we not confine Wednesday to the grazing fee amendment.

Mr. MITCHELL. That was not my intention. My intention is to set aside a period of time for the grazing amendment and also permit other business to occur. If we are fortunate we might be able to conclude action on the entire measure by votes on Thursday morning.

Mr. NICKLES. If the majority leader will yield a moment, I think there is an interest on this side to try to conclude debate tomorrow. And I think the Senator's original proposal has great merit. And he was talking about having a vote no later than 4 o'clock tomorrow. I think that is in this Senator's interest and in the interest of the chairman of the Appropriations Committee. We would like to see this issue resolved and we could do a lot of other things. I think we could work that out.

I have a list of 3 hours of requests, but I also know many colleagues on this list who were asking for 30 or 20 minutes we could probably get down to 5 or 10 and still have that vote. If we can have 2 hours tomorrow, we should be able to finish this amendment and not waste all Wednesday on it.

Mr. DOMENICI. I agree. I believe Tuesday is better than Wednesday with the vote on Thursday.

We have another problem with that. We have to check with someone on the Wednesday and Thursday scenario. I think an hour each on each side, starting at 2 and finishing at 4, would be sufficient on our side. As we have been talking, and as the distinguished chairman of the committee said, a motion to table is in order any time, and if we lose the motion to table we do not know where the bill is going. It may be a long discussion, and it may be over with, and you may be in conference.

We want to be helpful. Some of us have to go to conference with the chairman. We do not want this amendment tagging along. We want to go there without it. We want to do our best. I believe if you propose 2 hours equally divided starting at 2, the vote on it, or about it, to occur thereafter, I think you would have no objection from what I can tell here on this side.

Mr. BYRD. Mr. President, will the Senator yield again?

Mr. MITCHELL. Yes, I certainly yield.

Mr. BYRD. I sense that Transportation is being held hostage to the grazing fee amendment. I would like to get the Transportation bill up tomorrow for reasons already stated. It is my intention to vote for the tabling motion at the moment. That is my intention. I think you are going to win. So

I hope I am incorrect in sensing that the Transportation bill is being held hostage because of this amendment.

If we do not get Transportation finished tomorrow, it will not get finished until Thursday and we do not get this bill—I say “this bill”—we do not get Interior finished Thursday anyhow, no matter which bill.

Mr. LAUTENBERG. Mr. President, will the majority leader yield for an observation?

Mr. MITCHELL. Yes, certainly.

Mr. LAUTENBERG. It would be at a fairly substantial personal inconvenience if we had any votes after 3 o'clock tomorrow.

This has been a long debate. Apparently, it is going to continue tomorrow. Why would it not be possible to have the debate cutoff tomorrow and have the vote taken at a time certain Thursday morning with no further debate?

The Transportation bill is ready, has been ready, to come up tonight if we can get a time certain for the debate on the Transportation bill. I would be pleased to enter into that kind of a time agreement and, let us say, have that start at 9:15, 9:30, and end at 2, if that would be acceptable to the leadership, and have a vote at that time.

I do not know of any controversial amendments. It is possible there would be and we would have to take them up in the order as they arise. But it would be a terrible personal inconvenience for me on this particular holiday to have any vote later than 3 o'clock. I have to get up to New Jersey. I hope my colleagues would understand that and would cooperate.

But the Transportation bill, if we can get a time certain, start the debate later on the grazing bill, and have that vote carry over until the next time the Senate assembles Thursday morning.

Mr. MITCHELL. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The absence of a quorum has been suggested. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. SASSER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

MILITARY CONSTRUCTION APPROPRIATIONS ACT, FISCAL YEAR 1992

The Senate continued with consideration of the bill.

Mr. SASSER. Mr. President, the military construction appropriations bill that we are taking up this evening under a unanimous-consent agreement was reported out of the full Appropriations Committee last Thursday. Copies of the bill and report have been available for Senators to review for several

days. Because of the crush of Senate business, and for the sake of time, I will briefly summarize the work of the Military Construction Appropriations Subcommittee on this military construction bill.

The bill recommended by the full Committee on Appropriations is for \$8,414,000,000. This is under the President's budget request by \$149.3 million. It is under the 602(b) congressional budget allocation by \$150 million. It is below the House allowance by \$69.3 million.

So, Mr. President, a case can be made that this bill has been reduced somewhat.

We have brought before the Senate a bill which complies with the national priorities of moderating our defense expenditures in light of world events and diminished, I might say, greatly diminished national security threat.

I would also point out that the military construction investment accounts of this bill are 31 percent below the fiscal year 1985 level, adjusted for inflation. Albeit the 1985 level was the high watermark, it still is, I think, a convenient reference point.

So the trend is clearly in the right direction. We expect to see this trend continue for the next several years.

While we are cutting the military construction budget and carefully scrutinizing the Department's request, we are still able to provide the Nation's military and their families with adequate investments in a quality workplace and community facilities.

I would point out that many base closure and realignment decisions have not yet been made by the administration. There are still two authorized base closure commissions which will meet in 1993 and 1995.

Base closures overseas have now begun, but it is far from clear what our overseas base structure will be 5 or 10 years from now.

The administration and the Congress will most likely scrutinize the force structure currently planned for the future. Such a review is necessary in light of the certain crumbling of the Communist conventional threat, which has undergone an almost total diminishing in the past 2 or 3 years.

So many basic decisions regarding the future base and force structure of the Nation's military remains to be made in future years. It is important, therefore, that we continue to substantially moderate our new capital investments until we have a better idea what bases are to be kept open and which ones are to be closed.

I would say to my colleagues that this has been a difficult year to draft military construction appropriations. The subcommittee had a record amount of add-on requests, over \$1 billion.

As in previous years, the subcommittee has altered the priorities which the

administration has assumed in the budget request. The administration had sought large increases over current levels for overseas projects and for projects for the active services. We have made substantial reductions in these areas while we have restored many of the cuts which were sought by the administration for what we perceive here in the Congress to be the most cost-effective National Guard and Reserve units. I would point out that, because of budget constraints, we were unable to provide the Guard and Reserve with the level of resources that we feel are required for this important element of our force structure.

We have fully funded the authorized levels for the base closure account. Almost \$1 billion is contained in the bill for base closure activities.

If anyone ever thought closing military bases would be cheap, I think they now realize they are living in a dream world. The fact is that the Department of Defense has failed to adequately program sufficient funds to pay for the upfront costs of base closures. So increasingly we are going to see the cost of base closure activities crowding out valid investments which need to be made in the remaining base structure of the Nation's military.

Over time, Mr. President, base closures will save money—no question about it—primarily because of the attendant personnel reductions which will follow. But for the next several years, the base closure costs which are funded in this bill will continue to absorb a large percentage of available resources.

We have increased the base closure accounts funded in this bill by \$238 million.

Mr. President, we have increased the base closure accounts funded in this bill by \$238 million. These funds are specifically provided to allow for the acceleration of the environmental restoration of closed military bases. I believe that environmental restoration should be afforded a high priority in the base closure process.

Those Senators with bases being closed know very well the dire economic impact base closures will have in many locations. But if bases are to be closed, and we all know in our hearts that they must be, the Federal Government has a responsibility to assist those local communities which will be severely impacted by the loss of military personnel.

The committee believes that closed military bases should be made available for local community development where possible as quickly as possible. If the economic impact of base closures is to be minimized, bases must be made available for alternative uses as soon as possible. For this to occur, closed bases must be cleaned up and made environmentally sound. The committee has added funds to allow for the accel-

eration of environmental cleanup activities and we urge the Department to request adequate amounts in future years.

Before I yield the floor, Mr. President, I would like to take a few minutes to talk about the NATO Infrastructure Program.

The committee has provided \$254.4 million for NATO and for the NATO military construction program. This amount is \$95.6 million over the House allowance and is \$61.7 million over the fiscal year 1991 amount.

Mr. President, the provision of such a large amount for NATO during the dramatic changes occurring in Europe may seem to be out of sync with the times. But it is our opinion that that is not the case.

We have cut \$104.4 million from the request for NATO. However, even with this large cut, we are still agreeing to provide a quarter of a billion dollars for the NATO Infrastructure Program.

Mr. President, NATO has done a superb job of keeping the peace for 45 years. I believe that the existence of NATO has helped to bring about the monumental changes we are now witnessing in the former Eastern bloc. And there is no question in my mind, NATO should remain a viable though perhaps changed, institution.

The subcommittee has reviewed the future plans for the NATO Infrastructure Program and is satisfied that the funds we are providing can be validated to meet specific requirements.

The NATO Infrastructure Program is changing certainly. As force structures decline in Europe, in both the East and the West, facilities necessary to monitor and verify force reductions will be necessary. The NATO Infrastructure Program will play an important role in monitoring this force reduction program.

In addition, Mr. President, an increasing share of the NATO Infrastructure Program must be directed toward the construction of embarkation facilities inside the United States. As we draw down our forces based in Europe, we must improve our ability to project military power from the United States. NATO must help build embarkation sites for those Army, Navy and Air Force units inside the United States which will be designated to a future role in a European theater.

I have met with our NATO commander, Gen. Jack Galvin. He is, in my view, probably the most effective military leader on active duty today. Certainly one of the most effective. I have the highest regard for General Galvin's professional abilities. He has distinguished himself in the military service over many years. He has a difficult job before him. But these funds we are providing today should help provide General Galvin with the tools he needs to maintain the U.S. role in a changing NATO institution.

There is one issue on which I must regretfully and respectfully disagree with General Galvin, for whom I have the highest personal and professional regard, and with some of our leaders in the administration. That is the issue of building a new Air Force base in Italy.

There are no funds in this bill to continue with the construction of a new Air Force base at Crotone, Italy, for the 401st Tactical Fighter Wing. We have reduced the NATO infrastructure account by \$60 million, which would have been the U.S. share during fiscal year 1992.

It is my view, and the view of the Appropriations Committee, Crotone is an extravagance given the events which have taken place in the world and the diminished threats faced by NATO and the United States. The simple fact is that we do not need a new full service air base at Crotone to respond to military threats in Europe or in the Middle East or the Mediterranean region.

The 401st was deployed effectively in the Persian Gulf and did not need a Crotone base to get there. In fact, the first aircraft we sent to the region were from Langley Air Force Base in Virginia. And those aircraft arrived in Saudi Arabia in 14 hours from the time the order was given. So it is just not a likely scenario that we will ever deploy the 401st as a spearhead from Crotone or any other European base. We will first send aircraft based in the United States to deal with any future contingency just as we did in the gulf war.

So Crotone is not needed as a full time, full service Air Force base. We simply have other viable options to meet our legitimate security concerns in the area.

Mr. President, NATO has already committed more than \$150 million for Crotone base construction which is sufficient to build a bare bones base capable of supporting periodically deployed rotational aircraft.

If we need a presence in Italy, that should be the NATO presence. After several years of involvement in the Crotone issue, I think we can legitimately meet our commitment to NATO and to the Italians with such a barebones base. In all fairness, I will state that the administration has agreed to reduce certain elements of the cost of Crotone construction. But the administration still envisions a full-time base with 6,500 American personnel and dependents and 48 F-16 aircraft. The most recent plan provided the committee requires that the Treasury of the United States provide at least \$188.5 million as the U.S. share, and that does not count the potential expenditure of another \$80 to \$100 million for military housing.

Mr. President, while we are appropriating \$970 million to close bases here in the continental United States, it is difficult to justify opening an expensive new base in Italy.

Mr. President, I know this position is strongly opposed by the administration, but our Appropriations Committee simply does not agree with the Pentagon and State Department, which apparently believe we can accomplish a builddown by building up. Perhaps a case can be made for that, but I am not convinced.

Mr. President, that concludes my remarks. Before I yield, I thank our new ranking minority Member, the junior Senator from Texas [Mr. GRAMM]. He has been a very active member of the subcommittee. His counsel has been valuable, and I look forward to continuing to work with him in future years.

I also might take this opportunity to announce that the very able minority staff director of the subcommittee, Mr. Rick Pierce, has announced he is leaving the committee to move to Texas, so the Senate is losing a very valuable staff member. He served in good times and bad as majority or minority clerk of the subcommittee for 13 years. His expertise has been of value to both sides of the aisle. Rick Pierce will be missed on our Senate staff and we wish him the very best in his endeavors.

Mr. President, I see the distinguished ranking Member is on his feet. I yield to him at this time.

Mr. GRAMM. Mr. President, let me thank our chairman for his outstanding work on a very difficult bill. As we begin the process of beating swords into plowshares, I think this is a good start. It is a tough bill. It is a bill that recognizes that we are, first, beginning a massive builddown, second, that we incur costs in closing military bases and, third, that our basic mission and force projection needs have changed as we move troops back home. This is only the first of, I suspect, many bills that will be difficult to write. I think it is a good start. I congratulate the chairman for it.

Mr. President, I join our distinguished chairman in commending Rick Pierce, who has done an outstanding job. I have learned a lot from him. I have enjoyed working with him. I hope he is taking a lot of money to Texas with him to invest in our economy.

Finally, Mr. President, let me say that under the unanimous-consent request there are only three amendments in order. They are all acceptable. I support all of them. I yield the floor.

The PRESIDING OFFICER. May the Chair state there are 18 minutes and 33 seconds under the control of the Senator from Texas and 3 minutes and 44 seconds under the control of the Senator from Tennessee.

Mr. DOMENICI. Mr. President, I rise in support of the fiscal year 1992 military construction appropriations bill now pending before the Senate.

I commend the distinguished chairman and ranking member of the subcommittee, Senators SASSER and

GRAMM, for reporting a military construction appropriations bill that advances the modernization of the Nation's defense infrastructure and promotes the well-being of our military personnel.

Mr. President, the bill as reported by the Senate Appropriations Committee provides \$8.4 billion in budget authority and \$2.8 billion in new outlays for military construction and family housing activities in fiscal year 1992. When outlays from prior year budget authority are taken in account, the bill totals \$8.4 billion in budget authority and \$8.3 billion in outlays for these programs in fiscal year 1992. I congratulate the chairman and ranking member for reporting a bill that is under its section 602(b) allocation.

I would like to take a moment to recognize several important projects of interest to New Mexico. This bill provides \$110.7 million for military construction in New Mexico, \$72.6 million of the total is targeted to the relocation of the F-117 Stealth fighter to Holloman Air Force Base from Tonopah, NV. The second largest project for New Mexico is \$20 million for phase II construction of the large blast thermal simulator at the White Sands Missile Range. This appropriation will essentially complete construction of this project.

In closing, I would like to thank the subcommittee for its endorsement of military construction projects in New Mexico. I urge my colleagues to support the bill.

HEALTH NEEDS OF THE MILITARY

Mr. SANFORD. Mr. President, it has become quite evident that there is a compelling need to reassess the needs, mission, and structure of our military. The extreme budget constraints, the changing nature of the threat to our national security, and the ever pressing need for addressing our domestic problems are all vital factors compelling us to reshape this Nation's defense establishment into the 21st century.

It should be noted that after selected bases are closed, budgets are cut, and troop reductions are made, the United States will still maintain one of the largest military forces in the world. With that will come a continued need to provide for our military personnel, their dependents, and our military retirees. Congressional committees have acted with great deliberation in determining what the key elements are that will keep our defense infrastructure in prime condition. One of the most important parts of that infrastructure is the health care system of the military.

The chairman of the Appropriations Military Construction Subcommittee, Senator SASSER has acted with great foresight and great concern for our military with that subcommittee's most recent bill. He has taken into account all of the factors I mentioned earlier that are key components in re-

shaping our military. Included in this year's military construction budget are funds for construction of a new medical center at Fort Bragg that would replace Womack Army Hospital. The current facility will not be able to meet the future needs of the Fort Bragg area.

Fort Bragg itself is already one of the largest military installations in the world. Because of the Base Closure Commission recommendations, it will increase in size as troops from closed domestic bases are relocated there. The staff and services of Letterman Army Medical Center will be placed at Womack burdening an already heavily used facility. Also, thousands of troops relocated from Europe will also be stationed at Fort Bragg. Let us not forget that with these thousands of troops come thousands of dependents that are entitled to the care of the military medical system.

The new facility would be of mutual benefit to the civilian and military medical academic world. North Carolina has four outstanding medical teaching centers easily accessible from Fort Bragg. The University of North Carolina at Chapel Hill, Duke University in Durham, East Carolina in Greenville, and Wake Forest University in Winston-Salem will be able to contribute toward making Womack a first-rate military medical center and certainly one of the premiere medical centers in the Nation. Providing the best education and training for military medical professionals assists both in their recruitment and retention.

Mr. President, I would like to again commend the work of the Military Construction Subcommittee and its chairman. Projects like that of the Womack Army Medical Center are not just important to the local areas in which they are located, but important to the entire medical system of the military. Of the utmost importance, however, is how essential such facilities are to the men and women of our armed services, their families, and our military retirees. As the world changes and budgets get smaller, we must always put them first.

Mr. SASSER. Mr. President, I see the distinguished minority leader.

Mr. DOLE. My amendment is one of those that has been agreed to. I just wonder if I might offer it.

Mr. SASSER. Mr. President, may I inquire how much time I have remaining?

The PRESIDING OFFICER. The Senator has 3 minutes, 44 seconds.

Mr. SASSER. Mr. President, I ask unanimous consent we have an additional 10 minutes, or perhaps 15 minutes equally divided.

The PRESIDING OFFICER. Is there objection? The Chair hears none. It is so ordered.

AMENDMENT NO. 1140

Mr. SASSER. Mr. President, the unanimous-consent agreement calls for three amendments to be in order.

I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report the amendment.

The bill clerk read as follows:

The Senator from Tennessee, Mr. SASSER, for Mr. SARBANES (for himself and Ms. MIKULSKI) proposes an amendment numbered 1140.

Mr. SASSER. 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 end of the bill insert the following:
SEC. (a) Notwithstanding any other provision of law, the Secretary of the Army shall transfer, no later than September 30, 1992, and without reimbursement, to the Secretary of the Interior the real property, including improvements thereon, consisting of 500 acres located generally adjacent to 7,600 acres transferred by Section 126 of Public Law 101-519. The transferred property shall not include a landfill and a sewage pumping station that are associated with the operation of Fort Meade, Maryland.

(b) The Secretary of the Interior shall administer the property transferred pursuant to subsection (a) as a part of the Patuxent Wildlife Research Center and in a manner consistent with wildlife conservation purposes and shall provide for the continued use of the property by Federal agencies, including the Department of Defense, to the extent that such agencies are using it on the date of the enactment of this Act.

(c) The Secretary of the Interior may not convey, lease, transfer, declare excess or surplus, or otherwise dispose of any portion of the property transferred pursuant to subsection (a) unless approved by law. The Secretary of the Interior may enter into cooperative agreements and issue special use permits for historic uses of the 500 acres provided that they are consistent with all laws pertaining to wildlife refuges.

(d) The description of the property to be transferred under this section shall be determined by a survey satisfactory to the Director of the United States Fish and Wildlife Service within the Department of the Interior, after consultation with the Department of the Army.

Mr. SARBANES. Mr. President, on behalf of Senator MIKULSKI and myself, I am pleased to offer an amendment to transfer 500 acres at Fort George G. Meade to the Fish and Wildlife Service.

Under the provisions of this amendment, the acreage will be added to the Patuxent Wildlife Research Center. This will complete a process begun last year when Congress approved the transfer of 7,600 acres to the Patuxent Center.

Mr. President, this issue properly falls within the jurisdiction of the Armed Services Committee. I want to thank my colleague from Georgia, Senator NUNN, for allowing us to proceed today with this amendment that is of great importance to the State of Maryland.

It is my understanding that the Armed Services Conference Committee will discuss this issue during its subsequent proceedings.

Mr. President, my amendment is consistent with the provisions of the Johnston-Breaux amendment that was adopted during consideration of the authorization bill. During the last 2 years, the local community has united against development of this parcel. A Fort Meade Coordinating Council was formed with representatives of local elected officials, State officials, businesses, local citizens organizations, the National Security Agency, and other interested parties. As an ex-officio member of the council, I can tell you that the group voted unanimously to support a transfer to the Patuxent Center.

Today we have an opportunity to ensure that the community's wishes become a reality. I urge my colleagues to adopt this amendment.

I want to thank my good friend, the Senator from Tennessee, for his assistance on this issue. I appreciate his efforts and thank him for his cooperation in seeing this important land transfer enacted.

Ms. MIKULSKI. Mr. President, the amendment which Senator SARBANES and I are offering here tonight is a non-controversial one. Last year the Congress approved transfer of 7,600 acres of surplus property at the Fort Meade Army Base to the Fish and Wildlife Service to provide additional acreage to the Patuxent River Wildlife Center. This amendment transfers an additional 500 acres which were not included in last year's legislation.

The base closing process requires that the local community decide how to dispose of excess property, and that procedure has been carried out in this case. Approval of transfer should properly be included in the authorization bill, however, and I wish to acknowledge that including such a transfer in this appropriations bill is not the appropriate procedure. In view of the delay in the consideration of this year's authorization bill, though, the authorizing committee has agreed not to object in this particular case.

Mr. SASSER. Mr. President, the amendment by the Senators from Maryland simply provides for a land transfer at Fort Meade, MD. It is similar to language included in the Military Construction Act last year. It is an authorization issue. I understand the authors will be working to get this matter before the authorization conference. It is my understanding this amendment has been cleared on both sides.

The PRESIDING OFFICER. Is there further debate on the amendment? If not, the question is on agreeing to the amendment.

The amendment (No. 1140) was agreed to.

Mr. SASSER. I move to reconsider the vote.

Mr. GARN. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. SASSER. Mr. President, I see the distinguished minority leader on the floor. I yield to him at this juncture.

AMENDMENT NO. 1141

(Purpose: Add funds for military construction, Air Force and Air Force family housing)

Mr. DOLE. Mr. President, I send an amendment to the desk on behalf of myself and Senator KASSEBAUM and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report the amendment.

The bill clerk read as follows:

The Senator from Kansas, Mr. DOLE, for himself and Mrs. KASSEBAUM, proposes an amendment numbered 1141.

Mr. DOLE. 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 3, line 25, strike the number and insert in lieu thereof \$967,570,000.

On page 4, line 2, strike the number and insert in lieu thereof \$65,200,000.

On page 9, line 2, strike the number and insert in lieu thereof \$163,883,000.

On page 9, line 4, strike \$978,983,000 and insert in lieu thereof \$991,283,000.

Mr. DOLE. Mr. President, as our Nation knows well, in April of this year, storms and tornadoes ripped through the Midwest, causing devastation throughout a three-State area.

Nowhere was this destruction more severe than in Kansas. But with the help of the Federal Emergency Management Administration, and other Federal agencies, the people of Kansas, as is their heritage, pulled themselves out of the rubble of their homes and businesses, to rebuild and to start over again. I am proud to state that the efforts of the people of Kansas rapidly moving to completion. We in Congress must now provide the necessary funds to reestablish the Federal facilities that also were devastated by that storm. Accordingly, I submit for consideration a package for the rebuilding of the vital facilities for the families of McConnell Air Base.

McConnell Air Base, one of our Nation's major strategic air command bases located in Wichita, was badly damaged in the storm. Although the aircraft of our Nation's strategic traid were protected, the base itself was hit hard. The damage wrought from the storm has left thousands of Air Force families without schools for the children, a fully operating based hospital, and for many, homes.

This amendment will provide \$55.28 million to rebuild these vital necessities for McConnell; \$42.98 million of these funds will be allocated to rebuild

the hospital, schools and support facilities that were damaged or destroyed in the storm, and \$12.3 million will go to the construction of family housing. These construction projects will ensure that the families of those that protect this Nation will once again have the basic necessities of health, education and housing.

Mr. President, I yield the floor.

The PRESIDING OFFICER (Mr. LAUTENBERG). The Senator from Tennessee.

Mr. SASSER. Mr. President, the amendment of the Senator from Kansas is, as he has stated, to provide funding requested by the administration for the urgent supplemental. Mr. President, because of the uncertainty of the supplemental and the clear need to clean up the damage, certainly it would be in order to accept this amendment.

Mr. President, I urge adoption of the amendment.

The PRESIDING OFFICER. Is there further debate on the amendment? If not, the question is on agreeing to the amendment.

The amendment (No. 1141) was agreed to.

Mr. SASSER. I move to reconsider the vote.

Mr. GARN. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 1142

Mr. GARN. Mr. President, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The bill clerk read as follows:

The Senator from Utah [Mr. GARN] proposes an amendment numbered 1142.

Mr. GARN. 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:

SEC. (a) The Secretary of the Army shall carry out such repairs and take such other preservation and maintenance actions as are necessary to ensure that all real property at Fort Douglas, Utah (including buildings and other improvements) that has been conveyed or is to be conveyed pursuant to section 130 of the Military Construction Appropriations Act, 1991, (Public Law 101-519; 104 Stat. 2248) is free from natural gas leaks and other safety-threatening defects. In carrying out this subsection, the Secretary shall conduct a natural gas survey of the property.

(b) In the case of property referred to in subsection (a) that is listed on the National Register of Historic Places, the Secretary—

(1) shall carry out a structural engineering survey of the property; and

(2) in addition to carrying out the repairs and taking the other actions required by subsection (a), shall repair and restore such property in a manner and to an extent specified by the Secretary of the Interior that is consistent with the historic preservation laws (including regulations) referred to in

section 130(c)(2) of the Military Construction Appropriations Act, 1991.

(c)(1) The Secretary of the Army, after consulting with the Governor of Utah regarding the condition of the property referred to in subsection (a), shall certify to the Committees on Appropriations of the Senate and the House of Representatives that the repairs and preservation and maintenance actions required by subsection (a) have been completed.

(2) The Secretary of the Army and the Secretary of the Interior shall jointly certify to the Committees on Appropriations of the Senate and the House of Representatives that the repairs and restoration of such property has been carried out in accordance with the requirements of subsection (b).

(d) The Secretary of the Army shall complete all actions required by this section not later than September 30, 1992.

Mr. GARN. Mr. President, this amendment would require the Department of the Army to fund neglected operations and maintenance functions at Fort Douglas, UT. Fort Douglas will be one of the first bases closed of those bases listed on the first base closure list passed by Congress in 1989. Last year, Congress passed a law to retain the Army Reserve activity at Fort Douglas and transfer approximately 55 acres of the 119-acre area of Fort Douglas property to the University of Utah. The transfer is scheduled to occur on November 5, 1991.

The legislation requires that in lieu of payment for the property, the University of Utah will relinquish its legal right to withdraw approximately 4,200 additional acres of land. Earlier acts granted the university the right to select thousands of acres of Federal land for the use of higher education.

I have been concerned that since the Congress passed legislation last fall, the Army has neglected repairs. This includes repairs which directly affect the health and safety of those who live and work at Fort Douglas.

For example, the Army has refused to conduct a natural gas survey to check for leaks. These checks are routinely done for maintenance purposes. Even though natural gas surveys are inexpensive and relatively easy to perform, the Army has refused to conduct one prior to the transfer. Also, the Army has refused to allow the University of Utah to pay for such a survey or to conduct one on the base.

Clearly, the Army has the attitude that if a problem is not found prior to the transfer of the property, the Army is not responsible for the cost. This could not be further from the truth. Ironically, the Army has decided to conduct a survey on the portion of the fort that will be retained for the Reserve Forces, after the surplus land is transferred to the University of Utah. This policy is totally inconsistent with the Army's position that maintenance problems related to the health and safety of the employees would be satisfactorily resolved.

Another concern this amendment addresses is the failure of the Army to

adequately maintain those buildings on Fort Douglas listed on the National Historical Registry. Recently, I learned that a structural engineering survey had been conducted on the historic chapel at Fort Douglas. This survey concluded that the chapel roof is at risk of collapsing. The Army currently has no plans to repair the facility prior to transferring the property. This approach is not consistent with our historical preservation acts.

This amendment would require the Army to carry out the necessary repairs within 1 year after the transfer of the land. I would appreciate the Senate's favorable consideration of the legislation. Senators SASSER and GRAMM have been helpful in resolving this problem, and I thank them for their assistance.

THE FORT DOUGLAS LAND EXCHANGE

Mr. GARN. Mr. President, I have offered an amendment to the military construction appropriations bill which would require the Department of the Army to fund neglected operations and maintenance functions at Fort Douglas, UT. I have been concerned that since the Congress passed legislation last fall, making a land exchange between Fort Douglas and the State of Utah effective November 5, 1991, the Army has failed to adequately maintain the property consistent with the protection of life and the safety of the individuals who use the fort.

For example, the Army has refused to conduct a natural gas survey to check for leaks prior to the transfer of the fort. Internal documents from the Army clearly indicate an attitude that if a life and safety problem is not found, prior to transferring the fort, the Army will have no obligation to pay for fixing the leaks. The Army has also refused to allow the University of Utah to conduct, or pay for, a natural gas survey to be completed. I find this policy to be totally inconsistent with the Army's position that maintenance problems related to the health and safety of the employees would be satisfactorily resolved.

Another concern this amendment addresses is the failure of the Army to adequately maintain those portions of Fort Douglas listed on the National Historical Registry. In August, I was informed that a structural engineering survey had been conducted on the historic chapel at Fort Douglas. This survey concluded that the chapel roof is at risk of collapsing. The Army had no plans of fixing the building. This is not consistent with our Nation's historic preservation laws.

Mr. SASSER. I understand the concern of the Senator from Utah about the condition of the property at Fort Douglas. This legislation may have been more appropriately addressed on the authorization bill, but I understand the issues involved came to the Senator's attention during the August re-

cess. Since the authorization bill had already passed, there was no opportunity to address this issue in the authorization bill. Therefore, I would have no problem in accepting the amendment as an amendment to the military construction appropriations bill.

Mr. NUNN. I am concerned that this issue was not handled on the National Defense Authorization Act for 1993, but understand that the Senator from Utah was not aware of the problems at the time the authorization bill was considered on the floor. I would like the authorization conference to deal with this issue. I would hope if the Fort Douglas language is addressed in the authorization conference that this amendment would be dropped from the appropriations bill. Is that approach agreeable to the Senator from Utah?

Mr. GARN. I would have no problem with dropping this amendment from the military construction appropriations bill during conference with the House of Representatives, if the conferees' on the Department of Defense Authorization Act adequately addresses the issues contained in the amendment in the authorization bill. I would like to thank the Senators from Georgia and Tennessee for their interest and assistance in ensuring that the land exchange between the Army and the State of Utah is successful.

Mr. SASSER. Mr. President, I urge adoption of the 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 Utah.

The amendment (No. 1142) was agreed to.

Mr. SASSER. Mr. President, I move to reconsider the vote by which the amendment was agreed to.

Mr. GARN. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. LEVIN. Mr. President, many of my colleagues have military bases in their States that are scheduled to be closed. This base closure process is going to be difficult, as communities try to adjust to the departure of military facilities they have lived with for decades. One of the great challenges at many of these facilities is cleaning up environmental contamination so that the communities can redevelop sites and protect their local economies. This is going to be an expensive and time-consuming process, but Congress has a special responsibility to these affected communities to make certain that the cleanup is completed expeditiously.

Last month the Senate approved a Defense authorization bill that added substantial funds for base closure cleanup, in accordance with new estimates provided by the services. I am very pleased to see that the military construction appropriations bill for fis-

cal year 1992 also provides higher funding levels, in accordance with new estimates by the Department of Defense regarding what cleanup funds will be needed in the coming year. In my own State, at Wurtsmith Air Force Base, a legacy of toxic contamination must be addressed so that the community can pursue alternative uses for the facility. At many other bases slated for closure around the country there are similar problems including unexploded ordnance that poses a direct threat and must be removed.

So, on behalf of my constituents and also for my colleagues, I want to thank the distinguished senior Senator from Tennessee, the chairman of the Appropriations Subcommittee on Military Construction for providing this important funding increase. I realize how difficult it is, under the current budget constraints, to find money above the administration's original budget request for this activity.

The updated figures for fiscal year 1992 cleanup were not provided by the Department of Defense until the Armed Services Committee requested them in July. A number of my colleagues from both sides of the aisle joined me in bringing this issue to the attention of the appropriators, and I am very gratified at their response in this bill.

I understand that Members of the House of Representatives have written to the chairman of the House Armed Services and House Appropriations Committees asking them to yield to the Senate funding figures for base closure cleanup—those House bills were written before the revised DOD figures were released. That's a pretty powerful indication that the Senate is on the right track.

We will face this issue of base closures and environmental cleanup for many years—it's important to do the job swiftly and to do the job right. This bill does that, and I encourage my colleagues to support the base closure provisions.

HIGH COST OF CONTRACTORS

Mr. PRYOR. Mr. President, I rise today to place into the RECORD a few pages from a report by the General Accounting Office on the high cost of contractors. I asked the GAO to do this report to try to get a clear answer to the question of whether using contractors saves money.

The GAO findings challenge the philosophy that using contractors is always a cost-effective way to get the government's work done. Plain and simple, it costs more to use contractors. In fact, the GAO found that it cost 25 percent more to use contractors.

The Department of Energy spends about \$500 million a year on support service contracts. These are the type of contracts that generate the stories of contractors writing congressional testimony, holding administrative hear-

ings and performing much of the basic work of government. Now, besides these abuses, we find out today that we are not even saving money with these contractors.

The only troubling thing to me is that while this is the first comprehensive agency-wide report of its type, the GAO is essentially merely confirming what was apparent all along. When I held a hearing on the DOE's use of contractors in 1989, I heard testimony from a high-ranking DOE official that it cost from 20 to 25 percent more to use contractors. Why didn't that testimony, based on an internal DOE study, get the attention of DOE and OMB officials? What will it take to convince the policy makers in the administration that to have cost-effective government, we are going to have to close the open money sack that has been used to fund excessively costly contracts for the past 10 years.

Finally, since DOE spends \$500 million on support service contracts we are wasting about \$100 million a year. I compliment the GAO, and I am hopeful that this report of such unnecessary waste will serve as a catalyst for some long overdue changes in the way our Federal Government spends its money.

I also wish to place in the RECORD a short article from the New York Times entitled "Congressional Study Challenges Federal Use of Private Contractors."

Mr. President, I ask unanimous consent to print in the RECORD the GAO report and the article to which I have referred.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

U.S. GENERAL ACCOUNTING OFFICE,
Washington, DC, August 16, 1991.

Hon. DAVID H. PRYOR,
Chairman, Subcommittee on Federal Services,
Post Office, and Civil Service, U.S. Senate

DEAR MR. CHAIRMAN: This letter responds to your request that we review the Department of Energy's (DOE) support service contracting practices. These contracts provide staff for a wide variety of services related to DOE's management, administrative, and technical activities. Specifically, you asked us to (1) discuss the overall cost and use of these contracts, (2) examine the adequacy of controls to ensure that DOE's support service contracts are cost-effective, and (3) evaluate whether work performed on selected support service contracts could be performed less expensively by federal personnel. To address these concerns, we, among other things, reviewed 75 DOE support service contracts and completed 12 cost comparisons at four DOE locations.

RESULTS IN BRIEF

In fiscal year 1990, DOE obligated \$522 million on support service contracts, a 56-percent increase from fiscal year 1986. Support service contracts are appropriate for, among other things, fulfilling specialized needs or needs of a short-term or intermittent nature. However, most of the contracts we reviewed at DOE were not justified on these bases. Instead, most were awarded because DOE lacked sufficient resources to perform the work.

According to the Office of Management and Budget (OMB), the government's policy is to conduct its operations in a cost-effective manner. Although cost comparisons are an essential control in deciding the most cost-effective way to meet the government's need for services, OMB's guidance on support service contracting does not uniformly require agencies to compare contract and in-house performance costs to determine which is cost-effective. For example, OMB guidance does not call for cost comparisons when contracting for services needed to fulfill new agency requirements or when federal performance is not considered feasible.

Few of the DOE contracts for support services we reviewed were awarded on the basis of comparisons between federal and contract costs. DOE officials said that they did not compare costs since they could not get additional staff to perform the work in-house because of personnel ceilings.

Some DOE support service contracts cost substantially more than would using additional federal employees for the same work. Eleven of the 12 support service activities for which we conducted cost comparisons were, on average, 25 percent more costly. Fiscal year 1990 contract costs for these activities totaled \$5 million more than the estimated cost of federal performance. Because we judgmentally selected activities for the cost comparisons, the findings cannot be projected to the universe of DOE's support service contracts.

OMB officials acknowledged that agencies had little opportunity to increase their staffing levels during the 1980s. However, recent actions indicate that OMB now may be willing to consider requests for additional staff if the requests adequately justify cost savings. OMB officials cite their approval to convert 13 DOE support service contracts to in-house performance as evidence of OMB's change in attitude.

OMB has also advised DOE that it will consider additional DOE staff positions in fiscal year 1993 if DOE can demonstrate that converting contracts would result in substantial cost savings. DOE plans to identify possible conversions as part of its fiscal year 1993 budget submission, but some DOE officials question whether OMB's position regarding ceilings has really changed. For example, DOE officials stated that OMB has not officially changed its policy or provided guidance on what type of cost comparison would be needed to justify contract conversions.

BACKGROUND

To address a long-standing concern about the extent of government competition with private enterprise, the Bureau of the Budget, in 1955, promulgated a government policy that federal agencies should not carry on a commercial activity to provide services that could be obtained through ordinary business channels. Every administration since 1955 has endorsed the general policy of relying on the private sector to provide commercial services required to support the government's operation. Inherent governmental functions—those ultimately related to the public interest—are to be performed by federal employees.

In addition, recent administrations have used personnel ceilings to limit the number of federal employees as a means of reducing federal spending and of encouraging agencies to rely on the private sector to meet the government's need for goods and services. Between 1980 and 1990, for example, ceilings imposed by OMB, which replace the Bureau of the Budget, reduced DOE's staffing levels from 21,208 to 17,000 full-time positions, with

a low of 16,103 in fiscal year 1989.¹ For fiscal year 1991, OMB increased DOE's ceiling to 17,965. In requests for staff during the 1980-91 period, DOE asserted that its need for staff exceeded the ceiling levels established by OMB.

