

**SENATE—Wednesday, October 23, 1991***(Legislative day of Thursday, September 19, 1991)*

The Senate met at 11 a.m., on the expiration of the recess, and was called to order by the Acting President pro tempore [Mr. ROBB].

**PRAYER**

The guest Chaplain, the Reverend Larry Titus of Christ Community Church, Camp Hill, PA, offered the following prayer:

Let us pray:

Heavenly Father, we enter into Your presence with thanksgiving for the many blessings that You have poured out on this Nation. With gratitude we praise You for directing the affairs of this country since our inception. With humble recognition of Your sovereignty, we now present our petitions before You on behalf of ourselves and the people that we serve.

The laws that we enact have their basis in Your law, and we govern under Your authority, therefore we ask for Your wisdom in our decisionmaking this day.

We pray for compassion that will help us rightly decide the course of law that will affect the people we serve. May these laws be equitable, just, and morally compatible with Your holy law. Since we cannot pass laws that are greater than our own personal character, let us find the courage to confess our shortcomings, openly admit our need for Your guidance, and depend on divine counsel to ensure our Nation's laws will be built upon Your unchanging principles.

We pray blessings upon our Nation that will surpass the material and find its fulfillment in the spiritual. We pray the transcendent values of moral character, honesty, and integrity will arise to destroy our internal enemies of greed, malice, and prejudice. And may the sustaining hand of the Almighty lean heavier on us now than ever before as we seek to follow Your will for our future.

We ask these petitions as humble servants of the God of the Universe. Amen.

**RECOGNITION OF THE MAJORITY LEADER**

The ACTING PRESIDENT pro tempore. Under the standing order, the majority leader is recognized.

**UNANIMOUS-CONSENT AGREEMENT—MOTION TO PROCEED TO THE CIVIL RIGHTS BILL**

Mr. MITCHELL. Mr. President, I ask unanimous consent that the leader

time and the time for morning business between 11 a.m. and noon today count against the time under the 30 hours of rule XXII proceedings with respect to the motion to proceed to the civil rights bill.

The ACTING PRESIDENT pro tempore. Is there objection? Without objection, it is so ordered.

**ORDER OF PROCEDURE**

Mr. MITCHELL. Mr. President, as I indicated last evening, we are attempting to proceed in parallel fashion with respect to two bills and three subjects. The bills are the Federal Facilities Compliance Act and the Civil Rights Act. The third subject, in addition to those, is the subject of the investigation into unauthorized disclosures. Both the civil rights bill and the investigation question are now the subject of separate negotiations, and it is my hope that we will be able to reach agreement on both during the day, and be able to proceed to complete action on the Federal facilities bill, the question of the investigation, and then start on the civil rights bill today.

Under the Senate rules, of course, if the full 30 hours postclosure is utilized, we would not be able to begin on the civil rights bill until approximately 9:10 p.m. this evening. I hope that is not the case. I am going to invite comment by the distinguished Republican leader on any of the subjects which I have raised. We have been discussing the subject of the inquiry on unauthorized disclosures.

As I said last night, there has been a very good-faith genuine effort which has substantially narrowed the differences. I think there are only one or two points remaining. I am hopeful we are going to reach agreement on that sometime today.

Mr. President, I invite comment by the distinguished Republican leader.

The ACTING PRESIDENT pro tempore. The Republican leader is recognized.

**PRIVILEGE OF THE FLOOR**

Mr. DOLE. Mr. President, I ask unanimous consent that Dennis Shea be given privilege of the floor during the Senate's consideration of S. 1745.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. DOLE. Mr. President, with reference to the civil rights bill, S. 1745, it is my view that this is a good time for

negotiations, to put a little pressure on now because we are about to proceed to the bill.

If we do not get some agreement by 9 o'clock tonight or 2 o'clock this afternoon, whatever it is, then we will be on the bill. It will be open to amendments. There will be a lot of amendments offered, as I understand it, unless there is agreement, and it can take a substantial amount of time without anybody's effort to extend the debate. There are all kinds of amendments I heard of that are very serious and very controversial, and could take a great deal of time.

So it seems to this Senator, and I think others, and I believe the majority leader, that we are probably proceeding properly, even though it may appear that nothing is being accomplished.

I know there were meetings last night with representatives of the White House, Senator DANFORTH, and others. My staff has been involved in some of those meetings. I have talked this morning with Senator DANFORTH, with Mr. Gray at the White House, Boyden Gray, the President's counsel. There may be a meeting later today with some of my colleagues on this side with the President with reference to the civil rights bill.

There are a lot of things happening. We are not just waiting for the clock to run. I think that point should be made.

Second, with reference to the investigation of so-called leaks, the majority leader is correct; we have been trying to negotiate some understanding. We had a meeting in my office this morning at 10 o'clock with about half a dozen Senators. I will be presenting to the majority leader a sort of a counter-counterproposal. Maybe if that is not satisfactory, we can have two or three on each side go into his office and work something out.

Mr. MITCHELL. Mr. President, I thank the Senator for his comments and share his hope that negotiations in both areas will bear some fruit. I think it is likely that the civil rights bill is going to take some time, in any event, because there are a number of issues that are relevant which are not the subject matter of the negotiations that are obviously going to be subject matter of amendments that will be contentious, and appropriately Senators will want to debate them and decide them here on the Senate floor. It is my hope that we can begin soon, and we will do so.

\* This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

## RESERVATION OF LEADER TIME

Mr. MITCHELL. Mr. President, I want to reserve the remainder of my leader time, reserve all of the leader time of the distinguished Republican leader, and then I will address the Senate in morning business.

The ACTING PRESIDENT pro tempore. Without objection, all leader time is reserved.

Mr. MITCHELL. Mr. President, I understand now there is a period for morning business.

## MORNING BUSINESS

The ACTING PRESIDENT pro tempore. The Senator is correct. There will now be a period for the transaction of morning business, not to extend beyond the hour of 12 noon, with Senators not covered by the unanimous-consent order permitted to speak therein for not to exceed 5 minutes each.

Under the previous order, the Senator from Oklahoma is to be recognized for up to 15 minutes.

## REGARDING DEMOCRATIC EDUCATION EFFORTS

Mr. MITCHELL. Mr. President, today the Labor and Human Resources Committee is honoring successful principals and teachers for the important work they do in our schools. I welcome them to the Capitol. I extend a special greeting to Maine's 1991 Teacher of the Year, Stephen Ellwood IV, and Maine's Principal of the Year, James Ugone. Mr. Ellwood teaches at St. Francis Elementary School and Mr. Ugone works at Caribou High School. It is interesting but maybe not coincidental, that both schools are in Aroostook County, in the northernmost part of Maine.

At today's committee hearing, these educators will suggest ways the Federal Government can help communities and States improve education. I look forward to their recommendations.

If there is one thing we need more of, it is practical suggestions from people who actually spend a considerable amount of time helping students learn and become productive citizens.

The people of Maine share with the rest of the Nation a respect for education. Whenever I speak at schools in my State, students often ask me how they can contribute to their country.

I always encourage them to take advantage of their educational opportunities and to find some way to make the State and this country a better place to live.

I believe positive role models and proper motivation can help address some of the problems students experience in school. But I also know that talk is not enough. The Federal Government must continue helping communities help themselves. We must

begin shaping public policy to meet the varied needs of families and students from Maine to California and all regions of the country.

Part of my job is to listen. Parents tell me they want their children taught by talented, energized teachers. Entrepreneurs tell me they want to hire more young Americans who show up ready to work and able to communicate and compute. Administrators want a safe learning environment.

The Labor and Human Resources Committee has reported legislation (S. 2) I introduced in January that would provide assistance to schools as they continue reforming to keep up with changes in their communities, in this country, and throughout the world. We will soon consider S. 2 on the Senate floor.

I anticipate vigorous debate because our bill differs from the legislation the administration has proposed. Our bill would allow all public schools to compete for grants that would help schools improve themselves. The President's bill would assist less than one-half of a percent of all schools, draining public resources from some public schools. Our bill would concentrate on improving existing neighborhood public schools. Our ultimate goal is to produce high-achieving young adults ready to compete and succeed in the profession of their choice.

Mr. President, I yield the floor.

The ACTING PRESIDENT pro tempore. Under the previous order, the Senator from Oklahoma [Mr. BOREN] is recognized for up to 15 minutes.

## THE NEED FOR COMPREHENSIVE REFORM OF CONGRESS

Mr. BOREN. Mr. President, Congress as an institution is in trouble. No one doubts it. In poll after poll the American people have described the Congress of the United States as wasteful, as inefficient, as compromised by the way that we finance our campaigns. And over the last several days the Members of Congress have realized, perhaps as never before, the serious problems which we face. These have been painful days for all of us, painful days for those who love this institution, who came here because we wanted to serve the public through membership in this institution, because we believe deeply that the Congress of the United States is at the heart of our Democratic system of representative government and that the Congress does not work as it should.

If the Congress does not function as it should, the democratic process itself is impaired. All across this country there are new cries for term limitations of Members of Congress. It is no wonder. It is a signal from the people of the United States at the level of frustration among citizens who feel that Congress no longer conducts the

public business in a proper way, that the Congress no longer reflects their thinking about the certain issues that faces us, that that frustration level has now reached the point the public is ready to turn to any solution, even an extreme one, to try to change things.

Their message to us is loud and clear: If you do not set your own house in order, if you do not clean up the process, if you do not start conducting the peoples' business in a more efficient fashion, we are going to take action for you; we are going to force changes by changing the current membership of the body.

That I do not believe is a wise solution because if we are to limit terms of Members of Congress, we will simply turn over more and more power to the unelected Federal bureaucracy, which already has too much power, to make policy in this country, where the people themselves through their elected representatives should be heard.

We have had, in just the last few days, the problems with the House bank, the tragedy of a confirmation process that was compromised because of the irresponsibility of persons yet unknown, perhaps even staff members of this body. All of us hope and pray that will not be the case when the investigation is completed—but a confirmation process compromised and marred by the unauthorized disclosure of confidential information which caused the American people to witness a human tragedy, two individuals, Judge Thomas and Professor Hill, torn apart on national television and radio and in the newspapers; a process that will make it more difficult to get people to come forward in the future with information which we need in the confirmation process but information people only want to offer on a confidential basis, with the assurance that their identities will remain anonymous; a confirmation process marred in a way that will make it more difficult for good, qualified people to be willing to serve in public offices of public trust in this country because they are going to hesitate to go through the confirmation process.

Having witnessed these recent problems and continuing to feel the frustrations that many of us have left for such a long time, it is no wonder that some of the most talented Members of this body and of the House of Representatives have simply said, "Enough. I am not going to serve anymore." The retirement announcements have come from the most talented Members of Congress who say that they are not certain that the personal sacrifices which they are making, the sacrifices in terms of family and friendship and other responsibilities and other involvement as citizens in the community, are really worth it because they are not convinced that they can make

a difference by serving anymore as Members of Congress.

Mr. President, if anything good can come from the tragic events of recent weeks, which have demonstrated to the American people that Congress is not working as it should, perhaps it will be a final determination by the Senate and by the House of Representatives that we must take action now—not tomorrow, not next week, not next month, not next year, but now—to do something to put our own house in order. The time has come for us to act.

How long are we going to wait, Mr. President, before we wake up? How long are we going to wait to exercise our responsibilities as trustees for the American people to set this institution right? We are trustees. These Senate seats do not belong to any of us in this Chamber. They belong to the American people. We occupy them only temporarily at the instruction of the American people. We are the trustees for the people themselves.

If this institution is not working as it should, there is only one group of people in the near term that can set it right, and that is those of us who are currently occupying these seats and acting as trustees. It is our responsibility to get something done. I intend to come to this floor at least twice a week for every week that we fail to take action to do something about it, to keep a vigil, as some might describe it, on this floor, to continue to call the attention of my colleagues and the American people to our failure to act until we take action.

The danger signals are all around us for us to do it. See. It is not only popular discontent. It is not only the frustration of the American people in the term-limit movement. It is not only the retirement decisions of fellow Members of the Congress. It is not only the criticisms of scholars in academics who see something wrong with our system. All of us know it ourselves. We know there are many days that we come out here and we run from morning to night, from one meeting to another, from one session to another of a committee or a subcommittee, to photograph sessions, to meeting with our campaign committees because the cost of campaigns has climbed so high that the average Member of Congress now has to raise \$15,000 every single week for 6 years to raise that \$4 million which is the average amount of money spent by a successful candidate for reelection to the U.S. Senate—part-time policymakers and full-time fundraisers who are not able to conduct the people's business as we would like to conduct it because we have not changed the system.

Mr. President, the campaign financing system itself is rotten. Every one of us knows it. Every one of us knows it is compromising our ability to do our job. It is compromising the integ-

egrity of the institution. No wonder the people do not run when they look at the fact that under the current system, which requires millions of dollars to run for public office. Incumbents, people in Congress now, on the House side, get 16 times as much from PAC's as do challengers; \$16 to an incumbent with Federal interest groups for every dollar that a challenger gets. In the Senate, it is 4 to 1.

When it comes to total spending, the ability of the incumbents to raise money, they are spending in the House \$8 for every dollar that a challenger has to spend. In the Senate it is \$3 for every dollar that a challenger has to spend.

We have passed the campaign reform bill, an appropriate one, but a vehicle to get a conference with the House to try to hammer out legislation in cooperation, in a bipartisan way with the President. The House has still not acted. How long is it going to take before the rest of Congress passes a bill, and how long will it be before we hammer out an agreement in a conference committee, one on a bipartisan basis which the President can sign?

It has already taken far too long. There has been too much of an erosion in the strength and integrity of this institution.

Mr. President, we must not wait any longer. We know the other signs of change that need to come, the other danger signs, warning signs.

Since, 1947, Mr. President, the number of employees in Congress, the bureaucracy of this institution has grown from 2,000 to 12,000. The Judiciary Committee itself has over 100 employees. Is it any wonder that it is going to be difficult to try to determine where leaks occur? Staff members have their own agendas. They come forward with more ideas, produce a greater flow of paper.

The average length of bills in the U.S. Congress since 1970 has gone from 4 pages to 20 pages, and the percentage of bills, all of these thousands of bills that are clogging the legislative agenda, and the process on our calendar that actually get enacted into law, has been cut in half since 1950. We are being absolutely inundated with the morass of proposals, longer, more detailed proposals produced by our own growing bureaucracy. Fewer and fewer of them are being passed into law and fewer and fewer of them are dealing with the major problems of this country.

We are so bogged down in the details because of our own inefficient process that we do not even see the big picture. We are not preparing this country for the major changes that need to be made in the next century. Something must be changed in our own time.

It is no wonder we feel we are running from morning to night and not really accomplishing anything significant. When you look at the number of

committees, in 1947 there were 34 committees in the House and Senate combined with parallel jurisdictions. So you could do business with each other. Today there are 300 committees and subcommittees.

The average Member is serving on 12 committees and subcommittees all with overlapping jurisdictions with various jurisdictions between the House and the Senate. By the time we get into a conference committee, there is often a situation where there are so many different representatives of so many different committees in the room it is like the Versailles Conference. You need to hire the Hall of Mirrors to even have the meeting.

How long are we going to wait to do something about it? How long are we going to wait before we exercise our responsibilities as trustees? How long are we going to wait and watch the erosion of the democratic process in this country before we do something about it? We cannot act as either Democrats or Republicans. We have to act as Americans to do something about it and to do something about it now.

I joined with Senator PETE DOMENICI, Republican Senator from New Mexico, and with Representative LEE HAMILTON, Democratic Member from Indiana, and Representative WILLIS GRADISON, Republican Member from Ohio; two Democrats and two Republicans joined together in both Houses to offer a proposal that will begin the process of reform of this institution in a way in which it was done back in 1947 when the Monroney-La Follette committee was created to take a look at Congress, a bipartisan effort, both Houses of Congress working together. The cold war was just beginning and Congress realized as an institution it was not prepared for the change in world environment.

Mr. President, as the cold war comes to a close, as we face a new set of challenges, a new set of assets required to prepare this country for world leadership in the next century, it is time Congress takes another look at itself, to step back to look at this morass of details, this huge bureaucracy, to look at inefficient rules and procedures that cause us to waste 25 percent of our time every day in procedural rollcalls and motions that have no effect on the substantive work of this body. It is time for us to look again.

We propose a temporary committee be created with eight Members from the HOUSE and eight Members from the SENATE, an equal number of Democrats and Republicans, appointed by the four leaders of the two Houses with four advisory, nonvoting members, experts from the public and private sector, to be appointed by the four leaders. It would have a duration of only 1 year.

So we will not create another permanent committee in the process of looking at how to change ourselves, that it

be authorized as was the Monroney-La Follette committee was, except voluntary staff members. We do not have to spend millions of dollars to have a study of the Congress. There are a lot of people in this country, people from the universities, people from the think tanks, other experts, people from private business who have broad experience and, in terms of efficient operation of enterprises, who can volunteer their time and want to serve their country, and who are happy to do it for nothing.

That is the kind of approach we propose in submitting Senate Concurrent Resolution 57, which is now pending in the Rules Committee. It is time to have the hearing. It is time to bring it to the floor. It is time to get on with the work, for that committee to be constituted to begin its work and seek the advice of the American people as one people. Let us get our heads together all across this country. Let us restore vitality to this institution and to the House of Representatives, to the Congress of the United States, which is so badly needed and which is absolutely necessary.

We are going to do the work of the American people and do it in a way that it has the confidence of the American people. We are hurt by the charges. We understand that as an institution, the Members of Congress, right now, could not enjoy the trust of a large majority of the American people. To be blunt, until we take action to reform this process, we will not merit the trust of the American people.

Let us act now. Let us take action to regain the trust of the American people and to do the people's business as it should be done. Mr. President, let us not wait.

I will be coming to this floor again and again, week after week, until we take action, until we do our duty. I thank the Chair.

The ACTING PRESIDENT pro tempore. The Senator's time has expired.

The Chair will remind any member of the gallery that no displays of support or opposition is permitted. The Sergeant at Arms will maintain order in the galleries.

The Chair recognizes the Senator from Iowa [Mr. GRASSLEY].

#### MIDDLE EAST PEACE CONFERENCE

Mr. GRASSLEY. Mr. President, in one week, a most historic event will take place. For the first time in the four decades of her existence, Israel will be able to sit down with her neighbors in an effort to end the state of war and make peace between Israel and each of these neighbors.

Of course, Secretary of State James Baker deserves a great deal of credit for bringing off this conference and reaching this point. He has had eight

missions to the area and he has had these eight missions just in the time since the Gulf war has ended. In these meetings he encouraged, enticed and even cajoled the parties to get them to say yes to his idea of a regional conference. He has succeeded, and for that I offer him my congratulations.

But also besides Secretary Baker's success and the environment he has been able to work in that has been conducive to that success, world events have also played a big part in getting us to the conference in Madrid that will be coming up. I think foremost of importance is that the cold war is over. The Middle East will no longer be a theater where the Soviet Union and the United States carry out competing strategic and policy objectives.

Of course, Israel's sworn enemies no longer have a patron there to the north in the Soviet Union. And, of course, maybe Hafez Assad in Syria will finally realize that his country cannot any longer achieve what he wanted to achieve of "strategic parity" with Israel. Maybe because the Soviet Union is not there helping anymore Assad is willing to talk about Syria's differences with Israel and not threaten war in the process. And also maybe the West Bank and Gaza Palestinians—and these are the tragic pawns in so much of the Middle East turmoil—will be able now to speak for themselves and not rely upon others in seeking political rights in this process of having outsiders speak for them.

There is much hope in what lies ahead, Mr. President. But we must remember that problems in the Middle East will not be solved overnight. This is a region with thousands of years of contentious history. It took Secretary Baker some 7 months to even get the parties together. We cannot expect peace then to be achieved in 7 days, or in even another 7 months, as much as we hope that happens. The parties are entering a process that is going to take time, patience, and most importantly understanding.

This peace process will be unprecedented in its complexity. After the opening session, Israel will face off with her neighbors in direct bilateral talks. These separate tracks will proceed simultaneously and will be fraught with many difficulties. It will be hard to measure progress in the sound bites that the news media like to use in measuring progress.

But we should not lose sight of the goal—and it is a real and genuine peace for the region. And I hope that there will be peace treaties, although the invitations to the conference did not state that this was such a goal.

And we must appreciate the anxiety with which the little country of Israel enters the process. Israel will sit down with nations and with people who have sworn to drive Israel into the sea, to wipe this tiny nation out of existence.

Israel is still besieged, for just this week we have read where several soldiers died as a result of an attack in Lebanon. And earlier this year, Palestinians, led by the PLO, cheered Saddam Hussein, even as Israel was under Scud attacks. So let us understand and remember there is no place of the PLO in this peace process because it is a terrorist group which has killed many Americans, as well as Israelis, in its quest to overrun and eliminate Israel.

But the peace conference, and, in particular, the direct dialogs will be a historic moment, one that will be impossible to undo. Mr. President, I wish the parties every success and hope that we can look to what the prophet Isaiah had to say when he said "Nations shall not lift up sword against nation, neither shall they learn war anymore." This is my profound hope for the peoples of the Middle East.

The ACTING PRESIDENT pro tempore. The Senator's time has expired.

Mr. GRASSLEY. Mr. President, if appropriate I would like to have additional time of 5 minutes on another subject; is that possible?

The ACTING PRESIDENT pro tempore. The Chair will remind the Senator there is another Senator waiting under morning business.

Mr. GRASSLEY. I am sorry.

I will yield the floor.

Mr. SMITH. Thank you, Mr. President.

The ACTING PRESIDENT pro tempore. The chair recognizes the Senator from New Hampshire [Mr. SMITH].

#### CONCERNING THE STRATEGIC DEFENSE INITIATIVE

Mr. SMITH. Mr. President, in yesterday's Washington Post op-ed piece, entitled "SDI—We Don't Need It," Jeremy Stone and John Pike of the Federation of American Scientists illustrate just how out of touch the liberal arms control community is from reality and mainstream America on the issue of ballistic missile defense. As a member of the Armed Services Committee, I find their impassioned plea against SDI dangerous in its naivete and delusion.

Predictably, the article expounds the same erroneous partisan logic which SDI opponents have voiced for years. However, in a thinly veiled attempt to update their argument, the authors praise recent "major cutbacks" in Soviet nuclear forces and warn against the provocative deployment of a United States ABM system. Further, Mr. Stone and Mr. Pike completely discount the growing threat posed by Third World proliferation, and instead recommend relegating our national defense to the efficacy of arms control agreements such as the ABM Treaty, the Missile Technology Control Regime, and the Nuclear Nonproliferation Treaty.

Mr. President, with all do respect to the authors, I must say that this article reflects a fundamental ignorance concerning Soviet strategic modernization, Third World proliferation, and national security policymaking. Unfortunately, this type of disinformation, whether intentional or simply misguided, continues to curry favor with our liberal news media and enjoy wide distribution.

But let us set the record straight. Clearly, United States-Soviet relations are improving, and the recently announced joint nuclear reductions are encouraging. For the first time in 45 years, Soviet intentions appear to be turning away from militarism toward economic and political reform. One cannot help but feel a sense of relief and cautious optimism.

Yet, as Secretary Cheney and General Powell have repeatedly stated, we must tailor our military forces toward the capabilities of potential adversaries, not just perceived intentions. And although the independent republics of the former Soviet Union appear committed to reducing the quantity of nuclear weapons, they certainly are not compromising quality. In fact, the Soviets are actively modernizing and testing advanced variants of their missile inventory which combine enhanced accuracy and yield to compensate for numerical reductions. Now, mindful of these developments, and the fact that the Soviet Union already has deployed a robust ABM system around Moscow, can the authors actually be serious in asserting that a United States ABM deployment should be opposed on the basis that it would be provocative to use their language?

Moreover, while Mr. Stone and Mr. Pike are quick to downplay the significance of President Gorbachev's promise to consider American proposals on SDI, they disregard other recent statements by Soviet military officials which provide compelling proof of an evolving Soviet attitude toward missile defenses. For instance, just 2 weeks ago, Soviet Maj. Gen. Viktor Samoilov, a department chief for the Russian Republic's State Committee on Defense, stated:

I think that this U.S. ABM project is realistic. This is a practical proposal. It's not just a political theoretical one.

Additionally, when asked to comment on the threat of third world proliferation, Samoilov said:

This is a very serious source of threat \*\*\* therefore, an integration of joint efforts toward an ABM agreement is both full or promise and full of interest to us.

These are bold, unambiguous statements which can lead to but one interpretation: The Soviets recognize the value of missile defenses and are prepared to negotiate. Furthermore, the Soviets recognize that in a rapidly evolving world security environment,

mutual assured destruction cannot be relied upon to deter aggression. The knowledge that the United States could obliterate the nation of Iraq failed to deter Saddam Hussein. It will not prevent future incursions. Without defenses, all nations will be hostage to Third World missile threats, all nations.

Ironically, the article suggests that many Americans may be startled to learn that the initial single site ABM system advocated by the Senate would have the extreme east and west coasts vulnerable to missile attack. In all fairness, the authors are correct that Americans may be surprised, but for an entirely different reason. The real truth is that a majority of Americans believe that the United States already has a system deployed to defend against nuclear missile attack. In fact, a 1987 poll by Penn & Schoen Associates found that 74 percent of the public support deployment of an SDI system, and 64 percent believe that some type of strategic defense system is already in place.

Well Mr. President, the fact is, the United States has no system deployed to defend America against ballistic missiles. I repeat, we have no defense against strategic ballistic missiles. The only ABM system in our inventory is the Patriot missile, which is a point-defense weapon designed to protect very small areas against short range missiles in terminal phase. Thus, although America overwhelmingly supports, and actually believes we have deployed missile defenses, in reality we are completely vulnerable to missile threats.

Mr. President, the simple truth is that the anti-SDI arms control community is swimming hopelessly against the tide of mainstream America. In Desert Storm, America saw 28 of its sons and daughters killed by ballistic missile attack. This is not some hypothetical, exaggerated menace. It is a very real and serious threat. And it is growing. Indeed, I ask my colleagues, do you think the parents of those 28 brave men and women consider ballistic missiles to be a hypothetical, improbable threat? I think not. Frankly, I resent, and I believe the American people resent, the liberal arms control community's ongoing crusade to sustain the ABM Treaty at the expense of our national security and the lives of our citizens. It is not a bi-polar world; the Third World did not sign the ABM Treaty.

In adopting the Missile Defense Act of 1991, the Senate took the historic and long overdue step forward of endorsing missile defenses. Recent Soviet initiatives merely reinforce the vision and merit of the Senate proposal. And contrary to the irrational, misguided arguments of antidefense pundits such as Mr. Stone and Mr. Pike, now is the time to move forward to develop and deploy ballistic missile defenses.

I yield the floor.

The PRESIDING OFFICER (Mr. SIMON). The Senator's time has expired.

Mr. GRASSLEY addressed the Chair. The PRESIDING OFFICER. The Senator from Iowa is recognized.

Mr. GRASSLEY. I thank the Chair. (The remarks of Mr. GRASSLEY pertaining to the introduction of S. 1860 are located in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

Mr. DOLE addressed the Chair. The PRESIDING OFFICER. The Republican leader is recognized.

#### THANKS TO SENATE TELEPHONE OPERATORS

Mr. DOLE. Mr. President, although it is a bit belated, I want to take a minute to thank the unsung heroes of the Thomas nomination—the Senate telephone operators.

As we know, during Columbus Day weekend, millions of Americans called their Senator to register their opinions on the Judiciary Committee hearings.

The Senate usually receives 375,000 calls on an average business day. There were 600,000 calls on the Friday the hearings began. There were 476,000 on Saturday and 331,000 on Sunday. Over 1 million calls on Columbus Day. And over 1 million calls on Tuesday, the day of the confirmation vote.

Because of the unprecedented volume of calls, some could not get through. The fact that so many did was due to the patience and skill of the switchboard operators.

On behalf of all of us in the body, I am pleased to extend our thanks and gratitude to the operators for their hard work and dedication to ensuring that the people's voice would be heard.

#### FOREIGN TOURISTS FLOCKING TO KANSAS: THEY COME TO SEE THE STORY OF AMERICA

Mr. DOLE. Mr. President, I want to bring to the Senate's attention a front-page article that appeared in Sunday's New York Times entitled "Tourists From Abroad Discover Mid-America."

Datedlined Dodge City, KS, the October 20 article tells the millions of New York Times readers worldwide something Kansans have known for a long time—that our State is a great place to visit, especially if you want to see frontier history up close and personal, and if you are eager to meet friendly folks wherever you go.

The good news is, foreign visitors are well aware of these great Kansas attractions, and are now flocking to the Sunflower State in record numbers. During the past 5 years, according to the Times, foreign tourism to Kansas has increased by a whopping—and welcome—213 percent.

And these tourists are quite clear about why they are coming to the

heartland: They are coming to Kansas to see and hear the story of America—the opening of the frontier; the sights and sounds of the Old West; and the majestic sweep of waving wheat all the way to the horizon.

It is a powerful story, told by frontier towns named Dodge City and Fort Hays, Nicodemus, and Fort Larned; it is the home of the Pony Express, Boot Hill, and the Santa Fe Trail; and it is the land of natural treasures such as the Cheyenne Bottoms Wildlife Refuge and the Flint Hills.

It is a story that proudly includes President Dwight Eisenhower, aviation pioneer Amelia Earhart, and frontier legends Buffalo Bill Cody, Wyatt Earp, Wild Bill Hickok, and Bat Masterson.

In short, what awaits visitors to Kansas is the real thing, not the frontier world of some artificial theme park, and certainly not the Hollywood Kansas of "The Wizard of Oz."

This past weekend, during a series of town meetings in Kansas, I hosted a distinguished visitor from abroad—Andrei Kolosovsky, the Deputy Foreign Minister of the newly independent Russian Republic. Like many other visitors to our State, Mr. Kolosovsky was on vacation, and we are proud he chose Kansas as one of his destinations.

We in Kansas are eager to tell our story, and the door is always open, not only to travelers from abroad but to folks from the 49 other States as well.

Mr. President, I ask unanimous consent that the aforementioned article from the New York Times be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the New York Times, Oct. 20, 1991]

#### TOURISTS FROM ABROAD DISCOVER MID-AMERICA

(By Edwin McDowell)

DODGE CITY, KS.—Aided by a weak dollar and bargain-basement air fares, visitors from overseas are flocking to the United States in numbers that have set records five years in a row. But what has startled travel experts is that more and more overseas visitors are turning up in states like Kansas and Nebraska, Kentucky and Utah.

Having seen the theme parks and the major cities, these tourists—especially repeat visitors, who last year made up 76 percent of all overseas visitors—are traveling to Indian reservations, staying at dude ranches, hiking through remote national parks and finding their way to places far off the beaten track.

Places like Dodge City, a windswept old frontier outpost that achieved international fame as the setting of "Gunsmoke," the longest-running Western in television history, hold special appeal. With its reconstructions of 1870's buildings where gunslingers like Wyatt Earp and Bat Masterson (and the fictional Marshal Matt Dillon) roamed, Dodge City has attracted almost 20,000 foreign visitors this year.

The Old West flavor is one of the main reasons Kansas leads all other states in the rate of growth in overseas tourism—up 213 per-

cent last year from 1985—as against a national average of 60 percent in the same period.

"Can there be anybody around the world who doesn't know of Dodge City from television and the movies?" asked Bernie Ashfield of Adelaide, Australia, who traveled here from New York on a cross-country tour bus.

Ian Hay of Timaru, New Zealand, a fellow passenger added: "It's a very historic spot. Dodge City is just about as well-known down there as New York."

These days, almost no tourist attraction seems too remote for overseas visitors. Some of the recent interest in Iowa, for instance, stems from its legalization of gambling on Mississippi river boats, starting last spring.

But in Dyersville, Iowa, where a baseball field was created for the Kevin Costner movie "Field of Dreams," Jackie Ellingson of the Chamber of Commerce said, "Lots of Japanese tourists have flocked here to see the 'Field of Dreams.'"

Thousands of foreigners—inspired by reruns of the 1960's television adventure series "Route 66," about two friends who traveled the highway in a corvette, have been turning up in cities and towns along what is left of the 2,448-mile highway that linked Chicago and Los Angeles.

"Japanese, Germans, Norwegians, Swedes, Italians—the list just goes on and on," said Angel Delgadillo, a barber for 41 years in Seligman, Ariz., which sits along a 160-mile uninterrupted stretch of the famed highway. "The number of tour buses that get off Interstate 40 to come to Seligman is awesome. They say they're looking for America."

Overseas visitors are even showing up at the Tulsa home of Michael Wallis, the author of "Route 66: The Mother Road" (St. Martin's Press, 1990), a nostalgic look at the highway, wanting to know more about the highway that has gripped their imagination.

"I don't know how they know where I live," Mr. Wallis said, "but almost every week foreigners show up at the door—British, Germans, Japanese and French. Ten days ago a young couple from London, both of them in banking, showed up on their way from Chicago to L.A."

Although states like California and New York are still far ahead in absolute numbers of overseas visitors, smaller states are using aggressive promotional campaigns to make big gains. "Until about three and a half years ago we didn't even think of our state as being a potential destination for foreign tourists," said David K. Reynolds, administrator of Iowa's Division of Tourism. "But we've had a 175 percent increase in foreign visitors from 1988 to 1990. And a few weeks ago we had seven tour operators from Brazil and Argentina."

#### BEHIND BIG PERCENTAGE

The main reason for such high percentage growth, of course, is that most of those states had few overseas visitors until recent years, and even now lag light-years behind the states with the most overseas visitors. Kansas, for example, had only 119,000 overseas visitors last year and Utah only 267,000, compared with California's 4.8 million and New York's 4.5 million.

But the numbers are certain to change significantly, experts say, as foreigners continue to seek new experiences and as most states—realizing the economic impact of foreign tourism—pour more money and effort into promoting themselves individually or through the many regional tourism associations that have cropped up.

For much is at stake: 38.8 million foreigners, including almost 17.3 million Canadians

and 6.8 million Mexicans, spent \$52.8 billion in the United States last year, including fares on American airlines, according to preliminary figures of the United States Travel and Tourism Administration, a unit of the Commerce Department. Of the foreign visitors, 14.8 million came from overseas and accounted for the biggest percentage growth of foreign visitors to mid-America.

All of the foreign visitors spent \$5.2 billion more in the United States than did the 43.6 million Americans who traveled overseas last year.

One city that has done particularly well is Cody, Wyo., which had almost 20,000 visitors this summer from Taiwan alone. Cody, a city of about 7,500, is a gateway to Yellowstone National Park, and it has dude ranches, a rodeo every night from June through August and has museums devoted to Buffalo Bill, the Plains Indians, Western art and Winchester firearms.

But more than that, it has reached overseas to sell its attractions. About five years ago a small delegation from Cody flew to Taipei, to meet with travel operators. "We convinced them there was lots to do here," said Judith Blair, the marketing director of two hotels in Cody. Altogether, she said, Taiwanese, Britishers, Germans and other foreign tourists account for about 400 of the 1,200 tour buses that stay at the Blair Hotels.

Other regions have gained, too. Stan Fisher, the president of Allied Tours in New York, said his company has handled about 150,000 tourists from Europe this year, 10 times that of a decade ago, and his most popular tours include trips to New England to see the fall foliage. "We have so many people wanting to go to New England this month," Mr. Fisher said, "that we don't have room for them."

Similarly, Jerry DiPietro, the president of Tourco Inc. in Hyannis, Mass., said that the tour most popular with his 5,000 European clients is 14-days in New England.

The most passionate overseas visitors, by most accounts, are those who are enamored of cowboys and Indians. "The Japanese and Germans who come here are absolutely bowled over by the Wild West," said Todd Kirshenbaum, deputy director of the Nebraska Tourism Office. "Anything with rodeo, cowboys and ranches, they just go nuts over."

That opinion was seconded by Greg Gilstrap, the director of travel and tourism for Kansas. "There's strong interest in cowboys, Indians and the Old West," he said, "and Kansas is lucky enough to have a lot of the things that foreign visitors are looking for."

#### SKIING ATTRACTS JAPANESE

Last year, 3.1 million Japanese visited the United States, the most from any country overseas, with 2.2 million coming from Britain and 1.2 million from Germany. While most Japanese continue to travel in groups, many are now striking out on their own.

"We're doing a lot of ski business with Japanese tourists, and many want to stay with American families," said Nanette Groves Anderson of Western Leisure Inc., a tour operator in Salt Lake City.

Mitsuko Kennair of Hotard Coaches in New Orleans, said her Japanese clients are taking Mississippi cruises, visiting plantations, journeying to see alligators and even flying from Tokyo just to attend the jazz festival held each spring. "Almost all of them are repeat tourists, looking for different destinations," she said.

Jan Arai, co-owner of J.D. Cook tour company in Seattle, said many of her repeat Jap-

anese clients are striking out on their own or with family members. "A lot are trying to test their mettle by renting R.V.'s," she said.

Arizona alone earned \$56 million last year from Japanese tourists, many of whom came to visit the Grand Canyon, but others stayed at dude ranches or visited its many Indian reservations.

It will be a long time before most foreign visitors feel at home in the American heartland, according to John Sem, who heads the Tourism Center at the University of Minnesota. "There are language problems, and this culture tends to be insensitive about the needs of other cultures," he said. "And where do you exchange money in rural communities?"

But officials in both the private and public sector agree that tourism to the interior will continue experiencing record growth, now that the ice has been broken and now that cities and states are belatedly aware of its economic importance.

#### CHARTING A NEW COURSE TOWARD ECONOMIC GROWTH

Mr. LIEBERMAN. Mr. President, there has been a lot of discussion on Capitol Hill this week and from the White House about the recession and tax relief. I must say that, as a Senator from Connecticut where the recession is deep and has been long lasting, I truly welcome this discussion. It is long overdue. I am happy that the White House has begun to wake up to the fact of the credit crunch, which is stifling credit for business in much of America. I am also happy that many Members of Congress are talking about tax relief, middle-income tax relief.

A couple of weeks ago, I announced my own version of a working family tax relief program in Connecticut.

I am pleased to join today with Senator BENTSEN in cosponsoring the initiative that he announced over the weekend in an act of genuine leadership that breaks the logjam that existed and really offers some hope to the American people and the American economy for relief.

But I am concerned that, as we go forward, each in our own way, we do not cling to partisan blinders of the past. I am concerned that we Democrats, for instance, not embrace tax relief without also embracing tax incentives for business, which I think are essential for both short- and long-term economic growth. I am concerned that our friends in the Republican Party embrace tax incentives for business without tax relief for the middle class and without recognizing that Government can and must play a positive role in helping businesses grow, invest, save, research, develop, and export, all of which will create jobs for America.

Mr. President, this recession is just too serious. As we speak 8.5 million people have been put out of work by this recession. And the need for long-term economic growth is just too great to allow partisan debate to stand in the way of what people need to achieve

prosperity once again in this country. Neither party can allow ideology to stand in the way of what will work to help businesses grow and help our economy expand.

So, Mr. President, I hope that my fellow Democrats will drop their opposition to some form of capital gains tax relief. I think we need a capital gains tax cut, at least on new stock issues, in order to stimulate investment in growing businesses, and that is investment that can save and create jobs. The rhetoric about tax cuts for the rich too often has stood in the way of doing what President Kennedy asked us to do in reminding us that a rising tide raises all boats. Mr. President, a capital gains tax cut is one of the ways to raise the tide of the American economy which will save and create jobs for American people.

I hope that my friends in the Republican party will recognize that the invisible hand that so many rely on sometimes also needs a helping hand from Government. Not with big new bureaucracies issuing orders to the private sector, or blindly pumping billions of dollars into new programs. No; Government must act in a new spirit of cooperation with the private sector to make it easier for entrepreneurs to get capital to their enterprises, to help manufacturers invest in new plants, and equipment, to encourage high-tech firms to create new products and bring them to market, and to promote trade to keep America competitive in the emerging global marketplace.

The bottom line is this: Tax relief for American families is fair and, in my opinion, essential to getting us out of the recession we are in today. But it must be accompanied by tax incentives for business, and Government-private sector cooperation to help businesses grow and create jobs. Giving taxpayers a break is important, but helping workers save their jobs is even more important. We cannot ignore either side in this equation. Middle-income tax relief will not mean much to middle-income people who have lost their jobs.

Mr. President, I have introduced my own version of a working family tax relief plan. It would increase the tax exemption for children of working families up until they are 10 years of age, and it would equalize the exemption across income lines. It would also eliminate what I think is one of the great inequities in the tax system today, and that is the tax penalty for single, working heads of households, who now bear an unfair tax burden simply because they are not married.

I also support Senator MOYNIHAN's cut in the social security tax rate, because I believe it will make that tax much less regressive, and will help put money in workers' hands so they can save and spend, which is just what our economy needs. That kind of tax cut

also helps businesses save money, too, which they can use to invest in growth.

Tax relief for the middle class makes sense. Over the past decade or so it is the middle class that has suffered the most from tax increases, even while their purchasing power has remained stagnant or declined. Unless the broad middle-class working families of this country get some relief, they cannot spend and save, and our economy cannot grow its way out of this recession.

The real key to the long-term health of our economy lies in our ability to help businesses get back on their feet and growing again. The facts of economic life speak for themselves. The cost of capital in the United States is twice as high as in Japan, so it is no surprise that the Japanese are outstripping us 5 to 1 in their investments in new equities.

Venture capital investment in the United States, which is so critical to new job creation, is at the lowest point in a decade. The amount of money available for loans is shrinking, as every businessman, particularly small business people, in this country know. And spending on research and development has gone up at the slowest rate since 1976.

My ideas for economic growth are contained in several bills I have introduced, including the Economic Growth Act, which I first put in last year, and reintroduced last April. In it, and in other legislation I have sponsored, I propose:

A targeted cut in the capital gains tax, with an emphasis on new issues from companies of any size, and with benefits for investments that are held for longer periods of time;

Enactment of an investment tax credit;

Permanent extension of the research and development tax credit, with a new focus on the development side of the coin, to help bring new products to the market;

Creation of business IRA's, to be used for investments in new plant and equipment;

Reinstatement of a comprehensive IRA for individuals, to promote savings;

Creation of an expanded version of the Defense Advanced Research Products Agency to support the development of cutting-edge civilian technology and to help defense-related manufacturers diversify into commercial markets;

Enactment of trade initiatives, including increases in direct loans and tied aid through the U.S. Export Import Bank, establishment of a capital-projects bureau at the Agency for International Development, and more tenacious representation of the interests of U.S. exporters by the Federal Government in international negotiations;

Establishment of enterprise zones, to target tax incentives for businesses

that locate and expand in economically depressed regions of our economy;

Passage of credit crunch relief legislation, designed to help increase the flow of capital to banks in order to make loans to small businesses more possible.

In addition to all these measures, we also need to pass a responsible energy bill that is aimed at reducing our dependence on oil, and increasing our development of renewable, alternative sources of energy, decreasing our vulnerability toward price fluctuations in the price of oil, and increasing the energy efficiency of our buildings, homes, and motor vehicles.

Finally, we need to pay much more attention to our system of education, and devise ways to help students prepare for real jobs in the real world. Toward that end, I support legislation that encourages businesses to get directly involved with schools in order to provide better vocational training, and enhanced science and mathematics education.

Taken together, I believe this combination of tax relief, tax incentives, and a new era of Government-private sector cooperation can help get our economy moving again, get businesses investing and inventing again, get people working again, and get families saving and spending again. I hope that all of us—Democrats and Republicans alike—will recognize the dire economic straits the people of this country are in, and will set aside partisanship to join in a nonpartisan effort to end this recession and put Americans back to work, and back on the road to long-term economic growth and prosperity.

I yield the floor and 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. WIRTH. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

The Chair reminds the Senator from Colorado the time for morning business has expired.

Mr. WIRTH. Mr. President, I ask unanimous consent to speak for 10 minutes in morning business. And I ask unanimous consent the time that I may use be charged against the cloture motion.

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

#### THE LATE SENATOR JOHN HEINZ

Mr. WIRTH. Mr. President, today is the birthday of our late friend and colleague Senator John Heinz. In the months since his tragic death—under the mountainous weight of feelings of loss—I have discovered anew an appreciation for his life and for his legacy.

Throughout his life, John Heinz was blessed with great fortune. Because of his life, this institution, his beloved State of Pennsylvania, the elderly, all Americans were blessed with great fortune.

John Heinz cared enormously, and he cared for others.

This man of great wealth and opportunity could easily have focused on caring for his own needs. He could have sought simply to devote his attentions to the private sector, to personal gain. But he cared about making the public sector work. He could have worked in Congress only to get reelected. But he cared about doing what was right for policy—not politics. He could have devoted his career to protecting only the interests of Pennsylvania. But he cared about the entire Nation. In these days of cynicism about the selfishness of political life and political institutions, let us remember one who devoted himself to caring for others.

Let me just enumerate two or three areas, if I might, Mr. President.

#### CARING FOR SENIOR CITIZENS

First, senior citizens had no better friend than John Heinz. He was ceaseless in his pursuit of the rights of seniors. After 10 years of work, he was successful in ensuring the long-term viability of the Social Security Trust Fund. The Heinz-Hollings amendment to the 1990 Budget Reconciliation Act removed the trust fund from the Gramm-Rudman-Hollings deficit reduction calculations.

Also, during that decade of work, John Heinz was instrumental in pushing for Medicare and Medicaid reforms to protect patients and programs alike. He expanded coverage to include payments for prescription drugs. He developed programs to allow seniors to receive treatment in their homes and to avoid unwelcome institutional assignments. He made permanent the hospice benefit under Social Security. He fought to protect seniors from dramatic increases in the deductible for inpatient hospital services under Social Security.

He cared about seniors rights in the area of employment—authoring the Age Discrimination and Employment Amendments of 1985. He fought to ensure that retirees received the retirement benefits they earned and deserved.

#### CARING FOR WORKERS AND TRADE

John Heinz also respected the rights of working men and women in his constant search for opportunities to improve our competitive position.

He helped craft every legislative effort on trade. He was instrumental in developing the Export Administration Act and every substantive redraft of that law.

He was one of the first and most persistent proponents of increased trade in Central and Eastern Europe. He authored and passed a bill to nurture the

domestic subcontractor base by encouraging prime defense contractors to use domestic parts. He helped facilitate increased lending by the Eximbank to expand U.S. trade opportunities.

Throughout his career he was a champion of Americans with disabilities, fighting for work incentives and for the availability of benefits for disabled children.

He fought against dumping practices and tariffs that unfairly disadvantaged domestic workers and industry.

He authored a bill to strengthen the U.S. job training program for displaced veterans in the work force.

Earlier, this year, he was distraught over the prospect of military families being separated from their children and he worked to ensure that children were cared for and not needlessly separated from their parents.

#### CARING FOR THE ENVIRONMENT

Jack Heinz was a tremendous defender of the environment—in his home State and around the globe. Two and one-half years ago, John and I, along with the distinguished occupant of the Chair, led a congressional delegation to the rain forests of South America to see firsthand the damage wrought by deforestation in the tropics. He came back with a deep commitment to address this issue and he did.

We worked together to halt the dreadful plan to build a road from the Amazon to the Pacific Ocean—discovered in a session which we had with Senator GORE and others, in Acre, in western Brazil—a plan that could have devastated hundreds of square miles, if not more, of rain forest—destroying the Brazilian rain forests and spreading over the mountains into Peru. This enormous road was described by one member of the delegation as an enormous straw sucking out the innards of the Amazon Basin, destroying the great rain forests of Brazil. That project got stopped.

In Pennsylvania, he worked to clean up the Butler mine tunnel where huge quantities of used oil were dumped. In Paoli, he trudged through the local railway—heavily polluted by PCB's—in a moonsuit.

One of his most important works was the development of Project 88, a public policy study examining ways to harness market forces in protection of the environment. We followed up that effort with a second report earlier this fall focusing on implementing the ideas fleshed out in 1988. Market-based environmental strategies are now part of the common lexicon of policymakers. We did not invent these ideas, but we were tremendously proud of our efforts to consolidate and make relevant and prevalent their power.

These efforts were absolutely vital for passage of the Clean Air Act—breaking the logjam on acid rain with a program of tradable credits for controlling emissions.

Also in the energy arena, John Heinz was past chairman of the Alliance to Save Energy, the Nation's premier non-profit energy efficiency organization, which I now chair. On the Banking Committee, we authored an amendment to include energy efficiency programs in the effort to make housing more affordable.

#### CARING FOR GOVERNMENT

More than anything else, John Heinz believed in the power and promise of good government. Where others were cynical, he was creative. Where others gave up, he persisted. He persisted in his fight to bolster trade, to protect the environment and to shield senior citizens. He simply believed that there was a proper role for government, and he demanded that it be efficient, effective, and compassionate.

On the Banking Committee, Senator Heinz and I worked to step up the Federal Government's efforts to investigate and prosecute fraud and other criminal activities that were and remain part of the S&L crisis. We wrote a comprehensive S&L reform package to give Federal investigators and prosecutors the tools they need to pursue these crimes.

He believed government should look after children, particularly children of the poor. He authored legislation to provide Medicaid benefits to poor children. He created a government endowment to produce educational children's television programming and wrote a bill to establish special nutrition projects at food banks. He wrote the Excellence in Education Act and fought to eliminate discrimination with regard to coverage for treatment of mental illness under Medicare. He believed government should protect the sick, so he wrote legislation to help victims of black lung and agent orange exposure.

#### A LEGACY OF CARING

I have highlighted only a small part of the extraordinary legacy of Senator John Heinz. It is a legacy of caring, for his State, for the elderly, for the environment, for workers, for the disabled, the poor, the disadvantaged.

He was a most respected colleague and friend. Most of all he was beloved by this Senate, by Pennsylvania, by the American people. Words are dreadfully inadequate to express the depth of care and comprehension he conveyed to his constituents, Congress and public policy. On his birthday, we remember how blessed and enriched we are by his life, how diminished we are by his death.

Mr. President, in order to do greater justice to his legacy than I am able, I ask unanimous consent to have printed in the RECORD a collection of articles written about and by John Heinz.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Washington Post, Feb. 19, 1991]

#### PARENTHOOD AND POLICY

JOHN HEINZ: ACCOMMODATIONS MUST BE MADE

What is to be made of the Pentagon's hard-heartedness toward the children of married couples and single parents within its own ranks?

The stories so far have focused mainly on women. Two reservists in my state, for example, both of whose husbands are already serving in the Persian Gulf, recently received call-up notices just hours before giving birth. They are patriotic women, but they are also, now, parents who want to care for their babies. But as a matter of policy, the military has judged these children's need for a parent to be secondary to its own need for the parents' services.

This is simply the most dramatic example of another emerging symbol of the Gulf war; mothers being torn from their young children. But this is not a "women's" or "mothers'" issue; it is a children's issue. We may countenance the parents' pain, because they volunteered for the military, with all that that implies. But their children did not volunteer, and it's their plight we must address.

If not, there is even worse symbolism ahead: American children being orphaned by an outmoded Pentagon personnel policy; an Uncle Sam already talking about how to rebuild Iraq, but whose heart turns to stone when confronted with the pain of American kids.

It is an avoidable trauma. The Pentagon already allows one parent to leave a war zone if the other has been killed in action. Against an opponent armed with biological and chemical weapons and the clear will to use them, however, waiting until one parent is dead may be too late.

That's why I have proposed that the Pentagon simply update its policy to recognize the new realities of the battlefield by allowing one parent or a single parent with sole custody of his or her child to seek reassignment somewhere other than in the war zone.

The Pentagon has objected to this suggestion on several counts: that volunteers accepted their obligations willingly; that my proposal treats parents as "second-class citizens"; and that it will seriously hamper Operation Desert Storm. Let's consider these arguments in reverse order:

Impact on Desert Storm: According to the latest figures supplied by the Pentagon, 65,982 single parents and 70,456 married couples—46,688 with children—now serve in the U.S. Armed Forces. Some 1,000 of those married couples may be in the Gulf, about half of \* \* \* respond to my inquiry as to how many single parents with sole custody of their children are in the Gulf.

The best estimate is that my legislation would apply to fewer than 2,000 people, or less than one-half of one percent of our forces in the Gulf. Some of these may not opt out of the war zone; others may be kept in place if removing them would truly represent a hazard to their units. But the bottom line is that this represents at worst a minor personnel shuffle.

Impact on Career Military Personnel: The contention that my bill will create a "mommy and daddy track" for members of the career military is specious. The right to opt out of the war zone would be optional, not obligatory, like the prohibition on women serving in combat positions.

If the military is implying that it would derail someone's career for taking advantage of that right (one wonders if it would do the same to a soldier exercising the existing right to leave a war zone after the death of

a spouse), then isn't it more civilized at least to offer parents the choice?

Most of the soldier-parents caught in this predicament are not careerists. In fact, most of the people who have contacted my office are just the opposite: they had opted to devote time to their children and were on their way out of the military when they were called up.

Implications of Volunteerism: As I have noted, it is not the parents we should help, but their children. But it is also questionable whether an 18-year-old tantalized by offers of tuition money has any inkling of what he or she is giving up in "volunteering" to leave children yet to be born behind.

Our righteous insistence that "a deal is a deal" is disturbingly reminiscent of the story of Rumpelstiltskin, the dwarf in German folklore who exacts a terrible price for helping a desperate young woman—her first-born child.

Rumpelstiltskin's fate (he tears himself apart) offers a singular warning to a military that must worry about how its behavior in this war will affect its ability to recruit for the next. If the Pentagon remains inflexible on this point, not just single parents and married couples, but all variety of individuals horrified by tales of "Gulf orphans" will shy away from military service.

#### RSVP—PLEASE!

(By U.S. Senator John Heinz)

(The following article was prepared and received from John Heinz, the Senior Senator from Pennsylvania and the Ranking Republican on the U.S. Senate Special Committee on Aging.)

Our society measures wealth in many ways, including salary, savings, stocks and bonds, houses, and automobiles. Senior citizens control another form of wealth: their life-earned experiences and knowledge. When applied through programs like the Retired Senior Volunteer Program (RSVP), their wealth is invested in society with bonus interest rates for all concerned.

RSVP has some impressive figures. Nationally, over 400,000 RSVP volunteers generate approximately 73 million volunteer hours on over 750 projects. In Pennsylvania alone, there are 30 projects, with some 16,200 volunteers giving 1.3 million volunteer hours per year. RSVP programs in such areas as youth counseling, literacy, in-home care, "latch key" children, consumer education, crime prevention, and housing rehabilitation are showing every day that senior volunteers can make a difference. These aren't projects created and managed by some far-off federal bureaucrat; these are projects designed, operated, and controlled on the local level, targeted directly to the needs of the community.

No other group in our country has as much to offer as senior volunteers. Raised in an age when community meant something special, when it was expected that people should try to make the world better—not just make a buck—they've been through the hard times, and know what it means to go without. They can empathize with those less well-off. They have years of practical experience at making things work, and are eager to share their valuable expertise.