DOE USES SUPPORT SERVICE CONTRACTS EXTENSIVELY

To meet the need for additional staff, DOE contracts extensively with private firms and companies for support in planning, managing, and carrying out its work. Between fiscal years 1986 and 1990, DOE's support service contracting grew by 56 percent, from \$334 million to \$522 million. According to DOE's data system on procurement acquisitions, DOE had 498 active support service contracts during fiscal year 1990. Although DOE does not track the number of persons hired under these contracts, in 1989 DOE estimated that it had received the equivalent of about 8,600 staff from support service contractors during fiscal year 1988. During the same period, DOE employed 16,258 federal staff.

According to DOE officials, support service contractors are an integral part of DOE's day-to-day operations and are needed for, among other things, fulfilling specialized needs or needs of a short-term or intermittent nature. However, most of the contracts we reviewed were not justified on these bases. Instead, we found that most of the contracts were awarded because DOE lacked sufficient resources to perform the work.

Support service contractors and DOE employees frequently perform similar activities. In fact, many of the contracts we reviewed added staff to activities already being performed by DOE employees. For example, during fiscal year 1990, DOE contracted for

Engineers to review the quality of DOE's operations at one field location;

Auditors to supplement DOE's Inspector General staff;

A clerk for data entry at a DOE support office;

Staff to support personnel surveys and assessments of staffing needs for DOE headquarters; and

Personnel for project planning, scientific and technical support, operation of a computer center, and acquisition and financial services at one of DOE's energy technology centers.

Many of the activities we reviewed had been performed by contractors over prolonged periods of time. Although DOE's guidelines for managing support service contracts limit the duration of each contract to 5 years, the guidelines do not limit how long an activity can be performed under successive support service contracts. Consequently, we identified certain activities that had been performed by contractors since 1977, the year DOE was created. Furthermore, according to DOE personnel, some of these activities had been previously performed under contract for DOE's predecessor agencies. On average, the activities covered by the 75 contracts we reviewed had been contracted out for about 7 years, and almost all of the activities were expected to continue under contract in the future. For example:

One DOE operations office hired contractors in 1985 to help monitor the transportation of nuclear materials, such as the nuclear weapons. Cognizant DOE personnel told us they expected that contractors would continue performing this activity for as long as

¹ According to OMB, the ceiling decrease resulted, in large part, from reductions in the Economic Regulatory Agency following the abolition of petroleum allocation and price controls.

DOE had materials to move. DOE hired a contractor to operate a new facility for training guards employed at DOE facilities. Begun in 1984, this activity is expected to continue under contract indefinitely.

DOE headquarters began using contractors to estimate the cost of construction projects before 1980 and, according to agency officials, will continue to do so as long as DOE has construction projects.

DOE contracted for automated data processing services to support its headquarters operations at least 15 years ago and expects to continue this activity under contract indefinitely.

The size of DOE's support services also varies considerably. For example, one contract provides a part-time weatherization grant inspector at \$22,600 a year, while another supplies approximately 620 people for automated data processing and telecommunications at an annual cost of \$32 million.

COST COMPARISON REQUIREMENTS

According to OMB policy, government activities are to be conducted in a cost-effective manner. With respect to support services, the policy is principally embodied in OMB Circular A-76, which emphasizes cost comparison procedures for determining when it is more economical to contract for services currently performed by federal employees.

Circular A-76 states that one of the overall objectives of government is to achieve economy and enhance productivity in its operations. To help achieve this objective, the circular specifies cost comparison procedures for determining whether commercial activities, such as engineering and janitorial services, can be more economically performed by contractors or federal employees.

The supplement to the circular requires cost comparisons in three instances. First, agencies must periodically compare the cost of activities currently performed by federal employees with the cost of performing the work under contracts. If private sector costs are found to be lower by at least 10 percent for personnel-related costs, the agency should switch to private contractors. Second, if an agency expects the expansion of an existing federal activity will increase the cost of performing the activity by 30 percent or more, it must conduct a cost comparison. Third, an agency must compare costs when, as a result of having monitored the contracts for continued cost-effectiveness, it determines that contract costs have become unreasonable or that performance has become unsatisfactory. In this situation, an agency must also determine that (1) in-house performance is feasible and (2) recompetition with other commercial sources would not result in reasonable prices.

Despite its emphasis on cost-effectiveness, the circular does not uniformly require cost comparisons in deciding whether to contract out. For example, cost comparisons are not required in contracting for services needed to fulfill new agency requirements. Unless contract prices are viewed as unreasonable, OMB's circular states that services normally will be obtained through contracts—without any assessment regarding the comparable cost of performing the work in-house. Further, an agency need not consider the cost of in-house performance when a federal work force is not considered "feasible." The circular neither defines the term nor specifies circumstances that make federal performance infeasible. However, an OMB official said this would include peak and valley work loads and cases where the government cannot pay enough to recruit federal employees.

In addition, OMB Circular A-120 provides guidance on contracting for advisory and assistance support services that support or improve agency policy development, decision-making, management, administration, and the operation of management systems. The circular does not require agencies to conduct cost comparisons.

Finally, DOE Order 4200.3B establishes DOE's policy and procedures for awarding and managing the agency's support service contracts. Like Circular A-76, DOE's order stresses the need for cost-effectiveness in DOE's operations. For example, the order states that DOE shall not enter into or maintain a support service contract when the service (1) is more economically available at DOE or (2) may be provided through other means at a substantial savings in cost to the government. Except by reference to Circular A-76, the order does not require cost comparisons or establish other controls that could be used in assessing whether DOE's support service contracts are cost-effective. For example, the order does not define what is meant by unreasonable in Circular A-76 or require DOE managers to conduct comparisons when in-house performance is thought to be less expensive. Further, although the order requires requesting offices to specifically address in-house resources as an alternative to contractor performance in written contract justifications, the order does not require the requesting office to conduct cost comparisons between the alternatives.

DOE SELDOM COMPARED COSTS TO ENSURE COST-EFFECTIVENESS

Although cost comparisons are an essential control in deciding the most cost-effective way to meet the government's need for services, few of the DOE contracts we reviewed were awarded on the basis of comparisons between the cost of using federal employees and private contractors. Specifically, we found that DOE conducted cost comparisons on only 3 of the activities covered by the 75 support service contracts we reviewed. Each of these comparisons was initially performed as part of DOE's review of existing in-house operations under OMB Circular A-76 to determine if they should be contracted out. Furthermore, DOE personnel believed that 23 of the 75 activities could be more economically performed in-house, a factor that could be construed as meeting the test of unreasonable cost under Circular A-76. However, DOE did not conduct any cost comparisons for 21 of the 23 activities.

According to DOE headquarters and field officials, the principal reason for not conducting cost comparisons was the lack of sufficient federal staff because of personnel ceilings. Officials told us that ceilings had essentially rendered the issue of cost comparisons irrelevant since, in their view, OMB would not have considered increasing DOE's staffing ceiling to allow the work to be performed in-house.

USING CONTRACTORS COST SUBSTANTIALLY MORE THAN USING FEDERAL WORKERS IN SOME CASES

DOE's use of support service contracts cost more than federal employees would have cost for 11 of the 12 contracts for which we conducted cost comparisons.² Ten of these

contracts were also identified by DOE officials as ones that could be performed less expensively in-house.

Specifically, we estimated that DOE spent at least \$5 million more, or 25.4 percent, in fiscal year 1990 than it would have spent if 11 of the 12 activities we reviewed had been conducted in-house. The increased contractor costs for the services ranged from more than 3 percent to about 73 percent higher than if they had been performed by federal employees. We estimated that the twelfth activity cost \$113,750, or 9 percent, less by contract than if it had been done in-house. We discussed our cost comparison methodology with DOE and OMB staff, who generally agreed with the procedures we used. However, because we selected the contracts judgmentally, our results cannot be projected to the universe of DOE support service contracts. The results of our cost comparisons are provided in appendix II.³

Moreover, we believe our estimates may substantially understate the amount of savings available through in-house performance for the activities that we reviewed. While we based our estimate of federal costs on the guidance in Circular A-76, we modified several steps to simplify and, thus, reduce the time required to make the comparison. Overall, these modifications overstate the cost of in-house federal performance. For example, we did not attempt to determine the most efficient and effective organization that was capable of accomplishing the work requirements.

OMB POSITION ABOUT PERSONNEL CEILINGS MAY BE CHANGING

Recent actions indicate that OMB's position about personnel ceilings may be changing. As part of its 1992 budget request to OMB, DOE proposed converting 13 support service contracts to in-house performance. The proposals were based on cost comparisons developed by DOE's Office of the Inspector General and the Western Area Power Administration to justify increases in their staffing levels. Collectively, the units estimated that in-house performance would save about \$7.3 million annually on the 13 contracts.⁴ As a result of the comparisons, OMB approved conversion of 164 contractor staff to in-house performance.

OMB officials said that during the 1980s OMB had a clear policy of reducing federal employment and of aggressively studying federal positions to determine whether they should be contracted out. They said, however, that OMB is now willing to consider requests for additional staff if the requests adequately justify cost savings. While OMB has not issued a formal policy reflecting the change in its position, OMB officials cited the DOE conversions as evidence of OMB's change in attitude. Further, for fiscal year 1993, OMB has advised DOE that it would be willing to provide additional staff positions if DOE can demonstrate that converting contracts to federal staff would be cost-effective. On the basis of discussions with OMB,

approval for the number of federal positions that would be needed.

²During our review, DOE's Office of the Inspector General was also conducting cost comparisons for seven randomly selected support service contracts at DOE headquarters. This report is expected to be issued in September 1991.

³One of the units identified another eight contracts that could be performed less expensively by federal employees. However, according to DOE personnel, they did not propose converting the contracts because they wanted to make a strong case to OMB and these eight contracts involved less dollar savings.

²A recent GAO report, *Nuclear Safety: Potential Security Weaknesses at Los Alamos and Other DOE Facilities* (GAO/RCED-91-12, Oct. 11, 1990) found that DOE could save about \$15 million annually in labor and benefit costs if guard services at nine DOE facilities were performed by DOE employees. DOE had not updated or conducted periodic cost comparisons, in part, because of the difficulty in obtaining OMB's

DOE has requested its units to identify conversions in connection with its fiscal year 1993 budget preparation.

In spite of these recent actions, some concerns about converting support service contracts still remain. For example, OMB officials said that if it approves contract conversions, DOE may not reduce contract spending by a corresponding amount. Instead, DOE could leave the contracts in place or use the additional money on other contracts. In contrast, DOE officials said they are concerned that OMB will not approve sufficient staff to accommodate both the Department's expanding need for staff and the contract conversions. For example, although OMB approved contract conversions involving 105 positions for the Western Area Power Administration, DOE officials noted that OMB decreased the administration's personnel ceiling by 83 positions overall. This decrease, according to OMB officials, was for reasons unrelated to the conversions. Thus, the administration realized a net increase of only 22 positions. As a result, DOE officials said one option under serious consideration is to contract out for the difference in staffing, thus reducing the level of projected savings. DOE officials also questioned why OMB had not officially changed its policy or provided guidance on what type of cost comparisons would be needed to justify contract conversions.

CONCLUSIONS

DOE rarely considered the cost of in-house performance in awarding the support service contracts we reviewed. In 1990, inadequate attention to cost-effectiveness cost the government at least \$5 million more than was necessary to perform 11 of the 12 DOE activities for which we conducted cost comparisons. DOE officials said that they did not compare costs since they could not get additional staff to perform the work in-house because of personnel ceilings.

We recognize that there are a variety of reasons for using support service contractors, including an inability to recruit specialized skills and the need for flexibility in accomplishing tasks of an intermittent nature. However, even when other reasons exist, we believe cost comparisons are an essential management tool in deciding whether to contract out. As we found in conducting our cost comparisons, such comparisons need not be burdensome.

OMB acknowledges that agencies had little opportunity to increase their staffing levels during the 1980s. Recent actions indicate that OMB now may be willing to consider requests for additional staff if the requests adequately justify cost savings. However, given the long-standing practices of DOE and OMB, some uncertainty remains as to (1) whether DOE units will be motivated to carry out cost comparisons, (2) whether DOE will request additional staff for converting support service contracts, and (3) how OMB will respond to these requests. Although one solution to this situation would be for the Congress to establish reporting requirements for overseeing DOE's and OMB's actions in this area, we are not recommending congressional action at this time. Instead, we believe DOE and OMB should be given the opportunity to resolve these problems independently. However, a recommendation along these lines could be forthcoming if subsequent work determines that DOE and OMB have not taken action to ensure that cost is adequately considered in DOE's support service contracting decisions.

RECOMMENDATION TO THE SECRETARY OF ENERGY

To ensure that DOE's support service activities are conducted in a cost-effective manner, we recommend that the Secretary of Energy

Require DOE units to conduct cost comparisons before awarding or renewing support service contracts and regularly review existing contracts to ensure that they are cost-effective and

Use the results of cost comparisons to support requests for additional staff from OMB for converting any contracts determined to be less expensively performed in-house, except where other reasons exist for continuing the work under contract, and if conversions are approved by OMB, DOE should reduce its support service contracting budget by a corresponding amount.

RECOMMENDATION TO THE DIRECTOR OF THE OFFICE OF MANAGEMENT AND BUDGET

To ensure that DOE understands OMB's position about converting costly support service contracts, we recommend that OMB issue guidance documenting the position and any additional information that would be needed to justify conversions, such as information about the type of cost comparisons DOE should perform.

We performed our work at DOE headquarters, its operations offices in Richland, Washington, and Albuquerque, New Mexico, and its Morgantown Energy Technology Center in West Virginia between June 1990 and May 1991. Our work was performed in accordance with generally accepted government auditing standards. Appendix I provides detailed information about our objectives, scope, and methodology.

As requested, we did not obtain official agency comments on a draft of this report. However, we discussed the facts with DOE and OMB officials and incorporated their comments where appropriate. As agreed with your office, we plan no further distribution of this report until 30 days from the date of this letter. At that time we will send copies to the Secretary of Energy; the Director, Office of Management and Budget; and other interested parties. We will also make copies available to others upon request.

[From the New York Times, Sept. 16, 1991] CONGRESSIONAL STUDY CHALLENGES FEDERAL USE OF PRIVATE CONTRACTORS

WASHINGTON, Sept. 15.—The Federal Government could often save money by using its own employees rather than private contractors for certain work but sometimes lacks the personnel to do so, a report by an investigative arm of Congress said today.

The study by the General Accounting Office, which examined 75 support service contracts assigned by the Department of Energy, offers the first broad challenge to the practice of the Reagan and Bush Administrations of limiting employment as a way to reduce spending.

Senator David Pryor, the Arkansas Democrat who requested the study as chairman of the Senate Governmental Affairs Subcommittee on Federal Services, said: "Time and time again over the past 20 years we have heard from the executive branch that using private contractors saves money. This report makes it clear that, at least in some cases, this is a myth."

A LACK OF PERSONNEL

The accounting office's report said the Energy Department contracts were intended to fulfill "specialized needs or needs of a short-term or intermittent nature." But the study

found that most of the department's \$522 million in support service contracts in the fiscal year 1990 were not justified on those grounds, but were signed because the agency "lacked sufficient resources" to properly perform the activities.

In 1980, before the Reagan Administration began cutting the Federal staff, the department had 21,208 employees. But the staff was reduced to 16,103 by 1989. Outside contracts increased by 56 percent from 1986 to 1990.

Since then the White House budget office has authorized the department to increase its staff to 17,965. Phil Keif, a spokesman for the department, said the staff had been increasing in recent years because of a new demand for cleanups of weapon plants and hazardous waste sites. Yet officials at both the department and the accounting office said more personnel were needed.

The department had compared costs for only 3 of the 75 contracts reviewed by the accounting office. The office's researchers, who conducted their own cost comparisons for 12 of the activities, found that 11 of the 12 would have been cheaper by 25.4 percent, or a total of \$5 million, had the department used its own employees.

Mr. Keif said the department did not have enough staff members to perform the analyses or to carry out the activities. But he said department officials agreed with the report's findings and the need for cost analyses. He said it was developing a method of analysis to carry out those studies.

The Reagan Administration began replacing Federal workers with private contractors in the belief that private industry was more efficient.

Although the White House budget office's policy in the 1980's was to reduce the number of Federal employees, the report said there were indications this policy was changing. The researchers said officials of the office had told them that they might be willing to hire more people if they could justify cost savings. Budget office officials had no comment on the report.

Mr. SASSER. Mr. President, the Senate Budget Committee has examined H.R. 2426, the military construction appropriations bill and has found that the bill is under its 602(b) budget authority allocation by \$0.2 billion in budget authority and \$0.1 billion in outlays.

The Military Appropriations Subcommittee faced a daunting task this year as it attempted to assign the proper priorities to our military construction programs in light of the fiscal and international realities. I would like to express my appreciation to Senator PHIL GRAMM, the distinguished ranking member, for his assistance in bringing this bill to the floor today.

Mr. President, I have a table prepared by the Budget Committee which shows the official scoring of the military construction appropriations bill and I ask unanimous consent that it be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

SENATE BUDGET COMMITTEE SCORING OF H.R. 2426—
MILITARY CONSTRUCTION SUBCOMMITTEE—SPENDING
TOTALS

[Senate Reported; in billions]

Bill summary	Budget authority	Outlays
H.R. 2426:		
New BA and outlays	\$8.4	\$2.8
Enacted to date	0	5.5
Adjustment to conform mandatory programs to resolution assumptions	0	0
Scorekeeping adjustments	0	0
Bill total	8.4	8.3
Senate 602(b) allocation	8.6	8.5

SENATE BUDGET COMMITTEE SCORING OF H.R. 2426—
MILITARY CONSTRUCTION SUBCOMMITTEE—SPENDING
TOTALS—Continued

[Senate Reported; in billions]

Bill summary	Budget authority	Outlays
Total difference	-.2	-.1
Discretionary:		
Domestic:		
Senate 602(b)	0	0
Difference	0	0
International:		
Senate 602(b)	0	0
Difference	0	0
Defense	8.4	8.3
Senate 602(b)	8.6	8.5

SENATE BUDGET COMMITTEE SCORING OF H.R. 2426—
MILITARY CONSTRUCTION SUBCOMMITTEE—SPENDING
TOTALS—Continued

[Senate Reported; in billions]

Bill summary	Budget authority	Outlays
Difference	-.2	-.1
Total discretionary spending	8.4	8.3
Mandatory spending	0	0
Mandatory allocation	0	0
Difference	0	0
Discretionary total above (+) or below (-):		
President's request	-.1	-.1
Senate-passed bill	NA	NA
House-passed bill	-.1	-.1

MILITARY CONSTRUCTION—1992 APPROPRIATIONS

[In thousands of dollars]

	President's request		House-passed		Senate-reported		Senate-passed		Conference	
	Budget authority	Outlays	Budget authority	Outlays	Budget authority	Outlays	Budget authority	Outlays	Budget authority	Outlays
Discretionary spending:										
Domestic:										
New spending in bill	0	0	0	0	0	0				
Outlays prior	0	0	0	0	0	0				
Supplementals (PL 102-27)	0	0	0	0	0	0				
Scorekeeping/mandatory adjustments	0	0	0	0	0	0				
Subtotal	0	0	0	0	0	0				
602(b) allocation	NA	NA	0	0	0	0				
Bill above/below (+/-) allocation	NA	NA	0	0	0	0				
International:										
New Spending in bill	0	0	0	0	0	0				
Outlays prior	0	0	0	0	0	0				
Supplementals (PL 102-27)	0	0	0	0	0	0				
Scorekeeping/mandatory adjustments	0	0	0	0	0	0				
Subtotal	0	0	0	0	0	0				
602(b) allocation	NA	NA	0	0	0	0				
Bill above/below (+/-) allocation	NA	NA	0	0	0	0				
Defense:										
New spending in bill	8,563,030	2,979,068	8,483,006	2,955,146	8,413,745	2,846,160				
Outlays prior	0	5,502,377	0	5,502,377	0	5,502,377				
Supplementals (PL 102-27)	0	0	0	0	0	0				
Scorekeeping/mandatory adjustments	0	0	0	0	0	0				
Subtotal	8,563,030	8,481,445	8,483,006	8,457,523	8,413,745	8,348,537				
602(b) allocation	NA	NA	8,564,000	8,482,000	8,564,000	8,482,000				
Bill above/below (+/-) allocation	NA	NA	-80,994	-24,477	-150,255	-133,463				
Total Discretionary:										
New spending in bill	8,563,030	2,979,068	8,483,006	2,955,146	8,413,745	2,846,160				
Outlays prior	0	5,502,377	0	5,502,377	0	5,502,377				
Supplementals (PL 102-27)	0	0	0	0	0	0				
Scorekeeping/mandatory adjustments	0	0	0	0	0	0				
Subtotal	8,563,030	8,481,445	8,483,006	8,456,523	8,413,745	8,348,537				
Mandatory spending:										
New spending in bill	0	0	0	0	0	0				
Permanent appropriations	0	0	0	0	0	0				
Outlays prior	0	0	0	0	0	0				
Subtotal, mandatory	0	0	0	0	0	0				
Resolution scoring adjustment	0	0	0	0	0	0				
Adjusted mandatory total	0	0	0	0	0	0				
Bill total:										
Discretionary	8,563,030	8,481,445	8,483,006	8,456,523	8,413,745	8,348,537				
Adjusted mandatory	0	0	0	0	0	0				
Subtotal	8,563,030	8,481,445	8,483,006	8,456,523	8,413,745	8,348,537				
602(b) allocation	NA	NA	8,564,000	8,482,000	8,564,000	8,482,000				
Bill above/below (+/-) allocation	NA	NA	-80,994	-24,477	-150,255	-133,463				
Discretionary total compared to:										
President's request	NA	NA	-80,024	-23,922	-149,285	-132,908				
House-passed	80,024	23,922	NA	NA	-69,261	-108,986				
Senate-passed	149,285	132,908	69,261	108,986	NA	NA				

Mr. SASSER. Mr. President, that concludes the amendments in order under the unanimous-consent request. There being no further debate on this bill, I am prepared to yield all my time if the distinguished ranking member is prepared to yield back his time.

Mr. GARN. I am happy to yield back.
Mr. SASSER. I yield back our time.
The PRESIDING OFFICER. All time is yielded back.

The question is on the engrossment of the amendments and third reading of the bill.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read a third time.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall the bill pass?

So the bill (H.R. 2426), as amended, was passed.

Mr. SASSER. Mr. President, I move to reconsider the vote by which the bill, as amended, was passed.

Mr. GARN. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. SASSER. Mr. President, I move that the Senate insist on its amendments to the bill, H.R. 2426, and request a conference with the House, and that the Chair be authorized to appoint the conferees.

The motion was agreed to, and the Presiding Officer (Mr. LAUTENBERG) appointed Mr. SASSER, Mr. INOUE, Mr. REID, Mr. FOWLER, Mr. BYRD, Mr. GRAMM of Texas, Mr. GARN, Mr. STE-

VENNS, and Mr. HATFIELD conferees on the part of the Senate.

Mr. SASSER. Mr. President, I thank the Chair. I suggest the absence of a quorum.

Mr. BYRD. Mr. President, if the Senator will withhold—

Mr. SASSER. I withhold.

Mr. BYRD. Mr. President, the distinguished subcommittee chairman, Mr. SASSER, and the distinguished ranking member, Mr. GRAMM, are to be commended for their skillful and expeditious handling of the fiscal year 1992 military construction appropriations bill. Both Senator SASSER and Senator GRAMM are extremely knowledgeable in all areas of the bill, and they make the difficult seem to be easy. Their splendid efforts brought to the floor a good bill that is within the subcommittee's 602(b) allocation.

I also compliment the loyal, hard-working staff of the subcommittee for their fine work in the preparation of the bill.

I add my thanks to both the manager and the ranking member for the expeditious handling, and for their good work in bringing this bill to the floor and for the expeditious action on the floor.

Mr. SASSER. Mr. President, I thank the chairman, the distinguished chairman of the full committee, for his kind and generous remarks here this evening. It is characteristic of the chairman that he would stay here until this late hour to watch the adoption of one of the appropriations bills that emanates from his committee, to see that it is done with precision, to see that we do it in an expeditious manner, and I am very pleased always to join with him in moving these bills out of the Appropriations Committee and through the full Senate.

I thank him for his kind remarks, and for his generous assistance over the years, and over this year in particular with the military construction appropriations bill.

Mr. BYRD. Mr. President, I thank the distinguished Senator. My feeling for the expertise, skill, cooperation, and effectiveness of the Senator from Tennessee goes beyond the action on just this bill. I have been in the Senate quite a long time now. I was the 1,579th Senator out of the 1,799 who have served in the U.S. Senate since 1789, and I must say that this young Senator from the State of Tennessee—I say he is young because I was once upon a time as young as he is—has certainly grown in my estimation over these years, based on my observations. I have watched him as chairman of the Budget Committee, I have seen him take the difficult positions, I have seen him win, and I have seen him lose. I have seen him lose sometimes when he was right.

He is to be commended. He does not say a lot on this floor, but when he speaks, others listen. I admire his char-

acter and certainly he has inspired me to believe that there is a lot of quality in this Senator from Tennessee.

So I thank him again not only for his work on this bill, but more particularly on his meticulous work, his firmness, and the high degree of dignity and skill which has marked all of his work as I have watched him through these many years.

Mr. President, I yield the floor.

Mr. SASSER. Mr. President, before suggesting the absence of a quorum, I once again want to express my thanks for the kind remarks directed to this Senator by the distinguished President pro tempore of the U.S. Senate.

I might say that our distinguished chairman of the Appropriations Committee and President pro tempore of the U.S. Senate, ROBERT C. BYRD, by example, has demonstrated to younger Senators coming into this body and to this Senator, who is no longer as young as I was a few years ago, and is no longer as young as I would wish to be, has demonstrated by his example that service in this body is an honor, really, and that each one of us must earn anew almost every day. And he has been an example to me and to many others. I look forward to many, many years of continued service with the distinguished senior Senator from West Virginia.

UNANIMOUS CONSENT AGREEMENT

Mr. MITCHELL. Mr. President, following consultation with all of the interested Senators, I believe that I have a proposal that will resolve the issue which we earlier were discussing.

Therefore, I ask unanimous consent that at 12:30 p.m. tomorrow, Tuesday, September 17, the Senate resume consideration of the Interior appropriations bill, and that from 12:30 p.m. until 2:15 p.m., there be debate only upon the Jeffords-Metzenbaum grazing fee amendment, equally divided and controlled in the usual form; and that at 2:15 p.m., there be a vote on or in relation to that amendment.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

ORDER OF PROCEDURE

Mr. MITCHELL. Mr. President, for the information of Senators, then, we will complete action on the military construction appropriations bill this evening, and I thank the distinguished chairman and ranking member who have agreed to make that possible.

We will then come into session at 9 a.m., with a period for morning business of 30 minutes. At 9:30 a.m., I or my designee will seek consent to proceed to the Transportation appropriations bill. We have already been apprised that objection will be made to any re-

quest to go to it this evening. It is my hope that we can work that out and get that consent in the morning.

We would then be on the transportation bill from 9:30 until 12:30, to make such progress as we can, and if at all possible even finish the bill.

At 12:30, the respective party caucuses will occur as scheduled. But during that period of time, instead of the Senate recessing, as is ordinarily the case, the Senate will stay in session for purposes of debate only on the grazing fee amendment.

There will be a vote at 2:15 on or in relation to the amendment. It is my understanding that a motion to table will be made, and that a vote will occur on that.

The agreement does not preclude further debate if the amendment is not tabled, of course. As we well understand, if the amendment is tabled, that is dispositive of the issue. If it is not tabled, there could be further debate for an unlimited period, or until such time as limitation is imposed on the amendment.

At 2:30, following that vote, if we have not completed Transportation, then we will return to that bill. And it would be my hope that we could complete action on that bill tomorrow afternoon.

Later tomorrow and Wednesday, the Senate will be back on the Interior appropriations bill, with the hope that other amendments will be presented. And then we can complete action on that bill early Thursday morning.

Mr. President, I will be pleased to yield to the distinguished Republican leader.

Mr. DOLE. I just wanted to indicate we hope to be able to go to the Transportation bill at 9:30 a.m., and I will advise the majority leader and the chairman of the committee, Senator LAUTENBERG.

Mr. MITCHELL. I thank my colleagues.

Mr. BYRD. Mr. President, if the distinguished majority leader will yield, I want to compliment him and thank him on this approach he has worked out. I think it is very agreeable, very reasonable, and I go home tonight with a lighter burden, feeling that the end of the tunnel may be in sight on both these appropriations bills at some point in time.

Mr. MITCHELL. I thank my colleague.

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. SASSER. 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. SASSER. Mr. President, I ask unanimous consent that there be a period for morning business for up to 7 minutes, with Senators permitted to speak therein.

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

THE U.S.S. "CAIRO" AT THE VICKSBURG NATIONAL MILITARY PARK

Mr. LOTT. Mr. President, the distinguished chairman and ranking member of the Senate Appropriations Committee, I rise today to offer my comments and express support for the Interior appropriations bill, H.R. 2686. This measure makes funding possible for the Department of the Interior and a number of related agencies. What is also significant about this bill is that it makes historic preservation possible all across this great country of ours.

When I was home in Mississippi over the August recess, I had the opportunity to visit and tour the Vicksburg National Military Park, the site of an important battle in the War Between the States. The park site, as many of my colleagues know, is a tribute to the courage, valor, and sacrifice of all the soldiers who fought in the war.

Each State participating in the war was given the right to identify locations where their troops fought. They were further given the right to erect markers to commemorate their service. Twenty-eight States supplied the 140,000 Confederate and Union troops that struggled for control of Vicksburg in 1863. Twenty-six monuments in the Vicksburg National Military Park pay tribute to the States whose brave soldiers were a part of this historic battle shaping our country.

A chaplain during the war, Abram Joseph Ryan, once stated, "A land without ruins is a land without memories—and a land without memories is a land without history." How fortunate we here in the United States are, for we have a rich history and we preserve and protect it. Vicksburg National Military Park is a part of our history and we must preserve and protect it.

This national military park is also home to the U.S.S. *Cairo*, a Union gunboat that was built in 1861 to aid the Union Navy's effort to seize the Mississippi River from Confederate control. The U.S.S. *Cairo* was the lightest and fastest of the Union Navy's seven city-class gunboats.

In December 1862, while escorting a flotilla up the Yazoo River, two mines exploded beneath the starboard bow causing the U.S.S. *Cairo* to sink in less than 12 minutes. There the boat lay until 1964 when it was raised from the mud of the Yazoo River where it had been entombed for the past 102 years.

The U.S.S. *Cairo* is currently a popular open-air exhibit in the Vicksburg

National Military Park. It attracts tourists from all around the world. But now, the historic fabric of the gunboat is deteriorating day by day at an accelerating rate due to its exposure to damaging environmental elements such as humidity, temperature fluctuations, birds, insects, and rodents.

This historic war gunboat, which attracts tourists from around the country and the world, needs to be protected by a climate-controlled environmental shelter. This bill provides for a cost assessment to be made of the damage to the gunboat, and a following report made to the distinguished chairman and ranking member of the Senate Appropriations Committee. An environmental shelter suitable to protect the U.S.S. *Cairo* is desperately needed. British author and critic, John Ruskin, said, "Our duty is to preserve what the past has had to say for itself." I agree with that philosophy for that is an important mission, protecting our country's rich heritage.

At this time I would like to share with my colleagues a letter I recently received from the National Trust for Historic Preservation and an article from the *Historic Preservation News*. The article chronicles one of the first cases prosecuted in the South under the Archaeological Resources Protection Act. The case involved two men who were found guilty of looting the Vicksburg National Military Park in Mississippi after they vandalized the battlefield by excavating Civil War ammunition. Mr. President, I request that this letter and accompanying article be entered in the CONGRESSIONAL RECORD along with my statement on the U.S.S. *Cairo*.

I ask today that my colleagues on both sides of the aisle give their support to this Interior appropriations bill. It gives all of our States an opportunity to enjoy and cherish our Nation's military parks, and other historic treasures. Most importantly, it helps preserve a significant part of our Nation's history.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

STATES REPRESENTED IN VICKSBURG NATIONAL MILITARY PARK MONUMENTS

Alabama, Arkansas, Georgia, Illinois, Indiana, Iowa, Kansas, Louisiana, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, New Hampshire, New York, Ohio, Pennsylvania, Rhode Island, Texas, West Virginia, Wisconsin, Florida, Maryland, North Carolina, South Carolina, Virginia.

NATIONAL TRUST FOR HISTORIC PRESERVATION.

September 3, 1991.

HON. TRENT LOTT,

United States Senate, Washington, DC.

DEAR SENATOR LOTT: Enclosed is a copy of the most recent issue of the National Trust's newspaper, *Historic Preservation News*. I thought you might be interested in the story on page 17, featuring one of the first cases

prosecuted in the South under the Archaeological Resources Protection Act which involved two Baton Rouge, Louisiana men prosecuted for looting the Vicksburg National Military Park in Mississippi after they vandalized the battlefield by excavating Civil War ammunition.

The National Trust is dedicated to saving such sites and landmarks, and to demonstrating the benefits of preserving our nation's heritage. I hope you will share this information with all your constituents as part of the continuing process of educating the American people about their past.

Sincerely,

JACK WALTER,
President.

[From the *Historic Preservation News*,
September 1991]

In one of the first cases prosecuted in the South under a federal archaeological protection act, two Baton Rouge, La., men were each fined \$5,000, barred from all federal and state Civil War parks, and ordered to complete at least 200 hours of community service after pleading guilty to vandalizing Vicksburg, Miss., National Military Park. A \$12,000 Jeep also was seized in connection with the violations. In May the men entered guilty pleas to violations of the 1979 Archaeological Resource Protection Act, which protects archaeological resources and sites on public land. According to Joseph Holloman, assistant state attorney for the southern Mississippi district, the men vandalized the battlefield by excavating Civil War ammunition. Holloman says that this case, which is the first to be prosecuted under the act in Mississippi, will have national impact. "If we don't have effective deterrents and people don't fear what's going to happen to them, [such incidents] will be repeated," he says.

JEFFORDS-METZENBAUM AMENDMENT TO RAISE GRAZING FEES

Mr. DASCHLE. Mr. President, I rise today to express my strong opposition to the Jeffords-Metzenbaum amendment to increase grazing fees on Federal land. I believe it is an ill-conceived proposal that would do almost nothing to benefit the range or increase Federal revenues, but would do much to drive many farmers further into oblivion.

As my colleagues know, the House of Representatives has passed two provisions to raise the fee. The first, which was added to the Interior spending bill, would increase the fee from the current level of \$1.97 per animal unit month to \$4.35 next year and then \$8.70 by fiscal year 1995. The animal unit month, or AUM, is the amount of forage required to feed one cow and a calf, or five sheep, for one month.

Another effort to alter the grazing fee formula has been included in the House version of the Bureau of Land Management Reauthorization bill. The provision would slow down the increase to no more than 33 percent from 1 year to the next up to a level of \$5.17 per AUM. Some provisions I have seen don't even have this cap.

The net effect of either provision, and I understand that the amendment being offered today is the latter provi-

sion, the net effect would be a 250- to 400-percent increase in the grazing fees. This would have had a devastating impact on many areas of South Dakota.

Proponents of raising the grazing fee claim that the Federal fee is far below what is charged on private lands, and that raising the fee is necessary to prevent range damage on public lands. This logic is flawed for two reasons: First, private lands are often far more productive grazing lands than public lands, and many of the amenities that are often found on private land, such as fences and watering holes, don't exist on public land. Therefore, private lands usually deserve a higher grazing fee. Second, poor range conditions, where they exist, are not the result of a rancher paying too little in fees. More likely, they are the result of poor management by the Federal officials responsible for the land.

There seems to be a common misperception that Western farmers and ranchers are getting rich off taxpayer giveaways. This attitude reflects a complete lack of understanding of how hard people work, and how protecting and improving the range—not destroying it—is in the rancher's best interest. And anybody who thinks your typical rancher is wealthy has not spent much time in ranch country lately.

There is also the issue of what such a dramatic rise in the grazing fee would do to the livestock industry. If the grazing fee goes to \$5.17, or \$8.70, or above, the small- and medium-size rancher will simply not be able to afford to use public lands. He or she will either have to find other areas to graze, or sell off part, or all, of their herd. And who will benefit? The corporate rancher who can afford higher fees, and who wants to further consolidate control of the industry. And who would manage the range better—a family rancher who has lived in a given area all his or her life, or some corporation in Chicago or New York whose only concern is the bottom line on a financial statement?

I recently conducted a series of meetings in rural South Dakota regarding the proposed grazing fee increase. There is not unanimity that the fee should stay at \$1.97 forever. People who graze on Forest Service lands pay more than this already. Many people acknowledge that an adjustment in the BLM fee may be appropriate. But there is overwhelming consensus that an arbitrary and several-fold increase in the fee is punitive and unfair.

If an adjustment in the grazing fee is necessary, so be it. But any proposal to increase the fee should be drafted by the relevant congressional committees with some consideration to the long-term impacts of raising the fee, both on the health of the range and on those who make their living off it. Moreover, whatever is done in committee should

be done with the goal of providing a long-term solution, and a solution that is based on fairness, not on mere ideology.

The grazing fee proposals advocated by the House and advanced today go beyond proper range management or increasing revenues to the Government. Their goal is to pure and simple—to get people off the range, and should they pass, this will be the result. There should be no mistake about this.

At a time when the family rancher is struggling to stay afloat, the Jeffords-Metzenbaum would simply be one more nail in the coffin for many. I cannot support that, and I hope that my colleagues will not either.

TERRY ANDERSON

Mr. MOYNIHAN. Mr. President, I rise to inform my colleagues that today marks the 2,375th day that Terry Anderson has been held captive in Lebanon.

MESSAGES FROM THE HOUSE

At 6:19 p.m., a message from the House of Representatives, delivered by Ms. Goetz, one of its reading clerks, announced that the House has passed the following bill, without amendment:

S. 868. An act to amend title 19, United States Code, and title 38, United States Code, to improve the educational assistance benefits for members of the reserve components of the Armed Forces who served on active duty during the Persian Gulf War, to improve and clarify the eligibility of certain veterans for employment and training assistance, and for other purposes.

The message also announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 3291. An act making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending September 30, 1992, and for other purposes.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, which were referred as indicated:

EC-1860. A communication from the Comptroller General of the United States, transmitting, pursuant to law, a report entitled "U.S. Department of Agriculture: Revitalizing Structure, Systems, and Strategies"; to the Committee on Agriculture, Nutrition, and Forestry.

EC-1861. A communication from the Director of the Office of Management and Budget, Executive Office of the President, transmitting, pursuant to law, notification of the intention of the President of the United States to exempt military personnel accounts from sequester, if a sequester is necessary; pursu-

ant to the order of January 30, 1975, as modified by the order of April 11, 1986, referred jointly to the Committee on Appropriations, the Committee on the Budget, and the Committee on Armed Services.

EC-1862. A communication from the Chief of the Special Actions Branch, Congressional Inquiry Division, United States Army, transmitting, pursuant to law, a report on the conversion of the Commercial Activities program at Fort McClellan, Alabama, to performance by contract; to the Committee on Armed Services.

EC-1863. A communication from the Director of the Office of Dependents Schools, Department of Defense, transmitting, pursuant to law, the Annual Test Report for school year 1990-91 for the overseas dependents' schools administered by the Department of Defense; to the Committee on Armed Services.

EC-1864. A communication from the General Counsel of the Department of Defense, transmitting, a draft of proposed legislation to amend chapter 61 of title 10, United States Code, to provide disability coverage for persons granted excess leave under section 502 of title 37, United States Code; to the Committee on Armed Services.

EC-1865. A communication from the President of the United States, transmitting, pursuant to law, a report on the exercise of export control authority; to the Committee on Banking, Housing and Urban Affairs.

EC-1866. A communication from the Secretary of the U.S. Department of Housing and Urban Development, transmitting, pursuant to law, a report on the matter of increased maximum loan amounts for property improvement loans; to the Committee on Banking, Housing, and Urban Affairs.

EC-1867. A communication from the First Vice President and Vice Chairman of the Export-Import Bank of the United States, transmitting, pursuant to law, a report with respect to a transaction involving U.S. exports to Mexico; to the Committee on Banking, Housing, and Urban Affairs.

EC-1868. A communication from the Assistant Secretary of the Interior (Land and Minerals Management), transmitting, pursuant to law, a report with respect to an investigation to determine an estimate of the total discovered crude oil and natural gas reserves and undiscovered crude oil and natural gas resources of the OCS; to the Committee on Energy and Natural Resources.

EC-1869. A communication from the Acting Deputy Associate Director for Collection and Disbursement, Minerals Management Service, Department of the Interior, transmitting, pursuant to law, a report on the refund of certain offshore lease revenues; to the Committee on Energy and Natural Resources.

EC-1870. A communication from the Acting Deputy Associate Director for Collection and Disbursement, Minerals Management Service, Department of the Interior, transmitting, pursuant to law, a report on the refund of certain offshore lease revenues; to the Committee on Energy and Natural Resources.

EC-1871. A communication from the Acting Deputy Associate Director for Collection and Disbursement, Minerals Management Service, Department of the Interior, transmitting, pursuant to law, a report on the refund of certain offshore lease revenues; to the Committee on Energy and Natural Resources.

EC-1872. A communication from the Acting Deputy Associate Director for Collection and Disbursement, Minerals Management Serv-

ice, Department of the Interior, transmitting, pursuant to law, a report on the refund of certain offshore lease revenues; to the Committee on Energy and Natural Resources.

EC-1873. A communication from the Acting Deputy Associate Director for Collection and Disbursement, Minerals Management Service, Department of the Interior, transmitting, pursuant to law, a report on the refund of certain offshore lease revenues; to the Committee on Energy and Natural Resources.

EC-1874. A communication from the Acting Deputy Associate Director for Collection and Disbursement, Minerals Management Service, Department of the Interior, transmitting, pursuant to law, a report on the refund of certain offshore lease revenues; to the Committee on Energy and Natural Resources.

EC-1875. A communication from the Acting Deputy Associate Director for Collection and Disbursement, Minerals Management Service, Department of the Interior, transmitting, pursuant to law, a report on the refund of certain offshore lease revenues; to the Committee on Energy and Natural Resources.

EC-1876. A communication from the Acting Deputy Associate Director for Collection and Disbursement, Minerals Management Service, Department of the Interior, transmitting, pursuant to law, a report on the refund of certain offshore lease revenues; to the Committee on Energy and Natural Resources.

EC-1877. A communication from the Acting Deputy Associate Director for Collection and Disbursement, Minerals Management Service, Department of the Interior, transmitting, pursuant to law, a report on the refund of certain offshore lease revenues; to the Committee on Energy and Natural Resources.

EC-1878. A communication from the Acting Deputy Associate Director for Collection and Disbursement, Minerals Management Service, Department of the Interior, transmitting, pursuant to law, a report on the refund of certain offshore lease revenues; to the Committee on Energy and Natural Resources.

EC-1879. A communication from the Acting Deputy Associate Director for Collection and Disbursement, Minerals Management Service, Department of the Interior, transmitting, pursuant to law, a report on the refund of certain offshore lease revenues; to the Committee on Energy and Natural Resources.

EC-1880. A communication from the Assistant Attorney General (Legislative Affairs), transmitting a draft of proposed legislation to authorize modification of the boundaries of the Alaska Maritime National Wildlife Refuge; to the Committee on Energy and Natural Resources.

EC-1881. A communication from the Acting Assistant Secretary of Energy (Fossil Energy), transmitting, pursuant to law, a report of the Strategic Petroleum Reserve Annual Site Environmental Report for Calendar Year 1990; to the Committee on Energy and Natural Resources.

EC-1882. A communication from the Acting General Counsel, Department of the Treasury, transmitting, a draft of proposed legislation to eliminate the General Services Administration's statutory responsibilities concerning the repair and improvement of the United States Mint at Philadelphia, Pennsylvania; to the Committee on Environment and Public Works.

EC-1883. A communication from the Administrator, Health Care Financing Administration, Department of Health and Human Services, transmitting, pursuant to law, a report regarding the final regulation to fold hospital capital payments into the Medicare prospective payment system; to the Committee on Finance.

S. 1717. A bill to amend the Native American Programs Act of 1974; to the Select Committee on Indian Affairs.

Mr. GRAMM (for himself, Mr. GRAHAM, Mr. COCHRAN, Mr. JOHNSTON, Mr. LOTT, and Mr. MACK):

S.J. Res. 194. A joint resolution to designate 1992 as the "Year of the Gulf of Mexico"; to the Committee on the Judiciary.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. HOLLINGS, from the Committee on Commerce, Science, and Transportation, with amendments:

S. 1583. A bill to amend the Natural Gas Pipeline Safety Act of 1968 and the Hazardous Liquid Pipeline Safety Act of 1979 to authorize appropriations and to improve pipeline safety, and for other purposes (Rept. No. 102-152).

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:

Mr. DOLE (for himself, Mr. BOREN, Mr. BURNS, Mr. COCHRAN, Mr. D'AMATO, Mr. HEFLIN, Mrs. KASSEBAUM, Mr. KASTEN, Mr. LUGAR, Mr. MCCAIN, Mr. MURKOWSKI, Mr. ROTH, Mr. SEYMOUR, Mr. SHELBY, Mr. SIMPSON, Mr. STEVENS, Mr. THURMOND, and Mr. WARNER):

S. 1711. A bill to establish a Glass Ceiling Commission and an annual award for promoting a more diverse skilled work force at the management and decisionmaking levels in business, and for other purposes; to the Committee on Labor and Human Resources.

Mr. BROWN:

S. 1712. A bill to provide an annuity to certain surviving spouses and dependent children of Reserve members of the Armed Forces who died between September 21, 1972, and September 30, 1978; to the Committee on Armed Services.

Mr. GRASSLEY:

S. 1713. A bill to suspend until January 1, 1993, the duty on Fomesafen; to the Committee on Finance.

Mr. LUGAR:

S. 1714. A bill to enhance the ability of the United States to provide support to emerging democracies in their transition to agricultural economies based upon free enterprise elements; to the Committee on Agriculture, Nutrition, and Forestry.

Mr. GRAMM (for himself, Mr. JOHNSTON, Mr. COCHRAN, Mr. LOTT, and Mr. MACK):

S. 1715. A bill to ensure the protection of the Gulf of Mexico by establishing in the Environmental Protection Agency a Gulf of Mexico Program Office; to the Committee on Environment and Public Works.

Mr. KOHL:

S. 1716. A bill to amend section 1102 of title 11, United States Code, to permit governmental units to participate as members of committees of creditors and of equity security holders on chapter 11 proceedings; to the Committee on the Judiciary.

Mr. INOUE (for himself, Mr. MCCAIN, Mr. SIMON, Mr. WELLSTONE, Mr. MURKOWSKI, Mr. REID, Mr. BURDICK, Mr. DECONCINI, and Mr. AKAKA):

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. DOLE (for himself, Mr. BOREN, Mr. BURNS, Mr. COCHRAN, Mr. D'AMATO, Mr. HEFLIN, Mrs. KASSEBAUM, Mr. KASTEN, Mr. LUGAR, Mr. MCCAIN, Mr. MURKOWSKI, Mr. ROTH, Mr. SEYMOUR, Mr. SHELBY, Mr. SIMPSON, Mr. STEVENS, Mr. THURMOND, and Mr. WARNER):

S. 1711. A bill to establish a Glass Ceiling Commission and an annual award for promoting a more diverse skilled work force at the management and decisionmaking levels in business, and for other purposes; to the Committee on Labor and Human Resources.

GLASS CEILING ACT OF 1991

Mr. DOLE. Mr. President, last month the Department of Labor released its report on the glass ceiling confirming what many of us have suspected all along—the existence of invisible, artificial barriers blocking women and minorities from advancing up the corporate ladder to management and executive level positions.

I have carefully reviewed this report and consider it an important and historic first step in building a much-needed and long-overdue record on this issue. I congratulate the Secretary of Labor—and for that matter her predecessor—on this report and look forward to working with her on this issue down the road.

EQUAL ACCESS AND EQUAL OPPORTUNITY

For this Senator, the issue boils down to ensuring equal access and equal opportunity. These principles are fundamental to the establishment of this great Nation and the cornerstone of what other nations and other people consider unique to the United States—namely, the possibility for everyone to go as far as their talents and hard work will take them.

But as this report indicates, the American dream may not be as easy for some to pursue as for others. Indeed, while women and minorities make up over half the workforce, studies indicate that they hold less than 5 percent of senior management positions in big corporations—representing only a 2-percent increase since 1979.

While there is no right or correct number, and my opposition to any notion of quotas could not be stronger, you do not have to be a brain surgeon to deduce that something is wrong out there.

TIME TO MOVE GLASS CEILING LEGISLATION

Mr. President, in February, along with a number of my Republican colleagues, I introduced the Women's Equal Opportunity Act of 1991, which was referred to the Judiciary Committee.

Unfortunately, no hearings or other action has been scheduled on this important legislation which addresses such critical issues as sexual harassment in the workplace, street and domestic violence against women, and employment opportunities for those seeking access to management jobs and apprenticeship programs.

While I consider every piece of this comprehensive package to merit careful consideration and urge all of my colleagues to lend their support to its passage, today I am reintroducing that subtitle of the Women's Equal Opportunity Act dealing with the glass ceiling with the hope that this particular legislation can be moved on an expedited basis.

I am pleased to note that Senators KASSEBAUM, BOREN, HEFLIN, and SHELBY have joined the original cosponsors of the Women's Equal Opportunity Act as cosponsors of the Glass Ceiling Act.

GLASS CEILING ACT OF 1991

The legislation I am now reintroducing is both consistent with and builds upon the important work begun by the Department of Labor.

GLASS CEILING COMMISSION

It establishes the Glass Ceiling Commission which is provided with the resources and powers to fully examine those practices and policies in corporate America which impede the advancement of women and minorities.

That is where the word "glass ceiling" comes from. You get up so far, you bump up against this glass ceiling, and you cannot go any higher if you are a woman or a member of the minority group.

REPORT

This legislation also specifically charges the Commission with preparing a report for the President and Congress due 15 months after enactment, examining the reasons behind the existence of the glass ceiling and making recommendations with respect to policies which would eliminate any impediments to the advancement of women and minorities.

NATIONAL AWARD

Finally, Mr. President, this legislation provides for the establishment of the national award for diversity and excellence in American executive management to be made by the President on an annual basis to a business which has made substantial efforts to promote opportunities for women and minorities to advance to top levels.

SHATTER THE GLASS CEILING

Mr. President, whatever the reasons behind the glass ceiling, it is time we stopped throwing rhetorical rocks and

hit the glass ceiling with enough force that it is shattered.

It is my firm belief, and my firm commitment, that by raising the national awareness of the existence of the glass ceiling from the assemblyline to the boardroom, by studying and better understanding why the glass ceiling exists, and what holds it up, and finally by having recommendations in hand as to how corporate America can break that ceiling, we will have ensured that everyone has access to the same employment opportunities.

Mr. President, I ask unanimous consent that the full text of the Glass Ceiling Act of 1991 be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 1711

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 "Glass Ceiling Act of 1991".

SEC. 2. FINDINGS AND PURPOSE.

(a) FINDINGS.—Congress finds that—

(1) despite a dramatically growing presence in the workplace, women and minorities remain underrepresented in management and decisionmaking positions in business;

(2) artificial barriers exist to the advancement of women and minorities in the workplace;

(3) United States corporations are increasingly relying on women and minorities to meet employment requirements and are increasingly aware of the advantages derived from a diverse work force;

(4) the "Glass Ceiling Initiative" undertaken by the Department of Labor, including the release of the report entitled "Report on the Glass Ceiling Initiative", has been instrumental in raising public awareness of—

(A) the underrepresentation of women and minorities at the management and decisionmaking levels in the United States work force;

(B) the underrepresentation of women and minorities in line functions in the United States work force;

(C) the lack of access for qualified women and minorities to credential-building developmental opportunities; and

(D) the desirability of eliminating artificial barriers to the advancement of women and minorities to such levels;

(5) the establishment of a commission to examine issues raised by the Glass Ceiling Initiative would help—

(A) focus greater attention on the importance of eliminating artificial barriers to the advancement of women and minorities to management and decisionmaking positions in business; and

(B) promote work force diversity;

(6) a comprehensive study that includes analysis of the manner in which management and decisionmaking positions are filled, the developmental and skill-enhancing practices used to foster the necessary qualifications for advancement, and the compensation programs and reward structures utilized in the corporate sector would assist in the establishment of practices and policies promoting opportunities for, and eliminating artificial barriers to, the advancement of women and minorities to management and decisionmaking positions;

(7) a national award recognizing employers whose practices and policies promote opportunities for, and eliminate artificial barriers to, the advancement of women and minorities will foster the advancement of women and minorities into higher level positions by—

(A) helping to encourage United States companies to modify practices and policies to promote opportunities for, and eliminate artificial barriers to, the upward mobility of women and minorities; and

(B) providing specific guidance for other United States employers that wish to learn how to revise practices and policies to improve the access and employment opportunities of women and minorities; and

(8) employment quotas based on race, sex, national origin, religious belief, or disability—

(A) are antithetical to the historical commitment of the Nation to the principle of equality of opportunity; and

(B) do not serve any legitimate business or social purpose.

(b) PURPOSE.—The purpose of this Act is to establish—

(1) a Glass Ceiling Commission to study—

(A) the manner in which business fills management and decisionmaking positions;

(B) the developmental and skill-enhancing practices used to foster the necessary qualifications for advancement into such positions; and

(C) the compensation programs and reward structures currently utilized in the workplace; and

(2) an annual award for excellence in promoting a more diverse skilled work force at the management and decisionmaking levels in business.

SEC. 3. ESTABLISHMENT OF GLASS CEILING COMMISSION.

(a) IN GENERAL.—There is established a Glass Ceiling Commission (referred to in this Act as the "Commission"), to conduct a study and prepare recommendations concerning—

(1) eliminating artificial barriers to the advancement of women and minorities; and

(2) increasing the opportunities and developmental experiences of women and minorities to foster advancement of women and minorities to management and decisionmaking positions in business.

(b) MEMBERSHIP.—

(1) COMPOSITION.—The Commission shall be composed of 17 members, including—

(A) five individuals appointed by the President;

(B) three individuals appointed jointly by the Speaker of the House of Representatives and the Majority Leader of the Senate;

(C) one individual appointed by the Majority Leader of the House of Representatives;

(D) one individual appointed by the Minority Leader of the House of Representatives;

(E) one individual appointed by the Majority Leader of the Senate;

(F) one individual appointed by the Minority Leader of the Senate;

(G) two Members of the House of Representatives appointed jointly by the Majority Leader and the Minority Leader of the House of Representatives;

(H) two Members of the Senate appointed jointly by the Majority Leader and the Minority Leader of the Senate; and

(I) the Secretary of Labor.

(2) CONSIDERATIONS.—In making appointments under subparagraphs (A) and (B) of paragraph (1), the appointing authority shall consider the background of the individuals, including whether the individuals—

(A) are members of organizations representing women and minorities, and other related interest groups;

(B) hold management or decisionmaking positions in corporations or other business entities; and

(C) possess academic expertise or other recognized ability regarding employment issues.

(c) **CHAIRPERSON.**—The Secretary of Labor shall serve as the Chairperson of the Commission.

(d) **TERM OF OFFICE.**—Members shall be appointed for the life of the Commission.

(e) **VACANCIES.**—Any vacancy occurring in the membership of the Commission shall be filled in the same manner as the original appointment for the position being vacated. The vacancy shall not affect the power of the remaining members to execute the duties of the Commission.

(f) **MEETINGS.**—

(1) **MEETINGS PRIOR TO COMPLETION OF REPORT.**—The Commission shall meet not fewer than five times in connection with and pending the completion of the report described in section 4(b). The Commission shall hold additional meetings if the Chairperson or a majority of the members of the Commission request the additional meetings in writing.

(2) **MEETINGS AFTER COMPLETION OF REPORT.**—The Commission shall meet once each year after the completion of the report described in section 4(b). The Commission shall hold additional meetings if the Chairperson or a majority of the members of the Commission request the additional meetings in writing.

(g) **QUORUM.**—A majority of the Commission shall constitute a quorum for the transaction of business.

(h) **COMPENSATION AND EXPENSES.**—

(1) **COMPENSATION.**—Each member of the Commission who is not an employee of the Federal Government shall receive compensation at the daily equivalent of the rate specified for level V of the Executive Schedule under section 5316 of title 5, United States Code, for each day the member is engaged in the performance of duties for the Commission, including attendance at meetings and conferences of the Commission, and travel to conduct the duties of the Commission.

(2) **TRAVEL EXPENSES.**—Each member of the Commission shall receive travel expenses, including per diem in lieu of subsistence, at rates authorized for employees of agencies under subchapter I of chapter 57 of title 5, United States Code, for each day the member is engaged in the performance of duties away from the home or regular place of business of the member.

(3) **EMPLOYMENT STATUS.**—A member of the Commission, who is not otherwise an employee of the Federal Government, shall not be deemed to be an employee of the Federal Government except for the purposes of—

(A) the tort claims provisions of chapter 171 of title 28, United States Code; and

(B) subchapter I of chapter 81 of title 5, United States Code, relating to compensation for work injuries.

SEC. 4. RESEARCH ON ADVANCEMENT OF WOMEN AND MINORITIES TO MANAGEMENT AND DECISIONMAKING POSITIONS IN BUSINESS.

(a) **ADVANCEMENT STUDY.**—The Commission shall conduct a study of opportunities for, and artificial barriers to, the advancement of women and minorities to management and decisionmaking positions in business. In conducting the study, the Commission shall—

(1) examine the preparedness of women and minorities to advance to management and decisionmaking positions in business;

(2) examine the opportunities for women and minorities to advance to management and decisionmaking positions in business;

(3) conduct basic research into the practices, policies, and manner in which management and decisionmaking positions in business are filled;

(4) conduct comparative research of businesses and industries in which women and minorities are promoted to management and decisionmaking positions, and businesses and industries in which women and minorities are not promoted to management and decisionmaking positions;

(5) compile a synthesis of available research on programs and practices that have successfully led to the advancement of women and minorities to management and decisionmaking positions in business, including training programs, rotational assignments, developmental programs, reward programs, employee benefit structures, and family leave policies; and

(6) examine any other issues and information relating to the advancement of women and minorities to management and decisionmaking positions in business.

(b) **REPORT.**—Not later than 15 months after the date of the enactment of this Act, the Commission shall prepare and submit to the President and the appropriate committees of Congress a written report containing—

(1) the findings and conclusions of the Commission resulting from the study conducted under subsection (a); and

(2) recommendations based on the findings and conclusions described in paragraph (1) relating to the promotion of opportunities for, and elimination of artificial barriers to, the advancement of women and minorities to management and decisionmaking positions in business, including recommendations for—

(A) policies and practices to fill vacancies at the management and decisionmaking levels;

(B) developmental practices and procedures to ensure that women and minorities have access to opportunities to gain the exposure, skills, and expertise necessary to assume management and decisionmaking positions; and

(C) compensation programs and reward structures utilized to reward and retain key employees.

(c) **ADDITIONAL STUDY.**—The Commission may conduct such additional study of the advancement of women and minorities to management and decisionmaking positions in business as a majority of the members of the Commission determines to be necessary.

SEC. 5. ESTABLISHMENT OF THE NATIONAL AWARD FOR DIVERSITY AND EXCELLENCE IN AMERICAN EXECUTIVE MANAGEMENT.

(a) **IN GENERAL.**—There is established the National Award for Diversity and Excellence in American Executive Management, which shall be evidenced by a medal bearing the inscription "National Award for Diversity and Excellence in American Executive Management". The medal shall be of such design and materials, and bear such additional inscriptions, as the Commission may prescribe.

(b) **CRITERIA FOR QUALIFICATION.**—To qualify to receive an award under this section a business shall—

(1) submit a written application to the Commission, at such time, in such manner, and containing such information as the Commission may require, including at a minimum information that demonstrates that the business has made substantial effort to promote the opportunities and developmen-

tal experiences of women and minorities to foster advancement to management and decisionmaking positions within the business, including the elimination of artificial barriers to the advancement of women and minorities, and deserves special recognition as a consequence; and

(2) meet such additional requirements and specifications as the Commission determines to be appropriate.

(c) **MAKING AND PRESENTATION OF AWARD.**—

(1) **AWARD.**—After receiving recommendations from the Commission, the President or the designated representative of the President shall annually present the award described in subsection (a) to businesses that meet the qualifications described in subsection (b).

(2) **PRESENTATION.**—The President or the designated representative of the President shall present the award with such ceremonies as the President or the designated representative of the President may determine to be appropriate.

(3) **PUBLICITY.**—A business that receives an award under this section may publicize the receipt of the award and use the award in its advertising, if the business agrees to help other United States businesses improve with respect to the promotion of opportunities and developmental experiences of women and minorities to foster the advancement of women and minorities to management and decisionmaking positions.

SEC. 6. POWERS OF THE COMMISSION.

(a) **IN GENERAL.**—The Commission is authorized to—

(1) hold such hearings and sit and act at such times;

(2) take such testimony;

(3) have such printing and binding done;

(4) enter into such contracts and other arrangements;

(5) make such expenditures; and

(6) take such other actions;

as the Commission may determine to be necessary to carry out the duties of the Commission.

(b) **OATHS.**—Any member of the Commission may administer oaths or affirmations to witnesses appearing before the Commission.

(c) **OBTAINING INFORMATION FROM FEDERAL AGENCIES.**—The Commission may secure directly from any Federal agency such information as the Commission may require to carry out its duties.

(d) **VOLUNTARY SERVICE.**—Notwithstanding section 1342 of title 31, United States Code, the Chairperson of the Commission may accept for the Commission voluntary services provided by a member of the Commission.

(e) **GIFTS AND DONATIONS.**—The Commission may accept, use, and dispose of gifts or donations of property in order to carry out the duties of the Commission.

(f) **USE OF MAIL.**—The Commission may use the United States mails in the same manner and under the same conditions as Federal agencies.

SEC. 7. CONFIDENTIALITY OF INFORMATION.

(a) **INDIVIDUAL BUSINESS INFORMATION.**—

(1) **IN GENERAL.**—Except as provided in paragraph (2), and notwithstanding section 552 of title 5, United States Code, in carrying out the duties of the Commission, including the duties described in sections 4 and 5, the Commission shall maintain the confidentiality of all information that concerns—

(A) the employment practices and procedures of individual businesses; or

(B) individual employees of the businesses.

(2) **CONSENT.**—The content of any information described in paragraph (1) may be disclosed with the prior written consent of the

business or employee, as the case may be, with respect to which the information is maintained.

(b) **AGGREGATE INFORMATION.**—In carrying out the duties of the Commission, the Commission may disclose—

(1) information about the aggregate employment practices or procedures of a class or group of businesses; and

(2) information about the aggregate characteristics of employees of the businesses, and related aggregate information about the employees.

SEC. 8. STAFF AND CONSULTANTS.

(a) STAFF.—

(1) **APPOINTMENT AND COMPENSATION.**—The Commission may appoint and determine the compensation of such staff as the Commission determines to be necessary to carry out the duties of the Commission.

(2) **LIMITATIONS.**—The rate of compensation for each staff member shall not exceed the daily equivalent of the rate specified for level V of the Executive Schedule under section 5316 of title 5, United States Code for each day the staff member is engaged in the performance of duties for the Commission. The Commission may otherwise appoint and determine the compensation of staff without regard to the provisions of title 5, United States Code, that govern appointments in the competitive service, and the provisions of chapter 51 and subchapter III of chapter 53 of title 5, United States Code, that relate to classification and General Schedule pay rates.

(b) **EXPERTS AND CONSULTANTS.**—The Chairperson of the Commission may obtain such temporary and intermittent services of experts and consultants and compensate the experts and consultants in accordance with section 3109(b) of title 5, United States Code, as the Commission determines to be necessary to carry out the duties of the Commission.

(c) **DETAIL OF FEDERAL EMPLOYEES.**—On the request of the Chairperson of the Commission, the head of any Federal agency shall detail, without reimbursement, any of the personnel of the agency to the Commission to assist the Commission in carrying out its duties. Any detail shall not interrupt or otherwise affect the civil service status or privileges of the Federal employee.

(d) **TECHNICAL ASSISTANCE.**—On the request of the Chairperson of the Commission, the head of a Federal agency shall provide such technical assistance to the Commission as the Commission determines to be necessary to carry out its duties.

SEC. 9. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated to the Commission such sums as may be necessary to carry out the provisions of this Act. The sums shall remain available until expended, without fiscal year limitation.

SEC. 10. TERMINATION.

(a) **COMMISSION.**—Notwithstanding section 15 of the Federal Advisory Committee Act (5 U.S.C. App.), the Commission shall terminate 4 years after the date of the enactment of this Act.

(b) **AWARD.**—The authority to make awards under section 5 shall terminate 4 years after the date of the enactment of this Act.

Mr. McCAIN. Mr. President, I strongly support and am pleased to cosponsor the Glass Ceiling Act of 1991, introduced today by my esteemed colleague, Senator DOLE. Equality of opportunity for women and others has become a tenet of American law. However, it has become increasingly clear that, al-

though equal opportunity and civil rights laws have allowed many to step on the workplace floor, a glass ceiling has stopped career advancement for minorities and women.

It is time to shatter the glass ceiling. American workers should be judged on merit, plain and simple. Mr. President, I can say it no more succinctly.

For too long we have stymied the growth and potential of many of our best and finest workers. For this shortsightedness, our Nation has suffered. I am proud that we are now trying to rectify this situation.

U.S. Department of Labor Secretary Martin stated that out of nine Fortune 500 firms studied by the Department last year, women comprised 37 percent of the work force but less than 5 percent of senior management. These figures cannot be justified.

Mr. President, I believe that it is important to recognize the existence of the glass ceiling and to shatter it. Further, I believe it is especially timely that this bill be introduced now.

The Glass Ceiling Act correctly focuses our attention on equality of opportunity and individual merit. It seems that lately our discussions on civil rights issues have turned to quotas and numbers and away from individual ability. Americans do not want quotas. They are inherently punitive in nature, serve to balkanize our society, and discourage excellence. By shattering the glass ceiling we achieve many of the goals of the 1964 Civil Rights Act and its call for colorblindness without any of the ominous quota language that has been circulated in the Congress in the past.

I applaud the Department of Labor for its efforts in this area and encourage the Department to move forward. When we ignore segments of our society such as women and other minority groups, we ignore potential business, increased tax revenues, and the brilliance these individuals can offer us all. As I have said in the past, we will all benefit by breaking this invisible barrier.

Mr. President, let us truly make opportunity, through all strata of society and business, equal. This bill is a good start in that direction, and I urge my colleagues to support it.

Mr. SEYMOUR. Mr. President, I am pleased to join with the distinguished Republican leader, Senator DOLE, and 16 of my distinguished colleagues to introduce the Glass Ceiling Act of 1991. While I am already an original cosponsor of S. 472, the Women's Equal Opportunity Act of 1991, the legislation being introduced today reaffirms my commitment, and makes clear my feelings concerning the advancement of women and minorities to upper level management positions in business.

We as a nation have long advocated the belief that Americans should have the opportunity to rise to the level

that desire and talent will take them. Upholding this tradition has not been without struggle. A Civil War, four constitutional amendments, hundreds of State and Federal laws, and millions of determined Americans have torn down walls of hate and arbitrary discrimination. They stand as monuments of achievement, chapters of history to remind us that it has been a winning struggle, but one that still must be fought.

After generations of progress, there still exist numerous artificial barriers and variables that are systematically preventing talented women and minorities from climbing to the top rung of the corporate ladders in this country. Many of these barriers are of such a subtle nature that they are labeled "glass ceilings", practices that are invisible on the surface but real in their effect. Victims of the glass ceiling can see the executive suite, but they just can't get there.

In 1989, the Department of Labor, under the leadership of Elizabeth Dole, decided to throw a symbolic rock at corporate America, to see if a glass ceiling existed, and if so, how thick and effective was it as a barrier to advancement.

Sure enough, in a recently published report, the Department of Labor's rock struck glass. The report confirms that changing demographics have resulted in a growing number of women and minorities contributing to corporate America. Together, they represent approximately half of all jobs in the Nation's 1,000 largest corporations. However, they represent less than 10 percent of executive level positions. Other studies also have concluded that minorities and women have made modest gains in admission to the corporate penthouse over the past decade: from less than 3 percent in 1979, to less than 5 percent today.

More importantly, the Department of Labor has identified the primary ingredients of the glass ceiling. Based on its pilot study, the Department concluded that certain formal and informal practices of corporate culture—long believed to be effective in finding the best and the brightest minds—are working to systematically keep minorities and women in the back of the corporate bus. The "good ol' boy" network of employee referrals is one such practice found to have discriminatory results, as well as reliance on executive headquarters that fail to recruit talented minorities and women.

And, in some instances, advancement was stalled simply because corporations fail to give skilled minorities and women the opportunity to demonstrate their talents, making it difficult for these individuals to move up the corporate ladder.

Mr. President, how can any society struggling for supremacy in a growing global marketplace work to stifle op-

portunity for over half of its work force?

Surely, we don't mean to compete in a global economy with one hand tied behind our back?

Well, that is most certainly what we've been doing, and it will continue to happen unless we become more conscious of the talent that is tied down by the time-worn practices within our corporate culture.

Keeping America at less than its full strength is not a burden suffered by minorities and women. All Americans bear this burden of lost potential, of lost opportunity.

Today, by introducing the Glass Ceiling Act, we intend to break free from our self-imposed barriers to opportunity, and play the corporate market with both hands in operation.

The central element of the legislation we introduce today is the establishment of a glass ceiling commission. The commission would be charged with assisting the Labor Department and corporate America in a concentrated effort to shatter the glass ceiling once and for all. There is a time-honored saying that those who live in glass houses should not throw stones. Well, it'll be the motto of this commission that those who work under a glass ceiling should throw many stones.

The glass ceiling commission is meant to be a partner with business in dismantling discriminatory barriers, to serve as an adviser, rather than an adversary. After all, it is in the best interests of American business—it's in the best interest of all Americans—to take a close look at job advancement policies, and expand access for talented women and minorities. Business could only gain by expanding opportunity and diversifying its work force.

Finally, this legislation establishes an annual award for businesses that have excelled in promoting greater opportunities for all talented employees. Of course, the real rewards for such achievement will be seen on the balance sheet in the form of greater productivity and presence in the global marketplace.

In short, smashing the glass ceiling is not just good government, or even good public relations. It's good business.

In closing, Mr. President, I want to commend the Secretary of Labor, Lynn Martin, as well as her predecessor, Elizabeth Dole, for their determined efforts to take aim at the glass ceiling. By passing this legislation, we can further their achievements. But more importantly, we can draft another successful chapter in our continuing struggle to achieve a simple goal: equal opportunity for all Americans.

Mr. ROTH. Mr. President, today I am pleased to join with the distinguished minority leader in offering legislation to promote equal opportunity for women in the work force.

I commend Senator DOLE for taking the lead in seeking to smash the glass ceiling that prevents highly qualified women from achieving management positions. This is not just an issue of fairness to hard-working women seeking parity in the work force, though that is surely an important goal of the legislation. I believe this bill is about national survival as it involves taking a critical step forward in helping our economy become more competitive. Since women make up over half of our work force, it is imperative that they have access to the same opportunities as men to develop their maximum potential and increase our Nation's productivity.

A recent pilot project conducted by the Labor Department which investigated the glass ceiling in nine Fortune 500 companies revealed that while increasing numbers of minorities and women have made significant gains in entering the work force, slots for minorities and women in mid- and senior-level management positions remain scarce. Clearly, something must be done to change the way institutions develop and promote women and minorities to prevent them from having to tread water when they have the desire and ability to swim.

Following through on an initiative of former Labor Secretary Elizabeth Dole, this legislation establishes a glass ceiling commission to conduct a study on the advance and promotion of women and minorities to senior management and decisionmaking positions in the private sector. The commission envisioned in this legislation will help us to gain the knowledge and receive the necessary recommendations to encourage corporate strategies that eliminate the artificial barriers that have prevented women and minorities from forging ahead in their careers. In addition, the legislation will bring recognition to businesses which bring a progressive approach to their employment practices by establishing an annual national award for excellence in the advance of women and minorities in business.

I encourage my colleagues to seriously consider this bill. We cannot afford to stand by and allow the talents of individuals to go by the wayside due to entrenched practices of the past. Our strength as a nation depends greatly on the extent to which we provide individuals equal opportunities to achieve excellence regardless of their race or gender.

Again, I commend Senator DOLE for his leadership on this issue and urge all of my colleagues to support this effort to provide the equal employment opportunities for a significant part of our work force to succeed.

By Mr. BROWN:

S. 1712. A bill to provide an annuity to certain surviving spouses and de-

pendent children of Reserve members of the Armed Forces who died between September 21, 1972, and September 30, 1978; to the Committee on Armed Services.

ANNUITY FOR CERTAIN SURVIVING SPOUSES OF MILITARY RESERVISTS

Mr. BROWN. Mr. President, today, I am introducing legislation to rectify inequities in the military survivor benefit plan [SBP] affecting widows of deceased military reservists.

More than 5,550 reservists who served our country for 20 years or more died between 1972 and 1978 without receiving a penny of the annuities their service had earned. Due to a quirk in the law, none of their surviving spouses received these benefits either.

Many Reserve members, who honorably served our country in combat during World War II, were called to active duty to fight again during the Korean War. These reservists made family and career sacrifices to serve our country a minimum of 20 years. Frequently, they served as long as 30 and almost 40 years.

A 1972 law allowed reservists to join the Reserve Components Survivor Benefit Plan. However, if these reservists died after attaining service eligibility, but before reaching age 60, their spouses could not receive any portion of the reservists' annuities. The law was changed in 1978 to correct this inequity, but it only applied to reservists who died after 1978. Therefore, eligible reservists who died during the first 6 years the program was in effect—1972-1978—and their survivors were left out.

My acquaintance with the plight of the forgotten widows of military reserve members has been through Mrs. Mary A. Barry, widow of Capt. Jeremiah J. Barry, U.S. Naval Reserve.

Captain Barry served a total of 30 years in the Navy on active and reserve duty, from 1943 to 1973. During World War II, Captain Barry was assigned to an aircraft carrier in the Pacific and fought in the Battle of Midway. After the war, he returned home and started his own business, only to be recalled to fight in Korea. In his absence, the business failed, and all of his family's savings were lost. Captain Barry served a total of 7 years on active duty in both wars. During this time, he received five Silver Stars and two Bronze Stars, among other citations.

After the Korean War, Captain Barry volunteered to remain in the Naval Reserves. He became commanding officer in the Air Intelligence Squadron in Chicago, IL, traveling at his own expense between his Reserve duty assignment and his home in Denver, CO. Through the years, he carried out his service duty in addition to his full-time positions as a statistician at McDonald-Douglas Aircraft and Martin-Marietta.

Capital Barry died in 1976, at the age of 56. He was survived by his wife and

their three college-aged children. Captain Barry had met all of the requirements for survivor benefits for his family. His family received none of them, though, because of Captain Barry's death before age 60.

This bill would allow those "forgotten widows" of eligible Reserve service members or retirees who died during this period to receive a portion of the annuity. It applies to reservists who completed all requirements for retirement except living to age 60, who died during the 6-year period between September 21, 1972, and September 30, 1978.

In his Second Inaugural Address, Abraham Lincoln said, "Let us strive to finish the work we are in, to bind up the nation's wounds, to care for him who shall have borne the battle and for his widow and his orphan." Let us not forget to care for survivors of the veterans who served this great Nation.