Volunteerism is firmly rooted in the very origins of our democracy, and volunteerism has never been needed more than it is today. America is beset by a number of deep and troubling problems. Too many of our children grow up in families totally unlike the nuclear families most older Americans enjoyed. Many go to schools that fail to teach

them adequately how to survive in this complicated world, much less get ahead. Drug abuse tears at the fabric of our society, both in terms of crime and wasted lives. Too many seniors with disabilities suffer because they have no families to care for them and cannot afford to obtain care by themselves.

Paradoxically, our nation has never needed to do more to protect and serve its citizens, yet government has never been less able to deliver. The sad truth is that our huge federal budget deficit crimps efforts to solve problems from a federal level, and state and local governments are also having a hard time providing help due to their own budget pressures. Those who look to the government to develop vast new social support programs have little certainty of the result. Into this breach between our nation's needs and our governments' ability to provide must step volunteers.

RSVP is an excellent example of a public-private cooperation that works for the good of society. From a modest federal grant, RSVP generates additional dollars from state and local governments, and from private corporations and non-profit agencies. Most importantly, it obtains the services of irreplaceable senior volunteers. Their time, talents, and efforts give back more than money could purchase. Senior volunteers demonstrate the same unselfishness that they showed in building much of what our children take for granted.

If you are not already an RSVP volunteer, I strongly urge you to become one. If you already are, I salute you and hope you'll encourage your friends to become RSVP volunteers as well.

#### OVERHAULING MEDICARE

(By U.S. Senator John Heinz)

Once heralded as the archangel of health-policy reform, Medicare today has fallen in both public perception and actual protections to a much less lofty status. Indeed, 25 years after Medicare's enactment, the problems this program was designed to correct have in many ways intensified.

Medicare, which covers more than 95 percent of people over age 65, does not effectively meet the health-care needs of older Americans. For example, coverage has not kept pace with rising expenditures, resulting in dramatic increases in out-of-pocket spending for our elderly population—exactly what Medicare was intended to eliminate. The average annual expenditure for Medicare beneficiaries in 1970 was \$331; today, the average is more than \$3,000. What was intended as a safety net has become a complicated and cumbersome program for both seniors and their families.

Major shortcomings of the Medicare program were exposed when Congress rolled back the rug on the Medicare Catastrophic Coverage Act (MCCA). That legislation prompted one of the most heated battles over health-insurance benefits for the elderly that Congress has seen since passage of the original Medicare legislation.

This article examines the implications of the MCCA experience for future health policy under Medicare, describes how I believe we should change the program to better meet the needs of beneficiaries, and notes how such changes might affect hospitals and other providers.

In passing the catastrophic coverage act, Congress sought to protect older Americans against financial ruin in the form of out-of-pocket expenses for extended acute medical care. President Reagan identified the goal of this legislation as the removal of "a finan-

cial specter facing our older Americans: the fear of an illness so expensive that it can result in having to make an intolerable choice between bankruptcy and death. . . ."

But President Reagan also identified the Achilles heel of the proposal: "This new program will be paid for by those who are covered by its services. . . . So, we must control the costs of the new benefits [respite care and prescription drugs], or we'll harm the very people we're trying to help."

As it turned out, the president was correct. So severely did the government's number gurus underestimate MCCA costs that reestimates became a weekly—even daily—occurrence in the months following enactment. The postpartum revisions of the needed financial outlays pitted senior against senior and the Congress against its collective constituents. A frequently heard objection from beneficiaries was that the benefits duplicated existing coverage and did little to address the real need—coverage for long-term nursing-home expenses. Further fueling the revolt was what must be viewed as flagrant campaigns of misinformation by some organizations and insurers whose goals were either to raise more money for themselves or to increase their "Medigap" sales.<sup>1</sup>

So with the spring thaws of 1989 came a literal flood of mail, each letter or petition urging Congress to undo what it had done the previous fall. In December 1989, just 18 months after its passage, Congress did repeal the single most significant addition to the Medicare program since its inception. Ironically, the retirees who favored repeal must now stand by and watch costs raise their Medigap policies—rise to a much higher amount than they would have paid under MCCA, and for substantially less coverage. Many among those who advocated the repeal of MCCA now realize they made the wrong decision, in large measure because they had neither the best nor the most accurate information.

The postscript to the Medicare catastrophic law leaves Congress with the difficult decision of how best to proceed in the wake of repeal. Among the critical questions with which we must grapple are: Is passage of another Medicare bill possible if it does not include some kind of assistance for nursing-home costs? What kind of benefit expansions should be pursued? Should incremental changes be pursued or should the Medicare program undertake comprehensive reform?

Overhaul vs. caution. The Medicare program today simply does not meet the changing health and social needs of our aging population, with more than 32 million persons age 65 and over. In fact, the program can never keep pace if it continues to focus strictly on acute-care benefits. Medicare must be designed to rehabilitate—not to be a program that only promotes prevention or wellness.

Today, seniors and children of elderly parents are confronted with health-care problems that require nontraditional solutions, including homemaker services, adult foster and day care, and respite-care services for caregivers. Although minor changes have occurred within the Medicare program, they have not gone far enough to address these special requirements.

A particularly striking example of the blind spots in current Medicare coverage pertains to Alzheimer's disease. It is the fourth leading cause of death for older Americans.

<sup>1</sup>Hearings of the U.S. Senate Special Committee on Aging, Jan. 8, 1990, Harrisburg, Pa., chaired by Sen. John Heinz, R-Pa.

One tenth of persons over age 65 may be afflicted with Alzheimer's, while 47 percent of persons over age 85 have the disease. Families caring for the Alzheimer's patient at home find no relief in Medicare. For example, by limiting home health benefits to individuals who are "homebound," Medicare severely limits the number of Alzheimer's patients who can qualify.

A further illustration of Medicare's shortfalls lies in the benefits that were repealed as part of MCCA. Specifically, MCCA included coverage for respite-care services to assist families with the daily burden of care for someone with a debilitating or chronic disease condition. Though the respite-care benefit was triggered only after the beneficiary first met a \$1,740 deductible, it presented a "foot in the door" as a means of helping families continue to care for a spouse or parent without having to resort to institutionalization. Although small in terms of the number of people it would have actually helped, this change, in my opinion, represented one of the most progressive additions to Medicare law since hospice services.

When Congress repealed MCCA, we turned back the clock to a Medicare program severely limited in benefits that assist the aged to remain independent. For Congress now, the challenge is how to structure changes in Medicare necessary to address the evolving requirements of the beneficiary population, while balancing that objective with political and financial realities.

I believe we have reached the point where, although incremental change is certainly more realistic, it is no longer appropriate. It is time to address the fundamental problems contained in Medicare—with respect to both beneficiaries and providers. In this regard, I want to focus on beneficiary changes that I believe are necessary.

Four proposals. First and foremost, we need to add a long-term care component that includes both home- and community-based care as well as "real" nursing-home coverage for persons of all ages. While this represents a significant departure from Medicare's current design, this change is vitally necessary.

It is no secret that the states would be crippled financially if they had to pay the Medicaid tab for both acute and long-term care. I believe that Congress should more equitably balance the costs by giving states the predominant fiscal responsibility for acute-care services of persons under age 65 who, for whatever reason, are without health-insurance coverage. Sole fiscal responsibility for all long-term care for people of all ages would shift to the federal government. This division of fiscal responsibility for acute and long-term care should assist state governments by reducing their fiscal burdens. At the same time, this will eliminate the politicization of the cost of such services. Such a plan ensures a more rational system and one that is easier for all to understand.

Second, in order to reduce what is now an overly complex reimbursement system, Medicare Parts A and B would be collapsed into one comprehensive acute-care program. Too many beneficiaries do not understand the nuances and idiosyncrasies of the current program and, as a result, have become extremely frustrated with Medicare.

Third, in conjunction with folding Parts A and B into one program, I feel strongly that each beneficiary should know the maximum amount he or she might have to spend in total out-of-pocket costs for medical services each year. We need to establish some form of out-of-pocket limit based on income.

Fourth, states cannot afford to pay Medicare premiums for people who are eligible for both Medicare and Medicaid. We should recognize that individuals who are economically deprived and unable to afford medical care should have to make only minimal, if any, contributions to the cost of their care. States should be exempt from having to make payments to the Medicare program for such persons. This would free additional state funds for acute-care services for the uninsured, which should lead to increased and more rational reimbursement for providers.

In sum, we need to redefine the objective of the Medicare program. The basic principle must be that no beneficiary should ever be forced into any kind of institutional setting unless absolutely necessary.

The Medicare program has not changed to reflect the changing needs of older Americans and their children. That change in needs is driven by the changing structure of the American family. In 1965, for example, most families had an adult female who remained at home, a built-in caregiver for aging parents or spouse. Twenty-five years later, this is no longer the case; in most households, both spouses work. There is no longer a full-time, adult family member to take care of an aging parent at home. Because neither Medicare nor most private health insurance reimburses for services such as adult day care or respite care, many families are forced to place an aging parent into an institutional setting.

Such changes in family structure combined with the aging of the population underscore the urgent need for the Medicare program to accommodate the profound changes in our society. Respite care and adult day care, for starters, are both necessary to help families care for an aged parent or spouse. We must be cautious, however, that federal benefits supplement, not replace, care provided by families.

Rational reimbursement. Having said this, it is important to remember that these changes, or any major changes in Medicare, will have some impact on providers. We need, therefore, to ascertain whether a more rational and easier reimbursement system can be developed to coincide with the restructuring of Medicare benefits.

For too long, Congress has been dictating provider reimbursement based solely on budget policy rather than focusing on whether the system is flawed, and if so, how best to fix it. Congress has made attempts to change the system by encouraging alternative forms of health-care delivery, changing Medicare reimbursement and, most recently, by reforming physician payment. Nevertheless, these efforts still represent piecemeal solutions to a program in need of radical overhaul.

We must begin by recognizing that a Medicare overhaul is a political nightmare. First, the hundreds of provider groups, each of which has its own best fix, can never be satisfied. Congress and the various committees of jurisdiction must not only expend the time and energy necessary to craft reform, but risk the heat associated with any reform cuts and costs.

Instead of a reform, however, we experience the incessant tinkering of a Congress determined to use the Gramm-Rudman-Hollings budget process for policy reform. Typically, as part of a spending-reduction package to meet the GRH target, Congress may, for example, recommend delaying payments to providers by anywhere from one day to one week. While this budget gimmickry re-

sults in paper savings, it can, and often does, have an adverse impact on hospitals and physicians forced to adjust to delayed payment.

Bradford Hospital in Bradford, Pa., recently wrote that the current seven-day payment lag for that facility is a \$100,000 cash loss. "With our current operating cash balance at \$23,000," the hospital vice president wrote, "this type of adjustment would require us to incur short-term borrowing costs for working capital, particularly if the adjustment happened in a payroll week. There is no actual dollar savings for the government from such an adjustment. . . ."

This example is only one of many, but it typifies the problems created by Congress' efforts to reduce the deficit and underscores the need for complete overhaul.

The comprehensive reform of the Medicare program that I've outlined emphasizes a thoroughly restructured benefits package that recognizes changes in the structure of the American family. Such an overhaul is necessary in order to assist families, old and young, in caring for their parents or spouses in noninstitutional settings and to banish, so far as possible, the traumatic prospect of costly and unnecessary institutionalization. At the same time, such changes should eliminate some problems hospitals now face and stimulate continued evolution of hospital's roles.

[From the Federation of American Health Systems Review, November-December 1990]

HEALTH CARE FOR CHILDREN: OUR FUTURE—  
OUR DESTINY

(By Senator John Heinz)

The U.S. health care system has been heralded as state-of-the-art. We have the finest equipment, the most advanced medical procedures for saving and sustaining life, superb hospitals, highly trained physicians and other health care professionals. We spend on average about \$2,500 per man, woman and child for health services annually—or more than 11 percent of our Gross National Product. The irony in these boasts is their hollow application when it comes to protecting our children.

Literally millions of children enter life with less than a fair chance at a dream—or grow up with the distinct risk of losing the dream to an accident or an illness. Forty thousand of these children each year never reach their first birthday. These are children whose mothers were likely to have received inadequate prenatal care. Twelve million are children for whom preventive care is unlikely, and necessary care is usually found in a hospital emergency room, not at a physician's office.

These are our children; many lack even minimum health insurance.

The fact is that with all this nation's wealth and medical expertise, we rank only 22nd among industrialized nations in infant mortality, and 29th in the percent of low birth weight babies.

Compared to normal birth weight infants, these low birth weight infants are 40 times more likely to die during their first month of life, are two to three times more likely to suffer from certain chronic conditions and face lifelong health and learning impairments. Our incident of low birth weight babies is, in large part, the cause of our high infant mortality rates.

As a nation that prides itself as leader of the free world, it is a national embarrassment that 20 other nations have a better track record in terms of the number of children who live beyond age five.

Furthermore, a recent national commission declared an "unprecedented adolescent health crisis," finding our adolescent children less healthy and less ready than their parents had been at their age to assume a productive role in society. Without adequate health care, both the education and future health status of our children are severely threatened—a double-edged threat to both our nation's productivity and to our society.

As bad as these figures are, the situation in certain urban areas is even worse. Babies born in Washington, D.C., or Detroit, Michigan, have mortality rates twice that of the already high national rates, for example. When race is factored into the statistics, the picture is bleaker yet. The gap between white and black mortality rates is wider than ever. Black children in many cities have a better chance of surviving their first year of life in some third world countries than in their own neighborhoods.

The truly shocking aspect of these facts is that there are easy solutions.

We need no new technological, treatment or diagnostic breakthroughs to improve our record. We can greatly reduce our infant mortality rate by reducing the incidence of low birth weight babies, through adequate prenatal care and identifying high risk mothers. We can lessen the incidence of childhood diseases by ensuring proper immunizations. We can prevent or cure many conditions through regular access to medical care.

These kinds of steps are easy, and they are undeniably cost-effective. For example, one dollar spent in prenatal care saves three dollars in costs in the first year of life alone.

Certainly, we cannot ignore the existing crisis on the doorstep of ignorance. We have had commission after commission analyze and make recommendations on our children's health, including the final recommendations by the Pepper Commission, of which I am a member. The solutions generally would reap a high cost savings for modest spending, but we have failed to develop them.

In defense of the Congress, some steps have been taken along the right road. Several times in the past years we have sought to improve Medicaid coverage for pregnant women and children by mandate or state options, culminating in last year's mandate that all pregnant women and children up to age six who are in families with incomes under 133 percent of the federal poverty level be eligible for Medicaid coverage. Some states have gone even further, electing to cover pregnant women and infants up to as high as 185 percent of the federal poverty level.

STATES NEED A BREAK

But since states pay about 50 percent of Medicaid costs, each new federal Medicaid mandate forces states to scramble for resources to pay the bill. We have pushed states as far as they can go fiscally, to the point where every dollar requirement for new eligibility expansions triggers deeper cuts elsewhere—from provider reimbursements, from other Medicaid populations or from other state programs. The states' share of the costs of the Medicaid program are consuming record percentages of their total budgets. We face the double bind of skyrocketing national debt and strangled State resources with a growing crisis of need.

Realistically, global reform of our health care system, including reform of our health insurance systems, will not occur soon. We cannot wait for the ultimate solution, however, to implement at least incremental im-

provements. The stakes are too high: We cannot continue to lose or handicap the next generation.

If we cannot accomplish the whole, we should start by at least protecting those most vulnerable of our children. Toward this goal, I introduced S. 2989, the Children's Health Access and Prevention ACT (CHAP). CHAP would broaden Medicaid eligibility as follows:

It would cover pregnant women and children up through age 18 in families with incomes between 100 and 200 percent of poverty.

It would cover children ages six through 18 in families under 100 percent of poverty not currently covered by Medicaid.

All of these expansions would be fully financed by the Federal Government, with no new costs to the states, through an increase in the federal cigarette tax.

This proposal contains an actual financial bonus for the states by having the Federal Government assume some costs that states are now paying—specifically, the full assumption of costs for the population between 100 and 200 percent of poverty. States could use these savings to avoid benefit or eligibility cutbacks, to pay for other recent federal Medicaid mandates (such as OBRA '87 nursing home requirements), or to improve payments to providers, particularly those who treat children.

The increase in the cigarette tax is particularly appropriate for a bill dealing with children's health. The General Accounting Office (GAO) recently estimated that 500,000 fewer teenagers would smoke with a 20-cent-per-pack increase in the cigarette tax. Moreover, maternal smoking has a definite adverse impact on the health of the child; it has been estimated that we could improve infant mortality by 10 percent if we could eliminate maternal smoking.

There are several other proposals being considered by the Senate this session. The three most significant are those offered by Senators Lloyd Bensten (D-Texas), Bill Bradley (D-New Jersey) and Jay Rockefeller (D-West Virginia).

Both Senator Bentsen's and Bradley's bills would mandate coverage of children up to age 19 who are in families with incomes under 100 percent of poverty. This mandate would be phased in over several years, increasing the eligible age a year at a time. Senator Bradley's bill would also mandate coverage for pregnant women and infants up to 185 percent of poverty. Both bills also would allow states more options to broaden eligibility standards for children. Unfortunately, while a phase-in acknowledges the states' fiscal problems, it still ultimately adds to them. Even more importantly, a phase-in puts millions of our nation's poor children on hold.

#### PROTECT THE CHILDREN

Senator Rockefeller's approach recognizes the immediacy of the problem, and covers all children under the poverty level immediately. Moreover, it does so at full federal expense, at least for the first few years. Senator Rockefeller's approach differs from mine in where the money goes. Most of the dollars spent under this proposal go to paying providers more. Every dollar in my approach goes to protecting more children. CHAP covers children up to 200 percent of poverty, not just 100 percent, and would cover more than four million children in the first year alone. This is 2.5 million more children than the 1.6 million who could be covered under Senator Rockefeller's approach.

When the issue is covering more children versus increasing reimbursement, the choice

is clear. Children without Medicaid coverage have very few options about what care they get and where. Children with Medicaid may not have access to as many medical providers as we would all like—but they have access that is simply not available to those without. This is why I believe our first goal should be to cover more children.

Providers have various laws and court decisions (such as the Boren Amendment) on their side to help them force states to pay them adequate rates. The children I seek to cover have none of these protections right now, nor do they have the medical profession's lobbying power behind them. Provider reimbursement is a complicated issue with many powerful forces pulling in different directions. It is not a problem we can easily address and solve or legislate away.

Nevertheless, it needs to be stressed that CHAP not only protects states from new costs but actually delivers tangible and significant monetary savings. The health problems facing our states are more complex than ever: Not only provider reimbursement problems, but AIDS, drugs, the homeless and the uninsured, and new federal requirements for care in nursing homes. Our states face a variety and growing list of problems daily. Each state, however, experiences them to a different degree. We should free up resources in the states to let them attack what they see as their most urgent needs, in the ways they think are best suited to their citizens. Increasing provider reimbursement in one state may be a top priority; in another it may not. What is a universal and major problem is coverage for children, and CHAP addresses that head on, on a national basis, with full federal funding.

Close readers of my legislation will note that CHAP contains a three-year sunset in its funding. My reasoning is that Congress should be forced to re-address this issue as part of, or even as a way to stimulate consideration of, a more comprehensive reform.

CHAP is not the perfect solution. In fact, my preference would be to completely reform Medicaid and not tinker once again with Medicaid eligibility. Such a comprehensive solution would answer the needs of all of the uninsured, particularly all of the poor and near poor. It would be a system that controls quality and costs better while guaranteeing access. It would coordinate health care, nutrition, education and income for children. But such is an ideal that will take time to achieve, and time is a luxury that children without health care can truly ill afford. The National Commission to Prevent Infant Mortality estimated in 1988 that, if current trends continue, by the year 2000 we will have lost more lives to infant mortality than we lost soldiers on the battlefield this century.

We are at war with our future, and it is a war we are losing. Pinching pennies on children today may help win current budget battles, but will cost us dearly later. We already pass along massive debts and obligations that our children, grandchildren and great-grandchildren will have to shoulder. We must not hamper their ability to do so. We must attack the problems now. Our failure to do so will jeopardize the health and lives of millions of our children who represent our future and our destiny.

[From the Pittsburgh Post-Gazette, Apr. 5, 1991]

#### THE SENATOR FROM PITTSBURGH

Asked to identify John Heinz, more than a few residents of Western Pennsylvania would reply: the senator from Pittsburgh.

No such office is mentioned in the U.S. Constitution, of course, but the title fits. Sen. Heinz, who died yesterday at the tragically young age of 52 in a plane crash, had an affinity with this part of the state that transcended his family ties to the H.J. Heinz Co. or the omnipresence of the Heinz name in the educational and cultural life of this city.

From a position of growing influence in the Senate, he assiduously looked out for the interests of this city and the region of which it is the unofficial capital. Often mentioned as a potential national candidate because of his youth, attractiveness and appeal across party lines, his strongest orientation was parochial, in the best sense of the word.

At a time of dislocation in manufacturing, he was an aggressive and attentive advocate for American steelmakers, whether the issue at hand was antidumping legislation or "transition rules" that cushioned the effect of tax reform on the industry.

The Post-Gazette didn't always agree with the senator on what he called "protection" for industry and what others called "protectionism." But there was no doubting his responsiveness to the interests of this region, and not only on trade and economic issues.

That concern for this region helps to explain Sen. Heinz's popularity even among Democrats in the western part of the state. So did his moderate voting record, which reflected a willingness to break from conservative Republican orthodoxy on social issues—though not to the extent of his colleague Arlen Specter.

As a national legislator, Sen. Heinz was ahead of his time in pressing for more federal protection for the ill elderly, a priority that put him at odds with traditional Republican ideas about the need to restrain the welfare state. An important figure in the 1983 congressional "rescue" of Social Security, he rejected—as recently as Wednesday, when he met with Post-Gazette editors—a proposal to reduce the Social Security payroll tax. He worried that it would threaten both the integrity of the Social Security system and public confidence in it.

Finally, John Heinz was a presence in Pittsburgh in ways that had nothing to do with his public office. It wasn't just that he was a member of a family that has played a pervasive, and positive, role in the local economy and culture. After the death of his father, H.J. Heinz II, in 1987, Sen. Heinz assumed the role of chairman of the Howard Heinz Endowment, one of three Heinz family foundations. Before his death the senator had indicated a desire to have the endowment involved in innovative projects of national significance.

John Heinz's future as a philanthropic leader, like his future in politics, was cut shockingly short yesterday. His death is doubly a loss for Pittsburgh.

[From the Lancaster (PA) Intelligencer Journal, Apr. 5, 1991]

SEN. JOHN HEINZ: 1938-1991

HEINZ BUILT HIS RECORD AS A DEFENDER OF THE ELDERLY, STEEL INDUSTRY

(By B. Drummond Ayres, Jr.)

WASHINGTON.—In 20 years on Capitol Hill, five of them in the House and 15 in the Senate representing Pennsylvania, John Heinz built a solid record as a persistent defender of the nation's growing elderly population and its declining steel industry.

A moderate-to-liberal Republican, one of the rarer political species in his party, he was never a major legislative figure in either the House or the Senate. Rather, he was

known for his great personal wealth as heir to the Heinz food company fortune and as one of this country's richest politicians.

Still, the 52-year-old lawmaker left a legislative mark that was discernible and important, with most of the achievement occurring while he was serving in the Senate on two major committees, Finance and Banking, Housing and Urban Affairs.

The Senator was instrumental in pushing through legislation that put the Social Security system on sounder financial footing. He played a major role in strengthening laws regulating retirement policies, pension plans, health insurance and nursing homes. And he pushed successfully for trade laws that encourage American exports and protect American products, like steel, from foreign imports.

Heinz's concentration on trade and the elderly was particularly intense and paid off handsomely for him politically in his home state, which as one of the nation's aging industrial states has an unusually large elderly population and an unusually troubled steel industry.

In six elections, he won every time, beating most opponents by a ratio of roughly 2 to 1, cutting heavily into the Democratic vote on labor and social issues.

While Heinz was an effective legislator on the issues that he concentrated on, he was never a particularly popular legislator on Capitol Hill, never a man his colleagues clapped on the back with fondness or nudged with an elbow while enjoying a good laugh.

Many found him cool, even aloof and patriotic, and some were put off by the stubborn persistence with which he pursued his legislative goals.

Seemingly aware that this perception of him, whether right or wrong, might be a drawback in a setting where collegiality and camaraderie are important tools of the trade, he tried in his early days in the Senate to soften the image a bit, even dropping his full name, Henry John Heinz III, and thereafter passing as John Heinz.

But most colleagues still refused to accept him as plain folks and, in any event, he could not escape the sobriquet with which he had lived all his life—"heir to the H.J. Heinz food company fortune."

As a Heinz scion, the senator did, in fact, die a very wealthy man, the largest individual shareholder in the Pittsburgh-based company, with control of almost 6 percent of its stock, valued at roughly \$350 million.

Otherwise, his involvement in the company founded by his great-grandfather in 1869 was minimal, limited mainly to a brief stint in the later 1960s as a marketing specialist before entering politics.

Born Oct. 23, 1938, in Pittsburgh, John Heinz was the only child of Henry John Heinz II and Joan Diehl Heinz. His parents divorced when he was a child and he divided his early years between his mother's home in San Francisco and his father's house in Fox Chapel Borough, a Pittsburgh suburb where the senator maintained a home at the time of his death.

He attended Phillips Exeter Academy in New Hampshire and earned a B.A. at Yale and an MBA at Harvard. After that he joined the Air Force as an enlisted man before taking the marketing job in the Heinz office at Pittsburgh.

Heinz's interest in politics developed while he was working for the family company and came face to face with the effect elected officials have on a community, its people and their businesses. He became involved in local politics, then branched out to state politics, working in several campaigns.

In 1971 Rep. Robert J. Corbett, the Republican who represented Heinz's hometown in Congress, died. Heinz, then 33, decided to seek the seat in the special election that followed. He won his party's nomination easily, then went on to defeat the Democratic candidate, John E. Connelly, a businessman, with equal ease.

Over the next five years, Heinz twice sought re-election and twice won easily, relying on his record of support for the elderly and Pennsylvania's steel industry cut deeply into the Democratic vote.

In 1976, when Sen. Hugh Scott, a Republican, retired rather than seek another term on Capitol Hill, Heinz jumped to fill that political void.

Tall and athletic, with good looks to match, Heinz enjoyed a good game of tennis or a quick downhill run on skis when he was not politicking.

He is survived by his wife, the former Maria Teresa Thierstein Simoes-Ferreira, and three children, H. John IV, 24; Andre, 21, and Christopher, 18.

[From the Hazleton (PA) Standard Speaker, Apr. 9, 1991]

#### JOHN HEINZ III—A GREAT SENATOR

It's a rarity when almost everyone agrees that the name of an elected public official deserves to be mentioned in the same sentence as the word "great," but in the case of U.S. Senator John Heinz III of Pennsylvania, there is no hesitation in using the word.

The life of the Republican senator was claimed, along with six others, including two children, when the airplane he was on collided with a helicopter last Thursday in Merion.

Heinz, heir to the food empire fortune that bears the family name, was one of the nation's wealthiest politicians. He didn't have to spend a day of his life being concerned about the welfare of the nation or his constituents. He could have devoted most of his time to the international family business and spent much of his time in leisure time activities.

Instead, he paid attention to the cares of the ordinary citizen and did all he could to correct the problems of his constituents and society in general.

Virtually every one who met him was impressed by the fact that his lofty status in life, both in business and government, became secondary when he dealt with the public on a one-to-one or group basis. His warmth and concern were genuine.