By Mr. LUGAR:

S. 1714. A bill to enhance the ability of the United States to provide support to emerging democracies in their transition to agricultural economies based upon free enterprise elements; to the Committee on Agriculture, Nutrition, and Forestry.

SUPPORT FOR EMERGING DEMOCRACIES ACT

• Mr. LUGAR. Mr. President, today, I am introducing legislation that will make available to the peoples of the Soviet Union the unsurpassed expertise of American farmers and agribusinessmen. This bill creates a new system of fellowships that will permit American farmers and others in the agricultural sector to go to the former Soviet Union and work side by side with their counterparts to improve transportation systems, teach modern farming practices, instill market principles into food markets, and otherwise assist Russia and the other republics to make a long-term transition to democratic capitalism.

I propose this bill because we need additional legislative authority in order not only to help the Soviet people through the coming winter but to make certain that subsequent winters do not bring waste and want.

If the Soviet republics are to build a working, sustainable democracy, an improved agricultural sector is absolutely necessary. There has been much discussion about food aid and credit, and appropriately so. Indeed, the legislation I introduce today will lift a congressional cap on the amount of commodities that can be employed in an important agricultural development program. But the more significant part of this bill is the authority it provides to induce farmers and other private individuals to share their own experience and knowledge in a variety of areas—from farming to food distribution; from rail transportation to commodity trading.

I believe this new fellowship program will prove instrumental in encouraging

the development of free markets and free institutions throughout the former Soviet Union. A necessary complement to the fellowship program is a second part of the bill, which lifts current legislative caps on the amount of Government-owned commodities that can be used in the Food for Progress Program in 1992. Unless the caps are lifted, the current program restrictions would permit us to assist Soviet enterprise in the coming year in only a very limited way.

Food for Progress allows U.S. commodities to be distributed within recipient countries, with the local-currency proceeds then used to develop the economies of these countries—in ways that mirror the needs of the struggling Soviet economy, and that will complement the expertise of the American farmers and agribusinessmen who participate in the Fellowship Program created in the first part of the bill.

Mr. President, events are moving rapidly throughout Eastern Europe and the Soviet republics. Passage of this legislation is urgently needed. I urge my colleagues to support it. 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. 1714

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 "Support for Emerging Democracies Act of 1991".

SEC. 2. SHARING OF UNITED STATES AGRICULTURAL EXPERTISE.

Section 1542 of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 1522 note) is amended—

(1) in paragraph (d)(2) by adding the following new subparagraph:

"(C) by providing necessary subsistence expenses in emerging democracies and necessary transportation expenses of United States' farmers and other individuals knowledgeable in agricultural and agribusiness matters to assist in transferring their knowledge and expertise to entities in emerging democracies."; and

(2) in paragraph (d)(9) by striking "\$5,000,000" and inserting "\$10,000,000".

SEC. 3. FOOD FOR PROGRESS.

The Food for Progress Act of 1985 (7 U.S.C. 1736o) is amended—

(1) in paragraph (f)(4) by inserting "in each of the fiscal years 1993 through 1995" after "this title"; and

(2) in subsection (g) by striking "1986 through 1995" and inserting "1993 through 1995".

By Mr. KOHL:

S. 1716. A bill to amend section 1102 of title 11, United States Code, to permit governmental units to participate as members of committees of creditors and of equity security holders in chapter 11 proceedings; to the Committee on the Judiciary.

BANKRUPTCY EQUITY ACT

• Mr. KOHL. Mr. President, I rise to introduce legislation that is long overdue: The Bankruptcy Equity Act of 1991. This bill makes governmental units, such as public employee pension funds, eligible to be appointed by U.S. bankruptcy trustees to serve on creditor and equity holders committees.

Under present bankruptcy law, the U.S. trustee appoints committees of unsecured claim holders in chapter 11 reorganization cases. Ordinarily, the creditor and equity holders committees are composed of persons or institutions holding the seven largest claims of the kind represented by that committee. So, for example, an equity security holders' committee would be composed of those persons holding the seven largest amounts of equity securities. These committees have a broad range of powers to ensure their interests are protected during organization.

However, under the current Bankruptcy Code, virtually all governmental units are precluded from participating as voting members of these committees. Governmental units were evidently excluded on the mistaken assumption that they would always be creditors holding tax claims, which are accorded priority status of bankruptcy distributions.

This has not proven to be the case. Many governmental units, including state pension and retirement funds, do not receive priority status yet are not permitted to serve on creditor or equity holders committees. The unique interests of retirement funds, as long-term investors, are not represented by other creditor and equity holder committee members, who may have different goals or shorter investment horizons. Governmental units, and the public, are thus put at an unintended fiscal disadvantage.

Mr. President, this is not an academic issue. For example, the State of Wisconsin Investment Board [SWIB] manages a \$22 billion retirement fund for over 360,000 public employees. SWIB, like all large institutional investors, occasionally finds itself involved in a bankruptcy. However, because SWIB is a State agency, it is at a severe disadvantage. Even when it was the largest outside shareholder in a bankrupt company, it was denied a voting position on the equity holders committee. The economic impact of its disenfranchisement may be borne not only by public employees, but also by the taxpayers of Wisconsin who are ultimately liable for the underlying pension obligations.

The legislation I introduce today would allow SWIB and similar governmental units—those which do not currently receive priority status—to serve on these committees, as long as they meet all other appropriate criteria. It would not give governmental units any special treatment; instead it would

simply lift an unintended burden they presently shoulder.

Mr. President, I and many of my colleagues have expressed concerns over the events in Bridgeport, CT, which this June became the first municipality ever to file for chapter 9 bankruptcy. I want to assure them that the legislation I am introducing today does not effect this complex and troubling issue.

Mr. President, I urge my colleagues to support this legislation, and ask unanimous consent that the bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 1716

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

SECTION 1. PARTICIPATION BY GOVERNMENTAL UNITS IN COMMITTEES IN CHAPTER 11 PROCEEDINGS.

(a) AMENDMENT OF BANKRUPTCY CODE.—Section 1102(b) of title 11, United States Code, is amended by adding at the end thereof the following new paragraph:

“(3) A governmental unit that holds a claim or interest other than or in addition to a claim described in section 507(a)(7) shall be deemed to be a person eligible to be appointed to a committee of creditors or committee of equity security holders under this section.”.

(b) APPLICATION OF AMENDMENT.—The amendment made by subsection (a) shall be effective with respect to reorganization proceedings that are pending on and after the date of enactment of this Act.

(c) TECHNICAL AMENDMENT.—Section 101(41) of title 11, United States Code, is amended by striking “unit,” and all that follows through the period and inserting a semicolon.●

By Mr. INOUE (for himself, Mr. MCCAIN, Mr. SIMON, Mr. WELLSTONE, Mr. MURKOWSKI, Mr. REID, Mr. BURDICK, Mr. DECONCINI, and Mr. AKAKA):

S. 1717. A bill to amend the Native American Programs Act of 1974; to the Select Committee on Indian Affairs.

NATIVE AMERICAN PROGRAMS ACT OF 1974
AMENDMENTS ACT

● Mr. INOUE. Mr. President, I rise today to introduce a bill to reauthorize and amend the Native American Programs Act of 1974. In introducing this bill, I thank my co-sponsors, Senator MCCAIN, the vice-chairman of the Select Committee on Indian Affairs, and Senators SIMON, WELLSTONE, MURKOWSKI, REID, BURDICK, DECONCINI, and AKAKA, all of whom are members of the Select Committee.

The Native American Programs Act is administered by the Administration of Native Americans in the Department of Health and Human Services. It is a small agency within that Department, and its budget is not large, but each year nearly 150 tribal governments and Native American organizations rely upon its programs for the opportunity to initiate projects that will move Native Americans increasingly toward self-sufficiency.

There are now nearly 2 million Native Americans, about half of whom are citizens of or participants in over 550 tribal governments or Native American organizations. Although many American Indians hold important positions in business, the professions, and government, most American Indians live where economic opportunities are limited and where unemployment levels are very high. By all indicators of social and economic wellbeing, Indians and Alaska Natives are among the lowest ranking of any group in America.

Effecting sustained improvements in these social and economic circumstances, by responding to initiatives of tribal governments and other Native American organizations, is the goal of the Native American Programs Act. Among other things, the bill I introduce today reauthorizes the act through 1996. Matching grants will continue to be awarded on a competitive basis to tribal governments and other native American organizations to strengthen tribal governments and community control over resources; to foster stable, diversified local economies and to reduce dependency; and to support access to and coordination of programs to advance the well-being of native communities.

Mr. President, this is a governmental program that is finding substantial success in achieving its goals. There was abundant testimony of its successes in April of this year when the Select Committee on Indian Affairs conducted an oversight hearing on the reauthorization of the program. At the hearing, the committee also received recommendations for changes in the basic legislation, and, in large measure, these have been incorporated in the bill.

Mr. President, I ask unanimous consent that the text of the bill and a section by section analysis be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

S. 1717

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 “Native American Programs Act of 1974 Amendments Act”.

SEC. 2. AMENDMENTS.

The Native American Programs Act of 1974 (42 U.S.C. 2991 et seq.) is amended as follows:

(1) immediately after section 803A, insert the following new section:

“ESTABLISHMENT OF ADMINISTRATION FOR
NATIVE AMERICANS

“SEC. 803B. (a) There is established in the Office of the Secretary the Administration for Native Americans (hereafter in this title referred to as the ‘Administration’), which shall be headed by a Commissioner of the Administration for Native Americans (hereafter in this title referred to as the ‘Commissioner’). The Administration shall be the

agency for carrying out the provisions of this title. There shall be a direct reporting relationship between the Commissioner and the Secretary.

“(b) The Commissioner shall be appointed by the President, by and with the advice and consent of the Senate.

“(c) The Commissioner shall—

“(1) provide for financial assistance, loan funds, technical assistance, training, research and demonstration projects, and other activities described in this title;

“(2) serve as the effective and visible advocate in behalf of Native Americans within the Department, and with other departments and agencies of the Federal Government regarding all Federal policies affecting Native Americans;

“(3) with the assistance of the Intra-Departmental Council on Native American Affairs established by subsection (d)(1), coordinate activities within the Department leading to the development of policies, programs, and budgets, and their administration affecting Native Americans, and provide quarterly reports and recommendations to the Secretary; and

“(4) collect and disseminate information related to the social and economic conditions of Native Americans, and assist the Secretary in preparing a biennial report to the Congress about such conditions.

“(d)(1) There is established in the Office of the Secretary the Intra-Departmental Council on Native American Affairs, which shall be headed by the Commissioner. The Director of the Indian Health Service shall serve as vice chairperson of the Council.

“(2) The membership of the Council shall be the heads of principal operating divisions within the Department and such persons in the Office of the Secretary as the Secretary may designate.

“(3) In addition to the duties defined in this section, the Council shall, within 180 days following the date of the enactment of the Native American Programs Act of 1974 Amendments Act, prepare a plan to allow tribal governments and other eligible Native American organizations to consolidate grants administered by the Department of Health and Human Services and to designate a single office to oversee and audit the grants, and to recommend such plan to the Secretary for implementation. Notwithstanding any other provision of law, the Secretary, in order to accomplish the purpose of this section, shall have the authority to waive any statutory requirement, regulation, policy, or procedure promulgated by the department.

“(e) ADMINISTRATION.—The Secretary shall assure that adequate staff and administrative support is provided to carry out the purposes of the Act. In determining the staffing levels of the Administration, the Secretary shall consider among other factors the unmet needs of the Native American population, the need to provide adequate oversight and technical assistance to grantees, the need to carry out the purposes of the Intra-Departmental Council on Native American Affairs, the additional reporting requirements established, and the staffing levels previously maintained in support of this program.”;

(2) in section 803, delete “Secretary” each place it appears therein and insert in lieu thereof “Commissioner”, and in the first sentence thereof, delete “Indian organizations” and insert in lieu thereof “Indian and Alaska Native organizations”;

(3) in section 803A, delete “agency or organization to which a grant is awarded under

subsection (a)(1) of this section" each place it appears therein and insert in lieu thereof "Office";

(4) in section 803A, delete "agency or organization" each place it appears therein and insert in lieu thereof "Office";

(5)(A) in section 803A, delete "Secretary" each place it appears therein and insert in lieu thereof "Commissioner";

(B) in section 803A(a)(1), delete "one agency of the State of Hawaii, or to one community-based Native Hawaiian organization" and insert in lieu thereof "the Office of Hawaiian Affairs of the State of Hawaii (hereafter in this section referred to as the "Office")";

(6) in section 803A(a)(1), delete "5-year";

(7) in section 803A(a)(1)(A), delete "agency or Native Hawaiian organization" and insert in lieu thereof "Office";

(8) in section 803A(a)(2), insert the following immediately before the period at the end thereof: "and a requirement that the grantee contribute to the revolving loan fund an amount of non-Federal funds equal to the amount of such grant";

(9) section 803A(b)(6) is repealed;

(10) in section 803A(f)(1), delete "and 1990 the aggregate amount \$3,000,000" and insert in lieu thereof "1990, 1991, 1992, 1993, and 1994 the aggregate amount \$5,000,000";

(11) section 803A(f)(3) is repealed;

(12) section 803A(g) is amended to read as follows:

"(g)(1) The Commissioner, in consultation with the Office, shall submit a report to the President pro tempore of the Senate and the Speaker of the House of Representatives not later than January 1 following the end of each fiscal year, regarding the administration of this section in such fiscal year.

"(2) Such report shall include the views and recommendations of the Commissioner with respect to the revolving loan fund established under subsection (a)(1) and with respect to loans made from such fund, and shall—

"(A) describe the effectiveness of the operation of such fund in improving the economic and social self-sufficiency of Native Hawaiians;

"(B) specify the number of loans made in such fiscal year;

"(C) specify the number of loans outstanding as of the end of such fiscal year; and

"(D) specify the number of borrowers who fall in such fiscal year to repay loans in accordance with the agreements under which such loans are required to be repaid.";

(13) amend section 804 to read as follows:

"TECHNICAL ASSISTANCE AND TRAINING

"SEC. 804. The Commissioner shall provide, directly or through other arrangements (1) technical assistance to the public and provide agencies in planning, developing, conducting, and administering projects under this title, (2) short-term in-service training for specialized or other personnel which is needed in connection with projects receiving financial assistance under this title, and (3) upon denial of a grant application, technical assistance to a potential grantee in revising a grant proposal.";

(14) in section 805, delete "Secretary" each place it appears therein and insert in lieu thereof "Commissioner";

(15) Immediately after section 805, insert the following new section:

"ANNUAL REPORT

"SEC. 805A. The Secretary shall prepare an annual report to the President pro tempore of the Senate and the Speaker of the House of Representatives on the social and economic

conditions of Native Americans who are within the scope of this title, together with such recommendations to the Congress as are appropriate, and such report shall accompany the President's budget at such time as it is transmitted to the Congress.";

(16) in section 806, delete "Secretary" each place it appears therein and insert in lieu thereof "Commissioner";

(17) in section 807, delete "Secretary" each place it appears therein and insert in lieu thereof "Commissioner";

(18) in section 808, delete "Secretary" each place it appears therein and insert in lieu thereof "Commissioner";

(19) in section 809, delete "Secretary" and insert in lieu thereof "Commissioner";

(20) in section 810, delete "Secretary" and insert in lieu thereof "Commissioner", designate the existing text as subsection (a), and add at the end thereof the following new subsection:

"(b) An organization whose application is rejected on the grounds that it is an ineligible organization or that activities it proposes are ineligible for funding may appeal to the Commissioner for a review of such determinations, but must do so within 30 days of receipt of notification of such ineligibility. On appeal, if the Commissioner finds that an organization is eligible or that its proposed activities are eligible, such eligibility shall not be effective until the next cycle of grant proposals are considered by the Administration.";

(21) in section 811, delete "Secretary" each place it appears therein and insert in lieu thereof "Commissioner";

(22) immediately after section 812, insert the following:

"STAFF

"SEC. 812A. Professional staff employed by the Administration shall be required to have knowledge of social and economic conditions characteristic of the intended beneficiaries of this title. Consistent with this requirement, the Commissioner is authorized to extend employment preference to Native Americans.";

(23) section 813 is amended to read as follows:

"ADMINISTRATION

"SEC. 813. Nothing in this title shall be construed to prohibit interagency funding agreements made between the Administration and other agencies of the Federal Government for the development and implementation of specific grants or projects.";

(24) in section 816(a), delete "and 1991" and insert in lieu thereof "1991, 1992, 1993, 1994, 1995, and 1996";

(25) in subsections (a) and (b) of section 816, delete "and 803A" and insert in lieu thereof a comma and "803A, 804, subsection (e) of this section, and such other programs as are identified by the Congress for specific funding";

(26) in section 816(c)(1), delete "and 1991" and insert in lieu thereof "1991, 1992, 1993, 1994, 1995, and 1996"; and

(27) section 816 is amended by adding at the end thereof the following new subsection:

"(e) For fiscal year 1992, there are authorized to be appropriated such sums as may be necessary for the purpose of continuing the development of a detailed plan, including the conduct of contributory research demonstration projects, for the establishment of a National Center for Native American Studies and Indian Policy Development. Such plan shall be delivered to the Congress no later than 90 days after the convening of the Second Session of the One Hundred Second Congress.";

SECTION-BY-SECTION ANALYSIS OF A BILL TO REAUTHORIZE AND AMEND THE NATIVE AMERICAN PROGRAMS ACT OF 1974

Section 1. Short Title. This Act may be cited as the "Native American Program Act of 1974 Amendments Act."

Section 2. Amendments

ESTABLISHMENT OF ADMINISTRATION FOR NATIVE AMERICANS

New Sec. 803B (a) establishes in the Office of the Secretary of Health and Human Services the Administration for Native Americans to be headed by a Commissioner; (b) requires appointment by the President and approval by the Senate; (c) defines the duties of the Commissioner to include administration of grant programs, coordination of departmental activities affecting Native Americans, service as their active and visible advocate within the Department, and compilation of information for the Secretary's annual report on social conditions of Native Americans.

Subsection (d) of this new section establishes within the Secretary's Office the Intra-Departmental Council on Native American Affairs, made up of the heads of principal operating divisions within the Department. In addition to duties described above, the Council, of which the Commissioner would be chairman and the Director of the Indian Health Service would be co-chairman, would, within 6 months of enactment of this Act, develop a plan to allow tribal governments to consolidate grants from the Department to allow oversight by a single office and to recommend such plan to the Secretary.

Subsection (e) of this new section requires that the Secretary assure that adequate staff and administrative support is provided to the Administration to meet responsibilities described in this legislation.

Subparagraph (2) amends section 803(a) to clarify that Alaska Native organizations in urban or rural nonreservation areas, as well as Indian organizations, are eligible for financial assistance.

NATIVE HAWAIIAN REVOLVING LOAN FUND

Sec. 803A of the Native American Programs Act is amended by identifying the Office of Hawaiian Affairs of the State of Hawaii as the revolving loan fund recipient, by ending the prohibition against loans after a 5-year period, by authorizing the Native Hawaiian revolving Loan Fund through 1994 and requiring matching contributions from the Office of Hawaiian Affairs. These amendments also repeal requirements of the 1987 amendments that would have required certain funds to be deposited in the Treasury and the Secretary to deliver certain reports in 1989 and 1991, and prescribe new requirements for annual reports to the Congress from the Commissioner with respect to the loan fund.

TECHNICAL ASSISTANCE AND TRAINING

Section 804 of the 1974 Act is amended by requiring the Commissioner to provide technical assistance to potential applicants for funding and to applicants initially denied awards, and to provide short term training for persons carrying out funded projects.

ANNUAL REPORT

Section 805A requires the Secretary of Health and Human Services to report annually to the Congress on the social and economic conditions of Native Americans and to make recommendations as appropriate.

APPEALS

Subsection (b) in section 810 provides for Secretarial review of a Commissioner's find-

ing that an organization or proposed activity is ineligible for funding.

STAFF

Section 812A authorizes the Commissioner to extend employment preference to Native Americans, based upon the requirement that staff of the Administration have a knowledge of social and economic conditions among Native Americans.

ADMINISTRATION

Section 813 is amended, repealing existing delegation of authority and restrictions on such delegation in Section 813 of the current act, preserving only the language that allows interagency agreements and making conforming changes in that paragraph.

APPROPRIATIONS

Section 816(a) is amended, extending the authorization of "such sums as may be necessary" for the social and economic development grant program through 1996.

Sections 816 (a) and (b) are amended to exempt costs of technical assistance, funding for the establishment of a National Center for Native American Studies and Policy Development, and such other programs as are identified by the Congress for specific funding from the requirement that 90 percent of the funds appropriated be made as grants for social and economic development grants.

Section 816(c) is amended, extending the authorization of \$500,000 for the purpose of providing financial assistance to other Native American Pacific Islanders through 1996.

Section 816(e) authorizes such sums as may be necessary for the purpose of continuing the development of a plan, including contributory research demonstration projects, for establishment of a National Center for Native American Studies and Indian Policy Development and requires the delivery of the plan to the Congress 90 days after the second session of the 102d Congress convenes.*

ADDITIONAL COSPONSORS

S. 24

At the request of Mr. MOYNIHAN, the name of the Senator from Minnesota [Mr. WELLSTONE] was added as a cosponsor of S. 24, a bill to amend the Internal Revenue Code of 1986 to make permanent the exclusion from gross income of educational assistance provided to employees.

S. 26

At the request of Mr. MOYNIHAN, the name of the Senator from Virginia [Mr. WARNER] was added as a cosponsor of S. 26, a bill to amend the Internal Revenue Code of 1986 to exclude from gross income the value of certain transportation furnished by an employer, and for other purposes.

S. 98

At the request of Mr. PRESSLER, the name of the Senator from Wisconsin [Mr. KOHL] was added as a cosponsor of S. 98, a bill to amend the National Aeronautics and Space Administration Authorization Act, Fiscal Year 1989.

S. 284

At the request of Mr. LIEBERMAN, the names of the Senator from Tennessee [Mr. GORE], and the Senator from California [Mr. SEYMOUR] were added as cosponsors of S. 284, a bill to amend the Internal Revenue Code of 1986 with re-

spect to the tax treatment of payments under life insurance contracts for terminally ill individuals.

S. 318

At the request of Mr. PACKWOOD, the name of the Senator from Iowa [Mr. GRASSLEY] was added as a cosponsor of S. 318, a bill to amend the Internal Revenue Code of 1986 to provide for employees of small employers a private retirement incentive matched by employers, and for other purposes.

S. 493

At the request of Mr. KENNEDY, the name of the Senator from Rhode Island [Mr. CHAFEE] 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. 567

At the request of Mr. WOFFORD, his name was added as a cosponsor of S. 567, a bill to amend title II of the Social Security Act to provide for a gradual period of transition (under a new alternative formula with respect to such transition) to the changes in benefit computation rules enacted in the Social Security Amendments of 1977 as such changes apply to workers born in years after 1916 and before 1927 (and related beneficiaries) and to provide for increases in such workers' benefits accordingly, and for other purposes.

S. 843

At the request of Mr. BREAUX, the name of the Senator from Tennessee [Mr. SASSER] was added as a cosponsor of S. 843, a bill to amend title 46, United States Code, to repeal the requirement that the Secretary of Transportation collect a fee or charge for recreational vessels.

S. 995

At the request of Mr. GORE, the name of the Senator from New Mexico [Mr. BINGAMAN] was added as a cosponsor of S. 995, a bill to amend the Internal Revenue Code of 1986 to provide tax relief for working families by providing a refundable credit in lieu of the deduction for personal exemptions for children and by increasing the earned income credit, and for other purposes.

S. 1010

At the request of Mr. LEVIN, his name was added as a cosponsor of S. 1010, a bill to amend the Federal Aviation Act of 1958 to provide for the establishment of limitations on the duty time for flight attendants.

S. 1139

At the request of Mr. DOLE, his name was added as a cosponsor of S. 1139, a bill to further the goals of the Paperwork Reduction Act to have Federal agencies become more responsible and publicly accountable for reducing the burden of Federal paperwork on the public, and for other purposes.

S. 1146

At the request of Ms. MIKULSKI, the name of the Senator from Maryland [Mr. SARBANES] was added as a cosponsor of S. 1146, a bill to establish a national advanced technician training program, utilizing the resources of the Nation's two-year associate-degree-granting colleges to expand the pool of skilled technicians in strategic advanced-technology fields, to increase the productivity of the Nation's industries, and to improve the competitiveness of the United States in international trade, and for other purposes.

S. 1179

At the request of Mr. JOHNSTON, the name of the Senator from Massachusetts [Mr. KERRY] 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. 1381

At the request of Mr. GRAHAM, the names of the Senator from Rhode Island [Mr. PELL], and the Senator from Florida [Mr. MACK] were added as cosponsors of S. 1381, a bill to amend chapter 71 of title 10, United States Code, to permit retired members of the Armed Forces who have a service-connected disability to receive military retired pay concurrently with disability compensation.

S. 1420

At the request of Mr. COCHRAN, the names of the Senator from Iowa [Mr. GRASSLEY], the Senator from Wyoming [Mr. SIMPSON], the Senator from Mississippi [Mr. LOTT], and the Senator from Alaska [Mr. MURKOWSKI] were added as cosponsors of S. 1420, a bill to amend the Community Reinvestment Act of 1977 to reduce onerous record-keeping and reporting requirements for regulated financial institutions, and for other purposes.

S. 1423

At the request of Mr. DODD, the names of the Senator from Hawaii [Mr. INOUE], the Senator from Louisiana [Mr. JOHNSTON], and the Senator from Pennsylvania [Mr. WOFFORD] were added as cosponsors of S. 1423, a bill to amend the Securities Exchange Act of 1934 with respect to limited partnership rollups.

S. 1424

At the request of Mr. CONRAD, the names of the Senator from South Dakota [Mr. PRESSLER], and the Senator from Arizona [Mr. DECONCINI] were added as cosponsors of S. 1424, a bill to amend chapter 17 of title 38, United States Code, to require the Secretary of Veterans Affairs to conduct a mobile health care clinic program for furnishing health care to veterans located in rural areas of the United States.

S. 1426

At the request of Mr. BUMPERS, the name of the Senator from Vermont

[Mr. LEAHY] was added as a cosponsor of S. 1426, a bill to authorize the Small Business Administration to conduct a demonstration program to enhance the economic opportunities of startup, newly established, and growing small business concerns by providing loans and technical assistance through intermediaries.

S. 1451

At the request of Mr. BIDEN, the names of the Senator from New York [Mr. D'AMATO], and the Senator from Hawaii [Mr. AKAKA] were added as cosponsors of S. 1451, a bill to provide for the minting of coins in commemoration of Benjamin Franklin and to enact a fire service bill of rights.

S. 1503

At the request of Mr. NUNN, the names of the Senator from Hawaii [Mr. AKAKA], and the Senator from Oregon [Mr. HATFIELD] were added as cosponsors 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. 1572

At the request of Mr. BREAUX, the name of the Senator from Louisiana [Mr. JOHNSTON] was added as a cosponsor of S. 1572, a bill to amend title XVIII of the Social Security Act to eliminate the requirement that extended care services be provided not later than 30 days after a period of hospitalization of not fewer than 3 consecutive days in order to be covered under part A of the medicare program, and to expand home health services under such program.

SENATE JOINT RESOLUTION 131

At the request of Mr. LUGAR, the name of the Senator from Wisconsin [Mr. KASTEN] was added as a cosponsor of Senate Joint Resolution 131, a joint resolution designating October 1991 as "National Down Syndrome Awareness Month".

SENATE JOINT RESOLUTION 188

At the request of Mr. LAUTENBERG, the name of the Senator from Hawaii [Mr. AKAKA] was added as a cosponsor of Senate Joint Resolution 188, a joint resolution designating November 1991, as "National Red Ribbon Month".

SENATE RESOLUTION 166

At the request of Mr. COATS, the names of the Senator from Utah [Mr. GARN], and the Senator from Idaho [Mr. SYMMS] were added as cosponsors of Senate Resolution 166, a resolution expressing the sense of the Senate that, in light of current economic conditions, the Federal excise taxes on gasoline and diesel fuel should not be increased.

SENATE RESOLUTION 178

At the request of Mr. KENNEDY, the names of the Senator from Illinois [Mr. SIMON], the Senator from New York [Mr. D'AMATO], the Senator from Massachusetts [Mr. KERRY], the Senator

from New York [Mr. MOYNIHAN], and the Senator from Connecticut [Mr. DODD] were added as cosponsors of Senate Resolution 178, a resolution expressing the sense of the Senate on Chinese political prisoners and Chinese prisons.

At the request of Mr. LUGAR, the name of the Senator from Alaska [Mr. MURKOWSKI] was added as a cosponsor of Senate Resolution 178, supra.

AMENDMENTS SUBMITTED

DEPARTMENT OF THE INTERIOR AND RELATED AGENCIES APPROPRIATIONS ACT, FISCAL YEAR 1992

DIXON (AND SIMON) AMENDMENT NO. 1139

(Ordered to lie on the table.)

Mr. DIXON (for himself and Mr. SIMON) submitted an amendment intended to be proposed by him to the bill (H.R. 2686) making appropriations for the Department of the Interior and related agencies for the fiscal year ending September 30, 1992, and for other purposes, as follows:

On page 68, immediately after line 5, insert the following:

None of the funds available in this Act shall be used for timber sale preparation using clearcutting or other forms of even-aged management in hardwood stands in the Shawnee National Forest, Illinois: *Provided*, That, with respect to the hardwood timber of the Shawnee National Forest, Illinois, none of the funds in this Act shall be used to administer timber sales that involve clearcutting or other forms of even-aged management, including any such timber sales under contracts entered into prior to fiscal year 1992: *Provided further*, That the Forest Service shall conduct a below cost timber sales test on the Shawnee National Forest, Illinois, in fiscal year 1992.

MILITARY CONSTRUCTION APPROPRIATIONS ACT, FISCAL YEAR 1992

SARBANES (AND MIKULSKI) AMENDMENT NO. 1140

Mr. SASSER (for Mr. SARBANES, for himself and Ms. MIKULSKI) proposed an amendment to the bill (H.R. 2426) making appropriations for military construction for the Department of Defense for the fiscal year ending September 30, 1992, and for other purposes, as follows:

At the end of the bill insert the following: SEC. . (a) Notwithstanding any other provision of law, the Secretary of the Army shall transfer, no later than September 30, 1992, and without reimbursement, to the Secretary of the Interior the real property, including improvements thereon, consisting of 500 acres located generally adjacent to 7,600 acres transferred by Section 126 of Public

Law 101-519. The transferred property shall not include a landfill and a sewage pumping station that are associated with the operation of Fort Meade, Maryland.

(b) The Secretary of the Interior shall administer the property transferred pursuant to subsection (a) as a part of the Patuxent Wildlife Research Center and in a manner consistent with wildlife conservation purposes and shall provide for the continued use of the property by Federal agencies, including the Department of Defense, to the extent that such agencies are using it on the date of the enactment of this Act.

(c) The Secretary of the Interior may not convey, lease, transfer, declare excess or surplus, or otherwise dispose of any portion of the property transferred pursuant to subsection (a) unless approved by law. The Secretary of the Interior may enter into cooperative agreements and issue special use permits for historic uses of the 500 acres provided that they are consistent with all laws pertaining to wildlife refuges.

(d) The description of the property to be transferred under this section shall be determined by a survey satisfactory to the Director of the United States Fish and Wildlife Service within the Department of the Interior, after consultation with the Department of the Army.

DOLE (AND KASSEBAUM) AMENDMENT NO. 1141

Mr. DOLE (for himself and Mrs. KASSEBAUM) proposed an amendment to the bill H.R. 2426, supra, as follows:

On page 3, line 25, strike the number and insert in lieu thereof "\$967,570,000".

On page 4, line 2, strike the number and insert in lieu thereof "\$65,200,000".

On page 9, line 2, strike the number and insert in lieu thereof "\$163,883,000".

On page 9, line 4, strike \$978,983,000 and insert in lieu thereof "\$991,283,000".

GARN AMENDMENT NO. 1142

Mr. GARN proposed an amendment to the bill H.R. 2426, supra, as follows:

At the appropriate place insert: SEC. . (a) The Secretary of the Army shall carry out such repairs and take such other preservation and maintenance actions as are necessary to ensure that all real property at Fort Douglas, Utah (including buildings and other improvements) that has been conveyed or is to be conveyed pursuant to section 130 of the Military Construction Appropriations Act, 1991 (Public Law 101-519; 104 Stat. 2248) is free from natural gas leaks and other safety-threatening defects. In carrying out this subsection, the Secretary shall conduct a natural gas survey of the property.

(b) In the case of property referred to in subsection (a) that is listed on the National Register of Historic Places, the Secretary—

(1) shall carry out a structural engineering survey of the property; and

(2) in addition to carrying out the repairs and taking the other actions required by subsection (a), shall repair and restore such property in a manner and to an extent specified by the Secretary of the Interior that is consistent with the historic preservation laws (including regulations) referred to in section 130(c)(2) of the Military Construction Appropriations Act, 1991.

(c)(1) The Secretary of the Army, after consulting with the Governor of Utah regarding the condition of the property re-

ferred to in subsection (a), shall certify to the Committees on Appropriations of the Senate and the House of Representatives that the repairs and preservation and maintenance actions required by subsection (a) have been completed.

(2) The Secretary of the Army and the Secretary of the Interior shall jointly certify to the Committees on Appropriations of the Senate and the House of Representatives that the repairs and restoration of such property has been carried out in accordance with the requirements of subsection (b).

(d) The Secretary of the Army shall complete all actions required by this section not later than September 30, 1992.

DISTRICT OF COLUMBIA APPROPRIATIONS ACT, FISCAL YEAR 1992

ADAMS (AND INOUE) AMENDMENT NO. 1143

Mr. SASSER (for Mr. ADAMS, for himself and Mr. INOUE) proposed an amendment to the bill (H.R. 3291) making appropriations for the Government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending September 30, 1992, and for other purposes, as follows:

On page 3 at line 16, strike "\$9,500,000" and insert "\$9,250,000".

On page 13 at line 20, strike "\$875,033,000" and insert "\$874,783,000".

On page 4 after line 11 insert:

GEORGE WASHINGTON UNIVERSITY MEDICAL CENTER

For the construction and renovation of the George Washington University Medical Center, \$250,000, pursuant to Trauma Care Systems Planning and Development Act of 1990 (Public Law 101-590; 104 Stat. 2929), together with \$16,750,000 to become available October 1, 1992, \$16,500,000 to become available October 1, 1993, and \$16,500,000 to become available October 1, 1994: *Provided*, That any funds appropriated under this head pursuant to section 6(e) of the Trauma Care System and Development Act of 1990 shall not be in excess of the amount allocated under section 602(b) of the Congressional Budget Act of 1974, as amended, to the Subcommittees on the District of Columbia of the Committees on Appropriations of the Senate and House of Representatives required to provide for the Federal Payment, as authorized by the District of Columbia Self-Government and Governmental Reorganization Act, approved December 24, 1973, (87 Stat. 774, Public Law 93-395, as amended) and the Federal Contribution to retirement funds, as authorized by the District of Columbia Retirement Reform Act, approved November 17, 1979 (93 Stat. 866; Public Law 96-122, as amended).

NOTICES OF HEARINGS

COMMITTEE ON SMALL BUSINESS

Mr. BUMPERS. Mr. President, I would like to announce that the Small Business Committee has changed the date for the full committee markup of S. 1426, the Small Business Economic Enhancement Act of 1991. The markup will be held on Tuesday, September 24,

1991, at 9:30 a.m., in room 428A of the Russell Senate Office Building. For further information, please call John Ball or Patty Forbes of the Small Business Committee staff at 224-5175.

AUTHORITY FOR COMMITTEES TO MEET

SELECT COMMITTEE ON INTELLIGENCE

Mr. SASSER. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on Monday, September 16, 1991, at 9 a.m. to hold a confirmation hearing on Robert M. Gates to be Director of Central Intelligence.

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

COMMITTEE OF FINANCE

Mr. SASSER. Mr. President, I ask unanimous consent that the Subcommittee on Social Security and Family Policy, of the Committee of Finance be authorized to meet during the session of the Senate on September 16, 1991, at 10 a.m. to hold a hearing on child support enforcement.

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

COMMITTEE ON THE JUDICIARY

Mr. SASSER. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate on Monday, September 16 at 9:30 a.m. to hold a hearing on the nomination of Judge Clarence Thomas.

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

ADDITIONAL STATEMENTS

INTERNATIONAL WEEK OF PEACE

Mr. AKAKA. Mr. President, I rise today to recognize the International Week of Peace. From September 15 to September 21, 1991, the Performing and Fine Artists for World Peace will host, in Hawaii, the first International Week of Peace.

The goal of the International Week of Peace is to broaden our perception of what peace signifies. Peace is more than freedom from war; it is being in harmony with each other; it is understanding the diversity of cultures and ideas, and it is recognizing that we all share the same precious environment.

The Performing and Fine Artists for World Peace are dedicated individuals working to "bring the concept of peace to the grassroots level." Their belief is simple: One person can make a difference, in the community and in the world.

The late Senator Spark Matsunaga devoted his life's efforts to the impassioned pursuit of world peace. His relentless perseverance resulted in the foundation of the U.S. Institute of

Peace, a preeminent organization whose goal is to further international understanding and cooperation. Spark must be pleased to see the fervor with which so many citizens of the world are continuing his legacy.

President Nixon once said, "It is not enough to be for peace. The point is, what can we do about it." We can and should contribute by getting involved, making the difference. Let us take the first step during this international Week of Peace to reinvigorate our commitment to work toward greater consonance among ourselves, because only then can we productively work toward greater international accord.