Republicans and Democrats alike praised the 52-year-old senator because they respected his honesty, sincerity and his willingness to work hard for the betterment of America.

"The people of Pennsylvania have lost a great leader and the nation has lost a great senator," said President George Bush, who astutely summed up the life and achievements of Senator Heinz in one sentence.

The publishers and editors of this newspaper express their sincere condolences to Mrs. Heinz, their children, and the other members of the family.

[From the Stroudsburg (PA) Pocono Record, Apr. 15, 1991]

#### HEINZ GAVE PRIORITY TO CONSTITUENT SERVICE

(By R.B. Swift)

HARRISBURG.—The person elected to fill John Heinz's U.S. Senate seat this November faces one daunting legacy left by the late senator.

That is Heinz's practice of appearing at countless town meetings and constituent events across Pennsylvania during his 15 years in office.

Heinz's death has undoubtedly fostered a new-found awareness and appreciation of a part of politics that often gets overshadowed by attention paid to legislation and rollcall votes: that nebulous area called "constituent service."

In eulogies given last week in Harrisburg and Pittsburgh, lawmakers told how Heinz went beyond normal expectations to spend time with his constituents, especially the senior citizens and poor.

With his great personal wealth, his status as the state's most popular politician and the cushion of the six-year Senate term, Heinz could have easily gotten with a lighter travel schedule.

He died in the line of duty when his plane crashed enroute to a town meeting in the Philadelphia area, said U.S. Sen. John Danforth, R-Mo., an Episcopal minister who officiated at the funeral service.

"He didn't need the town meetings and the fundraisers, the days on the roads, the nights in motels, the cramped hours in little airplanes," added Danforth. "It was his gift to the people he wanted to serve."

We normally don't think of a politician's appearance at some community event as a gift. Most people probably just take it for granted.

When asked about their jobs, many lawmakers like to dwell on the time they spend handling requests for constituents for help. But this doesn't get the attention accorded to bill drafting or votes on important legislation.

That's because it's difficult to objectively measure how effective lawmakers are at delivering these services.

For example, is forwarding a driver's registration card from a constituent to the state Transportation Department a valuable service or just make-work?

We are likely to hear at length from lawmakers about constituent success stories, but what about those who don't get helped?

It should also be noted that excessive attention to an influential constituent can get politicians in trouble. Witness the recent ethics investigation of five U.S. Senators for intervening on behalf of savings and loan executive Charles Keating with federal regulators.

But however you look at it, John Heinz set a standard in delivering constituent services that will be difficult to match.

[From the Wilkes-Barre (PA) Sunday Independent, Apr. 7, 1991]

#### TRIBUTES TO HEINZ CONTINUE FROM VALLEY PEOPLE

(By Dave Kaszuba)

His former Luzerne County campaign chairman, Ted Warkowski, says that the late U.S. Sen. John Heinz was a remarkably compassionate man who would have been president some day.

Another of the senator's friends, Henry Bartos, recalls Heinz as man whose "down to earth" style made him unique among politicians.

Still another of the Heinz's associates, Marge Matisko, remembers the Pennsylvania senator as a "person who was as comfortable sitting down and talking with a welfare mother as he was sitting down and talking with the press."

Those were among the sentiments expressed Saturday by a number of local residents who worked closely with Heinz in the

years prior to his tragic death in an airplane crash Thursday.

According to them, Heinz was "a multi-millionaire who acted like an ordinary Joe." A man who, despite his wealth, had an uncanny ability to relate to the middle class and the impoverished.

And it was because of this, they say, that Heinz gained so much admiration and respect.

"He had a deep-rooted feeling about helping people," Warkowski says. "His work with senior citizens and also the destitute is a testament to that. He was a very decent man."

Warkowski, a Nanticoke resident who served as the Luzerne County campaign chairman for Heinz during his last re-election bid, likes to recount a story about an incident that occurred on a 1988 campaign stop in Scranton.

As Warkowski tells it, Heinz was speaking to a crowd of supporters on a rainy Saturday morning when his aide, Skip Irvine, arranged for the senator to meet with an elderly woman in the audience. She was obviously poor, Warkowski says, and she had been having problems securing a disability pension for her son, a Vietnam veteran.

"I looked at John (Heinz) as he was speaking to her and I noticed that his eyes were watering up," Warkowski says. "Then mine began to water up, too. Two weeks later, the woman's problem was taken care of."

"It just goes to show you, John may have had all kinds of money, but he certainly had all the compassion in the world, too."

Bartos, who lives in Franklin Township and used to work with Heinz through the National Conservative Political Action Committee, agrees.

"He (Heinz) never really made you feel like he was a politician," Bartos says. "He was on the side of the ordinary guy, whether that guy had money or not."

"I remember one time in Washington D.C., it was raining like cats and dogs, and Heinz, who could have easily afforded a limousine, pulled up in a taxi. He didn't even have an umbrella. I said to him, 'What, did you leave the limo home? And he said, 'No, that's not my style.'"

His style, Matisko says, was best displayed by his genuine "concern for his fellow man."

"He was very constituent-oriented," says Matisko, a resident of Wilkes-Barre who was associated with Heinz through her position as regional director of ACTION, the federal domestic volunteer agency.

Eugene Brady, whose role as executive director of the Commission on Economic Opportunity in Wilkes-Barre brought him into contact with Heinz, said Saturday, "The senator was concerned about the little guy, not just the guy who professed to be important."

Perhaps Nanticoke's Joe O'Karma, former chairman of the Luzerne County Republican Party, sums up Heinz's appeal best when he says, "John (Heinz) was a very nice, very congenial man. You just couldn't beat 'em."

A funeral service will be held for the third-term U.S. senator Wednesday at the Heinz Memorial Chapel in Pittsburgh. Also, a memorial service is scheduled to be held Friday at the Washington National Cathedral in Washington, D.C.

[From the Harrisburg (PA) Sunday Patriot News, Apr. 7, 1991]

**SENATOR SLASHED RED TAPE TO HELP REUNITE FAMILY**  
(By Mary Klaus)

On Nov. 1, 1985, U.S. Sen. John Heinz had his picture taken with a Camp Hill couple

and their young son, who he helped free from one of Thailand's Cambodian refugee camps.

This weekend, Burton McIntire and his wife, Bopha Thach McIntire, gently removed that picture from their living room wall, where it has hung surrounded by family photos.

Their tears fell as they reminisced about Heinz, who was killed Thursday when his plane and a helicopter collided over suburban Philadelphia.

"I feel like we lost a member of our family," said Mrs. McIntire of the 300 block of Beverly Road. "He spent so much time helping us get both our boys. He always was interested in our family. Now, he's gone."

In 1985, Heinz helped reunite Mrs. McIntire with her son, Malou, after a five-year separation.

"In 1980, when the Vietnamese Communists came to Cambodia, Malou and I were working on a farm," Mrs. McIntire said, referring to a farm on which families toiled like peasants. "The Vietnamese and Cambodian soldiers began fighting. I ran one way, Malou ran the other way and we lost each other."

She spent a year looking for him, then came to the United States, later learning that Malou was trapped in an overcrowded refugee detention camp that lacked beds and outhouses. Her second son, Sam, was with her mother.

Mrs. McIntire and her husband tried to bring Malou to this country, but a bureaucratic maze kept them separated. So they enlisted Heinz's help.

The senator spent several months communicating with American Embassy officials in Bangkok, who said the Thailand government did not allow other governments to contact Cambodian refugees in border camps.

Heinz argued that since the boy had an American stepfather, he was an immigrant eligible for release, not a refugee.

"We were persistent with the U.S. Embassy, but that did no good," Heinz told The Patriot-News on Nov. 1, 1985. "They moved at a snail's pace. But the Thailand ambassador to the United States responded in record time to my requests. What a wonderful, happy ending this is!"

"He was so kind and gentle," said Malou, now a sixth-grade student at Hoover Elementary School in Camp Hill. "He was special to me. It's hard to believe that this happened."

The following week, Heinz wrote to the McIntires that "it was a rare pleasure" to meet Malou. In a letter the McIntires treasure, Heinz wrote that he and his staff "will long remember the day we finally cut through the red tape and barbed wire that separated you from Malou."

When Mrs. McIntire became a U.S. citizen in 1987, Heinz sent her a letter of congratulations.

And Heinz entered the McIntire family's life again last year by helping cut through red tape when Mrs. McIntire went to Cambodia to bring home her son, Sam.

"He was very friendly and approachable," McIntire said.

[From the Altoona (PA) Mirror, Apr. 5, 1991]

**HEINZ FOUGHT FOR ISSUES IMPORTANT TO AREA RESIDENTS**  
(By Michael Race)

Despite his privileged background—or perhaps because of it—U.S. Sen. John Heinz seemed to be most concerned with the plight of the working class.

Among Heinz's biggest concerns were railroads, labor and senior citizens—all big issues in this area.

Heinz was particularly concerned with the fate of the nation's rail system, and was an advocate of preserving and rebuilding of railroad systems and companies.

He fought against a Reagan administration plan to cut government subsidies to Conrail and sell the railroad in the early 1980s. He said such a move would be a "great mistake," claiming it could "shut down the entire railroad system and precipitate a depression in the Northeast."

He introduced an amendment to curtail the piecemeal sale of the government-owned Conrail. It was defeated, but he vowed to continue the fight.

When Allegheny Corp. offered to buy Conrail, Heinz opposed the idea. He said it would be a mistake to sell Conrail to a private company and instead called for selling public stock in Conrail. The railroad eventually was sold through a public stock offering.

Heinz also was against selling Conrail to another railroad.

"With no single group in control of the company, the chances are slim it would be sold down the river in the middle of the night for a profit," Heinz said.

He also pushed for federal funding to rebuild deteriorating railroad lines and fought to restore the benefits of about 400,000 of the nation's railroad retirees.

When the Reagan administration proposed doing away with the U.S. Railroad Retirement Board in 1982, Heinz stepped in with a budget amendment to block the plan.

Heinz also kept in touch with the needs of senior citizens, and many of his town meetings in Altoona included visits to senior citizens housing projects.

The American Association of Retired Persons credits Heinz with helping to end mandatory retirement, ensure the solvency of the Social Security system, and expand Medicare benefits.

When Heinz was still a U.S. Representative, he spearheaded the successful battle to create the House Select Committee on Aging and served on the committee until moving to the senate in 1977.

Former Blair County Commissioner Colson Jones credited Heinz with bringing many grants for the county, particularly in the area of housing.

The housing issue was one reason Heinz visited Altoona this week. He urged county officials to apply for funding under a new federal housing program and promised he would do all he could to help the county land some of the federal money.

Heinz visited Blair County several times during his three terms as senator, usually to hold town meetings designed to give people a chance to voice their opinions directly to the senator.

He took advantage of the Senate's current recess to once again traverse the state and meet with constituents, stopping in Altoona just one day before the fatal crash.

"It's always been his policy to come to Blair County at least twice a year," county Commissioner William C. Stouffer said.

[From the Pittsburgh (PA) Press, Apr. 5, 1991]

**SENATOR HEINZ, FOR THE PEOPLE**

Set apart from the people by family riches but drawn to them by personal warmth, Sen. John Heinz died yesterday doing just what he saw as his life's work, serving his constituents.

Along with six other people, including two schoolchildren, Sen. Heinz was killed when his small plane collided with a helicopter and crashed near a school in Lower Merion,

suburban Philadelphia. The Fox Chapel Republican had been en route to Philadelphia for meetings. He was 52.

An heir to the H.J. Heinz Co. fortune, Sen. Heinz was one of the wealthiest men in the Senate, with assets estimated by Forbes Magazine at \$500 million.

But riches were not his interest. In his 15th year in the Senate (he had served five years in the House before that), he had compiled a record of compassion for people. That concern was demonstrated by his constant fight for people issues—human rights, the elderly, the environment and, most ardently of all, a national health care system.

One incident in September 1989 was indicative of his concern. Scheduled to speak to an elite group in Washington, D.C., he quickly abandoned those plans when he learned of the special need of a 2-day-old Philadelphia girl. Born with a severe lung infection, the girl needed the help of a special heart-lung bypass machine.

The only two such machines in Philadelphia were in use and the only portable unit was in San Antonio. Through Sen. Heinz's efforts the baby was on an Air Force plane the next morning, bound for Texas.

Sen. Heinz did not fit easily with the Reagan and Bush administrations. Because of his unwavering desire to serve Pennsylvanians, he was often "wrong" in the administration's eyes, voting in the conservative bent on less than half the issues that came before the Senate.

Despite the uncomfortable fit, there was a school of thought in Washington that someday Sen. Heinz would seek national office, perhaps the presidency. Of that, he said, "I've always believed that if somebody wants to be president of the United States, they ought to have a very good reason for believing they are the right person for the job."

The question of whether he was the right person for that job was rendered moot in that one tragic instant yesterday. But in nearly two decades of serving his constituents, he proved that they had not chosen the wrong man to represent them in Congress.

His death is a profound loss to the Senate, to Pennsylvania and to the nation.

[From the Phoenixville (PA) Evening Phoenix, Apr. 13, 1991]

#### HEINZ WAS CHAMPION OF MASS TRANSIT CAUSES

(By Robert J. Thompson)

WEST CHESTER.—Much will be written and uttered in the days and weeks ahead about the contributions made by Sen. John Heinz to the residents of Pennsylvania and the citizens of the United States during his most distinguished career of public services.

Born to wealth, with an option to follow a career in his family business, he chose a life of public service.

As someone who had few worries about living on the proceeds from a Social Security check in his later life, he spent countless hours of his Senate career championing the rights of senior citizens, chairing the task force that helped put the Social Security system back on sound financial footing and fighting proposed medicaid cuts.

Coming from a family who made its fortune in the food industry, he worked tirelessly to protect jobs of thousands of Pennsylvania steelworkers.

Cynics might say this was just good politics. Pennsylvania's population is aging. Seniors comprise a huge voting bloc in the commonwealth. There are also a large number of steelworkers—and steel companies who have active political action committees.

But the John Heinz I will remember was a champion of another constituency. This constituency is not as powerful as others. But it was heard—and heeded—by the senator. That constituency rode the buses, subways, trolleys and trains in the cities and suburbs and across the nation. They were the people who relied on public transportation.

John Heinz probably never had to take a bus to work or the subway to see a doctor. But he feverishly worked for those who did. He believed that a viable transportation system was crucial to recovery of our inner cities, vital to the economic health of this nation and essential to the protection of our environment. And he fought for those beliefs.

The last time I talked with John, it was three weeks ago, following a luncheon, when members of ACT, the Area Coalition for Transportation went to Washington to lobby against Administration cuts in federal transit subsidies.

That was a day after he pledged to the Legislative Conference of the American Public Transit Association that he would not only work to eliminate Administration-supported cuts in operating subsidies, and capital dollars, but to restore some of the transit subsidies to the level they were before cuts were made five years earlier.

His views about mass transit didn't increase his popularity rating with two of our nation's most popular chief executives. He fought Ronald Reagan's proposals for eight years. And he was in the midst of a fight with the Bush administration at the time of his death.

He was a champion. But he was not a fanatic. Last year, he and Sen. Arlen Specter saw the folly of House-passed legislation which would have cut off all federal transportation funding to Pennsylvania—highway and mass transit—if the General Assembly hadn't passed legislation providing a predictable funding source for mass transit. (Pennsylvania is the only state in the Union without one.) The two senators led a successful fight against that legislation.

Both men took a lot of flack for their stand. But both saw serious constitutional problems with the proposals. They also saw a battle between the federal government and the Pennsylvania General Assembly which might have set back nearly all of the state's already lagging highway and airport improvement programs even further.

As a member of the Transportation Steering Committee of the National Association of Counties, I testified before his Senate committee. I always had his undivided attention when I testified. When I inherited the chairmanship of SEPTA in an extremely charged atmosphere, John was one of the first to call to offer his help.

John Heinz lived and loved the life of public service. He died doing it—ironically in a transportation-related tragedy.

Pennsylvania's public transit riders had a friend in John Heinz. They will miss him, as will we all.

[From the Ellwood City (PA) Ledger, Apr. 9, 1991]

#### STATE WILL MISS SENATOR JOHN HEINZ

Done too soon—that in a nutshell defines the tragedy surrounding last week's premature death of Pennsylvania Sen. John Heinz.

Although we all pay lip service to the notion that nothing in life is guaranteed, the news that Sen. Heinz was killed in a fatal, mid-air plane-helicopter crash came as a shock to all of us last Thursday. "He was so young," we heard several people say. "How could this happen?"

Well, we all know the answer to that, of course. Tragedies are not reserved for any specific age group, nor do they only happen, as is evidenced by the death of John Heinz, to the unfortunate. Even those who seemingly have everything to live for are sometimes touched by misfortune.

Knowing and understanding that, though, has not changed the way people were affected by his unexpected passing last week. No matter what conversation we entered into over the weekend, invariably the subject of the John Heinz tragedy surfaced. And in an age where respect for politicians has slipped about a hundred notches, there was nothing but sincerity in the sadness expressed.

And that, beyond anything else, is a tribute to the man himself. An extremely wealthy individual, born into good fortune and bearing a name which in itself opened doors, Sen. Heinz decided to forge a path in politics and did so with a gusto few in Congress display. His motives were obvious: he certainly did not seek office for financial gain, not with a family whose name was synonymous with the business successes the Heinz company has enjoyed. No, he apparently had only one motive and that was to serve the people and his country.

We realize that whenever anyone dies prematurely, it is customary to say nice things about them. "Oh, he cared about his work," or "He put the people he represented before anything else." Yet, Sen. Heinz was someone special, we know he fought for the concerns of senior citizens and children across the state, we are aware of his devotion to Pennsylvania and have witnessed many times "the good fight" he fought on the commonwealth's behalf.

He was also a man who apparently cared very deeply about his family and about his private life, and somehow, we have always thought that the two go hand-in-hand. A caring public servant—one who places the concerns and the needs of his constituents before personal gain—is generally one who is also family-oriented.

Yes, Sen. Heinz possessed something that made the people who kept voting him back into office—on both sides of the political aisle—admire him very much. And today, with all the scandals that come out of Washington, with all the ethics commission probes and the misdeeds and misdeeds, there is something to be said for having a Senator from this state who was admired by the people.

Will Pennsylvania miss John Heinz? Absolutely. There is no doubt the state benefited from his clout and his experience, his good manner and his caring demeanor. Some unfortunate twist of fate deemed his mission "done too soon." For that we are truly sorry, indeed.

[From the Honesdale (PA) Wayne Independent, Apr. 10, 1991]

#### SENATOR HEINZ TOUCHED THE LIVES OF MANY

Lawmakers, businessmen, and a diverse cross section of citizenry of Pennsylvania paused this morning to say a final farewell to Senator John Heinz, as he was laid to rest at the Homewood Cemetery, following services at the chapel named after the family.

Approximately 4,000 people reportedly visited the Heinz Memorial Chapel at the University of Pittsburgh Tuesday, in addition to an estimated 1,400 who passed through to pay their respects Monday.

Services for the 52-year-old Republican Senator, killed last Thursday when the small plane in which he was a passenger collided

with a helicopter, were scheduled for 10:30 a.m.

Vice President Dan Quayle was among those expected to attend the services.

From steel workers to corporate executives, a vast cross section of the populace gathered to pay final tribute to the man who held the Senate seat since 1976.

Both the Pennsylvania House and Senate on Tuesday passed "resolutions of sorrow" in tribute to the long-time public official.

Senator Heinz was noted as an advocate of the working people, the elderly, and notably, of steelworkers, but he commanded the same respect among captains of industry, and the corporate hierarchy.

A memorial service has also been planned for 10 a.m. Friday at the National Cathedral in Washington, D.C.

Senator Heinz last visited this region on August 15, 1990, when he met with local business and media representatives at an informal gathering at Nemanie Lodge, overlooking Lake Wallenpaupack in Tafton.

During that discussion, the Senator spoke of local issues, including the fight to upgrade water quality control on the Delaware River; he spoke of state issues, including the poor condition of state roads and state health care, and his views on how to resolve those problems; and he spoke on issues of international importance, including the newly-developing U.S. involvement in the Persian Gulf.

Senator Heinz noted the rapid growth taking place in northeastern Pennsylvania, stating that Wayne, Pike and Monroe counties were "being watched optimistically in Washington." He encouraged those in attendance to maintain the beauty and prestige of this area, and offered his assistance to all his constituents in the region.

The range of people who supported the Senator was evident even at that meeting, as businessmen, bankers and local merchants gathered to hear the 15-year Senate veteran speak.

Today the state mourns the loss of Senator John Heinz.

Today, a cross-section of the population of the commonwealth will pause in their daily activities to pay a final tribute to the man who did so much for the citizens of Pennsylvania.

Today, Senator John Heinz was laid to rest.

[From the Scranton (PA) Sunday Sun, Apr. 7, 1991]

#### A MAN OF PURPOSE

The tragic accident which took the life of John Heinz ended a career of accomplishment and promise. Born into great wealth, Heinz chose not to spend his life in a perpetual pursuit of pleasure, but rather to use it to enhance the common good. He sought and gained public office, turning his attention to alleviating problems and improving possibilities. His commitment showed in his actions.

As a senator representing Pennsylvania, Heinz was no dilettante. He worked hard at the job. The man was a frequent visitor to this area, seeking to learn about our needs and aid our prospects. One hallmark of his local trips was his willingness to listen. Heinz did not come here to tell us what he knew but to discover what he didn't. His town meetings were a clear signal that the senator was open to ideas and responsive to complaints.

In the time he served, Heinz was productive. Especially distinguished was his work for the handicapped and the elderly. In the

future now denied us, he would have achieved much more. His death is not only a loss to his family, but also one for the state and the nation.

Heinz was part of a vanishing tradition. In some families of wealth, the scions were raised with an obligation of public service. It was felt that the family had a duty to repay society for the benefits it had received. Names such as Rockefeller, Harriman, Scranton, Kennedy and Roosevelt are prominent in 20th Century history. All willingly played active roles in the commonwealth. Heinz followed proudly in that tradition and fulfilled his obligation handsomely. Unlike so many in the acquisitive decade through which we have just passed, he believed serving outranked spending.

The senator by his life answered the call that John Kennedy issued when he took office: "Ask what you can do for your country." What Heinz did was his very best. He will be missed.

[From the Greensburg (PA) Tribune-Review, Apr. 7, 1991]

#### SENATOR JOHN HEINZ WAS GUIDED BY HIS INTEGRITY

(By Richard M. Scalf)

Some say John Heinz was a bit standoffish with his Senate colleagues—that he didn't go in much for the backslapping and cronyism that usually goes on in the nation's "most exclusive club"—and that he was, at times, aloof and stubborn in pursuing his legislative agenda.

If this, indeed, has been the case, then we say, good! That's the way it should be with any elected official, and most especially a member of the United States Senate, where so much of the nation's—and the world's—fate perpetually hangs in the balance.

As those who have visited Capitol Hill know, it's a heady place, with its own unique magnetism of history and power that can draw even the most well-intentioned individuals away from their professed goals of goodness. It takes a special kind of discipline for a person to resist this environment, where the temptation to trade independence for political and economic privilege can, at times, be overpowering—as the American people more and more are beginning to comprehend with growing distaste.

John Heinz had that kind of discipline. And the likes of him are not to be found in the murky congressional atmosphere that has produced, among other things, the Keating Five.

If he was guarded in Washington (that's the way we would put it), it was because he was guarding the interests of the people of Pennsylvania, which they elected him to do six times at approximately two-to-one margins. So much for the notion of his being naturally aloof and cool, for even the least bright among us knows you don't win elections that way.

His words were always in harmony with his deeds. And there were deeds aplenty—having to do with the nation's banking, housing and urban affairs, touching everything from trade and domestic transportation to Social Security and nursing homes. Whether one agreed or disagreed with his stands, one could never dispute the intellectual honesty and sincerity of his convictions in all that he did.

John Heinz already had become a statesman, a gradual, evolving kind of process that may not yet have been particularly realized in his own state. But his understanding of global affairs and his serious attention to whatever was the situation of the moment

already had marked him as worthy of that title.

He practiced the meaning of family by carrying out the best traditions of the Heinz heritage—so uniquely American—in tangible, useful ways that have touched the lives of millions—as, for instance, in his concern for the care of the elderly.

We offer our sincerest sympathies to his courageous family, as do so very many others.

His hallmark, it seems to us, is that he always kept his word, and in so doing kept faith with his own—the people of Pennsylvania. And since in many ways the commonwealth is, itself, kind of a cross-section of so much of what has been, and still is, American, we can say that, in truth, Sen. John Heinz represented all peoples of our nation with equal sincerity, with equal grace and with equal commitment to serve them all—whomsoever.

[From the Lehigh (PA) Times News, Apr. 5, 1991]

#### SEN. HEINZ: STATE LOSES A FRIEND

How many of us, placed in the same position as Sen. John Heinz, would have traveled the same path?

Think about it. Here was a man who was handed wealth beyond description. He had movie-star looks, a charming personality and keen intelligence.

John Heinz could have opted for the good life, the jet-set whirlwind of fun and games, with no pressures and no responsibilities. Life could have been a lark.

But the 52-year-old Pittsburgh native, who died yesterday in a horrifying air crash over suburban Philadelphia which also killed six others, including two small schoolchildren, chose to serve other Pennsylvanians.

He traded the easy life for the pressures and frustrations of Capitol Hill.

Heinz spent large amounts of his personal fortune to be elected to first state, then national offices. And, for more than two decades, he dedicated his life to improving the quality of life for all Pennsylvanians.

It's somewhat ironic that Heinz, he of the eternal youthful look, will best be remembered as a champion of the elderly. Here his influence, and his efforts will be missed the most in Washington circles.

Whether it was fighting for more Social Security benefits, or guarding against Medicare cuts, and fighting against mandatory retirement ages, the Senator could always be counted on.

Labor will also keep a fond place in its heart for the grandson of Henry John Heinz of "57 Varieties" fame. He fought against foreign imports that threatened Pennsylvania industrial jobs, and he campaigned for better health and retirement benefits.

Sen. Heinz's death reminds us of our own human frailties. Neither power nor wealth can keep us from the inevitable once our time has come.

And, it is consistent with the senator's dedication and work ethic that he was killed on the job, traveling from one meeting with constituents in Williamsport to another similar session in Philadelphia.

Pennsylvanians who knew the popular senator, and those who followed his career and triumphs in Washington, are in shock today over the suddenness of his death. It is our loss that he was taken when there was still so much to be done.

Pennsylvania lost a good friend yesterday. And like all good friends, he will be missed very much.

(Written by a member of the staff)

[From the Washington Post, Apr. 5, 1991]

#### JOHN HEINZ

What made John Heinz of Pennsylvania stand out in the Senate was not his gift of wealth but the tenacity with which he used the advantages of financial independence and political power in behalf of those of narrower means. That makes his death in a plane crash yesterday in Pennsylvania all the more tragic. Heir to a family fortune and trained for the world of business—with a Yale degree and a Harvard MBA—he chose instead the profession of politics and became a powerful advocate. On issues affecting the elderly and children, John Heinz was especially good. His civil rights record earned him the label of progressive Republican in the tradition of Sens. Jacob Javits, Edward Brooke and Charles McC. Mathias.

Sen. Heinz kept a protective arm around American industrial interests, but that didn't stop him from speaking up in behalf of working people too. He walked an independent path on arms control and international affairs, matters that greatly interested him. He was guided not by ideological abstractions but rather by the simple notion that public service is a high calling and by the conviction that he could make a difference. He was back in his state during the Easter recess making the rounds of constituent meetings when he died.

John Heinz's brand of representation agreed with the voters, who made him at age 52 the state's senior elected official. Being a Republican in a state with heavy Democratic registration didn't keep him from being twice returned to the Senate or from being elected three times earlier to the House of Representatives. He also chaired the Republican Senatorial Campaign Committee, where his fund-raising talents were fully exploited. John Heinz meant much to Pennsylvania and the United States Senate.

[From the Philadelphia Inquirer, Apr. 5, 1991]

#### SENATOR HEINZ: CONGRESS AND PENNSYLVANIA LOSE A REAL WORKHORSE

With his family wealth, John Heinz could have gone just about anywhere and done anything with his life. But for the last 20 years, ever since he was 32, he chose to be a public servant. And over that time, he earned the respect of his colleagues in Congress. In the parlance of Capitol Hill, he became a workhorse, not a show horse.

Thus his death yesterday, in a mid-air collision that killed seven people, is a genuine loss for Pennsylvania and for the U.S. Senate. He had become a leader on issues ranging from low-income housing to long-term care for senior citizens—and was coming to Philadelphia in part for a meeting to discuss those issues with the Inquirer Editorial Board, as he did regularly. During last year's budget melodrama he was an energetic, articulate critic of the misuse of Social Security surpluses to camouflage the magnitude of the federal deficit. During the Persian Gulf war, the senator led the effort to change military policy so that the children of military personnel would be less likely to be orphaned by war. Under his plan, which unfortunately failed, single parents could choose to stay out of a war zone, and so could one parent of a couple when both are in the service.

There was a tendency in Philadelphia to think of Mr. Heinz, who was from Pittsburgh, as the senator from Western Pennsylvania, and this visibly annoyed the senator at times. He frequently noted that he worked hard on issues that affected all areas

of the state, and he did as much as any lawmaker in Congress to get new federal aid to reverse the deterioration of Independence National Historical Park. Indeed, the well-being of the park had been an area of special concern to him throughout his Senate career. In addition, every time the Department of Defense tried to take a whack at the Philadelphia Naval Shipyard, he was in the thick of the yard's defense. And so on.

Mr. Heinz, who won his last two Senate races by landslides, was probably the most popular politician in the commonwealth, but as people reacted yesterday to the shock of his death, they didn't think of that. Instead, those who knew him well spoke of a man who, in recent years, had really come into his own. Time and again, the same words came up—hard-working, mature, genuine—spoken in sadness, with respect.

[From the New York Times, Apr. 5, 1991]

#### JOHN HEINZ, 52, HEIR TO A FORTUNE AND SENATOR FROM PENNSYLVANIA

(By B. Drummond Ayres, Jr.)

WASHINGTON, April 4.—In 20 years on Capitol Hill, 5 of them in the House and 15 in the Senate representing Pennsylvania, John Heinz built a solid record as a persistent defender of the nation's growing elderly population and its declining steel industry.

A moderate-to-liberal Republican, one of the rarer political species in his party, he was never a major legislative figure in either the House or the Senate. Rather, he was known for his great personal wealth as heir to the Heinz food company fortune and as one of this country's richest politicians. Still, the 52-year-old lawmaker left a legislative mark that was discernible and important, with most of the achievement occurring while he was serving in the Senate on two major committees, Finance and Banking, Housing and Urban Affairs.

The Senator was instrumental in pushing through legislation that put the Social Security system on sounder financial footing. He played a major role in strengthening laws regulating retirement policies, pension plans, health insurance and nursing homes. And he pushed successfully for trade laws that encourage American exports and protect American products, like steel from foreign imports.

#### POLITICAL STANDS PAY OFF

Mr. Heinz's concentration on trade and the elderly was particularly intense and paid off handsomely for him politically in his home state, which as one of the nation's aging industrial states has an unusually large elderly population and an unusually troubled steel industry. In six elections, he won every time, beating most opponents by a ratio of roughly 2 to 1, cutting heavily into the Democratic vote on labor and social issues.

While Mr. Heinz was an effective legislator on the issues that he concentrated on, he was never a particularly popular legislator on Capitol Hill, never a man his colleagues clapped on the back with fondness or nudged with an elbow while enjoying a good laugh. Many found him cool, even aloof and patrician, and some were put off by the stubborn persistence with which he pursued his legislative goals.

Seemingly aware that this perception of him, whether right or wrong, might be a drawback in a setting where collegiality and camaraderie are important tools of the trade, he tried in his early days in the Senate to soften the image a bit, even dropping his full name, Henry John Heinz 3d, and thereafter passing as John Heinz. But most

colleagues still refused to accept him as plain folks and, in any event, he could not escape the sobriquet with which he had lived all his life—"heir to the H.J. Heinz food company fortune."

#### INHERITED GREAT WEALTH

As a Heinz scion, the Senator did, in fact, die a very wealthy man, the largest individual shareholder in the Pittsburgh-based company, with control of almost 6 percent of its stock, valued as roughly \$350 million. Otherwise, his involvement in the company founded by his great-grandfather in 1869 was minimal, limited mainly to a brief stint in the late 1960's as a marketing specialist before entering politics.

Born Oct. 23, 1938, in Pittsburgh, John Heinz was the only child of Henry John Heinz 2d and Joan Diehl Heinz. His parents divorced when he was a child and he divided his early years between his mother's home in San Francisco and his father's house in Fox Chapel Borough, a Pittsburgh suburb where the Senator maintained a home at the time of his death.

He attended Phillips Exeter Academy in New Hampshire and earned a B.A. at Yale and an M.B.A. at Harvard. After that he joined the Air Force as an enlisted man before taking the marketing job in the Heinz office at Pittsburgh.

Mr. Heinz's interest in politics developed while he was working for the family company and came face to face with the effect elected officials have on a community, its people and their businesses. He became involved in local politics, then branched out to state politics working in several campaigns.

#### SUCCESSFUL RUN FOR HOUSE

In 1971 Representative Robert J. Corbett, the Republican who represented Mr. Heinz's hometown in Congress, died. Mr. Heinz, then 33 years old, decided to seek the seat in the special election that followed. He won his party's nomination easily, then went on to defeat the Democratic candidate, John E. Connelly, a businessman, with equal ease.

Over the next five years, Mr. Heinz twice sought re-election and twice won easily, relying on his record of support for the elderly and Pennsylvania's steel industry to cut deeply into the Democratic vote.

In 1976, when Senator Hugh Scott, a Republican, retired rather than seek another term on Capitol Hill, Mr. Heinz jumped to fill that political void. The contest that followed was Mr. Heinz's toughest.

First he had to fight for his party's nomination against Arlen Specter, a former Philadelphia district attorney, and George R. Packard, a former Philadelphia newspaper editor. He squeaked by.

Then, in the general election, he faced Representative William J. Green 3d, a Philadelphia Democrat. Pouring in almost \$2.5 million of his own money, Mr. Heinz again squeaked by with 52 percent of the vote.

By 1982 he was back on safe political ground, winning re-election easily with almost 60 percent of the vote, and following up in 1988 with a re-election victory in which he got 66 percent of the vote.

Tall and athletic, with good looks to match, Mr. Heinz enjoyed a good game of tennis or a quick downhill run on skis when he was not politicking. He was also a serious collector of art, with a particular liking for Dutch and Flemish still-lives.

He is survived by his wife, the former Maria Teresa Thierstein Simoes-Ferreira, and three children, H. John 4th, 24; André, 21, and Christopher, 18.

### ESTABLISHMENT OF A PROCESS TO SETTLE ROUTE NUMBERING DISPUTES BETWEEN STATES

Mr. DIXON. Mr. President, I am pleased to announce that on October 13, 1991, the American Association of State Highway and Transportation Officials [AASHTO] established a process to settle route numbering disputes between States.

The new AASHTO policy simply states that when States are unable to reach an agreement about a highway that runs between the two States, any of the affected States may request the AASHTO Special Committee on Route Numbering to undertake a mediation effort between the affected States. If the mediation fails, the special committee would review the various numbering options and make a recommendation to the AASHTO Executive Committee, which would then make a final decision.

I have long said that AASHTO and the Department of Transportation should come up with a process to settle route numbering disputes between States. Before the recent AASHTO decision, if two States could not agree on the route numbering of a highway that ran between them, nothing could be done to resolve the dispute. It did not matter if the numbering was illogical, confusing, or unsafe. Ironically, billions of dollars have been spent on highways to make them more efficient and safe, yet we could not establish a process for resolving dead-end route numbering disputes.

Because no action was being taken to resolve the problem, I introduced an amendment on June 13, 1991, to establish a process for settling disputes. The Senate eventually decided not to support my legislation and I understand the Senate's position. Technical transportation matters are best left to transportation officials to resolve.

I am glad to hear that AASHTO has finally concluded that such a route numbering process is needed and established a process by which disputes can be heard, judged, and decided. Mr. President, logic does sometimes triumph.

### TRIBUTE TO URIE BRONFENBRENNER

Mr. DIXON. Mr. President, I rise today to bring to the attention of my colleagues a heartwarming story that appeared in last Sunday's Chicago Sun-Times.

The article tells the tale of a great American; Urie Bronfenbrenner. Urie, as some of my colleagues might know, was instrumental in founding the national Head Start Program over 25 years ago. A quarter of a century later, Urie, at the age of 73, is still working hard for disadvantaged children.

As Mr. Bronfenbrenner points out in the article, study after study has

shown that children who participate in Head Start are less likely to need special programs when they start school. Head Start gives the disadvantaged children of America an extra boost that allows them to compete academically with their peers. Without Head Start, these needy children would fall hopelessly behind their classmates and require more expensive special education programs to catch up.

Mr. President, I have been an advocate of Head Start since coming to the Senate in 1981 and have seen it flourish due to the hard work of great Americans such as Urie Bronfenbrenner. It is truly one of the most effective and successful of all Federal programs. Head Start works, and this Senator promises to maintain his vigilance that this valuable program remain properly funded.

Mr. President, I ask unanimous consent that this article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Chicago Sun-Times, Oct. 20, 1991]

#### FATHER OF HEAD START VISITS HIS "KIDS"

(By Leslie Baldaoci)

"What are you building?" the man asked the child intently snapping together "Ringa-Majigs" building circles.

"I'm building a house," the boy answered, holding out his blue, red and yellow structure. It looked like a place the Jetsons might call home.

"You're making it really fancy," said the man. "It's sort of up in the air. Do you think it will fly away?"

The child considered the question. He regarded the hawk-nosed, bald-headed white man in the pinstripe suit.

"You the grandpoppa?" he asked, wondering who the man was.

"Yeah. I'm a grandpop," said the man. "My name's Mr. B."

They went on building and talking around the low table at St. Paul Head Start, 4644 S. Dearborn. Outside the sun cast shadows among the looming towers of the Robert Taylor Homes. Inside "Mr. B" watched and listened as children sang their ABCs, named their friends and washed up for lunch.

Mr. B is Urie Bronfenbrenner, the developmental psychologist whose tea party with a president's wife 25 years ago led to Head Start, the federal government's massive preschool program for poverty-level children.

Without Mr. B and his cronies, the children at St. Paul might not be in clean classrooms with starched curtains, surrounded by toys and books, receiving two meals a day and instruction from trained professionals—all free and aimed at helping them do better later in school, in their families, in their communities, in life.

Don't be misled. It's not all hearts and rainbows—merely an oasis for children ages 3, 4, and 5. An armed guard is at the door. Warnings are posted instructing what to do in case of gang gunfire.

But Head Start teachers such as Ora Patterson believe the lessons learned will go with the children wherever life takes them. Patterson saw it happen with her own daughter, Head Start class of '76, who is now working on a master's degree.

"Head Start works," says Patterson, a Head Start teacher since 1986. Thirty-six per-

cent of staff are parents of current or former Head Start children.

Sitting in a circle on a colorful rug, Patterson goes through "recall" with her 4- and 5-year-olds.

"Where did you work today, Nathaniel?" she asked one child.

"In the kitchen," he says softly.

"What friends did you work with?" she asks.

"Him," Nathaniel says, pointing to another boy.

"What is his name? You need to call him by his name," Patterson tells him.

The group helps Nathaniel remember his buddy's name.

Doneshia tells in a breathy voice how she glued a puzzle together at the art table. Carla and Andrea had an adventure "in the rocking boat." On goes the tale-telling, around the circle of "friends," as it has in Head Start classrooms for a quarter-century.

In that time, Head Start has provided education and social services to more than 11 million poor children and their families. In 1990, it served 548,000 children, about a third of those eligible. The program's main problems today are that it can't reach all children who qualify and can't provide enough service for the ones it does reach.

"Kids are getting one year of service—that's not enough," said Vianna Peters, director of St. Paul Head Start.

In 1990, Congress authorized a series of funding increases to allow all eligible 3- and 4-year-olds and 30 percent of eligible 5-year-olds to participate by 1994. Head Start's 1991 appropriation of \$1.95 billion could climb to \$7.66 billion by fiscal 1994 under legislation that would make it available to all 2 million eligible kids.

In Chicago, Head Start is a \$45 million program serving 13,000 children. The City Council last month transferred 43 Head Start programs from public schools to private nonprofit agencies to erase a Board of Education deficit.

After visiting three Chicago Head Start programs last week, Bronfenbrenner said he is more convinced of its importance today than he was 25 years ago.

"I was one who said it wouldn't work. I learned something. If you have something you think might work, do it," said Bronfenbrenner, 74, Cornell University professor emeritus of human development and family studies and psychology.

In 1964, Bronfenbrenner argued in congressional hearings that the proposed anti-poverty bill be broadened to strike "at poverty where it hits first and most damagingly—in early childhood."

Not long after, he was invited to the White House for tea with Lady Bird Johnson to discuss child care programs he had studied in other countries.

"There was clearly a gleam in Mrs. Johnson's eye, and, as she told me on subsequent occasions, this was when her enthusiasm for something like Head Start was kindled," Bronfenbrenner said.

In January, 1965, a planning committee including Bronfenbrenner designed Head Start. That summer, it enrolled 500,000 children nationwide.

"I thought we'd be lucky to get 1,000 families," he said. "We had no idea it would become an American institution."

Social chances and their impact on families have been profound in Head Start's time. And while "the whole point of Head Start is to build a sense of community," Bronfenbrenner says, many Head Start parents aren't as available as they once were.

More mothers of young children are in the work force than ever.

Samuella Jackson's five children all went through Head Start, and she helped in the classroom, the kitchen, the office and at home.

"Head Start was a very important part of their lives," she said. "Once they got to the big school, they knew what to do. . . . Most of the Head Start parents become involved in some way. . . . When you're out here volunteering, you're helping kids learn their numbers, their ABCs, the difference between good and bad."

Today, Jackson is a literacy aide in a Head Start program for parents. She helps parents select children's library books and tapes.

Critics of Head Start say it doesn't last, that a few years into elementary school, children lose whatever advantage they gained.

"It is not an immunization against bad medicine afterward," acknowledged Bronfenbrenner. "Some don't make it. The reason they lose it is because there is nothing like [Head Start] later in school. It increases chances of being able to make it, however, at each successive step."

"Children who have Head Start are less likely to need special programs. If they are not in special programs, their chances of being promoted are greater at each grade."

He urges putting the Head Start model in place "for all children of every age and not just in poverty."

After his visit to St. Paul Head Start, Bronfenbrenner—father of six, grandfather of nine, guitar- and piano-playing husband of an artist—is sitting at an academic symposium with his navy blue socks crumpled around his ankles.

He told them about his visit the day before:

"The programs I saw would give you a lift for a long, long time. Seeing these lovely, healthy children, the warmth, the affection, the interesting things to do. I wanted to be a kid again. I couldn't help thinking, 'If the world outside were only like this.' But it's not. We know exactly what these boys will be doing 10 years from now. We have a challenge."

#### REMEMBERING TIM COOK, ADVOCATE FOR PERSONS WITH DISABILITIES

Mr. HARKIN. Mr. President, this week the disability community lost Tim Cook, one of its most effective advocates. Tim was a disability rights lawyer for over a decade. He graduated from the University of Pennsylvania Law School in 1978. At that time, he had already set his course as an advocate for persons with disability. During law school he served an externship with the Center for Law and Social Policy assisting in class action cases concerning exclusionary practices of health and social service agencies and worked for the Office for Civil Rights of the Department of Health, Education, and Welfare developing guidelines to enforce section 504 of the Rehabilitation Act and training equal opportunity specialists to investigate complaints of discrimination against persons with disabilities.

After law school, Tim was a Reginald Heber Smith community lawyer fellow

in the law reform unit of the Legal Aid Society of New York City where he was responsible for class action suits involving discrimination in employment and education.

Tim served as a trial attorney with the Office of Special Litigation of the Civil Rights Division of the Department of Justice enforcing the Civil Rights of Institutionalized Persons Act of 1980 and section 504 of the Rehabilitation Act of 1973. Subsequently, Tim was director of the Western Law Center for the Handicapped in Los Angeles, a foundation-supported public interest law firm representing persons with disabilities in matters involving public benefits and civil rights and served as an attorney with the disabilities project of the Public Interest Law Center of Philadelphia where he represented disability rights organizations and their members in complex class action litigation.

Tim became director of the National Disability Action Center in Washington, DC, in 1988, and served in that capacity until his untimely death this week. The National Disability Action Center is a civil rights advocacy organization, representing persons with disabilities. Its goal is to secure meaningful and integrated community services for persons with disabilities in such areas as housing, education, and transportation.

Tim Cook was a hard-nosed, uncompromising advocate for the rights of persons with disabilities. He represented disability rights organizations and individuals with disabilities in several cases concerning recalcitrant systems and agencies that insisted on excluding persons with disabilities. He was committed to the inclusion of persons with disabilities in all aspects of American life and his unswerving dedication to this goal will be missed by everyone who believes that equal opportunities should be available for all Americans.

I will never forget the powerful statement Tim made before my Subcommittee on Disability Policy during our consideration of the Americans with Disabilities Act. In explaining to us how transportation is the linchpin for independence, he stated, "As Rosa Parks taught us, and as the Supreme Court ruled 35 years ago in Brown versus Board of Education, segregation 'affects one's heart and mind in ways that may never be undone. Separate but equal is inherently unequal.'" What better opportunity for people without disabilities to learn about our disabilities than to ride the mainline transit system with us? Forcing those of us who are able to use life-equipped buses onto a separate transportation system stigmatizes us, demeans us, and subjects us to discrimination. The two steps up to the bus represent by far the greatest barrier to mainstreaming facing this country's citizens with disabilities."

My heartfelt condolences to Tim's family. My thoughts are with Tim's wife, Geraldine, and his son, Phillip. We will all miss Tim both personally and in the fight to integrate persons with disabilities into the mainstream of American life.

#### TERRY ANDERSON

Mr. MOYNIHAN. Mr. President, I rise to inform my colleagues that today marks the 2,412th day that Terry Anderson has been held captive in Lebanon.

In today's New York Times we have a bit more news about Jesse Turner. He is apparently well, despite his long ordeal. But has chosen to limit his public remarks to protect the hostages still held in Lebanon.

Mr. President, I ask unanimous consent that these articles detailing Mr. Turner's first day be printed in the RECORD at this time.

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

[From the New York Times, Oct. 23, 1991]

EX-BEIRUT CAPTIVE IS IN UNITED STATES CUSTODY

(By Chris Hedges)

DAMASCUS, SYRIA, October 22.—Jesse Turner, pale and slightly unsteady on his feet after nearly five years in captivity in Lebanon, was turned over to American officials in Damascus today.

"I am happy to be out, finally," he said in a soft voice. "I am looking forward to seeing my family and friends."

The 44-year-old Mr. Turner, who was held by a pro-Iranian group called Islamic Holy War for the Liberation of Palestine, was an assistant professor of computer science and mathematics at Beirut University College when he was kidnapped by men posing as Lebanese police officers on Jan. 24, 1987.

Mr. Turner appeared exhausted and pale. When he was leaving his brief news conference he stumbled and nearly fell before being assisted to a waiting car.

#### FEW PUBLIC COMMENTS

American officials who met with Mr. Turner described him as "lucid" and "chatty." But the released hostage made few public comments, they said, because of his fear that he might jeopardize the release of the remaining hostages.

There are now eight Westerners believed held hostage in Lebanon, including four Americans, two Germans, an Italian and a Briton.

When Mr. Turner was asked if he had knowledge of other hostages in Lebanon he looked toward the American Ambassador, Christopher Ross, for guidance, whispered a comment to the diplomat, and then declined to answer.

#### INFORMATION ON CAPTIVE

Mr. Turner was held at least part of the time with another American, Alann Steen. Asked whether he had any information to pass on from Mr. Steen, Mr. Turner said: "Not at this moment, no. I want to speak to his wife first."

Mr. Turner also refused to comment on whether he carried a statement or a message from his kidnappers.

Mr. Turner, who had a bushy moustache, neatly cropped hair and wore a double-

breasted beige jacket, was turned over to Syrian security forces in the early morning hours Tuesday in Lebanon. He was driven to the Syrian Foreign Ministry in Damascus, where he was greeted by Ambassador Ross and Nasser Qaddur, the Syrian Minister of State for Foreign Affairs, about 9 A.M.

Two hours later, he boarded a C-141 transport plane to an American military hospital in Wiesbaden, Germany. He will be joined there by his Lebanese wife, Badr, and a 4-year-old daughter, Joanne, who was born five months after his abduction. Mr. Turner will also undergo psychological and medical tests and be debriefed by State Department officials.

#### CONFUSION ON RELEASE

United Nations officials and Western diplomats are hopeful that further releases will soon follow as Iran, Lebanese groups and Israel continue to exchange information through the United Nations.

The United Nations announced the impending release of a Western hostage on Sunday, the first time the organization has forecast such an event.

The Lebanese group that held Mr. Turner said he would be released early Monday, but several hours elapsed before Mr. Turner was actually turned over to the Syrian authorities and brought to Damascus, creating some confusion among diplomats and Syrians who were following the event.

The delay may have been due to fighting along the transit route, Western diplomats said. Members of the Party of God, the largest Iranian-backed Shiite Muslim faction in Lebanon, battled a local Lebanese clan in the town of Baalbek in the Bekaa until close to midnight.

#### CLASHES CAUSE DELAY

Mr. Turner was apparently taken out of the town, which serves as the Party of God's headquarters and is where many of the remaining Westerners are believed to be held, only after Syrian troops moved in to impose a cease-fire, Western diplomats said.

Baalbek is the main town in the Bekaa, which is under Syrian military control. But Syrian troops are not allowed to enter the barracks and training centers belonging to the Party of God, which is believed to be the umbrella organization for all of the groups holding Western hostages. Its operations in Baalbek are supported by a force of several thousand Iranian Revolutionary Guards.

Mr. Qaddur said Syria would "continue to exert all its efforts" to get the remaining Western hostages out of Lebanon.

United Nations officials, seeming buoyed by the resumption of prisoner exchanges in Lebanon, say they expect to announce new releases soon.

Those officials said Mr. Turner's release was the outcome of an "intensive stage" of negotiations between Secretary General Javier Pérez de Cuéllar's special envoy, Glandomenico Picco, and a hostage negotiator identified as Abu Abdullah, described as the "special envoy of the organization that holds the hostages."

#### PACT ON FREEING CAPTIVES

The Israelis hold about 300 Arab prisoners, including Sheikh Abdul-Karim Obaid, a Party of God leader who was kidnapped from his home in southern Lebanon by Israeli commandos on July 28, 1989.

Israel released 15 Arabs on Monday after receiving hard information about the fate of one of its missing servicemen, Pvt. Yossi Fink, who was confirmed dead.

Israel is demanding concrete information on four remaining missing servicemen.

The Lebanese kidnapers said the decision to free Mr. Turner constituted an "obligation and readiness to complete the comprehensive agreement being arranged to free all prisoners and the hostages."

Israel freed 51 Arabs and turned over the bodies of 9 guerrillas after Lebanese kidnapers freed a British hostage, John McCarthy, and an American, Edward Austin Tracy, in August and provided information on the fate of one of Israel's missing servicemen.

[From the New York Times, Oct. 23, 1991]

#### TURNER ARRIVES IN GERMANY

WIESBADEN, GERMANY, October 22.—An unsteady Jesse Turner was helped from a United States army helicopter by two crewmen this afternoon, but managed a broad smile at the sight of several hundred Americans at a United States military hospital here welcoming him with shouts and tiny American flags.

Mr. Turner smiled and waved repeatedly. When a reporter shouted a question about what he would do tonight, he smiled and shrugged his shoulders, then entered the hospital without making a statement.

A military spokesman, Comdr. John Woodhouse, said physicians who gave Mr. Turner a preliminary checkup aboard the C-141 military transport plane that brought him to the big American Rhine-Main air base near here from Damascus, Syria, said he "appears to be in generally good health."

The spokesman said he had no information about his psychological state.

The Wiesbaden hospital has become a kind of official reception center for Americans released from captivity in the Middle East, since the 52 American hostages held in Teheran arrived here in 1980 after 444 days of captivity. But by 1993, the sprawling medical center will be shut down under plans to cut the American military presence in Europe.

#### GROWTH PACKAGE

Mr. KASTEN. Mr. President, I rise today to make a few brief observations about the economy. During the 1980's, our progrowth policies of tax reduction and regulatory reform generated over 20 million new jobs, slashed the so-called misery index in half, and raised real incomes for all American families.

Over the past few years, however, the Federal Government has almost completely reversed the incentive-based policies that brought this prosperity. Taxes were raised. Federal spending growth accelerated. And the bureaucracy went on a new regulatory binge.

These antigrowth policies have pushed the economy into recession. This year, unemployment hit a high of 7 percent, the poverty rate increased for the first time since 1982, and household net worth declined for the first time in two generations.

Many economist believe that the recession is over. But without renewed incentives for saving, investing, and producing, and without a renewed commitment to entrepreneurial capitalism, I am concerned that the economy may not rebound as strongly as it has in the past.

We have an agenda to jump-start the economy and create jobs to restore

confidence in the future. The President is now prepared to advance a growth package of incentives to revive the economy, including a capital gains tax cut to boost small businesses; enterprise zones to create jobs for the urban and rural poor, and expanded savings and homeownership incentives for young middle-income families.

A properly designed growth package will create millions of new jobs. In contrast, tax redistribution schemes proposed by some in the majority will not open a single new plant or small business in America, nor create a single job for American workers.

The fairest tax policy is one that expands the economic pie and creates jobs. The American people understand that growth is not a zero sum game. That's why I think we will see a rising tide of grassroots support for our growth initiatives.

Yesterday, the Task Force on Economic Growth and Job Creation held a panel discussion on the state of the U.S. economy and legislative initiatives to get our economy moving again.

We heard from several experts on economic growth including Senator PHIL GRAMM, Representative NEWT GINGRICH, HUD Secretary Jack Kemp, former OMB economist Larry Kudlow and former Treasury economist Gary Robbins. Their general message was that we must reincentivize our economy immediately, or face the prospect of an anemic recovery and lingering joblessness.

I highly recommend to the Senate the testimonies of Mr. Kudlow and Mr. Robbins. Their statements provide the intellectual and factual support on the need for a growth package. I ask unanimous consent that these statements be printed in the RECORD immediately following my remarks.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

STATEMENT BY LAWRENCE A. KUDLOW, SENIOR MANAGING DIRECTOR & CHIEF ECONOMIST, BEAR, STEARNS & CO., INC.

I am pleased to testify before the Republican Conference Task Force on Economic Growth and Job Creation.