Mr. President, tomorrow, September 17, 1991, will be International Day of Peace. I ask my colleagues to take a moment of silence to honor the travails and sacrifices of all those who have given so much of themselves so that the world may one day be a place of full and enduring peace. ●

TRIBUTE TO SOUTHEASTERN KENTUCKY

Mr. McCONNELL. Mr. President, as we delve into the busy fall season and the yearend crunch to pass appropriations bills and other measures, I would like to recount an extraordinary experience shared by me and my staff.

For several years, we have held annual staff retreats in Washington, bringing our Kentucky-based staff up here for a weekend of meetings. These sessions give all of us in the office an opportunity to exchange ideas and set priorities so that we can better serve our constituents.

This year we took a different tack. My D.C. staff rode on a bus 600 miles to Corbin, KY. Down Interstate 81 through Virginia to Knoxville and up Interstate 75, the drive itself was an adventure—highlighted by a harrowing shortcut on Highway 421 where tour buses are rare. Their final destination, Cumberland Falls State Park in McCreary and Whitley Counties, exemplifies the rugged beauty of eastern Kentucky. Upon arrival, all passengers agreed the drive was worth it.

Anyone who has been to southeastern Kentucky will know the trip was its own reward. As a traveler's guide noted: "In a time when we are too often weary from the hurry and stress of our days, Kentucky is a land where we can still escape to the peace of the great outdoors."

We had a busy series of business meetings that focused on constituent services, legislative priorities, projects, and correspondence. Nevertheless, we managed to visit the Big South Fork National River and Recreation Area and take a journey on the Big South Fork Scenic Railway from Blue Heron, formerly a coal company town, 6 miles up through a gorge.

We also saw beautiful Laurel Lake, located in the midst of the Daniel

Boone National Forest. Laurel Lake is a mecca for water sports enthusiasts, campers, and hikers. It is also good therapy for anyone working on Capitol Hill.

While the raw natural beauty of southeastern Kentucky is extraordinary and beyond description, it is the residents of the area who are its greatest resource and were the highlight of our visit. The warm friendliness of these Kentuckians is legendary. Their courage and tenacity through often rough times has been fodder for many documentaries. Yet, to truly appreciate the hospitality and courage of the region, one has to go there.

Upon hearing that we would be in the area, a number of talented musicians put together a wonderful presentation of their impressive musical skills. It was an unexpected treat that was one of the most heartwarming experiences any of us have ever had. The performances were a tribute to the immense talent within this region that is a source of great pride and enriches us all.

It is my great pleasure to extend our warmest regards and appreciation to these people who gave us the most generous gift—an unforgettable hour sharing their talent. These performers are Stephen Lowe, a pianist currently attending Corbin High School; Valerie Graham, an excellent singer and student at North Laurel Junior High School; JoAnne Thomas, an impressive soloist and native of Leslie County; Edith Ely, a member of the Patriot Trio and resident of Corbin; Brenda Daniel, a member of the Patriot Trio and teacher at Corbin High School; and the Corbin High Dance Team.

I would like to pay special tribute to the Corbin High Dance Team and its directors, Judy Jackson and Betty Surmont. In 1990, the team placed ninth nationally. Truly astounding is the fact that these young women have achieved national prominence after only 3 years of existence as a team and simultaneously maintaining a 3.5-grade point average.

Finally, my deep gratitude to Janie Catron and Jann Nelson for their hard work in making the trip a success.

While we completed our agenda of meetings and memos, perhaps the most significant benefits of the trip were intangible. The people of this region captivated us with their generosity and kindness. The natural beauty of the vast wilderness, mountains, rivers, and lakes, humbled and inspired us.

Mr. President, it was with regret that we left Kentucky but it is with great pride and determination that we return to our Nation's Capitol to work for the Commonwealth and its uncommon people.●

JAPAN-AMERICA STUDENT CONFERENCE

●Mr. ADAMS. Mr. President, this summer marked the 57th anniversary of an exceptional cross-cultural program, the Japan-America Student Conference. Each summer, 40 university students from Japan and 40 from the United States receive an intensive introduction to the values and behaviors of another culture and engage in a stimulating exchange of ideas. Over the past half century, the conference has proven to be an extraordinary program of cultural understanding, and today I salute the founders, participants, and sponsors who have insured both the survival and excellence of this program.

Many features distinguish the conference from the exchange programs which have proliferated in recent years, but two attributes in particular merit special attention. The first unique quality has to do with the origin and operation of the program.

The conference was conceived and completely planned by a group of Japanese university students distressed at the deteriorating relations between the two countries. An initial mission of four student emissaries visited American college campuses in early 1934, starting with the University of Washington. They encountered similar enthusiasm on the part of American students, 77 of whom returned the visit to Japan to begin the first conference. Though their efforts at peacemaking failed, they had begun a project that continued through 1940 and resumed activities in 1947. Though some years the conference was not held, it is now continuing on a regular basis and this year marks the 43d conference.

Although fiscal realities have compelled the students to turn over some program activities and the fundraising to the nonprofit JASC, Inc. organization, the students still completely plan and stage the actual conference. Such resourcefulness and independent initiatives are not only gratifying, they are an important reminder that our young people can indeed identify a problem and tackle it with an energy and freshness too often lacking in those with more experience.

Yet another noble feature of the conference is its content. Unlike most exchange programs which emphasize lessons in cultural understanding and language fluency, the conference goes further by engaging the participants in intense discussions of the critical, often controversial, issues of the day. The students do acquire an overview of the other culture, but of greater importance they must confront what may be significantly different viewpoints and thinking processes. The clash of ideas occurring in an arena of radically different cultures that can result from such a conference can lead to a level of understanding that is essential for

international cooperation. The conference builds leaders for tomorrow, and from this particular experience, these leaders gain a knowledge and skill in intercultural communication which will eventually prove beneficial to the people of both nations. The roster of those from past conferences who have gone on to make significant contributions in fields of international relations, academia, and business is impressive indeed.

Throughout its nearly 60 years of existence, the Japan-America Student Conference has operated with a modest budget and a low profile, yet it is often the quiet, unassuming program which effects the significant advances for human relations.

I am proud of the role the State of Washington has played in this drama: It was at the University of Washington that the student emissaries from Japan first encountered American students. The response was so enthusiastic that the visitors were encouraged to take their invitation to other universities in the United States. Since that date, the University of Washington has been host to the entire delegation on two occasions and frequently is the site for the predeparture orientation for the American delegation going to Japan. Student participation from Washington universities has always been strong—at least one a year for the past decade. This year three participants are from universities in Washington State, and the chairman of the American delegation is a native of Seattle.

In July of this year, 40 American young people from universities throughout the country met in Seattle for a 3-day orientation program. From there, they went to Japan to join 40 Japanese university students for the 43d conference. I commend the Japan-America Student Conference and those who are responsible for its continuance and encourage them in their efforts toward promoting international tolerance and understanding.●

AMENDMENT NO. 1136

●Mr. GORTON. Mr. President, I rise today to briefly discuss my amendment to the Interior appropriations bill which was accepted by Mr. BYRD, the distinguished chairman of the Appropriations Committee. This amendment, cosponsored by Senator ADAMS, provides full funding for the purchase of a beautiful, scenic, and ecologically important piece of land called McGlynn Island. This land lies at the confluence of the North Fork of Skagit River and the Swinomish Channel in Washington State.

This property is adjacent to the Swinomish Tribe's reservation but is privately owned. The land provides a critical link between the Skagit Bay Wildlife Refuge and the Padilla Bay National Estuarine Sanctuary. By pur-

chasing this land and saving it permanently from future development, the land will remain prime breeding, roosting, and nesting ground for various species including bald eagles.

Beyond providing a wildlife sanctuary, the land also supports a unique mix of mature madrona and Douglas fir forests. The land provides an undisturbed examples of native grassland type of heritage quality rarely found in other areas of the State.

I thank the Interior Appropriations Committee, and my distinguished colleague and chairman of the committee, Mr. BYRD, for accepting my amendment. Also, I urge the committee to retain full funding for the purchase of the property in conference. ●

TRIBUTE TO ELIZABETHTOWN

● Mr. MCCONNELL. Mr. President, I would like to make a few comments about Elizabethtown, a small, but highly frequented town in central Kentucky.

Distinctive from many other small towns in Kentucky, Elizabethtown is traversed by tourists as well as travelers. Due to this continual flow of people through the town, Elizabethtown has become known as the hub city of Kentucky. It is said by residents that while traveling Kentucky, "either you go through Elizabethtown, or you take the long way."

Many residents, including the mayor, are not originally from Elizabethtown, yet they are exceedingly proud of what they now call their town. These people chose to live there, so when they say how proud they are of their city, it means something. However, not everyone born in Hardin County has remained. For instance, Abraham Lincoln was born in a small part of the county, but later moved away. Nevertheless, Elizabethtown has always been a temporary stopping point for people. Both James Buchanan and Spiro Agnew made Elizabethtown their home during their stays at Fort Knox.

Although Elizabethtown has grown into a small metropolitan area, the residents do not seem to mind. "I used to know everyone in town," said resident Edith Dupin, "and now I don't, but I speak to everybody anyway." This is just a small example of how welcome change is in this town.

Why do people take pride in being from Elizabethtown? Because they are able to enjoy the comforts of a small town without feeling that they have lost touch with the rest of the world. They truly do enjoy being the hub of Kentucky.

Mr. President, I would like to insert the following Elizabethtown article from the Louisville Courier-Journal into the RECORD.

The article follows:

[From the Louisville Courier Journal, Sept. 9, 1991]

ELIZABETHTOWN: OPEN THE MAP AND THROW A DART—GOOD CHANCE YOU'LL HIT PLACE CALLED "HUB CITY"

(By Beverly Bartlett)

Chances are, you know the place.

You bought gas there on your way to or from Louisville. Or you had a hamburger there on your way to Paducah. Maybe you stopped to fill the cooler with ice on your way to Mammoth Cave or Nashville. Or had the oil checked on your way to Lexington. You spent the night there—local people hope—while visiting a son or a daughter at Fort Knox.

If you have ever traversed Kentucky, the chances are good you either went through Elizabethtown or took the long way.

Hub city they call it. The Heartland of the state.

"You can open the Kentucky map and close your eyes and throw a dart and I guarantee you're going to hit Elizabethtown," said Nancy Hubbard, executive director of the Elizabethtown Visitors and Information Center.

That would not necessarily win you any dart tournaments. The state's geographic bullseye lies somewhere in Marion County. But chances are, you've never been to Marion County. It's relatively hard to get to, unlike Elizabethtown, which sets at the intersection of Interstate 65 and the Western Kentucky and Blue Grass parkways.

And it's convenient in more ways than one. This is a town of 18,167 with three McDonalds and two Hardees—not to mention a Wendy's, a Long John Silver's, a Burger King, a Captain D's, a Taco Bell and a . . . well, you get the picture.

There are more than 1,000 hotel rooms in the city that is commonly known as E-town. And this is not one of those Kentucky towns fretting about the mixed blessings of the arrival of a Wal-Mart. It has a Wal-Mart and a Kmart, a Rose's and a Lowe's—and the people talk instead about the mixed blessings of a 51-store, 404,000-square-foot indoor mall.

Listen to how casually people here embrace change.

"I used to know everyone in town," said Edith Dupin, executive vice president of the Elizabethtown/Hardin County Chamber of Commerce. "And now I don't, but I speak to everybody anyway."

"I just think it's a little metropolitan area, really," said Joel Cyganiewicz, the former coach of a local swim club who helped lure the 1991 Masters Long Course Championships and its 750 participants to Elizabethtown this year—despite competition from big cities. "I think it's a very upbeat community in a lot of ways."

This is not the kind of pride born in some small towns, those whose residents never left because they love it, but love it just because it's always been home.

Consider Cyganiewicz, the mayor, the county judge-executive and the industrial foundation president—a former mayor for whom the community center is named: None of them was born in Elizabethtown. So when they say that they're proud of this city, or that they love it, it means something. They chose to come here. They chose to stay.

Not everyone has done so. Plenty of people, by choice or otherwise, have left Hardin County. Abraham Lincoln, who was born in a part of Hardin County that has since become LaRue County, was neither the first nor the last. They city claims to have been a temporary stopping point for many important and famous people, from James Buchanan,

15th president of the United States, to Spiro T. Agnew, the vice president who resigned under Richard Nixon. He was one of thousands who made the area their home during a stint at Fort Knox.

And anyone who takes the free summer walking tour through downtown on a Thursday evening meets several other people who've passed through.

Local volunteers play Jenny Lind, a famous singer of the 1800s who spent a night in Elizabethtown in 1851; Sarah Bush Johnston, the second wife of Lincoln's father and therefore possibly the most famous stepmother in history; Phillip Arnold, who got rich and infamous in the mid-1800s selling interest in a diamond mine that did not exist; Carrie Nation, the fiery temperance worker who was struck in the head with a chair, twice, by a local tavern owner (she proudly proclaimed it the first time she had ever shed blood for her cause); and Gen. George A. Custer, who was once stationed in Elizabethtown with a battalion of the 7th Cavalry.

True to Elizabethtown's habit of doing small-town things in a big-city way, the characters are all convincingly acted by volunteers, who for the most part even look like the characters they're playing. Custer has long, curly blond hair. Nation has a stocky build and a stern mouth and comes around a corner bleeding to tell of her assault.

But those taking the walking tour do not meet Custer's wife, Elizabeth, who once wrote a letter describing the town as "the stillest, dullest place. No sound but the Sheriff in the Court House calling 'Hear ye' three times as each case comes up. The most active inhabitant of the place is a pig."

The pig wouldn't be top dog anymore.

Elizabethtown is nothing if not an active place. Dixie Avenue, which links the city to Radcliff and then moves on through southwestern Jefferson county, is such a busy place that former Mayor and industrial foundation President J. R. Pritchard describes it as the "narrowest four-lane highway" in the state.

And the bright lights and big signs of the Dixie, as it's affectionately called, are challenged by the similar development around the interstate and parkway interchanges. And there is this constant movement in other circles as well.

The county is building an \$11 million, five-story addition to Hardin Memorial Hospital, which will include a radiation oncology center, a larger emergency room and outpatient surgery facilities.

The Elizabethtown Industrial Foundation is building its first shell building to help attract new industry, a take it first undertook when it was founded in 1956—about when the Kentucky Turnpike opened.

That road, which eventually evolved into Interstate 65 and now has six lanes to Louisville, was derided by former Gov. A. B. "Happy" Chandler as a "toll road to start nowhere and end nowhere." It drained parts of the business community as people breezed up to Louisville in less than an hour to shop.

But the new roads have also meant that people from Hodgenville and Bardstown and Leitchfield and Munfordville can breeze into Elizabethtown to shop. Or to work. Or to eat. More than many Kentucky communities its size, Elizabethtown does have a metropolitan kind of feel.

This is where people from several counties come to study at Elizabethtown Community College, or to be treated at Hardin Memorial Hospital or to shop at the Towne Mall. "We are truly a regional area," said Jim Roberts, president of the chamber and owner of Omni Personnel.

And Elizabethtown does not shy away from promoting the communities around it. Although the country ranks fifth in tourism receipts—due largely to the hotels on the interstate—a recent Elizabethtown promotion on the side of a tractor-trailer truck listed only one Elizabethtown attraction among the four tourist spots mentioned.

Abraham Lincoln's birthplace in Hodgenville and Fort Knox's Patton Museum and Gold Vault Depository were listed along with the Coca-Cola Museum, which is in Elizabethtown and is billed as the largest privately owned collection of Coca-Cola memorabilia.

And within the county, community leaders are working together more than ever through the formation of a 2010 Committee that includes Mayor Pat Durbin, County Judge-Executive Glenn Dalton and the mayors of three other Hardin County towns.

The committee means the group carries more weight when asking the state for funds for projects, and the monthly meetings encourage cooperation, Dalton and Durbin said.

"Instead of pulling apart, we're pulling together," Dalton said.

Fort Knox contributes to the urban nature. Many soldiers live in Hardin County; Though their presence is most widely felt in Radcliff, which in the 1990 census surpassed Elizabethtown as the largest city in the County, Army camouflage is no rare sight in Elizabethtown. It also has a large contingent of retired military officers, Pritchard is among them.

Fort Knox "has given us a flavor of being a little more urban because we have had exposure to cultures all over the world," Durbin said.

But the tie to Fort Knox also means the local economy is tied to world events and the whim of the Pentagon. City leaders are scrambling to replace Electronic Data Systems, an employer of 110 that was lost about a year ago when the military decided to stop contracting that work out locally.

And the city rides a roller coaster of emotions as the military strives to restructure itself. The number of civilian employees at the post has been drastically cut in the past few years, but parts of the post stand to grow as units from Europe and closed posts in other parts of the country are redeployed locally.

And the city seems ready to ride out the changes, if the "Editor's Hotline" is any indication. The local daily paper, The News-Enterprise, prints the comments readers leave on an answering machine. This "hotline" frequently includes comments from people concerned about changes at Fort Knox, but also about the perils and pleasures of being a dry county or the annoyances of cruising teen-agers, or whether or not it's a sin for women to cut their hair.

No one thing, it seems, preoccupies the minds of residents. It is not purely a farming community or completely an industrial community. It is not a military community, like Radcliff, or a largely tourism-based town like Bardstown.

"I think we're a blend," Durbin said. "That's what makes us unique. We're not into one particular niche."

Population: Elizabethtown, 18,167; Hardin County, 89,240.

Per capita income: (Hardin County, 1988) \$12,193, \$637 below the state average.

Media: Newspapers—The News-Enterprise (daily except Saturday); Hardin County Independent (weekly), Radio—WASE-FM (105.5), light rock and oldies; WIEL-AM (1400),

oldies; WKMO-FM (106), country; WQYE-FM (100.1) adult contemporary. Out-of-town cable-television offerings—About 40 channels are available, News programs from Louisville, Lexington, Campbellsville, Bowling Green, Chicago and Atlanta are included.

Big employers: Crucible Materials Corp. and Crucible Magnetics Division, 596; AP Technoglass, 560; Gates Rubber Co., 521.

Jobs: (Hardin County, 1989) Total employment, 24,000. Manufacturing, 4,761; wholesale/retail, 7,423; services, 4,115; government, 4,130; contract construction, 1,283.

Transportation: Air: Addington Field, four miles west of Elizabethtown, airport charter service, but no regular airline schedule. Rail: CSX Transportation and the Paducah and Louisville Railway provide mainline service. The nearest piggyback facilities are in Louisville, 44 miles away. Truck: Thirty-five common carriers serve the city, which has three local terminals.

Topography: Rolling knobs and forests.

Education: Public schools: The Elizabethtown Independent system, with about 1,900 students and the Hardin County system, with about 12,300. Private schools: Elizabethtown Montessori Child Care Center; 90 students; St. James Elementary, 200. Colleges: Elizabethtown Community College, with more than 3,300 students, is a two-year college. The city is also within 45 miles of St. Catharine College in Springfield, Campbellsville College in Campbellsville, and Bellamine College, Jefferson Community College, Spalding University and the University of Louisville, all in Louisville. Eight colleges also offer extension courses at Fort Knox. Vocational school: Elizabethtown State Vocational-Technical School, 797 students.

FAMOUS FACTS AND FIGURES

A 1974 Courier-Journal article suggested there was something a little old-fashioned about Elizabethtown parking because "you can still park on the square for a nickel an hour." Well, there's nothing quaint about the parking these days: The digital meters charge 25 cents per half hour.

The U.S. Constitution and the Declaration of Independence were put in the Fort Knox Bullion Depository in Hardin County for safekeeping during World War II.

John LaRue Helm, who served two short terms as governor of Kentucky, was instrumental in shaping Elizabethtown's future. (As lieutenant governor, Helm assumed the last year of Gov. John J. Crittenden's term when Crittenden was appointed U.S. attorney general in 1850. Helm was elected to a second term in 1867, but he died after only five days in office.) Between terms, while practicing law in Elizabethtown, Helm ensured that the L&N Railroad would come through the city by offering to pay the taxes of every resident in the Meeting Creek precinct if they'd approve the \$300,000 bond issue, according to a history by H.A. Sommers published in 1921. The bond issue passed, and Helm paid the people's taxes each year until his death.

Severns Valley Baptist Church was established in 1781 and claims to be the oldest evangelical church west of the Allegheny Mountains, it has about 3,500 members.

Few country inns are likely to have a past as varied as that of Bethlehem Academy Inn just south of Elizabethtown. The childhood home of Gov. John Helm, it was built in 1818; it became a Catholic girls' school about 12 years later. Owner Mike Dooley says it was a stop on the underground railroad.●

THE 1991 CONGRESSIONAL CALL TO CONSCIENCE VIGIL FOR SOVIET JEWRY

● Mr. ADAMS. Mr. President, today I rise to speak once again on behalf of the Congressional Call to Conscience Vigil for Soviet Jews. It is truly unfortunate that we must mark another year with these statements to call attention to the continued difficulties faced by Soviet Jews who wish to emigrate.

Since 1978, Members of the House and Senate have spoken out to remind our colleagues and our constituents of the thousands of Soviet Jews waiting to leave the Soviet Union. In the last year over 200,000 Jews have emigrated from the Soviet Union, and while the rate is increasing, there are still hundreds of thousands of Jews waiting to get out. Hundreds of families, for one reason or another, are still listed as refuseniks and we must work to draw attention to their cases and encourage a more liberalized emigration policy.

In spite of the unprecedented events of the past month in the Soviet Union, we must not forget that thousands of refuseniks are still unable to emigrate freely, anti-Semitism is on the rise, and the future of the Soviet Union raises serious questions about future emigration policies. Over the last few weeks the nationalist movements of the Ukrainian, Moldavian, and Central Asian Republics have spawned a rash of anti-Semitic incidents. Unfortunately, it does not look like these developments will reverse themselves in the near future.

I would like to bring to the attention of my colleagues the case of Alla Iosifovna Makavoz of Kharkov in the Ukraine. Mrs. Makavoz is the mother of Seattle resident David Makavoz and the grandmother to he and his wife Marina's two small children. David and Marina Makavoz were allowed to emigrate to the United States in 1989 and Mrs. Makavoz has not seen her children or her grandchildren in more than a year and a half. Mrs. Makavoz is suffering from breast cancer. After complications with her first cancer operation, Mrs. Makavoz is desperate to be reunited with her family in the United States and to receive the advanced treatment she needs as a result of complications related to the poor care she received with her first cancer operation in the Soviet Union. Mrs. Makavoz needs to receive a Soviet exit visa and expedited entrance into the United States immediately, so that she may receive this much needed treatment. On July 3, 1991, she received refugee status. To date, Mrs. Makavoz has still not been allowed to emigrate, despite her desperate circumstances.

Though thousands have been able to leave the Soviet Union, hundreds more remain on the refusenik list and thousands more are not even allowed to apply for emigration because of their

supposed security value to the Soviet Union. Although the Soviet legislature had codified this new emigration policy, in light of the events of the last month, the new Soviet Government must continue these important steps. The full implementation of the Soviet emigration bill is scheduled for 1993. It is my sincere hope that further steps are taken under the new spirit of democracy in the Soviet Union to allow those who wish to emigrate, like Mrs. Makavoz, to do so, and to do so immediately.●

INDIVIDUALS WITH DISABILITIES EDUCATION ACT

● Mr. ADAMS. Mr. President, today the legislation reauthorizing part H of the Individuals With Disabilities Education Act will reach the desk of President Bush. I strongly urge him to sign this legislation into law as it is one of the most important pieces of legislation for infants and toddlers with disabilities and at risk of developmental delay.

I am proud to have been an original cosponsor of the bill to reauthorize part H of the Individuals With Disabilities Education Act Amendments and to be a supporter of the committee bill passed by the Senate last Friday. By passing this legislation, the Congress showed its commitment to education for all Americans and for early intervention for young children so that all of our Nation's children will begin school ready to learn.

The Senate and House both recommended a 50-percent increase in appropriations for part H. It is time we funded these programs sufficiently to ensure that these programs can be delivered to children and their families. I know my State of Washington is well on the way in meeting the health and education needs of these young children.

Comprehensive, coordinated early intervention with toddlers and infants with disabilities is very critical. The additional services and the improvement in the continuity of services between part H and part B in this bill are significant. For example, the legislation requires a smooth transition for infants and toddlers to preschool. It also assures services to Native American children with disabilities and creates a program for tribal child-find and referral. I am pleased that we have included the dependents of military families in Department of Defense schools in this bill. No child should be excluded from the health and education services he or she requires on the basis of residence on a reservation or because their parents are members of the Armed Forces.

Another new provision provides for training of personnel. In order to give the appropriate services and help to more young children, we must ensure

that there are sufficient numbers of well-trained personnel. Quality services depend upon the training and quality of the persons who deliver them.

Infants and toddlers with disabilities should not be exempt from considerations of improved education and health. Early intervention is the key for many children's futures, especially their educational progress. I urge the President to show his commitment to these children and their families by signing this legislation immediately.●

DISTRICT OF COLUMBIA APPROPRIATIONS—H.R. 3291

Mr. SASSER. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of H.R. 3291, the District of Columbia appropriations bill, just received from the House.

The PRESIDING OFFICER. The clerk will state the bill by title.

The assistant legislation clerk read as follows:

A bill (H.R. 3291) making appropriations for the government of the District of Columbia and other activities chargeable in whole or part against, the revenues of said District for the fiscal year ending September 30, 1992, and for other purposes.

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. ADAMS. Mr. President, once again we are called upon to reconsider the District of Columbia appropriations bill because of a President veto. Certainly, the President has the authority and the right to veto any bill with which he disagrees. However, in a few minutes I will argue that in this instance he should have refrained for other public policy reasons. Before addressing the veto I want to explain what's in this bill.

Mr. President, this bill is the same as the conference report the Senate agreed to on August 2 of this year with three exceptions. First, the bill modifies section 114 to conform to the President's objections as stated in his August 17 Memorandum of Disapproval. In addition there is a number correction in the public schools portion of the bill; and a provision in title II which deems that title to be enacted as of September 30, 1991.

Mr. President, the bill includes \$699,850 million in budget authority in fiscal year 1992, this amount is the same as in the original Senate bill. It is within our 602(b) allocation, and includes a Federal payment, \$630.5 million, which was the amount contained in both bills and the amount authorized in a bill signed by the President on August 17. I will briefly summarize the other highlights of the bill.

Mr. President, the House has included, \$500,000 to continue the breast

and cervical cancer screening program for poor women as originally recommended by the Senate. This program will provide cancer screening for women who have no insurance and do not qualify for Medicare. This is the second year of this program which will serve approximately 5,000 women per year.

The bill also includes an additional \$1 million for the highest priority programs at D.C. General Hospital in 1992 and will provide another \$8.5 million in 1993. The hospital will use these funds to carry out priority programs, such as a program to immunize poor school age children against various childhood diseases, and to begin a program to address the rising incidence of pediatric HIV cases.

In the original bill the Senate had included \$10 million to establish a trauma care fund. The conference agreement does not include this provision. In leaving this provision out of this bill, we are not expressing the view that this is an unnecessary element in the city's health care system, but rather acknowledging that the District Council has pending before it bill 9-193, the District of Columbia Health Insurance and Health Care Coverage Act of 1991. The Council bill includes a provision establishing an uncompensated care trust fund similar to the one proposed by this amendment. The conferees have encouraged early action on this portion of the legislation and will carefully follow its progress.

For the D.C. public schools the bill includes \$2,125 million for renovation of athletic and recreational facilities and other maintenance improvements. This will help them with a \$150 million backlog in repairs to school buildings.

The bill also included \$330,000 in the school's budget to operate the Options Program of the National Learning Center during next school year and through the summer. This program is an intensive dropout prevention program for youths 12 to 15 years of age who are at least 2 years behind grade level. A recent report on this program shows that in one semester the kids increased their reading level by more than one grade level, and increased their math scores by 1.6 grade levels.

Mr. President, also included by the conferees is \$250,000 for a Parents as Teachers program which encourages parental involvement as the most important component of a child's education.

The Senator from Missouri [Mr. BOND] provided the leadership to have this provision included in the original Senate bill and now in the new bill. It is a very worthwhile program and we look forward to receiving a report on its operation during next years' hearings.

Mr. President, the bill contains a directive to keep fire Engine Company No. 3 open during fiscal year 1992 as

originally recommended by the Senate. We had wanted to keep it open and provided some funds to cover a portion of the additional operating costs. At conference on the original bill the House agreed to keep the engine company open, but refused to provide any funds for that purpose and the new bill contains that requirement. The budget had proposed closing this station house, thus removing nearby fire and ambulance protection. We are aware of the Mayor's plans to improve the ambulance service, and certainly support any effort to improve that vital service. The conferees have included language in our statement of managers stating that support.

Mr. President, 2 years ago the Congress included funds authorized to hire 700 additional police officers. We did so because we were concerned not only about the violence on the streets but equally about the number of retirements that will be taking place in the Metropolitan Police Department in the next few years. The committee has been getting reports of the onboard strength of the department during fiscal year and we are concerned that those reports show that the department is 141 police officers below the level it was at the beginning of the year. The committee hopes that the city administration will take steps to ensure that the department has an adequate number of officers to patrol the streets, without undue reliance on overtime and inexperienced officers.

Mr. President, I stated at the outset of my remarks that I would have something more to say about abortion, and I do. The President has once again vetoed the D.C. appropriations bill objecting to language allowing District citizens to decide how their local tax dollars will be spent on abortion. The Congress has long held that this decision is appropriately left to the local legislature, just as is done with every other jurisdiction in the United States. I have expressed the hope that in the future the President would permit the District's citizens the same rights as enjoyed by all other citizens of the United States. This pleading has had no effect.

Mr. President, I intend to continue pressing for this right for District women and to implore the President to seek the counsel of his own heart.

Mr. President, that concludes my summary of the major provisions in the bill. I should add, Mr. President, that while this is a new bill we expect the District government to comply with all of the requests and directives contained in the statement of the managers on the conference report on H.R. 2699, and in the Senate and the other body's reports on that bill.

Mr. President, I want to thank my colleagues on the subcommittee for their assistance and support during the year. To our ranking member, the Sen-

ator from Missouri, I want to say that I have enjoyed working with him this year. Both he and the Senator from Oregon [Mr. HATFIELD], the distinguished ranking member of the Appropriations Committee have aided us in achieving the necessary resources to make this a historic bill.

Finally, Mr. President, I want to express my appreciation for the support we have received from the distinguished chairman of the Appropriations Committee, Senator BYRD.

The PRESIDING OFFICER. Are there any amendments to the bill?

AMENDMENT NO. 1143

Mr. SASSER. Mr. President, on behalf of Senators ADAMS and INOUE, 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 Tennessee [Mr. SASSER], for Mr. ADAMS, (for himself and Mr. INOUE), proposes an amendment numbered 1143.

Mr. SASSER. 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 3 at line 16, strike "\$9,500,000" and insert "\$9,250,000".

On page 13 at line 20, strike "\$875,033,000" and insert "\$874,783,000".

On page 4 after line 11 insert:

GEORGE WASHINGTON UNIVERSITY MEDICAL CENTER

For the construction and renovation of the George Washington University Medical Center, \$250,000, pursuant to Trauma Care Systems Planning and Development Act of 1990 (Public Law 101-590; 104 Stat. 2929), together with \$16,750,000 to become available October 1, 1992, \$16,000,000 to become available October 1, 1993 and \$16,500,000 to become available October 1, 1994: *Provided*, That any funds appropriated under this head pursuant to section 6(e) of the Trauma Care System and Development Act of 1990 shall not be in excess of the amount allocated under section 602(b) of the Congressional Budget Act of 1974, as amended, to the Subcommittees on the District of Columbia of the Committees on Appropriations of the Senate and House of Representatives required to provide for the Federal Payment, as authorized by the District of Columbia Self-Government and Governmental Reorganization Act, approved December 24, 1973, (87 Stat. 774, Public Law 93-395, as amended) and the Federal Contribution to retirement funds, as authorized by the District of Columbia Retirement Reform Act, approved November 17, 1979 (93 Stat. 866; Public Law 96-122, as amended).

Mr. INOUE. Mr. President, the Senate bill included a provision that allowed for the renovation and modernization of the George Washington University Medical Center. That amendment was returned in true disagreement because our colleagues from the other side could not accept any part of the amendment. They rejected that amendment on the original bill, and it is not included in the House passed version of this bill.

Mr. President, this is a worthwhile and needed project, even the opponents will agree with that. The question is how should it be funded. The other side was concerned that it could deplete the amount available for the Federal payment in future years. As a practical matter that would never be allowed to happen. In order to assure that this is the case we have redrafted the amendment to expressly state that the amounts for the medical center in the future must be in excess of amounts required for the Federal payment and amounts required for payments to the retirement funds.

Mr. ADAMS. I thank my colleague, the Senator from Hawaii [Mr. INOUE] for his efforts on behalf of this project, and for his willingness to allow us to proceed with the first bill. In return I committed to revive that provision on this second bill.

The PRESIDING OFFICER. Is there further debate on the amendment?

The question is on agreeing to the amendment.

The amendment (No 1143) was agreed to.

Mr. SASSER. Mr. President, I move to reconsider the vote.

Mr. GARN. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. SASSER. Mr. President, I know of no other amendments that will be offered on the D.C. appropriations bill. So at this juncture we yield back all time on behalf of the chairman.

Mr. GARN. We yield back our time.

The PRESIDING OFFICER. The question is on the engrossment of the amendment and third reading of the bill.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read a third time.

The PRESIDING OFFICER. The bill having been read the third time, the question is, shall the bill pass?

So the bill (H.R. 3291), as amended, was passed.

Mr. SASSER. Mr. President, I move to reconsider the vote.

Mr. GARN. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

INDIVIDUALS WITH DISABILITIES EDUCATION ACT AMENDMENTS

Mr. SASSER. Mr. President, I ask the Chair to lay before the Senate a message from the House of Representatives on S. 1106.

The PRESIDING OFFICER laid before the Senate the amendment of the House of Representatives to the bill (S. 1106) to amend the Individuals with Disabilities Education Act to strengthen such act, and for other purposes.

(The amendment of the House is printed in the RECORD of September 11, 1991 beginning at page 22622.)

• Mr. HARKIN. Mr. President, I rise today in support of S. 1106, the Individuals With Disabilities Education Act Amendments of 1991, as amended by the other body.

I am pleased to inform my colleagues that the House has accepted the entire Senate bill with the addition of minor changes and amendments. These changes contribute to a strong bill which will expand and greatly enhance opportunities for infants and toddlers with disabilities to receive high quality, family-centered, community-based early intervention services.

Last year, when we passed the Americans With Disabilities Act, I dedicated that legislation to the next generation of children with disabilities and their parents. At that time I said:

With the passage of the ADA, we as a society make a pledge that every child with a disability will have the opportunity to maximize his or her potential to live proud, productive, and prosperous lives in the mainstream of our society.

But without appropriate early intervention, preschool, and special education services provided under IDEA this promise will not be realized for many newborn infants and older children with disabilities. Part H, which we are reauthorizing today, and which has been called "the most important children's disability legislation of the decade," provides these services while maintaining a focus on the family.

At our subcommittee hearing, Dr. Richard Nelson, president of the Association for Maternal and Child Health, and professor of pediatrics and director of specialized child health services at the University of Iowa, testified that:

Part H represents a critical national initiative for our Nation's youngest citizens. The legislation has the potential to be a template for all future health and human services legislation requiring the concerted efforts of multiple federal programs to address the needs of a population. We commend the subcommittee's commitment to these most vulnerable children and families.

I agree with this assessment, and I am delighted that today we will be able to complete this important step.

Mr. President, I would like to explain to my colleagues, the principle substantive additions made by the House to the Senate bill. First, the House amendment clarifies and improves the procedures ensuring that eligible Native American infants and toddlers with disabilities and their families receive early intervention services under part H, and that eligible Native American children and youth with disabilities receive a free appropriate public education and related services under part B of IDEA. These changes also are designed to facilitate collaboration between the Departments of Education, Interior, and Health and Human Services and the relevant agencies of State

government in providing these services. Related changes promote effective policy formulation and services planning and delivery, and encourage parental participation.

Second, the House amendment provides new authority under section 623 of IDEA to establish statewide, inter-agency, multidisciplinary coordinated systems for the identification, tracking, and referral to appropriate services for all categories of children who are biologically and/or environmentally at risk of having developmental delays. These grants are intended to assist States to create data systems for linkage and tracking of information, coordinate child-find activities, document needs and barriers, coordinate activities and agencies, and define appropriate delivery systems.

Third, the House amendment authorizes up to five personnel training grants, to States or entities under section 631, to support the formation of consortia or partnerships of public and private entities for the purpose of providing opportunities for career advancement and/or competency-based training in special education, early intervention and related services for current workers in agencies which provide services to infants, toddlers, children, and youth with disabilities. Funds could also support related programmatic and research activities, and could be used to identify relevant personnel policies and benefit programs, to facilitate the ability of workers to take advantage of higher education opportunities.

In addition to the three principle substantive additions, the House amendment clarifies the rights under section 6 of Public Law 81-874, impact aid, of children with disabilities to receive a free appropriate public education consistent with the provisions of part B of IDEA and the rights of infants and toddlers with disabilities and their families to receive early intervention services consistent with part H of IDEA.

First, the amendment ensures that for the purposes of providing a comparable education, by academic year 1992-93, all substantive rights, protections, and procedural safeguards—including due process procedures—that are generally available to children with disabilities, ages 3 to 5 inclusive, in a State shall also be available to those children, ages 3 to 5 inclusive, of members of the Armed Forces on active duty, and of federally employed civilian personnel residing on Federal property—eligible dependent children.

Second, the amendment ensures that for the purposes of providing a comparable education, by academic year 1992-93, all substantive rights, protections, and procedural safeguards—including due process procedures—that are generally available to infants and toddlers with disabilities and their

families in a State shall also be available to eligible dependent infants and toddlers with disabilities and their families. It is the intent of Congress that the Department of Defense, as the agent charged with operating the section 6 schools, retain flexibility to determine which entity will serve as the lead agency and which entities will provide the early intervention services.