After surveying the financial markets and the economy, it is my view that we are clearly entering into recovery, but there are a number of disturbing signs which suggest a relatively weak rate of recovery by historical standards. In addition, there are very few signs of significant new business formation and job creation, or of any animal spirits or entrepreneurial juices, all of which provided the backbone of the outstanding economic recovery performance of the 1980's.

Because of a spate of Federal, state and local tax and regulatory increases in recent years, the potential of the economy to grow in the 1990s has been significantly limited. Consequently, without a redirection of economic policy, the actual level of real output in the next five years seems likely to remain below the post World War II path associated with long-term 3% real economic growth.

The numbers here are startling. Both the Office of Management and Budget (OMB) and

the Congressional Budget Office (CBO) are forecasting subpar recovery rates. Compared to the long rule 3% post war growth trendline, OMB's implied estimate is an output loss of \$273 billion from the trendline in 1996 and a cumulative \$1.6 trillion loss over the 1991-96 period, assuming their 2.6% real GNP growth forecast.

For CBO the numbers are even worse: a \$366 billion loss in 1996 and a cumulative \$1.8 trillion loss over the five year period using a 2.3% average growth path. No responsible economic policymaker should accept this subpar record. By my calculations, the loss of jobs implied by CBO's and OMB's growth projections XXX

Inflation has declined from 7% in 1990 Q4 to just 3% in the third quarter of 1991, and as a result short and long-term interest rates are approaching 20-year lows. These inflation and interest rate developments have been capitalized into higher asset values, thus providing businesses and families with a more solid resource base from which to make more aggressive spending and investment decisions. The rise of financial asset prices and the decline of inflation and interest rates are powerful recovery stimulants which have a greater extent been ignored by excessively pessimistic media reports and punditry analysts. Since 1990 Q4, real household net worth has increased by an estimated \$600 billion to slightly above its pre-recession high. Never has the U.S. experienced major interest rate declines and stock market advances during recession which did not correctly signal future recovery.

Following on the tax-cutting effects of lower inflation, lower interest rates and higher financial asset values, recent statistical trends on the economy are showing a recovery pattern for consumer spending, business activity and housing. If we looked at the same variables during the last half of 1990, the trends were clearly downward. So there has been a statistical inflection point, and there is a recovery out there, although the magnitude of this recovery pattern is somewhat indecisive and lackluster in comparison with the recovery of the early 1980's. Here are some of the highlights:

#### DATA SCOREBOARD

Economic indicator	Percent change at annual rate from trough	Trough month
Industrial production .....	6.0 percent .....	March.
Purchasing managers' survey .....	17.3 basis points .....	37.7 percent in January, 55 percent in September.
Durable goods orders .....	31.6 percent .....	March.
Durable goods shipments .....	22.5 percent .....	Do.
Real PCE .....	3.9 percent .....	January.
Housing starts .....	34.7 percent .....	Do.
Building permits .....	34.9 percent .....	Do.
Existing home sales .....	21.6 percent .....	Do.
New home sales .....	57.7 percent .....	Do.
Leading indicators index .....	8.4 percent .....	Do.
Median existing home prices:		
Nominal .....	12.8 percent .....	February.
Real .....	10.3 percent .....	Do.

#### HOLES IN THE STORY

The principle factor behind the relatively sluggish recovery performance so far is the failure to reignite new business formation, which is the backbone of the entrepreneurial economy and one of the best indicators of risk-taking animal spirits. Dun & Bradstreet new business incorporations peaked in the 1986-1988 period at around 68,000 per month, or 788,000 per year, moving up from around 41,000 per month or 488,000 per year in the early 1980s. Through June of 1991 this measure remains 12% below its prior peak and shows no rebound so far. Related to this,

nonfarm proprietors' income—which measures the strength of self-employed business people—is also showing virtually no sign of recovery. In real terms this measure is growing at only 1.6% over the last four quarters, following a 1987 peak of 11% and a 1983 peak of 17%.

The continuing weakness of new business formation and proprietors' income holds the key to the weak payroll employment figures reported so far this year. Since its trough in April, nonfarm payrolls have increased by only 0.5% at an annual rate, and this anemic rise can be directly traced to the lack of new business creation. When the 1982-1990 expansion generated over 18 million new jobs, more than 90% of these new jobs were created by small businesses and new businesses. People forget that the largest American companies have been downsizing and restructuring for years; it was not this established corporate sector which created the job surge of the last decade.

Not only has overall employment growth stagnated, but minority employment appears to have come to a halt. Black unemployment, for example, which dropped from 21% in 1983 to 10.6% in May 1990, stands currently at 12.1% through September 1991. For Hispanics, the unemployment rate dropped from 15.7% in 1982 all the way to 6.8% in 1989, but during this recession has increased to 11.1%. From 1982 through 1987 Hispanic new business creation rose by 80.5%, and new businesses owned by blacks increased by 37.6%. While more recent data are not yet available, the disappointing unemployment rates in these minority areas suggest that minority entrepreneurship has sagged.

#### SUMMING UP THE ECONOMY

Taking all this into account, my outlook for the next six quarters suggests a 3% recovery rate for real GNP.

While this is certainly an improvement over the 0.6% average annual rate of GNP growth over the past ten quarters, stretching from 1988 Q4 to 1991 Q2, it nonetheless compares quite unfavorably with historical performance over the past eight post-war cycles, where real GNP growth averaged 5.7% during the first six recovery quarters. In other words, even a relatively optimistic view suggests that the US economy will post only about one-half the rate of a normal recovery cycle.

#### WHAT'S WRONG HERE? IT'S NOT THE FED

While administration spokesmen continually bash the Federal Reserve for easier money, the fact remains that monetary policy has been near perfect in recent years. By modernizing Fed policy in the direction of a domestic commodity price rule, including gold, to restore a predictable standard of value, Greenspan & Co. have managed to bring interest rates down to nearly 20-year lows without reigniting inflation or inflation expectations.

Since the spring of 1989 the federal funds rate has fallen by nearly 50%, from just under 10% to just over 5%. Longer-term rates such as the Treasury ten-year note has dropped from roughly 9½% to around 7½%. Fixed rate mortgage yields have fallen below 9%, while adjustable rate mortgages have recently dipped under 7%. This has all been made possible by a substantial decline of reported inflation, with the year-to-year change in the Consumer Price Index falling from 6.4% to 3.4%, and the Producer Price Index from 7% to 0.7%. Gold prices this year have been ranging steadily between \$350 and \$375, while the widely followed CRB futures index has ranged between 210 and 220. Mean-

while the exchange rate of the dollar has also been steadily fluctuating in a relatively narrow range.

Going forward, it is essential that the Fed continue to target inflation sensitive market prices in order to maintain long-term credibility and confidence in the Fed's goal to achieve price stability. In particular, I believe the movement of long-term interest rates—which are subject to the financial markets' expectations of longer run inflation—are even more important than short rates with respect to future economic growth. Long-term rates are crucial to business and individual investment decisions, debt burdens and balance sheets, and of course of important housing sector. Stable or lower long-term rates can be achieved only through stable long-run price expectations.

The best part of macroeconomic policy in recent years has been the steady conduct of monetary policy. By bringing down price expectations and interest rates, the Federal Reserve has in effect generated a powerful tax cut affect to promote economic growth. This is the single largest factor in my anticipation of at least mild economic recovery. However, should the Fed be forced into an easy money position, then long-term interest rates and inflation would soon rise, creating a tax increase effect which would abort the recovery and send us back into double dip recession. Hopefully the Fed will continue its adherence to market price-level targeting, which is the only way to effectively balance money supply and money demand.

As an important sidebar, a properly crafted tax-cut program will make the Fed's counter-inflation job easier. Supply-side tax cuts will increase the output of goods and services, thereby rendering the same growth of money supply less inflationary, since it will be chasing more goods.

#### WHAT'S WRONG HERE? FISCAL POLICY

A series of mistaken fiscal decisions in recent years has created an atmosphere which is anti-entrepreneurial, anti-risk taking and anti-growth. A whole series of misbegotten steps helped set the recessionary stage. In 1989 a Savings and Loan bill made the problem worse, devalued the franchises and sent a chilling re-regulatory signal. Then came the breakdown of the capital gains tax relief plan. Then in 1990 came a highly burdensome and expensive Clean Air Act, along with a spate of burdensome environmental regulations or regulatory threats including the spotted owl, toxic waste, nuclear waste, disabilities, and CAFE fuel standards.

Environmental regulation has increased at a significant pace, now comprising 38% the entire regulatory budget. The EPA budget has increased by 31% in the last three years and staffing has expanded by 23%, according to a recent study sponsored by Washington University. After sharp cutbacks during the Reagan administration, Federal Register pages have increased from 55,000 towards 70,000. All this has created tall barriers and substantially higher costs for all forms of commerce and investment.

Then came the disastrous November 1990 budget deal, ending a six-month period where senior officials in the White House and the Congress continuously discussed in public various tax raising schemes, all of which had a debilitating effect on consumer and business confidence, calling a halt to the vital animal spirits and entrepreneurial juices which are so essential to the workings of a vibrant free-enterprise economy. Taking its cue from the Federal debate, more than half the states and numerous cities around the

country substantially increased taxes on income, sales and property.

If the economy is to revive and reach its full potential in the 1990s, recent fiscal policy decisions must be completely reversed. I believe this is possible, and I remain an optimist with respect to the current opportunity to take strong steps toward an across-the-board tax cut program which would encompass all income classes and business categories, and which would be financed by added revenue generation from accelerating economic growth as well as budgetary cost savings from a suitably lower U.S. defense budget profile. Some proposals from a working group in which I am participating:

Capital gains rate reduction, indexation and tax-free rollover provision.

To assist middle income taxpayers, a sizable increase in the earned income tax credit (EITC).

Increased personal exemptions and child care tax credits.

For businesses, an investment tax credit (ITC) which will effectively accelerate capital cost recovery and lower the corporate tax rate.

For commercial real estate, restoration of the active investor loss provision, which would permit full-time real estate professionals to deduct expenses against losses.

Expanded Bentsen-Roth IRAs.

Repeal of the luxury tax.

Enterprise zones.

#### OPTIMISM AND LEADERSHIP

I do not pretend to have all the wisdom on a comprehensive tax cutting package. Undoubtedly there are other permutations and combinations or new ideas which will make good economic and political sense. But I believe that these proposals as well as others would constitute a solid pro-growth incentivizing reform package which importantly would provide across-the-board tax relief to all segments of the population.

This is a key point. For as much as I favor capital gains tax relief, which would help new business creation, would provide enhanced capital access for the have nots, especially those in poverty-stricken urban areas, and would raise real estate asset values and thus reduce the cost of the S&L and bank bailout programs, and would lower capital costs in line with our foreign competitors, I do not believe that capital gains reform by itself constitutes a serious tax policy.

A key ingredient yes. But by itself, as a single issue standing alone, it is not a tax reform program which would clearly stimulate economic recovery throughout the nation in a way that all citizens and taxpayers can clearly and readily understand. It strikes me that many of us have forgotten that the original Kemp-Roth concept more than 10 years ago clearly provided tax rate relief to all Americans. Because of the evenhandedness of the original Kemp-Roth proposal, the more people that found out about it favored it, and this is why its early legislative defeats continue to generate wider and broader support, eventually ending in victory.

Additionally, I do not believe that an attitude of excessive economic pessimism is necessarily the cleverest way of achieving much needed tax relief to spur economic growth. Nor do I believe that permanent tax reduction should be tied to some near term numerical point estimate of the economy. We ought not to be proposing Keynesian quick fixes. Instead, we should seek tax relief because it is good tax policy which would grow the economy and create capital and jobs over the longer term. Indeed, a pro-growth tax

package such as this could well push real GNP growth to 4%-5% in 1992 and 1993. The Dow could reach 4000.

Finally, I believe that optimism is an essential tool. Optimism is the very essence of leadership. We have a vision of enhanced individual creativity and inventiveness and opportunity and prosperity for all income levels, business segments and geographic locations. I firmly believe that the public at large has an innate sense of optimism that problems can be solved; but the electorate is waiting to line up and follow the right leadership and the right vision. So far, neither Republicans nor Democrats at the national level have fully opened their arms to embrace a growing anti-corruption, anti-tax and anti-government revolt which is clearly brewing at the local level. In this sense we have a unique opportunity to flesh out an optimistic vision of tax cutting and governmental reform.

#### HEADING OFF "MALAISE" WITH PRO-GROWTH TAX POLICIES

(By Gary Robbins, President, Fiscal Associates, Inc., and Senior Fellow, National Center for Policy Analysis)

Despite claims that the current recession has been mild and, according to some, already over, its impact on jobs and incomes has been very serious. By the end of June 1991:

The current recession had cost 1.5 million jobs relative to the prior peak employment level. Employment to date is 5.4 million below the economy's trend line.

Had the economy continued on trend those jobs would be producing another \$254 billion in real GNP (expressed in 1982 dollars).

The economy has continued to deteriorate further since June. The cumulative loss in real GNP through the second quarter relative to its prior peak level now stands at \$217 billion.

During the past six quarters the U.S. economy has lost 3 percent of real GNP due to the downturn. The average after tax income of U.S. families has fallen by exactly the same amount as it would have if federal taxes had increased by 15 percent. Moreover, specific individuals affected are those who can least afford the income loss—the newly unemployed, first time job seekers including new graduates, and the working poor who are generally the first to be laid off. Failure to act to restore growth has levied the cruelest kind of tax on the least fortunate in our society—those who have lost all their income, not just a portion of it.

I would like to address four points today. First, extending analysis done by Larry Hunter at the U.S. Chamber of Commerce, I will expand on the implications of continued slow growth.<sup>1</sup> I will then review the growth implications of "The Emergency Economic Growth Act" along with some variations that have been considered over the past year. Next, I will examine the effect of the proposal on the growing costs of financial bailouts. And last, I would like to offer some results from a forthcoming National Center for Policy Analysis paper on the impact of taxes on capital which directly bear on the question of how to stimulate growth in the near term.

#### THE RETURN OF MALAISE

Graph 1 illustrates how the slowdown has damaged the U.S. economy. Up until the first quarter of 1990, the economy had shown an extremely steady growth of about 3.3 per-

cent over the prior five years. Since then there has been virtually no growth.

A number of factors have combined to slow the economy:

A substantial social security payroll tax rate increase combined with an unexpectedly large increase in covered earnings has raised the tax on working and raised the cost of hiring labor;

Increased regulations, most notably in the environmental area, have increased future costs of production;

State and local governments have increased tax rates to offset a drop in the rate of increase in their revenues;

Federal government spending and tax rates increased as a result of last year's budget summit; and

The attractiveness of home ownership and commercial real estate dropped dramatically as the real estate market absorbed the "hit" of a substantial, retroactive increase in capital gains tax rates.

The current downturn is a natural reaction of the U.S. economy to higher levels of production costs resulting from these government actions. Businesses have adjusted investment and hiring to reflect the lowered prospects for sales and profits. These responses by businesses have resulted in lower GNP, fewer jobs and less investment.

Without remedying the causes of the current downturn, the economy faces a permanent reduction in its rate of growth. There even seems to be a growing consensus that after it recovers the economy will be considerably less robust than it was during the mid- to late 1980s. With the return to higher levels of regulation, government spending and taxes, combined with a looser monetary policy, the economy is in serious danger of reverting to the slower growth "malaise" of the late 1970s.

#### GETTING THERE FROM HERE

To illustrate the implications of slower growth, consider the following economic scenarios. Starting from the second quarter of 1991:

If, instead of growing at the previous trend rate of growth—3.3 percent from 1985 through 1989—real GNP grew by 2.5 percent, we would lose nearly half a year's income over the next five years, or \$2.3 trillion. By the end of 1996, real GNP would be \$500 billion below the previous trend and the gap would be widening. (Graph 1 presents this scenario.)

[Graphs not reproducible in the Record.]  
If the economy grows at 3.3 percent without the typical recovery spurt, the loss in real GNP would be \$1.8 trillion over the next five years. By the end of 1996, real GNP would be \$305 billion below the previous trend. (Graph 2 shows this scenario.)

Even if we return to the old trend rate of growth, we will lose more than one-third of a year's GNP and output will be permanently lower by 5 percent. This would have the same effect on aftertax family income as a 25 percent increase in federal taxes.

To attain the level of GNP projected by the old trend growth the economy would have to grow by an average of 5.4 percent over the next three years, as shown in Graph 3. Thus far, the current downturn is roughly half the GNP loss of the 1981-82 recession and equal in terms of job loss. Recovery periods generally experience very rapid rates of growth, as that for 1981-82 shown in Graph 4. This recovery, however, is expected to be much slower than others presumably because the recession is "mild." Among the real reasons for a lackluster recovery, however, is the fact that marginal tax rates are rising, unlike the early 1980s when they were falling.

<sup>1</sup>Footnotes at end of article.

## LOST JOBS

The most significant social concern during a downturn must be workers who are either displaced directly, discouraged from looking, or face a generally soft demand for their services. The slower economy results in lower take-home pay as well as fewer available jobs. There is literally no way to insulate the worker from a downturn in production. They are a significant part of variable costs which must be reduced during hard times. Recessions mean lost output and lost job opportunities. This is the directly visible social cost of a downturn.

To date, we have lost nearly 5.4 million jobs relative to the rate of job creation during the previous five years. By August, we were 1.9 million jobs below the prior peak employment level. The economy has lost forever nearly 5.2 million man-years of labor, and workers have lost the income they would have earned doing that work. The real outrage is not that unemployed workers have run out of benefits but that they have been deprived of job opportunities. Given a choice between unemployment benefits and the opportunity to earn significantly more through work, I believe the choice would be for the chance to work. Further, the lost labor income is many times the amount of unemployment benefits arising from a rise in the unemployment rate.

Similarly, a slower than normal GNP recovery will mean a slower than normal creation of jobs in the future. If real GNP grows at 2.5 percent, there will be 44 million man-years lost from 1990 through 1996. We are talking about a loss of 9 million jobs relative to our prior rate of job creation by the end of 1996.

## GROWTH INCENTIVES

Senators Phil Gramm, Robert Kasten and Malcolm Wallop have introduced "The Emergency Economic Growth Act." The bill contains a number of work, saving and investment incentives including a reduction in the capital gains tax rate, inflation-indexing for capital gains, an IRA-Plus plan, home ownership incentives and a reduction in the penalty on work imposed by the social security earnings test.

We estimate that the proposed bill would have a positive impact on the economy.<sup>2</sup> Specifically, it would:

Increase GNP by \$337.2 billion (expressed in nominal terms) over the next five years. By the year 2000, GNP would be over \$1.4 trillion higher.

Increase employment by almost 500,000 over the next five years. By the year 2000, employment would be over 1.1 million higher.

Increase the stock of U.S. capital by over \$1.2 trillion (expressed in nominal terms) over the next five years. By the year 2000, the capital stock would be almost \$3 trillion higher.

Two other measures could be considered in addition to those contained in the proposed bill. They are:

Indexing tax depreciation for inflation and the time value of money as in the bill proposed by Senator Wallop and Congressman DeLay. This provision could provide the equivalent stimulus of an immediate \$100 billion business tax cut—several times the stimulus of the proposed capital gains cuts—with no immediate revenue loss.

Further lowering the capital gains tax rate to 15 percent, as proposed last year by Senators Robert Kasten, Connie Mack and Richard Shelby, would raise even more revenue as people unlock their capital gains in the short term.

## FINANCIAL BAILOUTS

Stimulating economic growth, particularly through a lower capital gains tax, would have an immediate beneficial effect on real estate values. This, in turn, would reduce the cost of the savings and loan bailout. We have estimated that the reduction in the capital gains tax rate proposed by President Bush last year would:<sup>3</sup>

Lower the S&L bailout cost by 4 percent (\$5.8 billion assuming the cost is \$150 billion).

Reduce potential RTC real estate value losses by \$4 billion.

Adding inflation-indexing of capital gains as contained in "The Emergency Economic Growth Act" would:

Lower the S&L bailout cost by 14 percent (\$20.8 billion assuming the cost is \$150 billion).

Reduce potential RTC real estate value losses by \$9.9 billion.

A reduction in the capital gains tax rate to 15 percent and indexation of capital gains for inflation would:

Lower the S&L bailout cost by 16 percent (\$23.2 billion assuming the cost is \$150 billion).

Reduce potential RTC real estate value losses by \$11.9 billion.

These bailout cost estimates do not address the losses building in commercial banks which hold roughly the same level of real estate investments as savings and loans. Insurance companies hold about one-third the level of real estate investments as S&Ls.

Typically it is the real estate and financial sectors that are most influenced by attempts of the Federal Reserve to reduce interest rates. In the current circumstance, the capital gains tax increase has worked against this traditional monetary tool for boosting economic growth. In contrast with earlier periods, Fed expansion of money base has not been translated into an expansion in M2, its target. The Fed has been thwarted because, unlike the past, the risk of higher inflation and, therefore, higher capital gains taxes have offset potentially lower financing costs. The 1986 capital gains changes have directly reduced the ability of the Federal Reserve to affect economic growth.

## THE BENEFITS OF CAPITAL

The wages of workers and the stock of capital are inescapably linked. The only way that the real wages, and thus the well-being, of workers can rise is if they have more capital with which to work. Furthermore, most of the benefits from capital accumulation flow to people in their role as wage earners, rather than to the owners of capital. As Graph 5 illustrates:

For every additional dollar of sales generated by an additional unit of capital, the private sector keeps 47.4 cents while governments take 43.6 cents. The remaining 9 cents goes toward replenishing the used capital.

The private sector's share goes primarily to labor which receives 43.7 cents of the additional dollar of sales. Owners of capital, on the other hand, receive only 3.7 cents.

In other words, workers get to keep \$12 in aftertax wages for every \$1 of additional aftertax income to owners of capital.

Similarly, federal, state and local governments receive \$12 in additional tax revenues for every \$1 of additional aftertax income to owners of capital.<sup>4</sup>

Reducing the tax rate on capital will be rapidly translated into an increase in the stock of capital sufficient to bring the temporarily higher rate of return on capital back down to its long-run level. The distribution of the increased GNP resulting from the higher level of capital will be in the proportions just outlined.

In today's political debate, it is common for some to assert or imply that taxes on income from capital only affect the well-being of the rich. For example, those who argue for a higher tax rate on capital gains frequently imply that the rest of us will be better off because the rich will bear a larger share of the burden of government. They unfortunately ignore the fact that less capital means lower wages for everyone, even those who own no capital.

Workers and governments stand to lose even more income in the near term if some growth measure is not adopted. An additional \$2 trillion loss in GNP over the next five years would mean almost 40 million lost man-years of labor and \$875 billion in lost compensation. Furthermore, the federal government stands to lose \$520 billion in foregone revenues while state and local tax revenues will be \$350 billion lower. In the face of these potential losses, it is hard to justify ignoring the need for enacting a pro-growth program.

## FOOTNOTES

<sup>1</sup> Lawrence A. Hunter, "The Never-Ending Recession," *The Wall Street Journal*, September 19, 1991, p. A14.

<sup>2</sup> These estimates are based upon those done for a similar proposal put forth by Senator Phil Gramm and Congressman Newt Gingrich last August. See Gary and Aldona Robbins, "Responding to the Recession," Lewisville, TX: The Institute for Policy Innovation, IPI Issue Brief No. 112-1, July 31, 1991.

<sup>3</sup> See Gary and Aldona Robbins, "Adding to the S&L Solution: A Case for Lower Capital Gains Taxes," Washington, DC: U.S. Chamber of Commerce, September 1990 and "How Tax Policy Compounded the S&L Crisis," Lewisville, TX: The Institute for Policy Innovation, IPI Policy Report No. 109, February 1991.

<sup>4</sup> Gary Robbins and Aldona Robbins, "Capital, Taxes and Economic Growth," Dallas, TX: National Center for Policy Analysis, NCPA Policy Report No. 105, Forthcoming.

### FRED SCHWENDEL DISCUSSES RECENT DEVELOPMENTS IN THE SOVIET AND THE PERIOD BEFORE THE BOLSHEVIK REVOLUTION

Mr. GRASSLEY. Mr. President, today, I want to take the opportunity to commend a great former Congressman from my State of Iowa, Fred Schwengel. Currently, Congressman Schwengel is the founder and president of the U.S. Capitol Historical Society. In this capacity, he has discussed with me the historical significance between recent developments in the Soviet Union and the short Russian republican period before the Bolshevik Revolution in 1917.

The parallel between these two monumental periods is clearly reflected in speeches made by Boris Bakhmeteff, the Ambassador to the United States from the Republic of Russia, in both the House and Senate in June of 1917. Bakhmeteff stated to the House:

Russia has really lived through events of worldwide importance. Free, she is entering now the dawn of new life, joining the ranks of democracy, striving for happiness and the freedom of the world.

Later, Bakhmeteff told the Senate:

At this moment all eyes are turned on Russia. \* \* \* The fate of nations, the fate of the world is at stake, all dependent on the fate of Russia.

He went on to warn that

[w]e should not forget that in this immense transformation various interests will seek to assert themselves, and until the work of settlement is completed a struggle among opposing currents is inevitable and exaggerations can not be avoided. Attempts on the part of disorganizing elements to take advantage of this moment of transition must be expected and met with calmness and confidence.

Mr. President, it was certainly a great tragedy for humanity that the struggle for democracy in Russia failed in 1917. Congressman Schwengel has written a letter to President Mikhail Gorbachev to acknowledge the historical similarities and to suggest a joint historical conference to discuss the current and past situations of both countries. Leading historians of both nations would meet to recognize the growing ties between the peoples of the United States and the U.S.S.R., and to draw lessons from historical events so that similar mistakes can be avoided.

Thanks to Congressman Schwengel, the similarities of the Soviet events of 1917 and 1991 have been underscored. Now the exchange of ideas will, hopefully, take place to help reflect on the past and to gain insight into the future.

Mr. President, I ask unanimous consent that copies of Ambassador Bakhmeteff's statements to the U.S. Congress in 1917, as well as Congressman Schwengel's recent letter to President Gorbachev, be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

U.S. CAPITOL HISTORICAL SOCIETY,  
Washington, DC, October 22, 1991.

MR. MIKHAIL GORBACHEV,  
The U.S.S.R., Moscow, Russia, The Kremlin.

DEAR PRESIDENT GORBACHEV: As President of the United States Capitol Historical Society, I write to offer our assistance in the exchange of historical scholarship between the peoples of our two great nations.

The purpose of the enclosed letter is to suggest three ways that the U.S. Capitol Historical Society, in cooperation with the appropriate bodies in the USSR, might assist the growing understanding between our two peoples. Let me summarize these three recommendations briefly:

1. We would like to call your attention to the speeches of Boris Bakhmeteff to our Congress in 1917. Copies of the speeches are attached.
2. I would welcome the opportunity to visit the USSR and to counsel with your historians. The U.S. Capitol Historical Society would be honored to welcome any of your historians who visit Washington, D.C.
3. We suggest a major scholarly conference involving the leading historians from our two nations be convened in the prestigious setting of Capitol Hill.

The letter enclosed provides greater information on these three suggestions. We hope that you will give these points serious consideration. We pledge to provide our good offices in a spirit of friendship and good will to

further the cultural and educational exchanges between our two great nations.

Sincerely,

FRED SCHWENDEL,  
President.

U.S. CAPITOL HISTORICAL SOCIETY,  
Washington, DC, October 22, 1991.

MR. MIKHAIL GORBACHEV,  
The U.S.S.R., Moscow, Russia, The Kremlin.

DEAR PRESIDENT GORBACHEV: On behalf of the United States Capitol Historical Society, I greet you and offer you our congratulations. Your courageous leadership will have an enduring effect on posterity. In articulating and then applying the ideas of Glasnost and Perestroika, you may have presented the world with a truly breathtaking opportunity for achieving global peace, human freedom, and personal prosperity. Now the challenge is to consummate the victory, and in this endeavor, the history of our country combined with that of your own can be instructive and of enormous value. This is the purpose of my letter.

I am an historian and the founder and President of the United States Capitol Historical Society. The Society, a voluntary educational organization chartered by the United States Congress, has as its primary purpose making the history of the Capitol building and our Congress more available to our citizens and to the world. The Capitol, the home of Congress, is where the elected representatives of our nation legislate on behalf of the people. Many historical achievements have occurred within this Capitol building, and our mission is to bring them to the attention of the people. Undergirding our efforts is the dictum of a great American scholar and poet, Carl Sandburg, who said, "Whenever a people or an institution forgets its early hard beginnings, it is beginning to decay."

To fulfill our educational mission of promoting a more informed and historically aware citizenry, our Society began in 1978 to sponsor a major annual symposium devoted to the American Revolutionary and Constitutional eras, 1750-1800. Held each spring in the Senate Caucus Room of the Russell Senate Office Building on Capitol Hill, in Washington, D.C., these conferences feature leading historians of early American history from throughout the world and have won high praise from the intellectual and academic community both within the United States and abroad. The programs have been remarkable for the size and enthusiasm of the audience they have attracted and for the quality of the scholarship that has been produced. Over the past fourteen years, the United States Capitol Historical Society has hosted a cumulative audience of more than 5,000 people and provided a forum for the work of nearly 200 distinguished historians. Moreover, the eight volumes of conference proceedings now in print are hailed as an enduring achievement that has immeasurably enriched our knowledge of the American past. By bringing together the world's finest historians of early American history and making their research accessible to both academics and the general public, the United States Capitol Historical Society has insured that succeeding generations will have a rich body of literature to draw upon as they seek to understand the past, comprehend the present, and plan for the future. I am sending a set of these volumes for your library.

Consistent with our record of hosting major scholarly conferences, the United States Capitol Historical Society proposes that a symposium be convened to recognize

the growing ties between the peoples of our two countries. I suggest that the meeting feature the leading historians of both nations and that they be specifically asked to address the most critical dimensions of their respective histories and national characters. Such a conference and the subsequent publication of its proceedings will foster an understanding of the varieties of historical experience that have shaped the USA and the USSR and will help to build a mutual appreciation of our distinctive cultural heritages. The exchange of ideas that can be made possible through this kind of forum can tremendously enhance the process of building a peaceful and productive future not only for the citizens of our two nations but also for all the inhabitants of the world.

In this spirit, I would welcome an opportunity to visit your country to counsel and exchange ideas with your historians and other leaders. The Society would be similarly honored to welcome any of your history scholars who may visit Washington. Both our historians and your scholars must be mindful of the historical parallels between our two great countries. I am aware that the only country in Europe that completely supported Abraham Lincoln during our Civil War was Russia. There are other historic instances when our two nations have experienced close cooperation, perhaps most significantly in working to defeat the threat presented by Adolf Hitler's Nazi Germany.

There is one important event in the history of the relationship between our two countries about which few people know, and I would like to call it to your attention. Among the 135 different officials and heads of state who have addressed the Congress of the United States, one especially stands out in the light of recent events. On June 23, 1917, Boris Bakhmeteff, the ambassador to the United States from the Republic of Russia, the provisional government that had succeeded czarist rule, addressed the United States House of Representatives. His address is included in the Society's recent publication, *Foreign Visitors to Congress: Speeches and History* (edited by Mary Lee Kerr, 2 vols., 1989). Bakhmeteff's eloquent words, spoken to Congress almost four months before the Bolsheviks came to power, suggest why a conference of major Russian and American historians is especially timely and appropriate: "During the last few months Russia has really lived through events of world-wide importance. With a single impulse the nation has thrown down the old fetters of slavery. Free, she is entering now the dawn of new life, joining the ranks of democracy, striving for the happiness and the freedom of the world."

In 1941, President Roosevelt declared the Four Freedoms: freedom from want, from fear, of speech and the press, and of religion. I have added an important Fifth Freedom—the freedom of creation and the movement of men and goods, known as the American Free Enterprise System. With the passing of the cold war, your firm commitment to Glasnost and Perestroika, and the solidification of the reform movement throughout the USSR, both of our nations will be able to devote far greater resources to the pursuits of peace and domestic happiness. By virtue of the cooperation of our countries during the Persian Gulf crisis, the prospects for international collaboration have never been greater. The mutual reduction of tensions and atomic arms has made it possible for mankind to move out of the dark shadows of nuclear annihilation into the hopeful dawn of what President Bush has so eloquently

called the "new world order." As the citizens of our two lands begin to reach out to each other, it is absolutely vital that they deepen their understandings of our respective histories.

I am aware that for some time there has been a growing exchange between the scholars of our two countries. In a recent period over 500 students from your country have visited and done research in the Library of Congress. Two of my colleagues, Professors E.B. Smith and Ronald Hoffman of the University of Maryland, have been invited to teach in your universities, and Professor Smith is currently in St. Petersburg on such an assignment. Because these exchanges of historical scholarship will inevitably yield positive results, the Society seeks to expand and build upon them through the conference I have suggested in this letter.

I have herewith mentioned only a few examples of common interest and shared visions in the histories of our two great nations. From the richness of our countries' pasts we have much to teach and to learn from each other. I envision a time when representatives of both nations will be able, as a matter of course, to present their views to our respective national legislative bodies just as Boris Bakhmeteff spoke to our House of Representatives in 1917.

Most immediately, I look forward to hearing from you in response to my suggestion for a joint historical conference. We pledge to lend our influence and the prestige we have built over the years to make this conference become a reality.

Sincerely,

FRED SCHWENGEL,  
President.

*To President Gorbachev:*

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There is one important event in the history of the relationship between our two countries about which few people know, and I would like to call it to your attention. Among the 135 different officials and heads of state who have addressed the Congress of the United States, one especially stands out in the light of recent events. On June 23, 1917, Boris Bakhmeteff, the ambassador to the United States from the Republic of Russia, the provisional government that had succeeded czarist rule, addressed the United States House of Representatives. His address is included in the Society's recent publication, *Foreign Visitors to Congress: Speeches and History* (edited by Mary Lee Kerr, 2 vols., 1989). Bakhmeteff's eloquent words, spoken to Congress almost four months before the Bolsheviks came to power, suggest

why a conference of major Russian and American historians is especially timely and appropriate: "During the last few months Russia has really lived through events of world-wide importance. With a single impulse the nation has thrown down the old fetters of slavery. Free, she is entering now the dawn of new life, joining the ranks of democracy, striving for the happiness and the freedom of the world."

In 1941, President Roosevelt declared the Four Freedoms: freedom from want, from fear, of speech and the press, and of religion. I have added an important Fifth Freedom—the freedom of creation and the movement of men and goods, known as the American Free Enterprise System. With the passing of the cold war, your firm commitment to Glasnost and Perestroika, and the solidification of the reform movement throughout the USSR, both of our nations will be able to devote far greater resources to the pursuits of peace and domestic happiness. By virtue of the cooperation of our countries during the Persian Gulf crisis, the prospects for international collaboration have never been greater. The mutual reduction of tensions and atomic arms has made it possible for mankind to move out of the dark shadows of nuclear annihilation into the hopeful dawn of what President Bush has so eloquently called the "new world order." As the citizens of our two lands begin to reach out to each other, it is absolutely vital that they deepen their understandings of our respective histories.

I am aware that for some time there has been a growing exchange between the scholars of our two countries. In a recent period over 500 students from your country have visited and done research in the Library of Congress. Two of my colleagues, Professors E.B. Smith and Ronald Hoffman of the University of Maryland, have been invited to teach in your universities, and Professor Smith is currently in St. Petersburg on such an assignment. Because these exchanges of historical scholarship will inevitably yield positive results, the Society seeks to expand and build upon them through the conference I have suggested in this letter.

I have herewith mentioned only a few examples of common interest and shared visions in the histories of our two great nations. From the richness of our countries' pasts we have much to teach and to learn from each other. I envision a time when representatives of both nations will be able, as a matter of course, to present their views to our respective national legislative bodies just as Boris Bakhmeteff spoke to our House of Representatives in 1917.

Most immediately, I look forward to hearing from you in response to my suggestion for a joint historical conference. We pledge to lend our influence and the prestige we have built over the years to make this conference become a reality.

BORIS BAKHMETEFF, AMBASSADOR TO THE  
UNITED STATES FROM THE REPUBLIC OF  
RUSSIA

(Address before the U.S. House of  
Representatives, June 23, 1917)

Mr. Speaker and gentlemen of the House [applause]. I am deeply conscious how great an honor has been conferred on me and the members of my mission by this gracious reception. I understand how unusual it is for this House to accord to foreigners the privilege of the floor. I realize that if you were moved to make such an exception it was due to the great and most extraordinary historic events which have been and are not taking place in the world.

Great indeed is the honor and the privilege to speak here, in this House, exemplifying as it does the Constitution of the United States—that wonderful document which embodies so clearly and yet so tersely the principles of free government and democracy. [Applause.]

Gentlemen of the House, when addressing you on behalf of the Government and the people of new Russia, when conveying to you the greetings of the new-born Russian democracy, you will conceive how impressed I am by the historical significance of this moment; you will understand why my emotions do overwhelm me.

During the last few months Russia has really lived through events of world-wide importance. With a single impulse the nation has thrown down the old fetters of slavery. Free, she is entering now the dawn of new life, joining the ranks of democracy, striving for the happiness and the freedom of the world. [Applause.]

Does not one feel occasionally that the very greatness and significance of events are not fully appreciated, due to the facility and spontaneity with which the great change has been completed?

Does not one always realize and conceive what it really means to humanity that a nation of 180,000,000, a country boundless in expanse, has been suddenly set free from the worst of oppression, has been given the joy and happiness of a free, self-conscious existence? [Applause.]

With what emotions are we inspired who have come to you as messengers of these great events, as bearers of the new principles proclaimed by the Russian Revolution.

May I be permitted to reiterate the expression of the feelings that stir our hearts and, impressed as I am by the might and grandeur of the wonderful events, welcome and greet you on behalf of free Russia? [Applause.]

Here at the very cradle of representative government I feel it proper to recall the very moments of birth of constitutional life in Russia which presented itself some 12 years ago at the time of the first Russian Revolution.

It was then that the Duma came into being. From the very inception of this assembly the old authority endeavored to curtail the powers that had been conferred on it. Its sole existence was an uninterrupted struggle; but in spite thereof, notwithstanding the limitations and narrowness of election laws, the Duma was bound to play a most important part in the national life of Russia.

It was the very fact of the being of a representative body which proved to be so fruitful and powerful.

It was that mysterious force of representation, force which draws everything into the whirlpool of legislative power, force the existence of which your American framers of the Constitution so deeply recognized and understood. It was that force which led the Duma, however limited, to express the feelings of Russia and frame her hopes during the world's great crisis, and made the Duma ultimately the center and the hope of national life.

It was the Duma who at the epoch when the old authority by vicious and inefficient management had disorganized the supplies of the country and brought the military operations to unprecedented reverse; it was the Duma who with energy and devotion called the people to organize national defense and appealed to the vital forces of the country to meet the German attack and save the nation from definite subjugation. Again, when it ap-

peared that the shortsighted Government, who never took advantage of the patriotic enthusiasm and national sacrifice, was not only incapable of leading the war to a successful end but would inevitably bring Russia to military collapse and economic and social ruin, it was the Duma again who at that terrible hour proclaimed the nation in danger [applause]; it was at the feet of the Duma that the soldiers of the revolution deposed their banners and, giving allegiance, brought the revolution to a successful issue. It was then that from the ruins of the old regime emerged a new order embodied in the provisional government, a youthful offspring of the old Duma procreated by the forces of the revolution. [Applause.]

Instead of the old forms, there are now being firmly established and deeply embedded in the minds of the nation principles that power is reposed and springs from and only from the people. [Applause.] To effectuate these principles and to enact appropriate fundamental laws—that is going to be the main function of the constitutional assembly which is to be convoked as promptly as possible.

This assembly, elected on a democratic basis, is to represent the will and constructive power of the nation. It will inaugurate the forms of future political existence as well as establish the fundamental basis of economic structure of future Russia. Eventually all main questions of national being will be brought before and will be decided by the constitutional assembly—constitution, civil and criminal law, administration, nationalities, religion, reorganization of finance, land problem, conditionment of labor, annihilation of all restrictive legislation, encouragement of intense and fruitful development of the country. These are the tasks of the assembly, the aspirations and hopes of the nation.

Gentlemen of the House, do not you really feel that the assembly is expected to bring into life once more the grand principle which your illustrious President so aptly expressed in the sublime words, "Government by consent of the governed"? [Applause.]

It is the provisional government that is governing Russia at present. It is the task of the provisional government to conduct Russia safely to the constitutional assembly.

Guided by democratic precepts, the provisional government meanwhile is reorganizing the country on the basis of freedom, equality, and self-government, is rebuilding its economic financial structure.

The outstanding feature of the present government is its recognition as fundamental and all important of the principles of legality. It is manifestly understood in Russia that the law, having its origin in the people's will, is the substance of the very existence of the state. [Applause.]

Reposing confidence in such rule, the Russian people are rendering to the new authorities their support. The people are realizing more and more that to the very sake of further freedom law must be maintained and manifestation of anarchy suppressed.

In this respect local life has exemplified wonderful exertion of spontaneous public spirit which has contributed to the most effective process of self-organization of the nation. On many occasions, following the removal of the old authorities, a newly elected administration has naturally arisen, conscious of national interest and often developing in its spontaneity amazing examples of practical statesmanship.

It is these conditions which provide that the provisional government is gaining every

day importance and power; is gaining capacity to check elements of disorder arising either from attempts of reaction or extremism. At the present time the provisional government has started to make most decisive measures in that respect, employing force when necessary, although always striving for a peaceful solution.

The last resolutions which have been framed by the Council of Workingmen, the Congress of Peasants, and other democratic organizations render the best proof of the general understanding of the necessity of creating strong power. The coalitionary character of the new cabinet, which includes eminent socialist leaders and represents all the vital elements of the nation, therefore enjoying its full support, is most effectively securing the unity and power of the central government, the lack of which was so keenly felt during the first two months after the revolution.

Realizing the grandeur and complexity of the present events and conscious of the danger which is threatening the very achievements of the revolution, the Russian people are gathering around the new government, united on a "national program." [Applause.]

It is this program of "national salvation" which has united the middle classes as well as the populists, the labor elements, and socialists. Deep political wisdom has been exhibited by subordinating various class interests and differences of national welfare. In this way this Government is supported by an immense majority of the nation, and, outside of reactionaries only, is being opposed by comparatively small groups of extremists and internationalists.

As to foreign policy, Russia's national program has been clearly set forth in the statement of the provisional government of March 27 and more explicitly in the declaration of the new government of May 18.

With all emphasis may I state that Russia rejects any idea of a separate peace? [Applause.] I am aware that rumors were circulated in this country that a separate peace seemed probable. I am happy to affirm that such rumors were wholly without foundation in fact. [Applause.]

What Russia is aiming for is the establishment of a firm and lasting peace between democratic nations. [Applause.] The triumph of German autocracy would render such peace impossible. [Applause.] It would be the source of the greatest misery, and, besides that, be a threatening menace to Russia's freedom.

The provisional government is laying all endeavor to reorganize and fortify the army for action in common with its allies. [Applause.]

Gentlemen of the House, I will close my address by saying Russia will not fail to be a worthy partner in the "league of honor." [Applause.]

BORIS BAKHMETEFF, AMBASSADOR TO THE UNITED STATES FROM THE REPUBLIC OF RUSSIA

(Address before the U.S. Senate, June 26, 1917)

Mr. President and gentlemen of the Senate, at the outset permit me to express to you sincere thanks and keen appreciation for the warm reception you have so graciously given to the members of the mission and to myself. Great is the honor you have bestowed by permitting me to address your distinguished body, abrogating thus a custom which has been upheld for more than a century, but still more gratifying is the expression of cordial sympathy and friendly feeling which have been so manifestly exhibited by your reception.

From the moment of our arrival in this country we have been deeply affected by the extraordinary greeting accorded us and by the constant expression of hearty welcome and sincere sympathy with which we have been hailed on all sides.

That bonds of friendship and sympathy united the people of the two nations we knew before we departed from Russia. They were amply manifested during the early days of the revolution. The act of prompt recognition of our new Government has been of incalculable value. For the brotherly encouragement which you gave us, and for the noble manner in which you so generously stretched forth a helping hand, we are here, in behalf of the new Russia, to express to you our deepest and most heartfelt gratitude. [Applause.]

We have come here as well to make clear the spirit and meaning of the great events taking place in our country. A thorough understanding is indispensable to enable our mission to accomplish the important task of establishing a close and effective cooperation between the two countries for common action and common cause. With the greatest of hope do I look forward to the results of such cooperation so vital to our mutual desire to form a league of honor among free nations on the smoking ruins of autocratic militarism.

At this moment all eyes are turned on Russia. Many hopes and many doubts are raised by the tide of events in the greatest of revolutions at an epoch in the world's greatest war. Justifiable is the attention, lawful the hopes, and naturally conceivable the anxiety. The fate of nations, the fate of the world is at stake, all dependent on the fate of Russia. Freedom and peace will be the blessings of the future if Russia happily emerges from the struggle a powerful democracy, sparkling with the gallantry of her army returning from fields won in common strife with her allies. [Great applause.]

An unprecedented epoch of spiritual depression, a new period of strenuous and anxious military depression would follow, should Russia fail to accomplish her task of political regeneration or should she collapse for economical reasons or the insufficiency of her arms. In all frankness and sincerity do I expose my cause, confident in your good will and paying tribute to the manifest feelings of sympathy, may I say affection?

I am not going to conceal the gravity of the situation that confronts the Russian Provisional Government. The revolution called for the reconstruction of the very foundations of our national life. It is not easy to comprehend what it means to reorganize all of Russia on democratic lines. Such work involves the whole of our social, economic, and political relations. The entire State structure is affected by the changes, involving village, district, county; in fact, every part from the smallest to the central State. The creation anew of a country of boundless expanse on distinctly new principles will, of course, take time, and impatience should not be shown in the consummation of so grand an event as Russia's entrance into the ranks of free nations.

We should not forget that in this immense transformation various interests will seek to assert themselves, and until the work of settlement is completed a struggle among opposing currents is inevitable and exaggerations can not be avoided. Attempts on the part of disorganizing elements to take advantage of this moment of transition must be expected and met with calmness and confidence. [Applause.]

In exposing to you a true picture of the situation I feel that it is my duty to present to you two considerations which make me feel that Russia has passed the stage of the world when the future appears vague and uncertain.

In the first place, it is the firm conviction of the necessity of equality, which is widely developing and firmly establishing itself throughout the country.

In the eyes of the Russian people this principle of equality is based on the fertile democratic doctrine that governments derive their just power from the consent of the governed [prolonged applause], and hence that a strong government must be created by the will of the people. [Renewed applause.]

Three days ago in the House of Representatives I stated that a strong majority of the Russian people had united around the coalition cabinet on a national program. I mentioned the confidence and powerful support which the Government is at present enjoying, and which from day to day gives it more strength and determination, not only to suppress acts of lawlessness on the part of disorganizing forces but also to carry out the constructive work of national reorganization.

Since then my latest advices give joyful confirmation of the establishment of a firm power, strong in its democratic precepts and activity, strong in the trust reposed in it by the people in its ability to enforce law and order. [Prolonged applause.]

In the second place, and no less important, is the growing conviction that the issues of the revolution and the future of Russia's freedom are closely connected with the fighting might of the country. It is such power, it is the force of arms, which alone can defend and make certain the achievements of the revolution against autocratic aggression. [Applause.]

There has been a period, closely following the revolution, of almost total suspension of all military activity, a period of what appeared to be disintegration of the army, a period which gave rise to serious doubts and to gloomy forebodings. At the same time there ensued unlimited freedom of speech and of the press, which afforded opportunities for expression of the most extreme and antinational views, from all of which resulted widespread rumors throughout the world that Russia would abandon the war and conclude a separate peace with the central powers.

With all emphasis and with the deepest conviction, may I reiterate that statement that such rumors were wholly without foundation in fact. [Great applause.] Russia rejects with indignation any idea of separate peace. [Prolonged applause.] What my country is striving for is the establishment of a firm and lasting peace between democratic nations. Russia is firmly convinced that a separate peace would mean the triumph of German autocracy, would render lasting peace impossible, create the greatest danger for democracy and liberty, and ever be a threatening menace to the new-born freedom of Russia. [Applause.]

These rumors were due to misapprehension of the significance and eventual processes of reorganization which the Army was to undergo as a result of the emancipation of the country. Like the Nation, the Army, an offspring of the people, had to be built on democratic lines. Such work takes time, and friction and partial disorganization must be overcome.

To adapt new principles to a body so huge, so very manifold and so self-dependent as is

a modern army is no simple task. Patience is required to mold it in accordance with forms of democracy and personal liberty, preserving at the same time disciplines so essential for success on the field of battle.

One must also realize that the time has passed when the fates of nations can be decided by an irresponsible government or by a few individuals, and that the people must shed their blood for issues to them unknown. We live in a democratic epoch where people who sacrifice their lives should fully realize the reasons therefor and the principles for which they are fighting. [Applause.]

Just as the Russian people had to undergo a process of reorganization and political revolution so also did the Russian Army. It was necessary for it to live our illusions and deceptions, and to rally about a program of historical necessity and national truth.

The national program of the Government calls for effective organization and consolidation of the army's fighting power for offensive as well as defensive purposes. [Applause.] This has been the outcome of the crystallization of the will of the people. That is the program as to warfare which has rallied around the Government, Russia's democracy, giving its leaders vigor and strength.

Conscious of the enormous task, the Provisional Government is taking measures promptly to restore throughout the country conditions of life so deeply disorganized by the inefficiency of the previous rulers and to provide for whatever is necessary for military success.

In this respect exceptional and grave conditions provide for exceptional means. In close touch with the peasant congress the Government has taken control of stores of food supplies, and is providing for effective transportation and just distribution. Following the example of other countries at war, the Government has undertaken the regulation of the production of main products vital for the country and the army. The Government at the same time is making all endeavors to settle labor difficulties taking measures for the welfare of workmen consistent with active production necessitated by the national welfare.

As to the army, the process of crystallization of the national will is expressing itself in a growing sentiment of general and common appreciation of events and a thorough understanding of the situation.

Peaceful in its intentions, striving for a lasting peace based on democratic principles and established by democratic will, the Russian people and its army are rallying their force around the banners of freedom, strengthening their ranks to cheerful selfconsciousness; to die, but not to be slaves. [Great applause.]

Russia wants the world to be safe for democracy.

To make it safe means to have democracy rule the world. [Prolonged applause.]

#### CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER [Mr. GORE]. If the Senator from Colorado will suspend for a moment, morning business is now closed.

#### THE CIVIL RIGHTS ACT OF 1991

##### MOTION TO PROCEED

The PRESIDING OFFICER. The Senate will now resume consideration of

the unfinished business, the motion to proceed to S. 1745, on which there remains approximately 9 hours, under cloture.

The Senate resumed consideration of the motion.

Mr. WIRTH. 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.

#### RECESS

Mr. MITCHELL. Mr. President, Members of the Senate, several Senators have called inquiring about the schedule for the remainder of today.

We remain in the same situation which I described earlier this morning upon the convening of the Senate. Under the rules of the Senate, although an overwhelming majority of Senators voted to proceed to the Civil Rights Bill by a margin of 93 to 4, the opponents are able to utilize up to 30 hours following that vote before we can actually get to the bill.

They have indicated their unwillingness to permit us to proceed to the bill, and so we have been in a situation where the time has been running since yesterday afternoon. Under the rule, if all time is utilized, we will get to the bill at about 9:10 p.m. this evening.

Negotiations are continuing. It is in my mind a virtual certainty that the negotiations will not resolve all of the pending questions on the bill, and we are going to have to take the bill up at some point, and debate and vote on several important and controversial amendments.

I hope we can do that sooner. It was my hope that we could have gotten to the bill by noon today. But that is not possible under the rules. Therefore, we have been proceeding with the time counting against the 30 hours.

At the same time, concurrently, discussions are continuing on attempting to resolve the question of the method to deal with the investigation into unauthorized disclosure of information which when reached will permit us to resolve that issue and pass the Federal Facilities Compliance Act, with respect to which all matters have now been dealt with other than the question of unauthorized disclosure of information.

Accordingly, Mr. President, so as not to impose unnecessarily on staff and other Members, I am going to momentarily ask unanimous consent that the Senate stand in recess subject to the call of the Chair.

But Senators should be aware that we are going to start on the civil rights

bill today even if it means using the full 30 hours and starting at 9:10 p.m. It just means what we will do between 9 and midnight what we could have otherwise been doing between 2 and 5 this afternoon.

I recognize negotiations are continuing. I hope they do continue, and I hope they produce success. As I said, there is no prospect that these negotiations are going to be limited to the need for active and possibly lengthy consideration of the bill.

So I hope that we can proceed. I will continue in my efforts to enable us to get to the bill as soon as possible. But in any event, we are going to start on this bill today, earlier if possible, but at 9:10 p.m. if necessary.

Accordingly, Mr. President, I ask unanimous consent that the Senate stand in recess subject to the call of the Chair, and that the time, while the Senate is in recess, count against the 30 hours under the provisions of rule XXII with respect to cloture on the motion to proceed to the civil rights bill.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Thereupon, the Senate, at 12:39 p.m., recessed subject to the call of the Chair; whereupon, the Senate, at 2:25 reassembled when called to order by the Presiding Officer [Ms. MIKULSKI].

Mr. COHEN. Madam President, I ask unanimous consent I be allowed to proceed as in morning business and that the time be charged against the remaining time under the cloture motion.

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

#### THE CIVIL RIGHTS ACT OF 1991

Mr. COHEN. Madam President, the bill that we are considering has been labeled a "quota bill." And it has been given the White House hold stamp of disapproval.

It seems to me that it is back to the future in American politics today. Although the calendar may say 1991, the times are starting to remind me somewhat of George Orwell's "1984," where we are told love is hate, war is peace, ignorance is wisdom, and 2 plus 2 equals 5 or 6 or 7 or whatever our deepest fear demands.

Orwell warned us that the debasement of language will lead inevitably to the corrosion and corruption of values. And I believe that is exactly what we are seeing in the debate over civil rights today.

In the corridors and back rooms of Capitol Hill, civil rights legislation is whispered to be a politically defining issue, a so-called wedge issue that can be used to drive middle-class white voters further into the arms of the Republican Party, leaving blacks, feminists, labor unions, and vacuous liberals in the backwash of the Democratic Party.

Now it may be, as this cynical thesis might have it, that this wedge is a politically powerful and popular force that is going to repel the segments of our society into clearly defined magnetic fields.

This wedge may even be the key to political victory for the balance of this century and beyond—if you believe that winning means never having to say you're sorry.

But I believe the short-term political success is going to prove to be a long-term public policy disaster. Political success for a party and for our country ought to mean something more than he who dies holding the most votes. Just as wealth has to mean more than the number of dollars in one's bank account or the number of cars in one's garage.

When we speak of politics, we must speak of philosophy. And philosophy means the love or pursuit of wisdom and the understanding of human values.

And that is what is truly at stake here—not wedges, but values.

There are two—at least two—basic values that lie deep within the hearts and minds of the American people.