Third, the amendment clarifies the meaning of "comparable" for children with disabilities 6 years of age and older. The amendment specifies that not only do the substantive rights and protections apply—currently recognized by the Department of Defense in its regulations—but the procedural protections, including the due process procedures, also apply. This amendment is necessary because current Department of Defense regulations do not make the due process procedures available to children with disabilities age 6 and older. The applicability of the procedural protections—including the due process procedures—shall be effective on the date of enactment of the Individuals With Disabilities Education Act Amendments of 1991.

Furthermore, a statutory construction provision specifies that rights available to infants, toddlers, and children with disabilities on the day prior to enactment are not diminished by enactment of this bill.

These and other technical changes represent valuable additions to S. 1106 and will ensure that the States and the armed services will develop the seamless web of services and programs envisioned under part H and part B of IDEA. However, as we take another step today toward meeting the educational needs of persons with disabilities, I must note areas of continuing concern which need to be addressed before we return to the next reauthorization of the Individuals With Disabilities Education Act.

Since passage of S. 1106 on June 24, 1991, a report has been published by the Carolina Policy Studies Program concerning the progress of the States in developing a definition for the term "developmentally delayed." This is a vital issue for the implementation of early intervention services programs in that it can be used to define the size and composition of eligible populations. The impact of such variable definitions may be reflected in the finding that, at the end of 1989, there were 30-fold differences among the States in the percent of infants and toddlers receiving early intervention services, ranging from 0.23 to 7.11 percent of the birth through 2 years population.

The report notes that, while policy-makers are making progress in the development of eligibility policy, there continues to be enormous variability between States when eligibility criteria are compared. This appears to be

true in all three eligibility categories, that is, children who:

First, are experiencing developmental delays, as measured by appropriate diagnostic instruments and procedures * * * ,

Second, have a diagnosed physical or mental condition which has a high probability of resulting in developmental delay * * * , or

Third, are at risk of having substantial developmental delays if early intervention services are not provided.

Questions of how best to determine the degree or extent of disability in a given child, or how delayed that child must be to be eligible, are difficult and often controversial issues. While States need flexibility in making such determinations in order to deal effectively with local and regional realities, these complexities seem inadequate to account for the extraordinary differences among even similar States.

In providing the States discretion in defining the eligible population, Congress clearly intended that there should be limits which should not be exceeded. House Report 99-860 noted that:

In providing this discretion to the States, the committee wishes to emphasize that it is not our intent to permit a State to totally ignore or establish standards of measurement or other definitional provisions that preclude addressing any one of the five developmental areas included in the definition.

Sound eligibility policy must be based on current and comprehensive knowledge, must utilize technically sound methods, and must create sensitive and specific mechanisms for identifying the population, including children who were exposed prenatally to hazardous amounts of alcohol and other dangerous substances. The Carolina Policy Studies Program report concludes that the "States' eligibility policy in general often fails to meet these criteria."

These are important issues for the Secretary to consider as the Early Intervention Services Program under part H moves into its full implementation phases over the next 3 years. IDEA directs the Secretary to approve applications, conduct monitoring visits, and provide technical support for the States and this bill establishes a Federal Interagency Coordinating Council with broad expertise and access to all relevant resources of the Government. I would expect the Secretary to use these authorities and resources to assist the States to examine the eligibility issue and, if possible, to reach consensus on appropriate standards and best practices which can be applied more uniformly.

In another recent report, the Carolina Policy Studies Program reviewed the progress the States are making in the implementation of part H. The review revealed that the areas of least progress to date include: Assignment of

financial responsibility, timely reimbursement, interagency agreements, administration and monitoring of the system, and comprehensive personnel development. While I believe the changes which have been made in IDEA under this bill will contribute substantially to future progress in these areas, it is clear that the Department, with the assistance of the Federal Interagency Coordinating Council, will be a vital participant in facilitating the resolution of some of these problems. Of particular note was the finding that the use of Medicaid funds has been problematic for many States. The study noted that the Health Care Financing Administration [HCFA] has been particularly slow in approving changes in the Medicaid State plans. Furthermore, the authors report, "HCFA staff from different regions provide different and sometimes conflicting answers."

These do not appear to be isolated findings. In a recent report on Medicaid's Early and Periodic Screening, Diagnosis, and Treatment [EPSDT] benefit, Fox Health Policy Consultants found that most States are only just beginning to take effective steps to implement the provisions mandated under the Omnibus Budget Reconciliation Act of 1989 [OBRA '89]. They noted:

The unevenness that we found in States' implementation of the EPSDT expanded benefit mandate appears to indicate that not all Medicaid-enrolled children are gaining access to a broader package of medically-necessary diagnostic and treatment services * * * . Perhaps what has been made most clear from our survey is the degree of confusion about certain aspects of the new statutory requirements. Many States are eager for definitive guidance on key implementation issues. * * *

I expect that the Secretaries of the Departments of Health and Human Services and of Education will pursue prompt and reasonable solutions to these problems. This is clearly one area where the FICC must contribute substantially, as Congress has intended.

Likewise, concerns have been expressed that part H coordinators and related program personnel charged with statewide systems change may not have sufficient rank, visibility, authority, or autonomy to carry out their assigned roles, and that more needs to be done to promote public awareness of part H and its relationship to other programs which focus on the development of community-based service systems. These are other areas in which the FICC might effectively provide technical assistance and recommendations to the Department to facilitate State interagency coordination efforts. I expect that the Department will provide sufficient resources to the FICC to carry out such assignments. I urge the agencies represented on the FICC to encourage their counterparts in the States to assist the State Interagency Coordinating Council and part H coor-

dinators to effect early and meaningful systems changes.

Another area of concern which has been repeatedly brought to my attention over the past weeks relates to the need for trained personnel. Though the current changes in IDEA should help address this need, I want to emphasize that the need for such personnel is a particular problem in rural areas. I expect that the Department will take specific and focused steps to ensure that this priority is explicitly identified among its training program offerings.

Mr. President, I also wish to take this opportunity to offer further clarifications on two points in this bill. First, section 14 of this bill includes clarifications to section 677 of the act, including the provision that limited the service coordinator—formerly the case manager—to a person from the profession most immediately relevant to the infant's or toddler's or family's needs. Under the amendment, the service coordinator could also be a person who is otherwise qualified to carry out all applicable responsibilities under part H. The House amendment in no way modifies the Senate bill in this regard, and thus the Senate report language explaining this provision is controlling. In the Senate report, we stated that:

The committee recognizes that parents are also the coordinators of their own child's affairs and that in some instances these responsibilities may be life-long. These responsibilities include determining when and what early intervention services their child should receive, consistent with State child abuse and neglect laws. Therefore, in some circumstances, a parent may elect to serve in the capacity of "service coordinator" for purposes of part H and elect not to use the "service coordination" services available under part H.

The committee expects that in making the decision to reject these service coordination services, the parents receive adequate information about the family's right to the service and the full range of the functions that a service coordinator may perform under part H. Parents may want to assume certain responsibilities while retaining a service coordinator provided by the system to provide other aspects of the service. As explained previously in the report, parent training centers are encouraged to provide training to parents to better enable them to carry out their parental roles and responsibilities in this regard.

Second, section 18 of this bill modifies section 682 of the act pertaining to the composition, roles, and responsibilities of the State Interagency Coordinating Council. Congress intends that the responsibilities of, and allowable expenditures by, the Council include: Conducting hearings and forums, reimbursement of members of the Council for reasonable and necessary expenses for attending Council meetings and performing Council duties—including child care for parent representatives—and paying compensation to a member of the Council if such member is not

employed or must forfeit wages from other employment when performing official Council business.

In conclusion, though these and many other areas of concern will need to be met over the next few years as the States move to fully implement IDEA, I am encouraged by the spirit of cooperation and the enthusiasm which I have seen expressed during this reauthorization process.

I wish to especially thank those members of the Congress who worked so closely together to draft a bipartisan consensus bill. In particular, I would like to note the contributions of Senators DURENBERGER, KENNEDY, and HATCH and the other members of the Subcommittee on Disability Policy. I also wish to thank Representatives MAJOR OWENS and CASS BALLENGER, the chairman and ranking member of the House Subcommittee on Select Education, for their efforts to develop a strong bill. Likewise, I wish to acknowledge the support and assistance which I received from the disability community, professional organizations, and other individuals during this reauthorization process.

I also wish to note the contributions of Robert Silverstein, staff director of the Subcommittee on Disability Policy. Without his untiring efforts, insight, and organizational skills, it would have been far more difficult to develop the consensus needed to move quickly in this complex area. He was aided in this process by the rest of the subcommittee staff, in particular by Dr. Jim Hanson, a pediatrician and birth defects specialist from the University of Iowa, who brought his own knowledge and experience in child health issues and interest in education programs for children with disabilities to this process. Jim has been spending this year with my subcommittee as a public policy fellow of the Joseph P. Kennedy, Jr. Foundation. I especially appreciate the continuing efforts of the Kennedy Foundation in supporting public policy fellowships with Congress. The technical knowledge and insight of an outstanding group of Kennedy fellows on my committees and on those of other Members of Congress has contributed immensely to the formulation of effective policies and legislation. The Foundation is recognized widely for its leadership in the area of disability policy and for the quality of its programs.

Finally, I would like to thank the children and families who brought these programs to life for our subcommittee. Bob and Diane Sanny, and their children Gretchen and Monica, of Fairfield, IA, Michelle Marlow of Baltimore, MD, Jeanette Behr of St. Elmo, MN, and Aric Murray of Akron, OH, and our other witnesses brought home to me, once again, that government programs can make a difference in the lives of families.

I am confident that the improvements which we make here today will contribute substantially to the new educational reawakening in America, and to making the dream of inclusion and independence for millions of children with disabilities a new American reality. •

Mr. SASSER. Mr. President, I move that the Senate concur in the amendment of the House and that the motion to reconsider be laid upon the table.

The motion was agreed to.

NATIONAL POW/MIA RECOGNITION DAY

Mr. SASSER. Mr. President, I ask unanimous consent that the Judiciary Committee be discharged from further consideration of Senate Joint Resolution 170, designating September 20 as National POW/MIA Recognition Day; that the Senate proceed to its consideration, and that the joint resolution be deemed read a third time and passed, and that the motion to reconsider be laid upon the table.

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

The joint resolution (S.J. Res. 170) was deemed read a third time and passed, as follows:

S. J. RES. 170

Whereas the United States has fought in many foreign wars;

Whereas the most recent of these wars, the Persian Gulf War, involved an unprecedented display of unity of purpose among the participating allies;

Whereas thousands of members of the Armed Forces of the United States who served in the foreign wars fought by the United States were captured by the enemy or were officially considered missing in action;

Whereas many such members who were captured by the enemy were subsequently subjected to brutal and inhumane treatment by their enemy captors;

Whereas such treatment constituted a violation of international law;

Whereas many such prisoners died as a result of such brutal and inhumane treatment;

Whereas many members of the Armed Forces of the United States who were officially considered missing in action remain missing in action or have their locations unknown;

Whereas the uncertainty surrounding the fate of such members has caused the families of such members to suffer acute and continuing hardship;

Whereas in Public Law 101-355, the Federal Government officially recognized and designated the National League of Families POW/MIA flag as the symbol of the concern and commitment of the people and Government of the United States to resolve as fully as possible the fates of members of the Armed Forces of the United States who fought in Southeast Asia and who are officially missing in action, including those who may still be prisoners of war;

Whereas the members of the Armed Forces of the United States who are officially considered missing in action or whose locations are unknown as a result of any foreign war of the United States and the families of such members have made singular sacrifices;

Whereas by reason of such sacrifices, such members and their families deserve of the

recognition and support of the people and Government of the United States; and

Whereas such recognition and support is expressed in the continued high priority given to efforts to determine the fates of every member of the Armed Forces of the United States who is a prisoner of war, who is officially considered missing in action, or whose location is unknown as a result of a foreign war of the United States: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. DESIGNATION OF NATIONAL POW/MIA RECOGNITION DAY.

September 20, 1991, is hereby designated as "National POW/MIA Recognition Day", and the President is requested to issue a proclamation calling upon the people of the United States to recognize the day with appropriate ceremonies and activities.

SEC. 2. AUTHORIZATION TO FLY THE NATIONAL LEAGUE OF FAMILIES POW/MIA FLAG AT CERTAIN FEDERAL FACILITIES.

(a) DISPLAY OF FLAG.—The POW/MIA flag is hereby authorized to be flown as follows:

(1) On National POW/MIA Recognition Day, September 20, 1991, on a flagstaff of the White House, the Departments of State, Defense, and Veterans Affairs, the Selective Service Commission, each national cemetery, and the National Vietnam Veterans Memorials.

(2) On Memorial Day, May 30, 1991, and on Labor Day, September 2, 1991, on a flagstaff of each national cemetery and the National Vietnam Veterans Memorial.

(b) SENSE OF CONGRESS.—It is the sense of Congress that the POW/MIA flag be displayed in accordance with the provisions of subsection (a) as an expression and symbol of the concern and commitment of the people and Government of the United States to resolving as fully as possible the uncertainty relating to members of the Armed Forces of the United States who are missing in action or whose locations are unknown as a result of the foreign wars of the United States, including those members who may still be prisoners of war.

SEC. 3. DEFINITIONS.

In this Act:

(1) The term "national cemetery" means any cemetery in the National Cemetery System referred to in section 1000 of title 38, United States Code.

(2) The term "POW/MIA flag" means the flag designated as the National League of Families POW/MIA flag pursuant to section 2 of the Joint Resolution designating September 21, 1990, as "National POW/MIA Recognition Day", and recognizing the National League of Families POW/MIA flag (Public Law 101-355; 104 Stat. 416).

(3) The term "flagstaff", in the case of each Federal facility referred to in paragraphs (1) and (2) of section 2(a), means any appropriate flagstaff at the facility, including the main flagstaff of the facility, as designated by the appropriate officer.

ORDERS FOR TOMORROW

Mr. SASSER. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in recess until 9 a.m., Tuesday, September 17; that following the prayer, the Journal of the proceedings be deemed approved to date; that the time for the two leaders be reserved for their

EXTENSIONS OF REMARKS

GIBSON COUNTY HIGH AT HOME IN
BUSCH STADIUM

HON. JOHN S. TANNER

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Monday, September 16, 1991

Mr. TANNER. Mr. Speaker, I rise today to recognize the efforts of a Gibson County resident who has consistently given of his time and effort to the benefit of the citizens of Gibson County.

Doug Franks, a shipping foreman at Eaton Corp., in his other life, spends a great deal of time promoting Gibson County and more specifically Gibson County High School. Since 1987, Mr. Franks and the Gibson County High School band have traveled to St. Louis for Gibson County Day.

This past Saturday when the Cardinals and Mets squared off at Busch Stadium and the Cardinal's legendary fielder Stan Musial was honored for his 50 years in the Cardinal organization, the Gibson County High School band marched onto the green astroturf for the fifth straight year. The GCHS band is one of only three high school bands to play at Busch Stadium. The other two bands that have played at Busch Stadium are from St. Louis.

Mr. Speaker, it is because of Doug Franks and his devotion to the high school and Gibson County that these things happen. I have known Doug for several years and participated in Gibson County Day at Busch Stadium with him in 1989 and his energy and promotion-minded attitude are a great benefit to the people of Gibson County.

I include the following article:

[From the Jackson Sun, Sept. 15, 1991]

GIBSON COUNTY HIGH AT HOME IN BUSCH
STADIUM

(By Dan Morris)

ST. LOUIS—Since football season is in full swing by now, major league baseball has never been part of my September schedule.

Gibson County's Doug Franks changed all that a few months back with some persistent phone calls and an offer that was too tempting to resist.

This is Gibson County Day at Busch Stadium in St. Louis, where the Cardinals are playing the New York Mets. During pregame ceremonies on the field, Franks said eight of us will greet Cardinals Hall of Famer Stan Musial and Musial's wife Lillian before Bill Carey, superintendent of the Gibson County School District, makes a special presentation.

To commemorate Musial's 50th year with the Cardinals' organization, the Gibson County folks have had an official Stan Musial Louisville Slugger baseball bat created, bronzed and gold plated for the occasion.

Musial, who played his first game for the Cardinals on Sept. 17, 1941 against the Boston Braves, is likely to show the 40,000-plus fans his celebrated, left-handed batting stance as soon as he accepts the present.

Cameras will click to preserve the moment, the smiles, the handshakes. Snapshots will continue when the Gibson County High School band marches onto the artificial turf for the fifth straight year and plays the national anthem. It is one of only three high school bands to ever play on the field at Busch Stadium. The other two are from St. Louis.

Standing to the side, away from the spotlight, will be Franks—the man responsible for bonding such a special relationship between the Cardinals and Gibson County High. He shuns attention but finds enormous pleasure in seeing Gibson County honored in some way by the Redbirds.

Franks is a traffic director and shipping foreman at Eaton Corporation in Humboldt. He likes his job, but says he "would probably work promotions all the time" if he weren't 45.

"The Cardinals have been great to us over the years," said the 1965 Yorkville High graduate. "And it gets better every year." It gets better because Franks makes sure of it.

A life-long Redbirds fan, Franks gradually became a Cardinals insider during the mid-1970s. He attended about 25 games a year back then and got to know the stadium policemen. He became good friends with patrolman Harry Holcomb, whose wife, Betty, happened to run the switchboard for the Cards.

Betty Holcomb became the go-between that got Franks his first meeting with the Cards' Joe Cunningham, director of community relations. Soon afterward, Gibson County High's band had its first invitation to play at Busch Stadium in 1987.

Since then, the Cardinals have been part of the Pioneers' annual activities. At least 14 Cardinal players and executives, including President and Chief Executive Officer Fred Kuhlmann, have visited GCHS as part of the Cardinal Caravan the last two years.

Franks' biggest coup, however, was getting Musial to speak at a banquet and be part of the Strawberry Festival Parade last May.

"I think that was the greatest thing that ever happened to Gibson County High," Franks said. "It was a special day for all of us."

And the special times continue. Saturday was Merchants State Bank Day at Busch Stadium, and Jackie Tucker, guidance counselor at Gibson County High, did a tremendous job of singing the national anthem for the second straight year.

Today we look forward to some special moments with Stan "The Man."

"St. Louis is the greatest baseball city in America," Franks says. "I just can't say enough about the Cardinals."

And Gibson County High can't say enough about Franks.

TOO MUCH GOVERNMENT

HON. SONNY CALLAHAN

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Monday, September 16, 1991

Mr. CALLAHAN. Mr. Speaker, hundreds of letters come across my desk daily from indi-

viduals in south Alabama. Some write because they have a problem with a Federal agency and need assistance; others write to express their views regarding particular legislation and still others write to let me know their feeling about the general state of things. It's the latter that I'd like to make a part of the record today. Mr. Ron Bernier of Daphne, AL has very eloquently expressed what I believe is perhaps the greatest problem facing this country today, too much government intrusion in our private lives, and I am sure there are many others who will read this and agree.

R & K DIVERSIFIED,

DAPHNE, AL,

August 3, 1991.

Representative H.L. SONNY CALLAHAN,
Mobile, AL

DEAR SIR: I realize that the legislature is about to adjourn for the session and I thank God immensely for it. I would ask as a voter, constituent, or victim that you would consider the cry of my heart. Please do not pass any more laws to protect me! God knows I am as protected as I can be.

I can no longer get in a car without fastening a seat belt around me (in order to save the insurance company money). No one debates the fact that it is a safer procedure to put your seat belt on but it is safe only for the individual. The question is: Do we legally have the right to pass laws to force everyone to protect themselves? I don't smoke but if I did I'm sure someone would pass a law saying I have to protect myself—that I am not allowed to smoke anymore.

Already we have so many laws on the books that as a mature adult of reasonable intelligence, if I have a splitting headache the only thing I can take is aspirin because, God forbid, if you allowed anything stronger someone might be addicted and turn into a narcotics addict. I frequently travel around the world on business. As you are well aware, because you travel also, in almost any country I can get Panadine or a multitude of different aspirin combined with codeine. They believe that as an adult I am intelligent enough to determine if an aspirin will do it or if I need something stronger—except when I come back to my own country. Then, of course, I am an absolute moron and must pay at least \$50 to a doctor for an office call to get a prescription. It's amazing to me how much intelligence I lose by coming back into my own country.

I am protected in at least a thousand different ways against myself. My car battery actually has a sticker on it that says, "Do not take internally." I don't know what it costs to have this law passed that these stickers must be put on twelve volt batteries nor have I any conceivable idea why anyone would want to pass a law to that effect but I am sure the companies don't put this sign on just for no reason. Someone somewhere probably drank some, sued the company and got some senator to pass a law that we had to put a notice on twelve volt batteries that you shouldn't drink it. My God in heaven! Is there no common sense left in this country?

We have to come to a place where we must stop spending. You can not continue to spend and then raise taxes to come up with the

* This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

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

money. We must stop spending. Yes, I mean if the highways fall apart, if the bridges fall apart, if Medicare goes down the tube, if we can't pay the welfare system, all of it must go down. We have to quit spending. We just can't keep coming up with new ways to tax the very few left who are still working.

If I may add this one final comment. No one, no where is responsible for anything in this country anymore. Let me cite an example.

Prior to the 1920's, narcotics in all forms were perfectly legal in this country. Yes, that's right, they were legal. We assumed that people had maturity and intelligence and could make their own decisions. A few people abused the narcotics so our answer was to pass laws that made narcotics illegal for everybody. Then we have a situation where anyone could buy a hunting rifle or gun and go hunting. A few people abused guns so we make a law that says nobody can have guns.

I could go on and on and on but in every single case rather than dealing with the individual that committed the crime, who committed the abuse, who caused the problem, we make it illegal for the entire population because nobody is ever responsible for anything.

Please! I would rather pay the Congress and the Senate and the Legislature to stay home than to go in and pass anymore laws to protect me—while I have yet any freedoms left. Please leave me to make my own mistakes, do my own harm. Do not outlaw chocolate cake on the grounds that I might eat too much and get fat.

Thank you.

Sincerely,

RON BERNIER.

SALUTE TO CALIFORNIA RIDESHARE WEEK

HON. ELTON GALLEGLY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, September 16, 1991

Mr. GALLEGLY. Mr. Speaker, next Tuesday the Simi Valley Chamber of Commerce is sponsoring the Simi Valley Transportation Management Association's first annual California Rideshare Week Celebration. As a native southern Californian, I am pleased that businesses in my hometown are working together to promote ridesharing—one of the most cost-effective ways of reducing air pollution.

More than a dozen of Simi Valley's largest employers have banded together to help businesses comply with Ventura County's vehicle trip reduction regulations. The TMA is an action-oriented association designed to collectively address transportation-related issues and to take advantage of public and private resources.

Its primary goal is simple—and necessary: to reduce traffic and improve air quality by using ridesharing, public transit, alternative work-hour programs, and other programs.

The Rideshare Celebration will inform area residents of some of the TMA's services, including a computerized ridesharing service, bus information, guaranteed ride home programs for employees who use transit or share rides and information on developing child-care programs that fit in with a company's commuting needs.

Clean air is everyone's goal, and by reducing the number of cars on the roads, we can make significant improvements in air quality. Mr. Speaker, I ask my colleagues to join me in saluting the TMA and encouraging all Americans to consider public transit and ride-sharing whenever possible.

A TRIBUTE TO EDGAR AND FAITH MOORE

HON. RONALD K. MACHTLEY

OF RHODE ISLAND

IN THE HOUSE OF REPRESENTATIVES

Monday, September 16, 1991

Mr. MACHTLEY. Mr. Speaker, I rise today to wish Edgar and Faith Moore, of Fall River, MA, a happy 50th wedding anniversary. On September 20, 1991, they will be celebrating 50 years of marriage.

Celebrating their anniversary with them will be their two children, Robert and Sharon. They also have two grandchildren, Scott and Stacy.

Edgar Moore served with the Fall River Police Department before retiring after 32 years of service. Faith was employed by Frito Lay for 15 years and Cumberland Farms for 5 years. Since their retirement they have remained very active in the community through their efforts to spread the word on the notch inequity. Edgar Moore is the president of the Fall River Notch Coalition. He has been instrumental in organizing the notch effort with neighboring States.

The notch inequity was created in 1977 during efforts to correct Social Security benefits. The result of this was that people born between 1917-26 suffered a decrease in benefits. It has since become a personal goal of Edgar and Faith Moore to not only lobby Members of Congress to correct this situation, but also to motivate other notch victims to speak out against this injustice.

The effort being given by Edgar and Faith Moore are vitally important to correcting the great notch inequity. It is untiring efforts of people like Edgar and Faith Moore that further motivate me to push Congress to correct the notch problem. Please join me in wishing Edgar and Faith Moore a happy 50th anniversary and all the best wishes for health and happiness in the years to come.

VA CHAPLAIN HERBERT B. CLEVELAND

HON. G.V. (SONNY) MONTGOMERY

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Monday, September 16, 1991

Mr. MONTGOMERY. Mr. Speaker, the very moving invocation and tribute to America's veterans at the beginning of House business today was delivered by Chaplain Herbert B. Cleveland, Director of VA's Chaplain Service. He has very capably served VA and its important constituency for 30 years.

Chaplain Cleveland began as a part-time chaplain at the Fort Meade, SD, VA Medical Center in 1961. He rose to chief of chaplains

at that facility and was serving in that position when, in 1983, he was named Deputy Director of the Chaplain Service at VA headquarters here in Washington.

In September 1988, Chaplain Cleveland was appointed to head the Chaplain Service. He is responsible for assigning and guiding the activities of hundreds of chaplains at VA's 172 medical centers.

As an early leader in the field of religion and mental health, Chaplain Cleveland served 3 terms on the National Mental Health Association Board of Directors and sponsored many conferences and mental health and religion. He also served in several parishes of the Lutheran Church in South Dakota and Minnesota and served as a dean of the American Lutheran Church.

For 9 years, Chaplain Cleveland cohosted, with his wife, Connie, a radio talk show dealing with mental health and religious issues in South Dakota.

Chaplain Cleveland served 3 years in the U.S. Army during the Korean conflict. He later served in the National Guard and the U.S. Army Reserve. A graduate of the U.S. Army Command and General Staff College at Fort Leavenworth, he currently holds the rank of Colonel.

He received a bachelor's degree from the University of North Dakota and a master of divinity degree from Luther Theological Seminary. He has completed extensive post-graduate work in counseling and military management.

A leader within the American Lutheran Church, Chaplain Cleveland also has held a variety of leadership positions on national, educational, and community organizations and committees.

Mr. Speaker, we are very fortunate to have someone with Chaplain Cleveland's experience and wisdom overseeing the spiritual ministry and counseling services provided to our veterans. He is doing a fine job, and I thought my colleagues should know about it.

UNITED NATIONS EXHORTS CONGRESS TO ACT ON PUERTO RICO'S STATUS

HON. JAIME B. FUSTER

OF PUERTO RICO

IN THE HOUSE OF REPRESENTATIVES

Monday, September 16, 1991

Mr. FUSTER. Mr. Speaker, many times in the past 2 years I have pointed out to my colleagues interesting articles and other material having to do with the ongoing political status issue in Puerto Rico. As you know, Mr. Speaker, the House passed legislation in the closing days of the 101st Congress that would authorize a plebiscite in Puerto Rico between the choices of statehood, independence, and an enhancement of the existing commonwealth status, which I favor.

Similar legislation failed to clear the committee of jurisdiction in the Senate this year, and it appears that no plebiscite will take place in Puerto Rico until 1993 at the earliest, since none of the major political parties wants a referendum to conflict with the general elections of 1992.

Nevertheless, in coming years the issue is bound to remain on the congressional agenda, not to mention the international agenda, and to that end, Mr. Speaker, I would like to share with my colleagues today the resolution approved in August on a 9 to 1 vote by the United Nations Decolonization Committee on the matter of Puerto Rico's political status. The text follows:

THE SPECIAL COMMITTEE

Recalling the Declaration on the Granting of Independence to Colonial Countries and Peoples contained in General Assembly resolution 1514 (XV) of 14 December, 1960, and the resolutions and decisions of the Special Committee concerning Puerto Rico,

Having examined the report of the Rapporteur of the Special Committee on the implementation of the resolution concerning Puerto Rico,

Having heard statements and testimony representative of various viewpoints among the people of Puerto Rico and their social institutions,

Bearing in mind the agreement of the Puerto Rican political leadership to request the President of the United States of America and the United States Congress to adopt legislation with a view to consulting the people of Puerto Rico so that they may express themselves freely, voluntarily, democratically and without interference on their political future,

Aware of the appeal made by the President of the United States of America, Mr. George Bush, to the Congress that it should take the necessary steps to allow the people of Puerto Rico to exercise as soon as possible their right to self-determination,

Deploring the fact that the United States Congress has not yet adopted the legal framework for the holding of a referendum to enable the people of Puerto Rico to determine their political future through the exercise of their right to self-determination,

Recognizing that the Legislative Assembly and the Governor of Puerto Rico, in the exercise of their powers, have approved legislation declaring Spanish to be the official language,

Hoping that the international community will continue to afford Puerto Rico the opportunity to participate in those international activities which correspond to its political status,

1. Reaffirm the inalienable right of the people of Puerto Rico to self-determination and independence, in conformity with General Assembly resolution 1514 (xv) of 14 December, 1960, and the application of the fundamental principles of that resolution with respect to Puerto Rico;

2. Trusts the United States Congress to adopt as soon as possible the legal framework to enable the people of Puerto Rico to exercise their right to self-determination, through popular consultations, in accordance with the principles and practices of the United Nations;

3. Requests the Rapporteur to report to the Special Committee on the implementation of its resolutions concerning Puerto Rico;

4. Decides to keep the question of Puerto Rico under continuing review.

A BILL TO PROVIDE PROMPT PAROLE INTO THE UNITED STATES FOR ALIENS TO ATTEND THE FUNERAL OF A FAMILY MEMBER

HON. PATSY T. MINK

OF HAWAII

IN THE HOUSE OF REPRESENTATIVES

Monday, September 16, 1991

Mrs. MINK. Mr. Speaker, today I have introduced a bill to make immigration law fairer to people from other countries who wish to enter the United States to attend funerals of immediate family members.

Our country has a proud tradition of providing humanitarian solace to those who are suffering. When relatives pass away it is often the family that provides strength and comfort during this time of loss. And those who live outside of the United States should be able to enter this country automatically to be with loved ones and properly grieve the loss.

Mr. Speaker, current policy allows the parole of aliens for this purpose. However, in practice aliens from certain nations are delayed and often denied entry into the United States. The experience of the people in my own district shows that relatives from certain countries, mainly the Philippines, face far greater difficulty in being granted parole status to be with their grieving family in the United States.

This is blatant discrimination against the people of the Philippines and their relatives who live in our country. What has happened to the principles of equality and justice for all people, whether from Europe, Asia, or the Pacific?

Mr. Speaker, we cannot let this injustice continue. It is hard enough to learn of the death of a loved one, many miles away or across an ocean. But to outright deny someone the ability to travel to the funeral of a loved one is cruel and heartless.

That is not what America is about. That is not what our forefathers envisioned for this Nation. They envisioned a nation of equality, a nation of compassion, a nation which reaches out to those suffering and in pain.

Mr. Speaker, the bill I have introduced today, will correct this injustice in our current policy, by granting entry into the United States to any alien who can prove the death of an immediate blood relative with a death certificate. The relative must be the alien's mother, father, son, daughter, brother, sister, or spouse.

Under this bill those allowed into the United States in accordance with this provision would be allowed to stay in the United States for up to 30 days. The Attorney General will have the power to grant longer stays to individuals with exceptional circumstances.

Mr. Speaker, the sweeping immigration reform bill we passed last year is based on the importance of the family and sought to break the barriers of national boundaries which have separated many families in the world today.

The bill I have introduced today builds upon this purpose and allows family members to be united for a brief period to pay their respects and mourn their loss.

Mr. Speaker, I urge my colleagues to continue the tradition of fairness and human compassion in our country and support this bill.

TRIBUTE TO DR. DAVID STEWART OF BROWNSVILLE

HON. JOHN S. TANNER

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Monday, September 16, 1991

Mr. TANNER. Mr. Speaker, I rise today to recognize the long and dedicated service of Brownsville, TN, physician Dr. David Stewart.

Dr. Stewart, who turned 77 on September 15, ends a distinguished medical career he has sometimes referred to as "a calling" and closes the door to the West Main Street office he built in 1954 one last time today.

As a family practitioner, Dr. Stewart and his colleagues in Brownsville and Haywood County underwrote the purchase of enough of the polio vaccine to inoculate every student in the county's school system.

Families had been asked to donate some amount of money as a form of payment for the vaccinations and ultimately contributed enough to not only pay for the vaccinations, but also pay for the Haywood County Hospital's first EKG machine.

Mr. Speaker, stories like this are a tribute to Dr. Stewart, his colleagues in Brownsville, and the fine people of Haywood County. I believe Dr. Stewart has demonstrated a lifetime of service to his community and he should be publicly commended.

I include the following article:

DR. STEWART WILL RETIRE SEPTEMBER 16

(By Mary Ann Lindsey)

He closes his eyes when he speaks of the past, and he laughs when he opens a small box that holds three home remedies he saves as keepsakes. Dr. David Stewart is retiring from a profession he quietly refers to as "a calling," and September 16 will be his last official day in his office on West Main.

A "cure" for fever turns out to be a string necklace that holds 11 small stones with holes drilled through their centers; cramps could supposedly be cured or warded off by a dime that has a hole in its middle and also dangles from a string, and nose bleeds were attacked by a flat lead weight, on a string, of course, that also could be put to good use as a fishing line sinker.

Dr. Stewart was educated in Haywood County schools—Chestnut Grove through Haywood High School—and earned a bachelor of science degree from Union College (now University) in Jackson in 1936. He worked in the bio-chemistry department at Vanderbilt two years as a research assistant until he received one of the medical school's Commodore scholarships. After earning his doctor of medicine degree from Vanderbilt in 1942, he married his sweetheart, Edna Outlaw, and they moved to Memphis where he served a year's rotating internship at City of Memphis Hospital before he was "invited" to join the Air Force in 1943.

When he was discharged from the service in 1946, the Stewarts moved back to Brownsville, and he opened his first office in the old Everett Hotel. Dr. Stewart and Dr. Thomas Russell built the present duplex clinic in 1954.

From medical school to retirement, Dr. Stewart has seen the technology and practice of medicine change faster and more dramatically than during any other time in history, and the drama began with the discovery of one drug—penicillin.

"It was and still is THE wonder drug," he said. "And two other major breakthroughs were the tetracycline family of drugs and the polio vaccine."

When the vaccine first was made available, the doctors in Haywood County underwrote the purchase of enough vaccine to administer to all the school children in the county. Sugar cube stations were set up in several places, and families were asked to donate what they could to help cover the costs. Twenty-five cents was the asked price, but families were so thankful to have their children protected from the dreaded disease that donations not only covered the price of the medicine, but enough was left over to buy the first EKG machine for the Haywood County Hospital.

Dr. Stewart is a member of the American Academy of Family Practice, the American Medical Association and the Tennessee Medical Association. He also is a member and past president of the West Tennessee Consolidated Assembly and served as a member of the Hospital Corporation of America's Board of Directors.

Locally, he participated in the reorganization of Haywood County Memorial Hospital to Haywood Park General Hospital and served as preceptor of the University of Tennessee Medical Education Community Orientation Program in the summer of 1978. He served as medical director of the laboratory, chairman of the professional standards committee and the board of trustees and is a past chief of staff and chief of medical services.

A deacon at Brownsville Baptist Church, he has served on the board of directors for the Tennessee Baptist Convention Service Corps, the Tennessee Baptist Foundation and Union University. He is a past president of the Exchange Club and a member of the Rotary Club.

Was medicine—the training, the struggling, the house calls in the middle of the night, the delivery of countless babies, the losses, the gains, the constant reading and learning and studying and work—just a job for him?

"No," he said, quietly. "I wanted to help people, and I hope my patients knew that. When I thought I couldn't help, I sent them to someone I thought could, but I always tried to help."

A family physician for 45 years, Dr. Stewart plans to "practice" retirement in the workshop behind his home, "nurse" his garden, "diagnose" the best places to catch crappie at Pickwick, and be "on call" to travel wherever he and "Miss Edna" want to go. And now there also will be more time to spend with their son, David, their daughter, Elise (Mrs. Stanley) Mullikin, and their two grandchildren.

And just before he closes his office and medical practice, David Stewart will pass one more milestone: On September 15, he will celebrate his 77th birthday.

Happy day!
And many, many happy days, Doctor . . . gentle man . . . friend . . .

SALUTE TO THE MOTION PICTURE AND TELEVISION FUND

HON. ELTON GALLEGLY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, September 16, 1991

Mr. GALLEGLY. Mr. Speaker, I rise today to salute the accomplishments of the Motion Pic-

ture and Television Fund as it marks its 70th anniversary and the 50th anniversary of the fund's Woodland Hills campus.

The fund was established by Hollywood pioneers Mary Pickford, Charlie Chaplin, Douglas Fairbanks, and D.W. Griffith to help the emergency financial needs of fellow industry members. Since then, the fund, and later the retirement and health services complex in Woodland Hills, has helped the motion picture industry live up to its motto: "We Take Care of Our Own."

Indeed, no other American industry serves its employees or retirees with medical care, social services, emergency financial assistance, retirement care, and child care that matches the services to the fund.

At the Woodland Hills campus, eligible industry employees, retirees, and dependents are served by such facilities as the Motion Picture and Television Hospital, the Country House, and Frances Goldwyn Lodge, two outpatient centers and the Samuel Goldwyn Foundation Children's Center.

I would be remiss, Mr. Speaker, if I failed to mention that among those who participated in the groundbreaking ceremonies for the Country House a half-century ago was a young actor named Ronald Reagan. I'm especially pleased that former President Reagan will be on hand this Sunday for the anniversary gala.

Mr. Speaker, I ask my colleagues to join me in saluting the many outstanding contributions of the Motion Picture and Television Fund, and in extending our best wishes for the future.

A TRIBUTE TO DAN CEREL

HON. RONALD K. MACHTLEY

OF RHODE ISLAND

IN THE HOUSE OF REPRESENTATIVES

Monday, September 16, 1991

Mr. MACHTLEY. Mr. Speaker, I rise today to recognize Dan Cerel, who is retiring from 46 years in the jewelry business in Pawtucket and Lincoln, RI. His retirement marks the end of an era in the Pawtucket business community.

Dan Cerel served 3 years in the military before World War II. He then went on to attend optometry school in Boston. After earning a degree in business from Providence College, he joined his father's jewelry business.

Not only has Dan Cerel been a leader in business, but despite a busy schedule he has maintained an active role in the community. He is past president of the Pawtucket Plaza Associates Merchant Group, the Pawtucket Credit Rating Bureau, and Temple Beth Am in Warwick, RI. Dan Cerel has also served on several mayors committees for the development of downtown Pawtucket. In addition he has and continues to support many national and local charities.

Please join me in wishing Dan Cerel and his family best wishes on his retirement from the jewelry business.

KHALISTAN: THE ONLY SOLUTION

HON. DAN BURTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, September 16, 1991

Mr. BURTON of Indiana. Mr. Speaker, I rise today in support of the freedom of the Sikh nation. On October 7, 1987, the Sikh nation declared independence from India forming the separate country of Khalistan. I want to go on record as saying Khalistan is the only solution to the Punjab problem.

Under the oppression of the Indian Government, the Sikhs have suffered untold atrocities. Since 1984 over 100,000 Sikhs have been killed by Indian police, paramilitary forces, and death squads. At this very moment 15,000 Sikh prisoners of conscience languish in Indian prisons without charge or trial.

I quote a recent Asia Watch report:

Torture, extrajudicial murders, "encounter killings," rape, "disappearances," extortion, arbitrary arrest, detention without trial, the denial of freedom of press and expression, and the maintenance of internationally repudiated draconian laws are among the gross violations committed by the Indian Government and its forces.

The report adds that—

Throughout Punjab, torture is practiced systematically in police stations, in prisons and in detention camps used by the paramilitary forces. In virtually every case Asia Watch investigated, persons taken into custody were tortured.

Police are even given quotas by their superiors to kill a certain number of Sikhs each month. Mr. Speaker, can we honestly attach the good name of democracy to a country which terrorizes, tortures, and murders its own minorities?

The Sikh nation is fighting for its freedom and it needs the support of the U.S. Congress. I submit for the record a resolution passed by the National Federation of Young Republicans on July 13 urging the government of India to "remove all occupying forces from Khalistan and honor the independence of the Sikh nation."

I submit, as well, the Associated Press list of the world's 10 "Would-be-Nations," on which Khalistan is listed. Today three of the nations on the list—Latvia, Estonia, and Lithuania—are independent, and three others—Slovenia, Croatia, and Georgia—are well on their way there. With the help of the international community Khalistan, too, will soon have its freedom.

I want to note that the drive to censure India for its violation of human rights is fast gaining international consensus. Both Germany and Norway, have moved to reduce aid to India. I have introduced a bill, the Human Rights in India Act (H.R. 953) which would terminate U.S. aid to India until the Indian Government allows internationally recognized human rights monitors within its borders to investigate atrocities. Amnesty International has been denied entry for this purpose since 1978. I beseech all my colleagues in the U.S. Congress to support this bill. India must receive the message that the world community will not tolerate its government by oppression. And we, the Members of the U.S. Congress, must take a lead-

ing role in creating a new world order in which freedom is the rule not the exception.

INDIA BLAMES NORWAY FOR GERMAN FOREIGN AID CUT

(By Narendra Taneja and Sverre Trandhagen)

India lays blame on Norway for the controversial plan to cut foreign aid to the country.

"Germany wants to reduce aid for exactly the same reason that Norway did earlier," claimed a high placed official in the Indian foreign department to Dagens Naeringsliv.

This awakened considerable irritation from the Indian authorities when they were informed last fall of the decision that Norwegian foreign aid would be drastically reduced.

Even though there is talk now of a cut of 35 million crowns in agricultural grants, from 140 million in 1990 to 105 million crowns in 1991, the Indians expressed strong concern of a "snowball effect" where other contributing countries follow Norway's example.

According to the German press, the federal ministry of economic cooperation (BM2) in Bonn has now decided to reduce foreign aid to India by at least 25% starting next year. Germany's annual foreign aid has been around 365 million marks.

Foreign Aid minister Grete Faremo is not overly convinced about the Indian accusations that Norway is responsible for German foreign aid cuts.

"I cannot accept such a premise. It is stretching it a bit to say that other countries will reduce their foreign aid because Norway has done it. But it is a fact that foreign aid funds are limited goods," says Faremo to Dagens Naeringsliv.

Underlying this is a Norwegian desire to give priority to Africa. This became apparent in the budget which Syse's government presented, and has been continued under Faremo and the labor government.

A gradual 3-year scaling down of the agricultural program funds to India has been decided upon. Starting in 1993, there will be a change in foreign aid distribution, but it is not determined if India will be dropped as a main cooperating partner with Norway.

Even though Norwegian policy is mainly governed by the wish for a greater impact of foreign aid by to a greater extent concentrating on Africa, also India's expenditures on weaponry and atomic power had an influence.

The reason given for the German cut in aid is that India, which has more people than the entire African continent, has now done well, and the country has a high defense budget.

According to sources in the Indian foreign department, who didn't want to have their names revealed, the German decision now substantiates their statement warning Norway of the danger of a "snowball effect."

"The Norwegian decision was unfortunate and incorrect. Look how many countries now are following suit. Today it is Germany, tomorrow it can be Sweden. Soon the whole world will say that India doesn't need foreign aid," state Indian officials who claim that it is the Indian poor who are affected.

Indian authorities believe that the foreign aid funds are used effectively and also say that the defence budget is being reduced.

Former special adviser in the foreign department, Bernt H. Lund (now ambassador in Namibia) was sent last September to India by foreign aid minister Tom Vraalsen to inform about the foreign aid cuts. Lund said to Dagens Naeringsliv after the rather unpleasant

trip that he didn't believe there would be any "snowball effect" from other contributing countries to India.

KHALISTAN

Whereas the Young Republican National Federation is concerned about the violence in Khalistan, and

Whereas the Indian government currently has at least 500,000 paramilitary and full combat forces deployed in Khalistan, and

Whereas the denial of basic human rights continues under the current Indian government, and

Whereas the Indian government has refused to allow internationally recognized human rights monitors such as Amnesty International within its borders to investigate atrocities, and

Whereas domestic human rights groups such as the Punjab Human Rights Organization, have fully documented the existence of Indian government death squads which indiscriminately murder the Sikhs of Khalistan, and

Whereas the Indian government has diverted water from Khalistan in direct violation of the internationally recognized riparian principle governing regional water rights, and

Whereas the Indian constitution displays an undue prejudice against the Sikhs and having the effect of denying Sikhs their democratic, political rights, and

Whereas laws under the Indian constitution like the Terrorist and Disruptive Activities (Prevention) Act (TADA) of 1985 have been called "disturbing" and "completely unacceptable" by members of the United Nations Human Rights Committee, and

Whereas no representative of the Sikh nation has ever been a signatory to the Indian constitution, and

Whereas freedom is the birthright of all nations: Now, therefore be it,

Resolved, by the Young Republican National Federation that the Sikhs of Khalistan, like all peoples of all nations, have the right to independence; that the independence of Khalistan, as declared by the leadership of Sikh nation on October 7, 1987, should be honored by the Indian government with the immediate removal of all occupying forces from the soil of Khalistan; and that the Indian government should settle this matter peacefully by immediately sitting down with the leadership of the Sikh nation to demarcate the boundaries between Indian and Khalistan.

[From New Dimensions, Sept.-Oct. 1991]

OPPRESSION OF THE SIKHS: THE UNTOLD STORY

(By Timothy B. McPharos)

Recently, the world has finally taken note of the long-suffering Kurdish people. But there is another "forgotten" people who have suffered tremendously in modern times—virtually without notice from the West. The Sikhs of India, who wear the turban traditional to their religion, believe in one God, individual liberty, abolition of the caste system, and civil liberties for all, regardless of race, creed, or sex. Yet the government of India, which bills itself as "the world's largest democracy," as systematically oppressed them.

Since 1984, 95,000 Sikhs have been killed by Indian government police, paramilitary forces, and death squads. Today, over 15,000 Sikhs languish in Indian jails without charge, trial, or access to legal counsel. Reportedly, they are made to endure some of

the most brutal forms of torture known to man. Since early January, the Indian government has massed a military force of over 500,000 troops in Punjab, the Sikh homeland, enforcing an undeclared martial law of the Sikh people.

In addition, the Sikhs continue to suffer under the 1984 Terrorist and Disruptive Activities Act (TADA), which according to Rep. Ben Blaz (R, Guam), "permits the security forces to arrest and detain indefinitely anyone they arbitrarily decide is a terrorist. Yet to my knowledge," Blaz reports, "no supposed Sikh terrorist has ever been brought to trial. Instead, they die in police custody or in . . . fake encounters."

To understand the hostility of Hindu India (or Hindustan, as many Sikhs and Kashmiri Muslims call it) toward the Sikh people, one must look to its history. When India was seeking its independence from Britain in 1947, Sikh political and military leaders were influential in that struggle along with the British, the Muslims (who received Pakistan), and the Hindu, League (which received India). Since Punjab is a rich agricultural region known as "the breadbasket of India," Mahatma Gandhi and Jawaharlal Nehru felt that it was vital to keep the Sikhs within India. Accordingly, Nehru promised the Sikhs autonomy. "No law will be passed [which effects the Sikhs] without the approval of the Sikh people," Nehru is reported to have said. With this promise, the Sikhs took their place within India rather than opting for independence.

The promise was not kept. Rather, Presidential rule of the sort imposed in the Soviet Union has been imposed upon the Sikhs nine times since India became independent. According to Rep. Dan Burton (R, Ind.), 20 to 30 Sikhs die in Punjab each day in extrajudicial (illegal) killings. To put an end to this cruel treatment, on October 7, 1987, Sikh leaders declared their independence, giving their new state the name Khalistan (meaning "Land of the Pure").

"Khalistan's declaration of independence is irrevocable, irreversible, and non-negotiable," says Dr. Gurmit Singh Aulakh, President of the Council of Khalistan which describes itself as "the organization leading the Sikh struggle for freedom." Yet in spite of their declared independence, the Sikhs have been living under continual Presidential rule for the last four years. "India is disintegrating," adds Aulakh, "and the assassination of Mr. Gandhi has only accelerated the process. Gandhi was the victim of the violence he helped to sustain."

Last March, Simranjit Singh Mann, leader of the largest faction of the Akali Dal, the principal Sikh political party, declared Khalistan "an Indian colony" and urged Sikhs to move to Pakistan. Mann had earlier received a letter from the sarpanches (mayors) of six Sikh villages detailing a threat by an Indian army brigadier that his army would kill the sarpanches and all the village youth, then confine the women to army camps and "breed a new race." Mann called upon the U.S. to help the Sikhs achieve their independence. "The U.S. is our friend. We hope that they will come to our aid," said Mann.

In response, Rep. Burton and 44 co-sponsors introduced legislation known as the Human Rights in India Act (H.R. 953), that, in the words of Burton, "would cut off developmental aid to India until its government allows internationally recognized human rights groups within its borders to investigate the violation of human rights."

At present, the Human Rights in India Act is bottled up in the Near East and South

Asia subcommittee of the House Foreign Affairs Committee. The subcommittee chairman, Rep. Steven Solarz (D, New York), has been described by some as "India's best friend in Congress," so the bill may have an uphill fight to get passed. A similar bill was rejected last year.

But Blaz, other members of Congress, and several Sikh leaders are saying the same thing: "Khalistan is the only solution to the Punjab problem."

Croatia and Slovenia, constituent republics that have declared "independence" from Yugoslavia, growing number of regions worldwide where nationalism is feeding a drive for sovereignty. Here's a look at some of them:

LITHUANIA—The Supreme Council parliament declared the republic of 3.8 million independent on March 11, 1990. The Kremlin imposed an economic embargo of oil, natural gas and other raw materials in an effort to force the republic to back down on some of its laws that foster independence. The crackdown's bloodiest attack came on Jan. 13, when Soviet army troops and tanks stormed the Vilnius television broadcasting complex. Thirteen civilians and a KGB officer died.

ESTONIA—The Estonian parliament on March 30, 1990, declared the Soviet Union an occupying power and pledged to restore full independence gradually. Soviet President Gorbachev at first offered Estonia, a republic of 1.5 million, "special status" in a revamped Soviet federation if it would drop its independence bid. They persisted, dropping the trappings of Soviet power and the words "Soviet Socialist" from its name, leaving "The Republic of Estonia." Gorbachev decreed that the Estonian declaration was illegal.

LATVIA—The Latvian Supreme Soviet parliament declared independence May 4, 1990, but the measure called for a transition period of unspecified length. About 54 percent of the republic's population of 2.7 million is Latvian. The rest are mainly Russians, many of whom oppose independence. Like Estonia, Latvia first got an offer from Gorbachev of special status in a renewed federation, but its independence declaration amounted to a rejection of that offer. Presidential decrees declared the Latvian declaration invalid.

GEORGIA—Georgia first declared independence on May 26, 1918, during the civil war that followed the 1917 Bolshevik Revolution, but it was forcibly absorbed into the Soviet Union three years later. In the first direct presidential election in Soviet history, Georgia reasserted its independence on May 26, 1991. It is one of the six Soviet republics that have refused to sign Gorbachev's Union Treaty to hold the splintering nation together.

CROATIA—Croatia is governed by the Croatian Democratic Union, a staunchly nationalist party that won last year's parliamentary elections. Its parliament declared independence from Yugoslavia this week. The party's leader, Franjo Tudjman, a former Communist general, was named president by the legislature. Ethnic Serbs, who claim discrimination, have declared independence for their enclave of Krajina in western Croatia. They have formed a separate government and have resisted efforts to re-establish Croatian authority in the area, which accounts for about a quarter of the state's territory.

SLOVENIA—Slovenia is ruled by Demos, a coalition of six center-right parties that last year beat the reformed Communist Party in the first multiparty elections in 45 years. Milan Kucan, a former Communist, was elected president of the Yugoslav republic, which declared its independence from Belgrade this week.

ERITREA—The ouster last month of Ethiopia's Marxist government by Eritrean and Tigrean rebels may pave the way for the independence of Eritrea, Ethiopia's northwesternmost province. Eritrea long has been coveted by foreign powers because of its strategic location on the Red Sea. Italy colonized the region in 1891. Allied armies took Eritrea in 1941 and for the next 11 years it was under British military administration. Eritrean leaders pushed for independence, but Ethiopia, needing access to the Red Sea, annexed the region. Eritrea's 3.5 million people speak nine languages and are divided between Moslems and Christians.

KURDISTAN—The region that Kurds claim as their homeland lies across the Zagros mountains of Iran, the Taurus mountains of Turkey, the upper reaches of the Tigris and Euphrates rivers, small parts of Syria and Soviet Armenia, and south across the Mesopotamian plain of Iraq. Kurds are traditionally Sunni Muslims. Split mainly between four nations—Turkey, Iraq, Iran and Syria—and often sub-divided into warring clans, the estimated 25 million Kurds seem no closer to winning a homeland than they were after World War I.

KHALISTAN—Sikh militants in India, seeking to establish a separate nation in Punjab state, have been active since 1982. Sikhs comprise 2 percent of India's 844 million people, but they are in a majority in Punjab, a rich farming state. Sikhs claim their community is discriminated against by the Hindus, who represent 82 percent of the country's people. The Sikhs say that Khalistan, their hoped-for nation, would contain at least Punjab state.

TAMILS—The Tamil campaign for independence from Sri Lanka's Sinhalese majority began in 1983 and escalated into all-out war. Tamils, who seek autonomy in the north and east of Sri Lanka, believe that they are discriminated against by the Sinhalese. Tamils, who are predominantly Hindu, make up 18 percent of Sri Lanka's 16 million people. The Buddhist Sinhalese comprise 75 percent, while Muslims constitute 7 percent.

COUNCIL OF KHALISTAN,
Washington, DC, August 27, 1991.

ASIA WATCH SCORNS INDIA FOR OPPRESSION OF
SIKHS—INDIAN GOVERNMENT EXPOSED FOR
BRUTAL VIOLATION OF HUMAN RIGHTS

Asia Watch, a division of the American based Human Rights Watch, released on August 25 a blistering 138 page report, *Human Rights in India: Punjab in Crisis*, documenting massive violations of human rights by Indian police, paramilitary and security forces.

Torture, extrajudicial murders, "encounter killings," rape, "disappearances," extortion, arbitrary arrest, detention without trial, the denial of freedom of press and expression, and the maintenance of internationally repudiated draconian laws are among the gross violations committed by the Indian government and its forces.

Encounter killings continue to be the Indian government's primary means of suppressing the Sikh nation. According to an Asia Watch press release issued with the report:

"Asia Watch investigated many cases of extrajudicial killings of Sikhs by the security forces in staged 'encounters' in which the police allege that they came under attack by militants. In most cases, however, the victims have simply been murdered in police custody. In some cases, the police have actually recruited and trained and

trained extrajudicial forces to carry out these killings. Detainees have also frequently "disappeared" in police custody; police frequently have defied court orders and thwarted efforts to locate detainees and produce them in court. The police also seized local newspapers and harassed journalists."

The report adds that:
"Throughout Punjab, torture is practiced systematically in police stations, in prisons and in detention camps used by the paramilitary forces. In virtually every case Asia Watch investigated, persons taken into custody were tortured.

"During house to house searches, the security forces routinely assault and threaten civilians. In some cases, virtually all the male residents of entire villages have been subjected to beatings and other forms of assault."

Despite the pervasiveness of such brutality, "no member of the security forces in Punjab has been convicted of any human rights violation committed in the state," Asia Watch verified.

Dr. Gurmit Singh Aulakh, President of the Council Khalistan stressed that "over 100,000 Sikhs have been killed by Indian government forces since 1984 without any action taken against those responsible. Can anybody honestly refer to the Indian government as the so-called 'world's largest democracy'? It is not a democracy. It's nothing less than the world's largest tyranny."

While criminal acts by security forces should clearly be condemned, ultimate culpability for the oppression the Sikh nation faces today rest on the shoulders of the highest tiers of the Indian political structure. Asia Watch reports:

"Central government politicians under the Congress (I), National Front, and Janata Dal (S) administrations have given blanket authority to the police and paramilitary forces in Punjab to act outside the law. As a result, these forces have engaged in gross and systematic human rights abuses. . . . The corruption endemic to the Indian police system has also played its part. Police have routinely detained, tortured and killed persons in pursuit of bribery and extortion. By failing to prosecute members of its security forces responsible for such abuses, or even to acknowledge that abuses have taken place, the Indian government has effectively condoned these practices."

According to its press release, Asia Watch is "the first international group to carry out a fact-finding mission in the [Punjab]." Amnesty International has been denied access by the Indian government since 1978. That organization, however, has a mandate in its charter dictating that it must first gain the approval of governments before it conducts formal investigations. Asia Watch has no such stipulation in its charter.

Dr. Aulakh, praised the report as a milestone in the struggle for the freedom of the Sikh nation, which declared its independence on October 7, 1987 forming the separate country of Khalistan in the face of overwhelming Indian government oppression. "Asia Watch has now validated what Sikhs have been trying to bring before the international community for the past decade," he said. "India is the worst violator of human rights in the world at this time. The only solution is outright independence. Freedom, after all, is the most essential human right. Without it we cannot expect to survive in a manner acceptable by civilized standards. Either we achieve freedom or we remain the slaves of the Indian government."

As for the involvement of the international community, Dr. Aulakh sees its role as cru-

cial. "After this report, the United States and the other donor nations will have to make a very important decision: will they or will they not terminate aid and Most Favored Nations trading status for India? The decision is obvious. Germany has already made clear its intention to condition aid to human rights and weapons spending. Because India will not respect the freedom of the Sikhs, it's going to see quite a bit more of this sort of pressure. The Indian government will soon learn that it cannot simply terrorize an entire nation and get away with it."

Though various Indian governments have long promised a resolution to the situation in the Punjab, every solemn commitment made to the Sikh nation has been broken. After quite some time, the extermination of tens of thousands of Sikhs and the torture, rape, extortion, disappearance, and humiliation of many more, the international community is now beginning to see the reality of the situation. It knows that the Sikh nation has been betrayed at every juncture. As Asia Watch reports, the new government under Prime Minister Narasimha Rao offers only more of the same.

"His government, like the two that preceded it, is a minority government, one that may find itself too preoccupied with its own survival to diverge from established policy in Punjab. If that is the case, it will be tragic for Punjab and India."

The situation in the Sikh homeland is extremely grim, but as Dr. Aulakh has promised, "the Sikh nation will not rest until it can bask in the brilliant glow of freedom." The only solution to this problem is independence for the Sikh nation. The entire world looks to the Indian government and wonders if it has yet received this message.

SPOUSAL EQUALITY IN SAVINGS ACT

HON. DAVID DREIER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, September 16, 1991

Mr. DREIER of California. Mr. Speaker, the benefits of IRA participation are currently skewed heavily toward working mates, and away from women who work either in the home or in lower paying jobs. Spouses should have the same individual retirement rights as those working outside the home. That's why today, I am introducing the Spousal Savings Act. This legislation will address this inequity by granting nonworking spouses the full \$2,000 deduction for IRA contributions.

Current IRA rules are inequitable in three ways. First, the extra \$250 allowed a worker with a non-earner spouse is inadequate. Homemakers should not have to rely on their spouse to set up and contribute to an IRA on their behalf. Rather, they should be able to set up and contribute to an IRA in their own right.

Second, the spousal restrictions effectively ignore the full worth of work done in the home. The fact that individuals who perform this work are overwhelmingly female adds to the impression that society undervalues work done primarily by women. The feminization of poverty is accelerated under the current law.

Third, many women who work outside the home leave the job market for a time in order to take care of young children. Without a change in the spousal IRA law, they will be

unable to continue their IRA accounts when they are not working outside the home.

Mr. Speaker, there has been a lot of talk in recent months about the need to make our Tax Code fair toward families. I support these efforts, and hope my colleagues will not ignore the discrimination that exists against single-earner couples with respect to IRA contributions. The Spousal Savings Act will bring about equity with little loss of revenue.

A Wall Street Journal once stated:

You have to wonder about a society that would penalize parents who choose to devote more time to raising their kids.

I urge my colleagues to cosponsor the Spousal Savings Act.

WHERE'S THE HIGHWAY BILL?

HON. E. THOMAS COLEMAN

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Monday, September 16, 1991

Mr. COLEMAN of Missouri. Mr. Speaker, here we are—on September 16. The significance of this date is that it effectively leaves 7 days for Congress to act and reauthorize the surface transportation programs before they expire on September 30. To date, the Democrat leadership has failed to bring a bill to the floor on which members could act. President Bush stood before Congress in March and challenged both bodies to act on the transportation bill within 100 days. We have seen 100 days come and go with no highway bill. The administration has submitted their proposal for consideration. The Senate has acted. Where is the House highway bill?

As majority leadership haggles over political points, they are causing us to lose the opportunity to act responsibly. Now that the committee has produced a bill, it should be up to the Members to vote on these difficult issues, such as the gas tax—instead we lose precious time as these decisions are made for us behind closed doors. It causes one to wonder about the motive for these delays. Is it to enhance national transportation policy to benefit constituents? It would seem not.

As a result of failing to get this bill to the floor in a timely fashion, roads will not be built. In my district in Missouri, construction will be halted on important projects. For example, in St. Joseph, bids for a project on a major artery through the city—Frederick Boulevard—were to be let in November. This is a \$3 million project. In Maryville, the request for bids for the first phase of a long-awaited project—a bypass on Highway 71—was scheduled for October. This is an \$8 million project. On one of the most important north-south links in northwest Missouri—Highway 65—bids were to be let in October to replace a bridge over railroad tracks in Livingston County. This is a \$3 million project.

These projects will not go forward if the surface transportation programs are permitted to expire. The Nation's infrastructure is vital to the economic development of these communities. Businesses depend on the infrastructure to get their wares to market. Emerging industries are attracted to communities based on the ease with which they can access their

markets, and depend on this infrastructure for their economic viability. I should think that as people and businesses are struggling during these difficult economic times, getting this bill to the floor would be the greatest priority for Congress. Then why does the majority leadership hold up action on this bill?

We are on the verge of making tremendous strides in transportation policy, which will impact the future of our country. I want to see us go forward, not remain static, and certainly not bring the programs to a dead stop. I urge the leadership to bring reauthorization of the transportation programs to the floor, and allow us to vote. Let's get this show on the "road."

C.M. BATES, JR., OF KENTUCKY

HON. WILLIAM H. NATCHER

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Monday, September 16, 1991

Mr. NATCHER. Mr. Speaker, I would like to take this opportunity to pay tribute to the late C.M. Bates, Jr., who served as an employee of the House of Representatives beginning in 1942 and extending until the late 1970's. During this period, he served for 5 years as building superintendent, and he served with dignity and honor. A building superintendent, as we all know, is the position involving maintaining facilities in the three House of Representatives office buildings. He was always ready to be of assistance to all of the Members, and during his tenure as an employee of the House, he established many friendships. He was an exemplary figure and made every effort to see that our buildings were in excellent order and convenient for all of the Members.

Mr. Bates was born in Dry Creek, KY, and he moved to the Washington area and began working for the House in the year 1942.

While a resident of the metropolitan area, he lived in Falls Church, VA, and later on lived in Greenville, NC, Ocean City, MD, and New Carlisle, OH. He was married to Sylvia S. Bates and is survived by his mother, Anna Bates of New Carlisle, OH; two sons, Richard S. Bates of McLean, VA, Robert Bates of Ocean City, MD; and two grandchildren.

Mr. Speaker, the reason why the House of Representatives operates in an orderly, excellent manner is because we have people like C.M. Bates, Jr., who work with us to make sure that this condition exists. He was a man dedicated to his assignment and one who loved and respected the House of Representatives of the U.S. Congress.

I salute his many accomplishments and am grateful for the contributions that he made to our House of Representatives. I extend my sympathy to all of the members of his family.

COMMENDING REPUBLIC ENGINEERED STEELS, INC.

HON. PETER J. VISCLOSKEY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, September 16, 1991

Mr. VISCLOSKEY. Mr. Speaker, I am very pleased to commend the employees and man-

agement of Republic Engineered Steels, Inc., for fine work that earned them the U.S. Department of Labor's prestigious 1991 LIFT [Labor Investing for Tomorrow] America Award. On September 11, Russell W. Maier, president and chief executive officer of Republic, and C. William Lynn, president of the United Steelworkers of America [USWA] Local 1200 in Canton, OH, accepted Republic's LIFT Award from Labor Secretary Lynn Martin.

I would also like to congratulate the workers and management of Republic's plant in Gary, IN, who helped to make this LIFT Award possible. The hard work, leadership, and dedication of Mike Milsap, president of USWA Local 3069, and Ed Cook, former president of USWA Local 3069, were crucial to Republic's success in earning a 1991 LIFT Award. Garry, plant manager Gerry Bruni, and former plant manager Nick Duniak also contributed greatly to Republic's award-winning performance.

LIFT Awards are presented annually by the Labor Department to honor creative solutions to the challenges faced by America's workers and employers. Republic was chosen as one of only eight 1991 LIFT Award recipients selected from over 400 applicants. Republic received the LIFT Award in the Employee Worklife Programs category for its efforts to improve the quality of work life for all its employees through participative management. Indeed, part of Republic's new management system includes a comprehensive 30-hour business education program for all of its employees.

Republic Engineered Steels is an employee-owned company with approximately 5,000 workers at eight plants in five States. Republic is a leader in the production of quality engineered carbon, alloy, stainless, and tool steels. Employees purchased the company in late 1989, and established a committee, known as the H-1 Committee, which decided that in order to reach its full potential, the company must provide the opportunity for every employee to contribute to the success of the company.

The H-1 Committee, consisting of union members, salaried employees, and management representatives, is designed to involve all employees with the goal of improving labor-management relations. Republic's management system functions through a series of crew, department, plant, and corporate meetings designed to integrate all of its nearly 5,000 employee-owners into the problem solving process. Guided by the H-1 Committee, Republic's management program has resulted in improved customer satisfaction, increased market share, increase value of products and services, cost reduction, and waste elimination.

Congratulations again to everyone at Republic for a job truly well done.

A TRIBUTE TO DOROTHY MOORE
AND MEMBERS OF DANCYVILLE
UNITED METHODIST CHURCH

HON. JOHN S. TANNER

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Monday, September 16, 1991

Mr. TANNER. Mr. Speaker, I rise today to recognize the dedicated work of members of the Dancyville United Methodist Church. Led by Dorothy Moore, their hard work and diligent effort was rewarded recently when their church and its adjacent cemetery were listed on the National Register of Historic Places.

That listing secured the church's place in Dancyville's history, rightfully protecting it from future building projects that might adversely affect the building's historic character and longtime role in the community. The church has a history in Dancyville and Haywood County dating back some 150 years. The Dancyville United Methodist Church is easily worthy of this coveted recognition.

The work of church members toward achieving this goal is to be commended. I've been going to Dancyville all my life and the community is filled with wonderful people. It remains a community wrapped in strong moral fiber and sound American values.

I want to join my friends in Dancyville and Haywood County in expressing my congratulations to Ms. Moore, the church, and its members on this historic achievement.

Clearly, it is a treasure worth preserving in Dancyville, TN.

I include the following article:

DANCYVILLE UNITED METHODIST CHURCH
ADDED TO PRESTIGIOUS NATIONAL REGISTER

Haywood County's contribution to the list of history-making places swelled by two March 13 when the Dancyville United Methodist Church and its adjacent cemetery on the southern edge of Haywood County were added to the National Register of Historic Places.

The church and cemetery, dating to the mid-19th century, were considered for nomination and examined by the 13-member State Review Board in January. Though Steve Rogers of the Tennessee Historical Commission said Monday that the church made the list in March, notification to the state came only last week.

The listing in the National Register of Historic Places of the Department of the Interior provides recognition of places worthy of preservation but does not encumber property with federal regulations.

The Dancyville church's inclusion reinforces its historic importance and assures protective review of federal projects that might adversely affect the character of the property. By virtue of its listing, the property could qualify for certain federal investment tax credits for rehabilitation.

One of the Dancyville church members who has been instrumental in moving the church's nomination through the recognition process, Dorothy Moore, said that the community is overjoyed by the acceptance of the church and cemetery to the national register. Members of the community plan to purchase markers for the property as soon as possible.

TRIBUTE TO JOSEPH "CHUBBY"
CARNISH

HON. GUS YATRON

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, September 16, 1991

Mr. YATRON. Mr. Speaker, I rise today to pay tribute to Joseph "Chubby" Carnish, a man who made outstanding contributions to Carbon County and the Sixth District as a whole. Mr. Carnish has been actively involved in little league baseball, as a businessman and as a community leader in Summit Hill for over 30 years. He has, in the process, become a well respected member of the community and an integral part of Carbon County.

On September 29, 1991, Mr. Carnish will be honored by the Summit Hill Little League Association for his 30 years of service—1960-90—as the president of the league. Over this period, Mr. Carnish has been involved with the lives of countless young people and helped them to enjoy our great American pastime. I am glad to be able to congratulate this man who has made such a tremendous contribution to his community.

Mr. Carnish began his long career of service to others as the president of his class at Summit Hill High School where he graduated in 1939. He then served his country in the United States Air Force for 3 years in England. After the war, he returned to Carbon County where he operated a restaurant with Ann, his wife of nearly 46 years. Mr. Carnish has received many other honors including the Summit Hill Community Improvement Organization "Citizen of the Year" Award and the Panther Valley Chamber of Commerce Community Achievement Award. He served as the cochair of Summit Hill's year-long centennial celebration in 1989 and as the grand marshal of the 1985 Summit Hill Memorial Day Parade. He is also an active member of many local organizations including the St. Stanislaus Catholic Church, the American Legion Post 316, the St. Gabriel's Club, and the Polish-American Club.

I ask my colleagues to join me in saluting Mr. Carnish. His record of service to the community is admirable. On behalf of the people of the Sixth District, I congratulate Mr. Carnish for his outstanding achievements.

IMAGINE

HON. BYRON L. DORGAN

OF NORTH DAKOTA

IN THE HOUSE OF REPRESENTATIVES

Monday, September 16, 1991

Mr. DORGAN. Mr. Speaker, as I stand on the floor of the U.S. Congress today, a group of young North Dakotans are in Moscow as part of a touring group called IMAGINE. Just a month ago, they were in this capital building. Last week, they were in Beijing, China, and today, they are in Moscow.

This is a group of talented, young artists from China, from the Soviet Union, and from the United States performing a play that contains some of the musical culture of all three countries and combines a wonderful message of working and living together in peace.

Project IMAGINE has been the work of dreamers. John Marks and Vicki Chepulis, two talented North Dakotans brought together young people—Chinese, Soviets, and Americans—to work together, play together, learn together. They knew that small dreams that become real can demonstrate bigger opportunities for a better world.

If the currency of wealth in our world is friendship and human kindness, then the world is wealthier because of the dream come true for Vicki Chepulis and John Marks and a group of young people who speak different languages but who are performing today in Moscow using a language that the entire world can understand.

HONOR GRADUATE OF THE YEAR AWARD

HON. C. THOMAS McMILLEN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Monday, September 16, 1991

Mr. McMILLEN of Maryland. Mr. Speaker, I rise today to congratulate and recognize the outstanding achievement of Officer Richard L. Burton for being the first recipient of the Federal Law Enforcement Training Center Honor Graduate of the Year Award.

Officer Burton is assigned to the U.S. Capitol Police Patrol Division. His principal duties include conducting regular motorcycle patrols of the U.S. Capitol, the House and Senate grounds, and our national monuments.

While in training at the Federal Law Enforcement Training Center, Officer Burton was designated Honor Graduate of his class based upon an academic average of 99 percent; a firearms qualification score of 297 of a possible 300; and high marks in his physical fitness tests.

Officer Burton's exemplary service as a member of the U.S. Capitol Police Force is much appreciated by myself and those who are a part of the Capitol Hill community. As a resident of my congressional district, our residents are proud of him for receiving this award and the distinction he has given to Millersville, MD.

I congratulate Officer Burton for his being named the Federal Law Enforcement Training Center Honor Graduate of the Year and look forward to his continued outstanding service as a part of the U.S. Capitol Police Force.

TRIBUTE TO PATRICIA C. TREISCH

HON. JAMES A. TRAFICANT, JR.

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, September 16, 1991

Mr. TRAFICANT. Mr. Speaker, I rise today to pay tribute to Patricia C. Treisch of my 17th Congressional District who has retired after 45 years of service to the American Red Cross.

Pat began volunteering for the Red Cross in her hometown of Gallion, OH, where she was a water safety volunteer. In 1950, she moved to Trumbull County, OH, and worked as the health and physical education director of the

Trumbull County chapter of the Red Cross. In 1953, she became the water safety chairman for the chapter and began the Packard Pool Swim Program, which is recognized as one of the best Red Cross adapted aquatic programs in the country. Pat's service to the American Red Cross continued in 1971 when she was appointed health and safety director for the Trumbull County chapter.

Since 1971, Pat has made great strides within the Red Cross. In 1974, she became the first woman in the Eastern United States to receive delegation of authority from the American Red Cross to train instructors/trainers in CPR. She was one of the first presidents of the Trumbull Canoe Club and helped establish the Mahoning River as a canoe trail. Pat began the annual swim-a-cross which helps to raise money for the health and safety department of the chapter.

Pat officially retired on June 14, 1991. She received the American Red Cross Tiffany Award for employee excellence and will be honored at a retirement dinner on September 26, 1991. Through her years of unselfish service she has made our community a better place to live and I am honored to represent such an outstanding individual.

SONS OF CINCINNATI

HON. CHARLES LUKEN

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, September 16, 1991

Mr. LUKEN. Mr. Speaker, this week two of Cincinnati's favorite sons conclude 44 years of combined service in the Board of Directors of the Federal National Mortgage Association. Both Joseph P. Hayden and John M. O'Mara have been central players in helping make America's housing one of the marvels of modern times. These men are retiring from the Board and will be honored this evening at a special dinner given by Fannie Mae.

Since May 21, 1970, John O'Mara has been a distinguished member of Fannie Mae's Board of Directors. His departure will be a loss to the company especially since he has been a key factor in so many of its gains.

Inside Fannie Mae, Jack has served with distinction in a diverse range of assignments—on the stock price committee, on the compensation committee in the 1970's, and a long list of others. Since 1982, he has chaired the asset and liabilities policy committee, the key body that makes recommendations to the board on the financial policies and goals of the corporation.

Jack was head of the search committee that brought David Maxwell—chairman and Chief Executive Officer at Fannie Mae throughout the 1980's—to a then-struggling corporation at the outset of the last decade. It was a decision that lit the fuse to Fannie Mae's phenomenal growth.

Jack O'Mara has carved an enviable career from managing director of Chase Manhattan Bank, to chairman and chief executive officer of Global Natural Resources, to chairman of the executive committee at Quality Care Systems, Inc. From banking, to the environment, to health care, he is an accomplished leader.

In these times of uncertainty and instability, Fannie Mae has been at the core of strength and reliability. In large part it is because of strong and reliable men like Jack O'Mara.

Joseph P. Hayden, after 22 years as a member of the Fannie Mae Board, also is moving on to devote more time to his other considerable responsibilities.

Joe joined Fannie Mae on May 15, 1969. For more than 22 years he served on the corporation's audit committee and leaves as the committee chairman. The experience and meticulous attention to technical affairs Joe brought to his work helped Fannie Mae function smoothly and become the model of efficiency it is today.

Joe Hayden also has had a remarkable career at the Midland Co., from 1950 when he joined the company as vice president of the mobile home division, to December 1980 when he became Midland's chairman and chief executive officer, the position he holds now. He has been a civic treasure to his native Cincinnati, and a major asset to Fannie Mae.

He is just as much a man of achievement and distinction in sports as he is in business. His Midland Redskins, an amateur baseball team composed of young men between the ages of 15 and 18, won still another championship this year with a record of 58-6-2. It was the fourth championship in 8 years, a record any team, anywhere would envy.

Joe Hayden's career is its own testimonial to the power of sacrifice and community contribution. My best to him in the years of consistent giving and leadership he has ahead of him.

Mr. Speaker, the Nation should be as grateful as Cincinnati is proud that Joe Hayden and Jack O'Mara have been so willing to serve and have served so well.

TRIBUTE TO TAKEO OKAMOTO

HON. NANCY PELOSI

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, September 16, 1991

Ms. PELOSI. Mr. Speaker, I rise today to pay special tribute to Mr. Takeo Okamoto. On August 16, 1991, the Japanese Cultural and Community Center of Northern California [JCCCNC] honored him for his outstanding service to the Japanese-American communities of northern California. Mr. Okamoto helped found the JCCCNC and served as its first president in 1971.

Mr. Okamoto was born in 1908 in San Francisco but was raised in Japan. At the young age of 17, Takeo Okamoto chose to return to San Francisco where he graduated from Lowell High School and the University of California. Subsequently, he established an import/export business.

At the start of World War II, Mr. Okamoto and his family including his wife, parents, and two small children were evacuated to a temporary assembly center at Tanforan Race Track where they lived in a horse stall for over 3 months. The family then moved to Boulder, CO where Mr. Okamoto taught Japanese to naval intelligence students.

In 1946, Mr. Okamoto and his family returned to San Francisco where he established the first Nisei real estate brokerage firm in the bay area, T. Okamoto & Co. In 1991, the San Francisco Association of Realtors named Mr. Okamoto an honorary member of their organization for his exemplary service to his clients and profession.

Mr. Okamoto is a founding member of four organizations established to serve the Japanese-American community: the Japanese Businessmen's Club, the San Francisco Japanese-American Citizen's League, the Japanese Culture and Community Center of Northern California and the Kokusei Kai Shigin Group. He is also active in the Lions Club, Boy Scout Troop 12 and the Japanese Chamber of Commerce of Northern California.

I salute Mr. Takeo Okamoto for his service to the Japanese-American communities of northern California. His work has benefited not only those communities but all of the citizens in the city and county of San Francisco and the entire bay area.

A TRIBUTE TO SHIRLEY F.
BECKER

HON. ROBERT G. TORRICELLI

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday, September 16, 1991

Mr. TORRICELLI. Mr. Speaker, I rise today to offer my congratulations to Shirley F. Becker of the Albert Ettlin American Legion Auxiliary No. 36 on her installation as president of the American Legion Auxiliary, State of New Jersey.

Over the years, Shirley F. Becker has held all offices in unit No. 36 and the Hudson County American Legion Auxiliary, as well as on the State level. She has served on numerous committees, including Americanism, Child Welfare Veteran's Affairs and Rehabilitation. To aid those in need, she chaired many fundraisers and assisted a Firemen's Benevolent Association Drive to aid the Child Burn Unit at St. Barnabas Hospital. As department auxiliary chaplain, she wrote a prayer book for the members in New Jersey to use at meetings, et cetera. This book was reproduced and distributed to those who attended the National Chaplain's Seminar of the American Legion and was also reproduced and distributed to those who attended a district seminar in California. She chaired many memorial services for deceased members and veterans; one of which took place aboard a boat. At the conclusion of this service, wreaths were set afloat in their memory.

Shirley is also an active member of the Hudson County Salon No. 79, 8/40 which is affiliated with the American Legion Auxiliary. Their prime purpose is to assist children with tuberculosis, cystic fibrosis, and other lung and respiratory diseases. Hereto, she has held all offices and served on many committees in the county and State 8/40.

She has been just as active in other civic organizations in serving on committees and holding the office of president of PTA's and the No. 2326 Women's Social Club of the Harrison-East Newark Lodge of Elks. She encour-

aged other organizations to sponsor hospital and off-season parties for veterans. Shirley is a volunteer at West Hudson Hospital for the past 3½ years and held an office in the auxiliary's guild. During her busy schedule, she found time to teach Sunday school and served as superintendent of Sunday school. Also, she taught at a summer Bible school. She served on an altar guild and was president for the Episcopal Women's Group for several terms. She instituted and chaired many fundraising programs for her church. For approximately 10 years she served as parish secretary/treasurer and edited a weekly news bulletin and the Sunday service bulletin.

In the community, over the years, Shirley was a member of the board of education for several years, served or chaired blood banks, fund raisers for fire victims, Kidney Foundation, crippled and retarded children, March of Dimes, school trips, eighth grade banquets, held arts and craft programs in her home and playground for children, assisted with the drug-free programs, AAU/Junior Olympics and Special Olympics. She conducted a program commemorating the 200th anniversary of the U.S. Constitution and New Jersey's Ratification Day and planted a "Living Legacy."

Shirley F. Becker was cited on numerous occasions for her voluntary services to the community, evidence of leadership ability, lasting contributions to the community and cooperation with individuals and organizations. Several of the awards were the Jersey Journal Women of the Year, the New Jersey American Legion Press Association's Jerry Dwyer Award, Chapel of Four Chaplains Humanitarian Award, the American Legion Child Welfare Foundation Award, National Poppy Award, National Veterans Affairs and Rehabilitation Award, the West Hudson/South Bergen Chamber of Commerce Outstanding Citizen Award, et cetera. Along with her busy schedule, she is employed as the Municipal Court and Violations Clerk in the Borough of East Newark.

Her husband, William E. Becker, is vice president of the National American Legion Press Association, and Guard de La Porte Nationale, 40/8. They have three daughters and eight grandchildren.

TRIBUTE TO DR. MARCIA A.
SAVAGE

HON. NITA M. LOWEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, September 16, 1991

Mrs. LOWEY of New York. Mr. Speaker, the auxiliary of St. Agnes Hospital and Children's Rehabilitation Center has chosen a remarkable woman to honor at its annual luncheon this week. As president of Manhattanville College, Dr. Marcia A. Savage has been a vocal and effective advocate of improvement of our education system and expanded opportunity for women and minorities.

For more than 15 years, Dr. Savage has been a rising star in the world of higher education. After serving as dean of the college at her alma mater, Clark University, she became president of Hartford College for Women in

1980. After 5 successful years there, she came to Westchester County to lead Manhattanville into the 1990's.

Her triumphs there have been numerous. She has strengthened the school's financial base, upgrading facilities, and increasing faculty salaries in the process. She has revised the college's curriculum to be more inclusive. And she has worked together with locally based corporations to establish innovative programs—a wellness program in cooperation with Nestle Foods Corp. and Intercultural House in conjunction with PepsiCo, Inc. By doing all of these things, she has enhanced Manhattanville's reputation and admissions profile. More importantly, she has helped make a proud institution an even better place for students to grow intellectually and to widen their life experience.

Marcia Savage's contributions to Westchester have reached far beyond the Manhattanville campus. She is a member of the Westchester County Women's Advisory Board and the Women's Forum, Inc. She also serves on the board of trustees of the Westchester County Chamber of Commerce and the board of directors of the Council for the Arts in Westchester and the Westchester Coalition, Inc. In addition, Dr. Savage has spoken at colleges and conferences in Washington, Connecticut, and South Carolina, and has been the recipient of numerous awards.

All in all, Dr. Marcia A. Savage's career has been one of remarkable accomplishment. Literally thousands of young people have had their educational lives enhanced because of her caring and professionalism. Thursday's luncheon in her honor is yet another well-deserved recognition. I offer her my warmest congratulations.

THE 25TH ANNIVERSARY OF
LAPORTE HOSPITAL

HON. TIMOTHY J. ROEMER

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, September 16, 1991

Mr. ROEMER. Mr. Speaker, though 1991 has been a year filled with events of global importance, there are also events happening that are significant locally. Once such event in my district is the 25th anniversary of LaPorte Hospital.

I would like to take this time to recognize the silver anniversary of a facility that has brought so much more than just medical care to people in and around Indiana's Third District.

Mr. Speaker, providing quality medical care is a daunting task. Expanded abilities to provide new, important and life saving procedures are hampered by soaring costs. The most careful planning and development is thwarted by unforeseen emergencies and catastrophes. Enormous gains in preventive health care are not available to millions of our uninsured.

Yet, in LaPorte, IN, we have a hospital and staff that works through these problems every day, and achieves great things. With a combination of caring, dedication and a determination to serve, the people of LaPorte hospital have created a health care environment of noteworthy achievement.

LaPorte Hospital was born in 1966, with the merger of Holy Family Hospital and Community Hospital. This facility has had many trials and tribulations in its 25-year history, but managed to serve and thrive through recessions, crises, and periods of startling need.

Mr. Speaker, as time has passed, LaPorte Hospital has grown. Recognizing the challenges in health care, this organization embarked upon a bold plan that has realized the creation of a full-service facility that resembles a larger, urban hospital. LaPorte Hospital boasts a number of fine, modern facilities—the Schick Rehabilitation Center for occupational and physical therapy, speech pathology, sports medicine, and inpatient rehabilitation; the cardiac services unit specializing in the prevention and treatment of heart disease; and the stress center is dedicated to resolving what is clearly one of the most debilitating problems of this generation—stress disorders. The cancer treatment center offers outpatient cancer and blood treatment, using the latest therapeutic options. Diagnostic imaging provides state-of-the-art screening for a wide variety of health problems. Obstetrical Services provides high quality prenatal, obstetric, postnatal and pediatric care. Continuing care is LaPorte's hospital-based nursing home, for special care needed by adults prior to going home. And surgical services is a thoroughly modern treatment center which is always expanding with the latest medical breakthroughs in equipment and procedures.

This is merely a glimpse of the total picture of services provided to generations of LaPorte area citizens, by generations of dedicated caregivers. People like the Predds, the Backers, the Sprechers and Knellners, the Moores, and the Wolfs, where entire families have dedicated themselves to health care and community service, and have done it at LaPorte Hospital.

Mr. Speaker, it is my sincere pleasure to congratulate the many dedicated workers of LaPorte Hospital for the fine work they do, much of it under the most difficult circumstances. These people keep the hospital itself healthy, vibrant, and growing. In particular, I would like to commend the board of directors, and hospital President Leigh Morris for their outstanding stewardship. Running a hospital, any hospital, in this day and age takes intelligence, leadership, and courage. Mr. Morris and the board have shown all of these qualities, and more, in fashioning a facility where quality, dignity, and dedication are routine.

Mr. Speaker, no tribute would be complete without acknowledging the priceless contribution of the hospital volunteers. LaPorte Hospital enjoys the services of 300 volunteer workers, who work side by side with the staff to create the caring environment for which LaPorte Hospital is known. The volunteers are integral in extending the quality of health care services, and routinely making hospital stays pleasant and comfortable. LaPorte has every reason to be proud of its hospital volunteers, such as Harold Bowen, whose retirement from a major highway construction firm lasted about 2 weeks before he began giving his free time to the hospital, working more than 6 hours a day, 6 days a week. As President Leigh Morris says, "Harold is on the job every day."

And then there's Vera Hasselfeldt, who drove herself to the hospital during the worst snowstorm in memory because she was afraid other volunteers wouldn't be able to make it in. Vera brought a packed suitcase and was prepared to stay as long as the hospital needed her. These two fine people, both senior citizens, are wonderful examples of the commitment of all of LaPorte Hospital's volunteers.

Is LaPorte hospital perfect? I would venture to say, Mr. Speaker, that they do not think so. The staff and administration have formed a team that is never satisfied with today, but is always trying to build for a better tomorrow, to create what they proudly call complete care. Though they will never be satisfied with the status quo, I believe that their efforts to create a perfect environment have not hit too far off the mark.

In closing, I would like to recognize the theme for this anniversary of LaPorte Hospital, "25 Years of Caring, Curing, and Comforting." These are most worthy words for this institution, but I would add one more word—community. Because, through all their efforts in health care, LaPorte Hospital has also assiduously attended to the larger needs of society. They have been a friend to the city and county of LaPorte, a neighbor to the people who live there, and a guardian to the organizations that strive relentlessly to improve our quality of life in Indiana.

Mr. Speaker, LaPorte Hospital is a proud model of Hoosier sharing, caring, and involvement. I am proud to represent them.

DR. MICHAEL S. GORDON HONORED BY UNIVERSITY OF MIAMI SCHOOL OF MEDICINE

HON. ILEANA ROS-LEHTINEN

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, September 16, 1991

Ms. ROS-LEHTINEN. Mr. Speaker, I received a most inspiring letter from Dr. Bernard J. Fogel, the senior vice president for medical affairs and dean of the University of Miami School of Medicine, explaining the outstanding contributions of Dr. Michael S. Gordon to the field of cardiology. It is Dr. Fogel's desire to establish a Michael S. Gordon, M.D. Chair in Medical Education. Dr. Fogel's letter to me explaining the impressive personal history of Dr. Gordon follows:

I am writing to ask you to work with me to honor Dr. Michael S. Gordon on the occasion of his 25th anniversary at the University of Miami School of Medicine. Mike's colleagues and friends have asked me to establish the Michael S. Gordon, M.D. Chair in Medical Education, and I am 100 percent committed to that goal.

Mike came to our School of Medicine when I did, in 1966. His background predicted success: He had concurrently earned his M.S. and Ph.D. degrees while obtaining his M.D. at the University of Illinois and his Residency/Fellowship training at the Mayo Clinic. He had received the Leadership Award of the Mayo Foundation and had been awarded a Post Doctoral Research Fellowship by the National Institutes of Health. During an additional Fellowship year at Georgetown University with Dr. W. Proctor Harvey, his ca-

reer aspirations changed from basic science to that of practicing cardiologist and teacher.

Since coming to the University of Miami in 1966, his major interest, in addition to patient care, has been the application of technology to medical education and skills training. To carry out his mission, he attracted a national consortium of cardiologists, surgeons, emergency physicians, educators and engineers, many of whom have been part of Mike's "Group" for over 20 years. He attributes any success of his work to these world class leaders in medicine. They attribute that success to their confidence in him.

In the area of patient care, Mike has repeatedly been named among a limited number of cardiologists acknowledged as the Best Doctors in the United States. In the academic area, the most well known reflection of his work is "Harvey", the Cardiology Patient Simulator, currently training 40,000 learners at 39 institutions world-wide in multiple languages. The project has received several national "Awards for Scientific Excellence", including such recognition from the American Medical Association and the American College of Cardiology. Mike's current interests also include the development of state-of-the-art Computer Assisted Instruction systems for teaching and certification, and first responder Emergency Medical Skills Training systems in cardiology, trauma and pediatrics. The latter programs now train over 3,000 learners per year, including 2,000 paramedic/firefighters that respond to the emergency needs of nearly 3 million citizens of Florida.

Because of Mike Gordon's accomplishments and our belief in his abilities, the University of Miami Board of Trustees approved the establishment of the Medical Training and Simulation Laboratory a decade ago, with Mike as its Director. Here again, we have seen his leadership foster a world class, one-of-a-kind educational research and training center, the growth of which has been exponential. Physicians and educators from around the world visit this facility daily to learn the secret of the Laboratory's success. The secret is Mike—his administrative ability, his fund-raising ability, his research ability, his patient care ability and, most important, his uncanny ability to bring together so many diverse interests and groups and individuals—and to make believers of all of us.

Mike is my Doctor, but in truth, he is the Doctor for all of us. For 25 years, his programs have trained those who care for us. That includes those who respond when you and I have an emergency and dial 911. He has done all of this by making a 24 hour a day commitment to us for 25 years. The University of Illinois recently honored Mike by naming him their Alumnus of the Year. They acknowledged "the renaissance he has brought to bedside teaching through space age technology and a passion for excellence". Now it is our turn to honor and thank him.

Join me at Annual Advisory Board Meeting/Demonstration on Friday, October 18th at 11:30 A.M., at the Medical Training and Simulation Laboratory, and again at the Annual Advisory Board/Founders Dinner Dance on Saturday evening, December 7th at 7:30 P.M. at Coral Reef Yacht Club. We shall honor Mike and commit ourselves to establishing the Michael S. Gordon, M.D. Chair as a small token of our thanks for all he has done for medical education and cardiology world-wide, for our community, for our school, for each of us personally and, truly—

for the future of mankind. Mike has given all of us something wonderful that will live beyond our years. It is now time for us to return that gift in kind.

Sincerely,

BERNARD J. FOGEL, M.D.
Senior Vice President for
Medical Affairs and Dean.

I commend the efforts of Dr. Fogel and the friends and colleagues of Michael S. Gordon, M.D. to give him the honor he very much deserves for his contributions to cardiology education. And to Dr. Gordon I offer my best regards and encourage him to continue his great work.

CITATION FOR HY ROSENBLUM

HON. GERALD B.H. SOLOMON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, September 16, 1991

Mr. SOLOMON. Mr. Speaker, since the days of our Founding Fathers, who left their homes and professions to serve their fellow countrymen, and the American pioneers who would join together to raise a barn for a neighbor or a schoolhouse for their children, America has been built to a unique degree upon the selflessness and volunteer spirit of its citizens.

On October 4, 1991, I have the great privilege of serving as honorary chairman of a testimonial honoring a citizen of my district who embodies as well as anyone this American spirit of community service: Hyman Rosenblum.

The son of Jewish immigrants from Russia, Hy Rosenblum worked his way through law school, and has had a distinguished legal career, practicing in Rensselaer county for over 50 years now. He also possesses a place in the history of broadcasting in upstate New York as a founder and director in 1941 of the Hudson Valley Broadcasting Corp. which led to the creation of the WTEN television and WROW radio stations in Albany.

But Hy is best known for his tireless efforts on behalf of his fellow man, particularly in the field of education. His special interest in nurturing the minds and character of our young people is reflected in his 38 years of service to date as a trustee and secretary of Hudson Valley Community College in Troy, NY, having been among the founding trustees of that institution in 1953.

And, in a highly personal and special commitment, Hy had sponsored annual awards at Columbia and Maple Hill High Schools in his hometown of Schodack since 1943. Known as the consideration awards, they recognize students who exhibit exemplary character and who show consideration for the next fellow.

Add to these commitments a distinguished record in promoting State Park development in his area and active involvement in various civil organizations, and you can well appreciate what an outstanding American Hy Rosenblum truly is.

Mr. Speaker, I ask you and all other Members to join with me in saluting Hy Rosenblum of his many achievements, and in thanking him for all of his past and continuing contributions to his community, his fellow man, and his

nation. He is indeed a great American and I am proud to call him my friend.

TRIBUTE TO TOBY JOHNSON

HON. ROBERT T. MATSUI

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, September 16, 1991

Mr. MATSUI. Mr. Speaker, I rise today to pay tribute to Toby Johnson who will be honored on Thursday evening, September 19, 1991, in Sacramento, CA. Toby is being recognized for the experience and knowledge he has lent to the cause of the Mathews Foundation for Prostate Cancer Research.

Toby Johnson has spent most of his life serving the people of Sacramento County. His extensive background in education, business management, and labor relations have made him one of the most effective supervisors ever to serve the Fifth District of Sacramento County. Now, having recovered from successful treatment for prostate cancer in the winter of 1988, Toby has turned his energies toward finding a cure for prostate cancer.

Toby Johnson will be working with the Mathews Foundation to establish the Institute for Prostate Cancer Research. Inspired and founded by Bob Mathews, a remarkable businessman and unfortunate victim of this dreadful disease, the Mathews Foundation has already made great progress toward the achievement of the Institute for Prostate Cancer Research. It is envisioned as a Western Hemisphere equivalent to the Karolinska Institute in Stockholm, Sweden and is intended to be a complete research center where the best and brightest in the biomedical research field can work together in a world-class research facility to solve the puzzle that prostate cancer presents. The institute will have an academic affiliation with the University of California at Davis School of Medicine and should make Sacramento the world's premiere prostate cancer research site.

Mr. Speaker, I have no doubt that Toby Johnson's efforts will make a great contribution to the fight against prostate cancer. His accomplishments are truly worthy of praise and I ask my colleagues to join me in saluting this outstanding individual.

HONORING CUBAN BASEBALL STARS

HON. ILEANA ROS-LEHTINEN

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, September 16, 1991

Ms. ROS-LEHTINEN. Mr. Speaker, I am pleased to recognize a small museum named La Casa del Baseball Cubano. Sitting on a street corner in Little Havana, caretaker Lorenzo Fernandez proudly talks about the most famous Cuban baseball players in an article in the Miami Herald entitled "Hall of Fame, Museum in Little Havana Honors Cuban Baseball Stars," written by Todd Hartman:

A small, plain white house stands on the corner of Southwest Fourth Street and 14th

Avenue, quietly guarding history. Inside, an 86-year-old man shuffles about, straightening this, re-arranging that and talking continuously, his emphatic words seeping into the storied walls of the shrine.

"Jose de la Caridad Mendez," the man recites, pointing to a grainy, black and white framed photo, circa 1910. "One of the most famous pitchers in Cuba's history. He shut out the Boston Red Sox on a two-hitter."

Welcome to La Casa del Baseball Cubano, a dignified, spotless and charming gallery filled with pictures and paraphernalia, a memorial to nearly every noteworthy Cuban baseball star to play the game since baseball swept the island in the late 1800s.

Nestled on this Little Havana street corner, the place is looked after by Lorenzo Fernandez, a light housekeeper of sorts doubles as an audio history book. He talks Cuban baseball lore until you tell him you have to leave. Then he talks about it some more.

Inside this miniature Cooperstown sits chairs with legs made of baseball bats and light fixtures painted like baseballs. In Fernandez's office hangs the most colorful display of all, a collage titled Los Cubanos en las Grandes Ligas (Cuban in the Major Leagues).

More than 100 Cuban major leaguers, from Jose Canseco to Tony Perez to Camilo Pascual, are featured. Even Fernandez's son, Chico, is there. Chico played for the Chicago White Sox before a head injury ended his career.

The central attraction is the "Hall de la Fama," filled with portraits dating to the 1880s. Umpires, radio personalities and writers are included. A few frames are empty, containing names and dates but no pictures.

Some of the more interesting mementos in the museum include the ball that pitcher Camilo Pascual, a major league star of the 1960s, threw his 2,000th strikeout with; a uniform worn by Tony Oliva, the former Minnesota Twins star and American League batting champion in 1964, 1965 and 1971; and the glove of Cookie Rojas, a major-leaguer who played all nine fielding positions from 1962 through 1967.

La Casa del Baseball Cubano opened in 1985, thanks to the efforts of Fernandez and the late Antonio Pacheco, a former major leaguer and pro scout, who arranged the purchase of the house, remodeled it and adopted it for an exhibit.

Fernandez's biggest concern these days is keeping the place open. Donations from various businesses continue to help pay off the house, but staffing is a problem.

"We have to find a way to keep the house open on weekdays from 1 to 5 p.m.," Fernandez said. "We have to look for volunteers. We can't afford paying a man to sit here."

Seconds after saying it, Fernandez was talking baseball again, Cuban baseball. Money was the furthest thing from his mind.

I wish to thank Lorenzo Fernandez and all others involved in La Casa del Baseball players. The mission that this museum carries on is one which should be recognized and remembered.

FIRST BAPTIST CHURCH OF
BALLSTON SPA IS 200 YEARS OLD

HON. GERALD B.H. SOLOMON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, September 16, 1991

Mr. SOLOMON. Mr. Speaker, the 24th District of New York is rich in history. The district is dotted with old church structures which serve as monuments or museums to that history. Every one of those churches has its own history and I'd like to mention one of them, because it's one of my favorites.

The First Baptist Church of Ballston Spa symbolizes a steadfast commitment to the moral values which have held our country together for the past 200 years. Since its founding, the church has offered a living example of strong faith and good values.

But I could not tell the church's story better than can a brief history which the church recently compiled and which I proudly place in today's RECORD.

A BRIEF HISTORY OF OUR CHURCH

The earliest organization of the church was in August 1791 when 24 members were dismissed from the mother church in Stillwater. In 1797, this church, then called the Second Baptist Church of Milton, joined the Shaftsbury, VT Association. The old stone church was known as First Baptist Church of Milton. Our church was known as the Second Baptist Church of Milton until 1802. In 1805, the church withdrew from the Shaftsbury Association and the Saratoga Association was formed.

In the early period, the church met in a schoolhouse south of the village. Having no pastor, the church was supplied by ministers of neighboring communities. Elder Lee, the first settled pastor, served for 28 years. Elder Lee gave the property on which the first meeting house was built. Located on Ballston Avenue at the present site of the village cemetery, the wood building was dedicated in 1803. The pulpit was located directly above the place where Elder Lee is buried.

In the 1830's, the church outgrew its meeting house and a new church was built. The new sanctuary was completed in 1836. For many years, the First Baptist Church stood at the head of Front Street, a shining beacon of Christian faith. Because of its proximity to the railroad, the walls began to crack and the noise of the trains continually interrupted the services.

The present lot on Milton Avenue was purchased for \$5,500, and in the spring of 1896, the cornerstone laid for the present edifice. This building, made of Esperanza Blue Marble from West Rutland, VT, was complete at the cost of \$30,000 and dedicated on December 20, 1896. The stained glass windows of Munich Glass were given by Deacon and Mrs. H. Ferris. The seats are of quartered oak and had cushions of olive green plush. The carpets were made by Mrs. Ella White.

Over the years several changes have been made. In 1959, phase I of the Program of Progress was completed with remodeling of the basement and addition of classrooms above the fellowship hall.

Phase II of the Program of Progress, completed, in 1963, included general renovations and a new roof.

A new parsonage on Greenwood Drive was built in 1968.

In 1969, under the leadership of Dr. Nelson Elliott and Marion Hyatt as director, The Church Mouse Nursery School was formed. Today, the nursery school has an enrollment of 154 students.

Presently, we have a planning committee looking into the expansion of our facility in the rear of the property.

Today, we have an active membership of 228.

Over the years, we have had 28 pastors and celebrated our 100th, 150th, and 175th anniversaries. We are looking forward to our 200th anniversary in 1991, the theme of which will be "Our Living Church: In Touch With the Past, in Tune With the Present, Intent on the Future." Mr. Speaker, I ask you and all Members present here today to rise and join me in saluting the First Baptist Church of Ballston Spa for all it has contributed to the community over the last 200 years.

TRIBUTE PAID TO SENATOR WEISS
OF THE NEW JERSEY STATE
LEGISLATURE

HON. FRANK PALLONE, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday, September 16, 1991

Mr. PALLONE. Mr. Speaker, I would like to take this opportunity to pay tribute to one of the most respected and influential members of the New Jersey State Legislature, and, indeed, one of the most distinguished public officials I have ever known: Senator Laurence S. (Larry) Weiss.

Mr. Speaker, prior to my election to this body, I was a member of the New Jersey Senate. In that capacity, I had the honor and privilege of serving as a member of the Senate Revenue, Finance and Appropriations Committee, which is chaired by Senator Weiss. The fiscal matters of the State of New Jersey have been the central concern of Senator Weiss' legislative career, which began with his election to the senate in 1977 and has continued with three consecutive re-elections. The senator also serves as a member of the Commission on Capital Budgeting and Planning, the Legislative Services Commission and the Joint Legislative Commission on Ethical Standards. In addition to these responsibilities, Senator Weiss continues to effectively represent his Middlesex County district.

Besides his success in politics and business, Senator Weiss also has a distinguished record as a member of the Armed Forces of the United States. He won the Purple Heart, Bronze Star, and Silver Star medals as an officer in the 24th Infantry Division in the South Pacific during World War II. Separated with the rank of captain, he was recalled and served another 2 years during the Korean conflict, during which he was promoted to major.

Mr. Speaker, as a friend and former colleague of Senator Weiss, I take great pleasure

in sharing the accomplishments of this fine public official with the Members of this House.

A TRIBUTE TO ORLANDO RIVERON
AND ORLANDO RIVERON, JR.,
AND THEIR BARBER SHOP IN
LITTLE HAITI

HON. ILEANA ROS-LEHTINEN

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, September 16, 1991

Ms. ROS-LEHTINEN. Mr. Speaker, two of my constituents tell about the opening of their barber shop in Little Haiti. In an article from the Miami Herald entitled "Barbers' Cut-Rate Style Attracts Clients," written by Geoffrey Tomb, Orlando Riveron and his son Orlando Riveron, Jr., explain how to be competitive in a market that has several barber shops within a mile.

If hair grows seven days a week, why are there so few barber shops? This is about a seven-day barber shop.

The senior barber, 56, a third-generation cutter, speaks Spanish. His son, 27, now a fourth-generation barber, speaks English and Spanish. Most of their customers speak Creole and French. Right. A Miami story.

When Orlando Riveron and his son Orlando opened their barber shop three months ago in Little Haiti at 159 NE 54th St., they knew there were five barbers within a mile. To be successful, they decided to be several cuts below the others' prices and stay open every day.

"Many Haitians work Monday through Saturday. Their only day off is Sunday," said Orlando Riveron Jr. "You have to be open if you want to compete."

There they stand, behind their twin classic 1961 Koken barber chairs, restored in baby blue, armed with various electric trimmers, German-made scissors and air jets to blow away the cuttings, from 8 a.m. to 6 p.m. Monday through Saturday and from 9:30 a.m. to 2:30 p.m. Sunday.

If their spoken French isn't quite up to speed, the Orly Barber Shop's business cards are. The cards list hours and prices in two languages.

Men (Homme) Regular cut \$4. Enfant \$3. Fades \$4.50. Flat Top \$5. Fades and flat tops, some with lightning bolts and the customer's name in his hair, are popular with teens. Most places these cost \$8 to \$12, easy.

"This is an area where you can make money because there is not as much prejudice. Offer the public a good price and they will come to you," said the younger Riveron.

"In other neighborhoods, people won't try a new barber."

It is also a neighborhood where people visit the barber more than semi-annually. One customer Wednesday got a trim and said he would be back Saturday. \$4.

For another customer, Riveron did something special. The 12-year-old wore a body cast from a car accident. He wanted a fade with a double part, but had to sit in a regular chair. Riveron got down on his knees. \$4.

I think it is wonderful that a father and son have exemplified the American dream. I wish them much success with the future of their barber shop.

TRIBUTE TO DONALD EUGENE MILLER II, ON ATTAINING RANK OF EAGLE SCOUT

HON. GEORGE W. GEKAS

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, September 16, 1991

Mr. GEKAS. Mr. Speaker, I rise today to pay tribute to an outstanding young man, Donald Eugene Miller II, of Sunbury, PA, on the occasion of his attaining the rank of Eagle Scout. Donald, the son of Donald and Patricia Miller, is a member of Boy Scout Troop 330, at St. John's United Methodist Church in Sunbury.

Young Donald has shown an admirable dedication toward community service, as he recently completed a beautification project at Shikellamy State Park Marina in Sunbury. Donald's project consisted of four separate jobs, including painting the markings and arrows on a walking path at the marina, building and reconstructing old and new bluebird houses, painting tree identification signs located along the walking paths at the marina, and painting rusting grills throughout the marina's picnic areas.

Donald's long hours of hard work with this Eagle Scout project will be of benefit for many future visitors to the marina for many years to come. He has been a very active member of troop 330, having been a Cub Scout, Scribe, Patrol Leader, and Senior Patrol Leader.

I know that his family, friends, and fellow Scouts are very proud of his work in attaining the rank of Eagle Scout. He has shown he is a hard worker by maintaining a 4.0 grade point average in school, and in being a member of the Junior National Honor Society and the student council.

I congratulate Donald for his accomplishments and wish him the best in his future civic and educational endeavors.

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 Tuesday, September 17, 1991, may be found in the Daily Digest of today's RECORD.

EXTENSIONS OF REMARKS

MEETINGS SCHEDULED

SEPTEMBER 19

8:00 a.m.
Armed Services
To hold hearings to examine Soviet military conversion. SR-222

9:00 a.m.
Select on Indian Affairs
Business meeting, to mark up S. 962 and H.R. 972, bills to make permanent the legislative reinstatement of the power of tribal courts to exercise criminal misdemeanor jurisdiction over non-member Indians. SR-485

Select on Intelligence
To resume hearings on the nomination of Robert M. Gates, of Virginia, to be Director of Central Intelligence. SH-216

9:30 a.m.
Energy and Natural Resources
To hold oversight hearings on the resettlement of Rongelap, Marshall Islands. SD-366

10:00 a.m.
Appropriations
Defense Subcommittee
Business meeting, to mark up H.R. 2521, making appropriations for fiscal year 1992 for the Department of Defense. SD-116

Banking, Housing, and Urban Affairs
To hold hearings to review a General Accounting Office report on the Bank of New England failure. SD-538

Foreign Relations
To hold hearings to examine future prospects for, and the West's response to, the Soviet Union's democratic revolution. SD-419

Judiciary
To resume hearings on the nomination of Clarence Thomas, of Georgia, to be an Associate Justice of the Supreme Court of the United States. SR-325

10:30 a.m.
Commerce, Science, and Transportation
To hold hearings on S. 640, to regulate interstate commerce by providing for a uniform product liability law, and S. 645, to regulate interstate commerce by providing for uniform standards of liability for harm arising out of general aviation accidents. SR-253

2:00 p.m.
Budget
To hold hearings to examine Federal budget accounting practices, and on S. 101, to mandate a balanced budget, to provide for the reduction of the national debt, to protect retirement funds, and to require honest budgetary accounting. SD-608

Commerce, Science, and Transportation
Surface Transportation Subcommittee
To hold hearings to review the Interstate Commerce Commission's (ICC's) oversight of motor carriers. SR-253

Energy and Natural Resources
Water and Power Subcommittee
To hold hearings on S. 1228, to provide for a comprehensive review by the Secretary of the Interior of western water resource problems and programs administered by the Geological Survey,

the Bureau of Reclamation, and other operations of the Department of the Interior.

SD-366

SEPTEMBER 20

9:00 a.m.
Agriculture, Nutrition, and Forestry
To resume hearings to examine the health impact of certain pesticides manufactured in the United States and exported to Third World countries. SD-138

Select on Intelligence
To continue hearings in closed session on the nomination of Robert M. Gates, of Virginia, to be Director of Central Intelligence. SH-219

10:00 a.m.
Joint Economic
To hold hearings to examine foreign direct investment activities in the United States. SD-538

SEPTEMBER 24

9:00 a.m.
Veterans' Affairs
To hold joint hearings with the House Committee on Veterans' Affairs to review the legislative recommendations of the American Legion. 334 Cannon Building

9:30 a.m.
Energy and Natural Resources
Energy Research and Development Subcommittee
To hold hearings on the status of the Department of Energy's research and development on the Atomic Vapor Laser Isotope Separation technology and the outlook for transfer of that technology to the private sector for commercial deployment. SD-366

Small Business
Business meeting, to mark up S. 1426, to authorize the Small Business Administration to conduct a demonstration program to enhance the economic opportunities of startup, newly established, and growing small business concerns by providing loans and technical assistance through intermediaries. SR-428A

Joint Printing
To hold hearings on the proposed consolidation of the Department of Defense printing establishment. 2226 Rayburn Building

SEPTEMBER 25

9:30 a.m.
Energy and Natural Resources
Business meeting, to consider pending calendar business. SD-366

Governmental Affairs
Oversight of Government Management Subcommittee
To resume oversight hearings on the administration and enforcement of the Federal lobbying disclosure laws. SD-342

SEPTEMBER 26

2:00 p.m.
Energy and Natural Resources
Public Lands, National Parks and Forests Subcommittee
To hold hearings on S. 1495, to provide for the establishment of the St. Croix,

Virgin Islands Historical Park and Ecological Preserve, and S. 1528, to establish the Mimbres Culture National Monument and to establish an archeological protection system for Mimbres sites in the State of New Mexico.

SD-366

OCTOBER 1

2:30 p.m.

Energy and Natural Resources
Public Lands, National Parks and Forests Subcommittee

To hold hearings on S. 452, to authorize a transfer of administrative jurisdiction over certain land to the Secretary of the Interior, S. 807, to permit Mount Olivet Cemetery Association of Salt Lake City, Utah, to lease a certain tract of land for a period of not more than 70 years, S. 1182, to transfer jurisdiction of certain public lands in the State of Utah to the Forest Service, S. 1183, to reduce the restrictions on the lands conveyed by deed to the city of Kaysville, Utah, S. 1184, to direct the Secretary of the Interior to conduct a study to determine the nature and extent of the salt loss occurring at Bonneville Salt Flats, Utah, and how best to preserve the resources threatened by

such salt loss, and S. 1185, to disclaim or relinquish all right, title, and interest of the United States in and to certain lands conditionally relinquished to the United States under the Act of June 4, 1897 (30 Stat. 11, 36).

SD-366

OCTOBER 2

10:00 a.m.

Commerce, Science, and Transportation
To hold hearings on the nomination of Ming Hsu, of Arizona, to be a Federal Maritime Commissioner.

SR-253

OCTOBER 4

9:30 a.m.

Governmental Affairs
Oversight of Government Management Subcommittee
To hold hearings to examine the status of Great Lakes Federal programs.

SD-342

OCTOBER 8

9:30 a.m.

Governmental Affairs
Oversight of Government Management Subcommittee
To hold hearings to examine whether the Federal government is making environmentally conscious decisions in its purchasing practices.

SD-342

OCTOBER 23

9:00 a.m.

Veterans' Affairs
To hold joint hearings with the House Committee on Veterans' Affairs to review the Report of the Commission on the Future Structure of Veterans Health Care.

334 Cannon Building

POSTPONEMENTS

SEPTEMBER 17

9:00 a.m.

Conferees on H.R. 1415, to authorize appropriations for fiscal years 1992 and 1993 for the Department of State.

2172 Rayburn Building