One is that every person should be given a fair chance to compete—in the classroom, on the athletic fields, and in the workplace. Every person under our Constitution should enjoy equal privileges and equal protection of the law.

The second major value—there should be no special privileges. No favoritism. No artificial or arbitrary rules that give something that has not been earned. No quotas, which are a rule of thumb and not a rule of reason.

In an ideal world, these values are not in conflict. They are complementary. They are in harmony.

But suppose the world is less than ideal. Suppose that all the people in this country are not treated equally and have not been treated equally over a long period of time. Suppose there are laws passed or practices established that discriminate against people because of their race or sex.

Suppose people are treated as slaves, pack mules, objects of hatred and violence, or simply as reproductive vessels.

Suppose people cannot buy a home or obtain a mortgage or get a job because of the color of their skin or break through that so-called glass ceiling at the workplace because of their gender.

Is there anything more un-American than to deny a human being the chance to be the best that he or she can be, as the Army says, on equal terms?

Is there anything more un-American than to isolate people in a ghetto, put up invisible barriers by denying them jobs, opportunity, and any hope of breaking out of their prison of poverty? And then sit back and watch in horror and outrage as their children go fatherless and their streets go white with

drugs and then run red with the blood from mindless violence?

Is there anything more un-American than to rob people of their equal opportunity because of the pigment in their skin, the texture of their hair, the composition of their chromosomes—all the while we sit back and proudly proclaim that our policies have to be colorblind and gender neutral?

Is there anything more hypocritical than to say that racism or sexism is a thing of the past?

Madam President, in "Native Son," Richard Wright told a story of what it means to be black in this country. There are many memorable scenes in the book, but there is one that has stayed with me over the years. In it, two young boys, Bigger and Gus, look up at a pilot who is skywriting on a lazy summer day:

"Looks like a little bird," Bigger breathed with childlike wonder.

"Them white boys sure can fly," Gus said.

"Yeah," Bigger said wistfully. "They get a chance to do everything. I could fly a plane if I had a chance."

"If you wasn't black and if you had some money and if they'd let you go to that aviation school, you could fly a plane," Gus said.

And then there is Bigger contemplating a life filled with denial and rejection, and he responds:

Every time I think about it, I feel like somebody's poking a red-hot iron down my throat \* \* \* It's just like living in jail. Half the time I feel I'm on the outside of the world peeping in through a knothole in the fence. \* \* \*

That scene was memorable for me not just because it depicts a scene of innocence and whimsy perhaps in a novel filled with horror, but because it said so much about the human spirit, about the significance of hope, about the utter destructiveness of knowing in advance that the hope can never be realized.

Now, "Native Son" is fiction and it was written 50 years ago. We've made great progress since then. Michael Jordan is now skywriting in Chicago, Michael Jackson walks on the Moon, TV watchers can start their day with Bryant Gumbel or Oprah Winfrey and end it with Bill Cosby or Arsenio Hall, and Clarence Thomas sits on the Supreme Court.

There has been progress. But for every Jordan, Jackson, Gumbel, Winfrey, Cosby, Hall, or Thomas, there are millions of people treated with contempt and disdain and discrimination every single day and moment of their lives.

For every Sandra Day O'Connor or Katherine Graham, there are millions of women who run smack into harassment or invisible walls that restrict the achievement of their potential.

Recently, I watched a segment of "Prime Time" on ABC. The producers

of the show took two attractive, articulate male college graduates—one white, one black—and sent them out into the world followed by a hidden camera.

You can probably guess the results of that foray into the world's experiences. The young white man was treated almost systematically with courtesy and enthusiasm and accommodation, with financial incentives to make purchases.

How was the black man treated? In a store, he was regarded with great suspicion by a salesman and followed by a security guard. He went to one auto dealership—the same dealership that his counterpart had gone to earlier—where he was thoroughly ignored. At another dealership, he went in to ask about purchasing a car and was given a higher interest rate than his counterpart. He went to look for an apartment and was told that the last apartment had just been leased, even though, of course, we all know that it hadn't been leased.

The camera never blinked. Nor did any of the unwitting participants in the film. They either denied that they had engaged in acts of racism or discrimination, or they reacted with anger to the exposure of their behavior.

And still, there are those who want to make the term "civil rights" a pejorative phrase, and use it to achieve political success on the backs of those who have been victimized by society for hundreds of years.

Justice Holmes once wrote that the hell of the old world's literature involved people being taxed beyond their abilities. We can recall all of the various myths where the individuals had their fate written well in advance. It was all preordained, and they struggled against overwhelming odds and inevitably failed.

But Holmes said there was a different type of hell in today's literature and today's life. He said a far deeper abyss existed and that's when powers conscious of themselves are denied their chance. And that, it seems to me, is at the core of what we're debating today.

The hell of millions of Americans that they must endure every day of their lives, knowing that they have the intelligence and the ability, and they're being denied their chance.

Madam President, opponents of this legislation can jump up and say they agree. Intentional discrimination is a violation of every sense of decency, every principle that we hold dear. But they would then argue this legislation goes beyond intentional discrimination—and indeed it does. They would argue it dictates employment practices and standards and is going to force employers to hire unqualified people or undesirables in order to avoid a lawsuit. And so they put the quota label on the bill.

Madam President, what this legislation does is it talks about burden of

proof—the allocation of burden of proof. Who should bear the burden of proving that an employer's hiring or promotional activities result in excluding women or minorities from entering that work force or progressing within it.

Congress passed laws, which the courts determined placed the burden on those who could show that their standards or practices were driven by business necessity rather than any racial or sexual bias or discriminatory practice. And from 1971 to 1989 there seemed to be no cry of quotas. No one said this jeopardized the entire American ethic because of quotas.

But then in 1989, the nonactivist Supreme Court discarded precedent and shifted the burden to those who chose and do choose to complain.

What we are doing in this legislation, we are saying to the court and to the country, "No. The burden belongs on those who claim, 'the business makes me do it.'"

Madam President, this legislation, so meticulously and laboriously crafted by my diligent and thoughtful colleague JACK DANFORTH, is important for what it does. But it is also important for the message that it sends. The pursuit of the American ideal or dream is as important today as it was on the day that our Constitution was drafted.

There are others who have spoken far more eloquently than I can ever possibly hope to do. There is one voice I recall reading, that of Robert G. Ingersoll, who was talking about the issue of racism in our society. He said:

Liberty is not a social question. Civil equality is not social equality. We are equal only in rights. No two persons are of equal weight, or height. There are no two leaves in all the forests of the earth alike—no two blades of grass—no two grains of sand—no two hairs. Neither mental nor physical equality can be created by law, but law recognizes the fact that all men have been clothed with equal rights by nature, the Mother of us all.

And then he went on to say:

The man who hates the black man because he is black has the same spirit as he who hates the poor man because he is poor. It is the spirit of caste. The proud useless despises the honest useful. The parasite idleness scorns the great oak of labor on which it feeds, and that lifts it to the light.

I am the inferior of any man whose rights I trample under foot. Men are not superior by reason of the accident of race or color—

And let me here add the words "or sex."

Madam President, to oppose this legislation is to reaffirm the condemnation of those millions of Americans who conscious of their powers are being denied their chance.

I cited Justice Holmes a moment ago, and let me close with another of his observations.

He said that a catchword can hold analysis in fetters for 50 years and more. A label can attach similar chains to our minds. I would hope that my

colleagues would reject the label, tear off the label, to study the contents and, more importantly, study what has been done to the lives of so many of our citizens.

And I hope that they will conclude that fairness demands that they support this legislation.

Madam 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. COHEN. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

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

#### RECESS SUBJECT TO THE CALL OF THE CHAIR

Mr. COHEN. Madam President, I ask unanimous consent that the Senate go into recess subject to the call of the Chair and the time be charged to each side under the previous understanding.

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

Thereupon, the Senate, at 2:40 p.m., recessed subject to the call of the Chair; whereupon, at 7:18 p.m., the Senate reassembled when called to order by the Presiding Officer [Mr. ADAMS].

Mr. SIMON. Mr. President, I ask unanimous consent to speak as in morning business and that the time be charged against the time running postcloture.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered. The Senator from Illinois is recognized.

#### INACCURATE ARTICLE ALLEGING SOURCE OF LEAK OF CONFIDENTIAL DOCUMENTS

Mr. SIMON. Mr. President, this morning's Washington Times contains a totally inaccurate article alleging that I was the source of the leak of confidential documents in the Clarence Thomas-Anita Hill matter. There is absolutely no truth to this. I simply do not operate that way, as I think my colleagues in the Senate know.

I have questioned my staff in detail on how the documents were handled, and I can say without hesitancy that no one on my staff was responsible for leaking the documents. I strongly support an investigation into who did leak the documents, and I will cooperate fully with the FBI, GAO, or any other Federal agency looking into the matter.

But for a newspaper to run such a story without a shred of evidence is more of a commentary on the newspaper's ethics than it is on the person charged.

#### LA SALLE ACADEMY, 1990-91 BLUE RIBBON SCHOOL

Mr. PELL. Mr. President, as chairman of the Senate Subcommittee on Education, Arts, and Humanities, it is an honor and a privilege to offer my congratulations to La Salle Academy on being named a 1990-91 Blue Ribbon School.

This is indeed a very significant award. Only those schools which meet the most rigorous standards of achievement and excellence are named Blue Ribbon Schools. In fact, less than one-half of 1 percent of all our Nation's schools receive the Blue Ribbon Schools Award. It is the highest honor bestowed by the Department of Education, created to recognize outstanding public and private elementary and secondary schools across the United States that are unusually effective in meeting national education goals.

Mr. President, while much is learned at the La Salle, certainly, much can be learned from them.

At La Salle, Brother Fredrick Mueller has fostered an environment where students are encouraged to realize their potential both inside and outside of the classroom. La Salle's rigorous academic program sends over 90 percent of its students on to higher education, an impressive record for all our schools to reach.

Moreover, there is a tradition of public service at La Salle seen not only through the actions of the current student body but the alumni of La Salle as well. More graduates of La Salle Academy serve in the Rhode Island State Legislature than of any other school in the State. Indeed, it is the alma mater of my distinguished colleague from Rhode Island in the House of Representatives, Congressman JACK REED.

The importance of a well-trained mind can never be overstated, no matter how often we speak of education, no matter how much we do to improve our schools.

I remind the students of La Salle Academy and my colleagues here in the Senate of the eloquent words of Joseph Addison.

Education is a companion which no misfortune can depress, no crime can destroy, no enemy can alienate, no despotism can enslave, at home a friend, abroad an introduction, in solitude solace, and in society an ornament. It chastens vice and guides virtue.

La Salle Academy exemplifies the high standard of educational excellence upon which our Nation so critically depends. They have brought honor and distinction to their community and to our State.

I have said many, many times that our real wealth as a nation is measured by the sum total of the education and character of our people.

I congratulate all the people of the La Salle community for the shining contribution they have made to our national wealth. I urge them to continue

to work hard to maintain the fine standard they have set, and once again express my heartfelt congratulations for a recognition well-earned.

#### RECESS SUBJECT TO THE CALL OF THE CHAIR

Mr. SIMON. Mr. President, I ask unanimous consent that we go into recess subject to the call of the Chair, but that the time continue to run on the cloture motion.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Thereupon, at 7:21 o'clock and 15 seconds p.m., the Senate recessed subject to the call of the Chair; whereupon, at 8:08 p.m. the Senate reassembled, when called to order by the Presiding Officer [Mr. BRYAN].

#### UNANIMOUS-CONSENT AGREEMENT—S. 596

Mr. MITCHELL. Mr. President, I ask unanimous consent that, at 2:30 p.m. tomorrow, the Senate resume consideration of S. 596, the Federal facilities bill; that Senator SEYMOUR be recognized to offer an amendment, which will not be subject to amendment, dealing with the unauthorized release of Senate documents; that the majority leader then be recognized to offer a resolution dealing with the same subject, to which no amendment or motion would be in order; that there be 1 hour for debate, equally divided between Senators MITCHELL and SEYMOUR, on both the amendment and the resolution; that when all time is used or yielded back, the Senate vote on the Mitchell resolution; that upon the disposition of the Mitchell resolution, the Senate vote on the Seymour amendment, to be followed by third reading of the bill; that the Senate then proceed to Calendar No. 131, H.R. 2194, the House companion bill; that all after the enacting clause be stricken and the text of S. 596, as amended, be substituted in lieu thereof; that the bill be read a third time; and that the preceding all occur without any intervening action or debate.

The PRESIDING OFFICER. Is there objection? The Chair hears none. Without objection, it is so ordered.

#### EXECUTIVE SESSION

#### EXECUTIVE CALENDAR

Mr. MITCHELL. I ask unanimous consent that the Senate proceed to executive session to consider the following nominations:

Calendar 337. Edward G. Lanpher, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Zimbabwe, and  
Calendar 338. Richard C. Houseworth, to be U.S. Alternative Executive Direc-

tor of the Inter-American Development Bank.

I further ask unanimous consent that the nominees be confirmed, en bloc, that any statements appear in the RECORD as if read, that the motions to reconsider be laid upon the table, en bloc, that the President be immediately notified of the Senate's action, and that the Senate return to legislative session.

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

The nominations considered and confirmed en bloc are as follows:

#### DEPARTMENT OF STATE

Edward Gibson Lanpher, of the District of Columbia, a career member of the Senior Foreign Service, class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Zimbabwe.

#### INTER-AMERICAN DEVELOPMENT BANK

Richard C. Houseworth, of Arizona, to be U.S. Alternate Executive Director of the Inter-American Development Bank, vice Larry K. Mellinger.

#### LEGISLATIVE SESSION

The PRESIDING OFFICER. Under the previous order, the Senate will resume legislative session.

#### MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. McCathran, one of his secretaries.

#### EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting a nomination which was referred to the Committee on the Judiciary.

(The nomination received today is printed at the end of the Senate proceedings.)

#### MESSAGES FROM THE HOUSE

At 2:25 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 joint resolution (S.J. Res. 160) designating the week beginning October 20, 1991, as "World Population Awareness Week," without amendment.

The message also announced that the House has passed the bill (S. 1823) to amend the Veterans' Benefit and Services Act of 1988 to authorize the Department of Veterans Affairs to use for the operation and maintenance of the National Memorial Cemetery of Arizona funds appropriated during fiscal year 1992 for the National Cemetery System; with an amendment, in which it requests the concurrence of the Senate.

The message further announced that the House agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 972) to make permanent the legislative reinstatement, following the decision of Duro against Reina (58 U.S.L.W. 4643, May 29, 1990), of the power of Indian tribes to exercise criminal jurisdiction over Indians.

The message also announced that the bill of the Senate (S. 1241) to control and reduce violent crime, in the opinion of the House, contravenes the first clause of the seventh section of the first article of the Constitution of the United States and is an infringement of the privileges of the House and that such bill is respectfully returned to the Senate.

The message further announced that the House has passed the following bill and joint resolution, in which it requests the concurrence of the Senate:

H.R. 2032. An act to amend the Act of May 15, 1965, authorizing the Secretary of the Interior to designate the Nez Perce National Historical Park in the State of Idaho, and for other purposes; and

H.J. Res. 327. Joint resolution designating 1992 as the "Year of the Gulf of Mexico."

The message also announced that the House has agreed to the following concurrent resolution, in which it requests the concurrence of the Senate:

H. Con. Res. 197. Concurrent resolution providing that the President should urge the Secretary-General of the United Nations to develop plans for coordinating and expanding resources of the United Nations to respond effectively to disasters and humanitarian emergencies.

#### MEASURES REFERRED

The following bill and joint resolution were read the first and second times by unanimous consent, and referred as indicated:

H.R. 2032. An act to amend the Act of May 15, 1965, authorizing the Secretary of the Interior to designate the Nez Perce National Historical Park in the State of Idaho, and for other purposes; to the Committee on Energy and Natural Resources.

H.J. Res. 327. Joint resolution designating 1992 as the "Year of the Gulf of Mexico"; to the Committee on the Judiciary.

The following concurrent resolution was read, and referred as indicated:

H. Con. Res. 197. Concurrent resolution providing that the President should urge the Secretary-General of the United Nations to develop plans for coordinating and expanding resources of the United Nations to respond effectively to disasters and humanitarian emergencies; to the Committee on Foreign Relations.

#### 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-2054. A communication from the Director of the Office of Management and Budget, Executive Office of the President, transmitting, pursuant to law, a report on U.S. Costs in the Persian Gulf Conflict and Foreign Contributions to Offset Such Costs; to the Committee on Armed Services.

EC-2055. A communication from the Director of the Office of Management and Budget, Executive Office of the President, transmitting, pursuant to law, a report on direct spending or receipts legislation; to the Committee on the Budget.

EC-2056. A communication from the Director of the Office of Management and Budget, Executive Office of the President, transmitting, pursuant to law, a report on "Pay-As-You-Go Legislation Enacted as of October 11, 1991"; to the Committee on the Budget.

EC-2057. A communication from the Secretary of Transportation, transmitting, pursuant to law, a report on the activities undertaken by the U.S. Coast Guard to reach certain international agreements and on the desirability of applying selected pollution prevention requirements to all vessels which call at United States ports; to the Committee on Commerce, Science and Transportation.

EC-2058. A communication from the Commandant of the U.S. Coast Guard, Department of Transportation, transmitting, pursuant to law, a notice in the delay of the submission of a report to Congress on Alternatives to Double Hulls in Tank Vessel Design; to the Committee on Commerce, Science and Transportation.

EC-2059. A communication from the Assistant General Counsel, Department of Energy, transmitting, pursuant to law, a report entitled "Department of Energy Voluntary Agreement and Plan of Action To Implement the International Energy Program"; to the Committee on Energy and Natural Resources.

EC-2060. A communication from the Acting Deputy Associate Director for Collection and Disbursement, Minerals Management Service, U.S. Department of the Interior, transmitting, pursuant to law, a report on certain offshore lease revenues; to the Committee on Energy and Natural Resources.

EC-2061. A communication from the Acting Deputy Director for Collection and Disbursement, Minerals Management Service, U.S. Department of the Interior, transmitting, pursuant to law, a report on certain offshore lease revenues; to the Committee on Energy and Natural Resources.

EC-2062. A communication from the Acting Deputy Associate Director for Collection and Disbursement, Minerals Management Service, U.S. Department of the Interior, transmitting, pursuant to law, a report on certain offshore lease revenues; to the Committee on Energy and Natural Resources.

EC-2063. A communication from the Acting Deputy Associate Director for Collection and Disbursement, Minerals Management Service, U.S. Department of the Interior, transmitting, pursuant to law, a report on certain offshore lease revenues; to the Committee on Energy and Natural Resources.

EC-2064. A communication from the Acting Deputy Associate Director for Collection and Disbursement, Minerals Management Service, U.S. Department of the Interior, transmitting, pursuant to law, a report on certain offshore lease revenues; to the Committee on Energy and Natural Resources.

EC-2065. A communication from the Acting Deputy Associate Director for Collection and Disbursement, Minerals Management Service, U.S. Department of the Interior, trans-

mitting, pursuant to law, a report on certain offshore lease revenues, to the Committee on Energy and Natural Resources.

EC-2066. A communication from the Assistant Secretary, U.S. Department of the Interior, transmitting, a draft of proposed legislation to amend section 2 of the Act of July 31, 1947 (61 Stat. 681); to the Committee on Energy and Natural Resources.

EC-2067. A communication from the Secretary of Transportation, transmitting, pursuant to law, a report entitled "The 1991 Status of the Nation's Highways and Bridges: Conditions and Performance"; to the Committee on Environment and Public Works.

EC-2068. A communication from the Secretary of Labor, transmitting, pursuant to law, a report entitled "Trade and Employment Effects of the Caribbean Basin Economic Recovery Act"; to the Committee on Finance.

EC-2069. A communication from the President of the United States, transmitting, pursuant to law, a report on the adherence of the United States to arms control treaty obligations and on problems related to compliance by other nations with the provisions of arms control agreements to which the United States is a party; to the Committee on Foreign Relations.

EC-2070. A communication from the Assistant Secretary of State (Legislative Affairs), transmitting, pursuant to law, a report to Congress that the United States should explore the need for the establishment of an International Criminal Court; to the Committee on Foreign Relations.

EC-2071. A communication from the Director of the Office of Personnel Management, transmitting, pursuant to law, a report on drug and alcohol abuse prevention, treatment and rehabilitation programs and services for Federal civilian employees; to the Committee on Governmental Affairs.

EC-2072. A communication from the Administrator of the General Services Administration, transmitting, pursuant to law, a report summarizing and analyzing executive agencies' reports showing the amount of personal property furnished to non-Federal recipients; to the Committee on Governmental Affairs.

EC-2073. A communication from the Pennsylvania Avenue Development Corporation, transmitting, pursuant to law, a report on the status of audit and investigative activities during fiscal year 1991; to the Committee on Governmental Affairs.

#### INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second time by unanimous consent, and referred as indicated:

By Mr. MACK:

S. 1859. A bill for the relief of Patricia A. McNamara; to the Committee on the Judiciary.

By Mr. GRASSLEY:

S. 1860. A bill to amend part A of title IV of the Social Security Act to remove barriers and disincentives in the program of aid to families with dependent children so as to enable recipients of such aid to move toward self-sufficiency through microenterprises; to the Committee on Finance.

By Mr. DASCHLE:

S. 1861. A bill to require the Secretary of the Treasury to perform a study of the structures, operations, practices and regulation of Japan's capital and securities markets, and

their implications for the United States; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. GRAHAM:

S. 1862. A bill to amend the National Wildlife Refuge System Administration Act of 1966 to improve the management of the National Wildlife Refuge System, and for other purposes; to the Committee on Environment and Public Works.

By Mr. LEVIN (for himself, Mr. DODD, Mrs. KASSEBAUM, Mr. MITCHELL, Mr. JEFFORDS, Mr. HARKIN, Mr. MOYNIHAN, Mr. DASCHLE, Mr. CRANSTON, Mr. RIEGLE, Mr. KOHL, Mr. DECONCINI, Mr. FOWLER, Mr. PRYOR, and Mr. CONRAD):

S. 1863. A bill to provide for the establishment of a program that shall facilitate, on a voluntary request basis, the reunion of birth parents and adopted individuals, birth siblings, or birth grandparents of adopted individuals, through a centralized computer network, and for other purposes; to the Committee on Labor and Human Resources.

By Mr. SPECTER:

S. 1864. A bill to authorize the Secretary of Health and Human Services to award a grant for the purpose of constructing a medical research facility at the Children's Hospital of Philadelphia, and for other purposes; to the Committee on Labor and Human Resources.

#### STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. GRASSLEY:

S. 1860. A bill to amend part A of title IV of the Social Security Act to remove barriers and disincentives in the program of aid to families with dependent children so as to enable recipients of such aid to move toward self-sufficiency through microenterprises; to the Committee on Finance.

#### REMOVAL OF BARRIERS TOWARD SELF-SUFFICIENCY FOR RECIPIENTS OF AID TO FAMILIES WITH DEPENDENT CHILDREN

Mr. GRASSLEY. Mr. President, several weeks ago, I had an opportunity to introduce S. 1395. The title of that act was the Act for Microenterprise Development. At that time, I believe it would provide low-income people the opportunity for financial independence through self-employment.

The term microenterprise is defined as any unincorporated trade or business enterprise which has five or fewer employees, of which one or more is the owner. The microenterprise program makes particular sense in rural areas of the United States where employment opportunities are limited and self-ownership is often the only alternative to unemployment.

The results from microenterprising in demonstration projects are astonishing. Success in terms of personal satisfaction, self-esteem, and community pride cannot be overstated. Success in terms of loan repayment is equally impressive with levels reaching 94 percent.

Not only is microenterprise beneficial to welfare dependent persons, it is equally important to State and Federal Governments. First, there is a re-

duction in welfare expenditures for persons whose successful business starts enable them to become financially independent. Second, tax revenue is generated from the additional economic activity generated through the business.

Mr. President, today I am introducing another microenterprise bill that addresses not only the concerns mentioned in S. 1395, but also other concerns raised by my constituents who work in these demonstration projects in my State. Congressman TONY HALL, chairman of the House Select Committee on Hunger, has introduced this bill in the House of Representatives and I am proud to join him today.

There are several important goals to this new legislation.

First, to increase the exclusion of the net worth of the microenterprise for purposes of AFDC eligibility. Currently, the exclusion limit is only \$1,000. Mr. President, this means that the cost of a personal computer would put an AFDC mom over the limit. One of the women who spoke at the House hearings on this issue was an Iowa constituent who wants to start her own medical computer billing service. Unfortunately, if she buys a computer while on AFDC, she will lose eligibility for AFDC and the important medical assistance provided to her family because of her eligibility. Certainly it is clear that this \$1,000 limit is too low. My bill raises this limit to \$10,000.

The reason this is important is that it allows the new entrepreneur the ability to remain on public assistance and not draw income out of the newly formed enterprise. As most new businesses are not cash rich, their owners can seldom rely on the business for their livelihood until the business is more established. Also, any income generated from the business can be re-invested back into the business without penalty to subsistence payments.

A second goal is to ensure that AFDC caseworkers make it clear to AFDC recipients that beginning a microenterprise is an option for them. They can start their own business, with the assistance of leaders in the community, and provide a better future for their children.

Similar to the second goal, this bill also includes microenterprise in the jobs program. The goal of the jobs program is to provide greater incentive to welfare moms to get off of public assistance. This bill makes microenterprise a further option for this mom.

Mr. President, the original goal of welfare was to provide a stop-gap to those who temporarily have a crisis and need assistance. It was never meant to be a permanent means of support. Allowing these women the opportunity to make changes for their futures is what welfare assistance is all about.

Finally, Mr. President, this bill calls on the Secretary of Health and Human Services to conduct a study to identify the administrative and bureaucratic barriers that prevent AFDC recipients from developing microenterprises.

Our desire is to make independence from public assistance a reasonable goal for those with the desire, motivation, and discipline to take this challenge. I join my colleague in the House to make this challenge accessible to those who want it. I encourage my colleagues to consider this bill and join me in its passage.

I 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:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

**SECTION 1. TREATMENT OF MICROENTERPRISES UNDER PROGRAM OF AID TO FAMILIES WITH DEPENDENT CHILDREN.**

(a) STATE PLAN REQUIREMENTS.—Section 402(a) of the Social Security Act (42 U.S.C. 602(a)) is amended—

(1) by striking "and" at the end of paragraph (45);

(2) by striking the period at the end of paragraph (46) and inserting "; and"; and

(3) by inserting after paragraph (46) the following:

"(47) provide that the State agency—  
 "(A)(i) must not include as a resource of the family of which a child referred to in paragraph (7)(A) is a member, for purposes of paragraph (7)(B), the first \$10,000 of the net worth (assets reduced by liabilities with respect thereto) of all microenterprises (as defined in section 406(i)(1)) owned, in whole or in part, by the child or by a relative or other individual referred to in paragraph (7)(A); and

"(ii) must take into consideration as earned income of the family of which the child is a member, only the net profits (as defined in section 406(i)(2)) of such microenterprises; and

"(B) must ensure that caseworkers are able to properly advise recipients of aid under the State plan of the option of microenterprises as a legitimate route towards self-sufficiency, and that caseworkers encourage recipients of such aid who are interested in starting a microenterprise to participate in a program designed to assist them in such effort."

(b) DEFINITIONS.—Section 406 of such Act (42 U.S.C. 606) is amended by adding at the end the following:

"(1) The term 'microenterprise' means a commercial enterprise which has 5 or fewer employees, 1 or more of whom owns the enterprise.

"(2) The term 'net profits' means, with respect to a microenterprise, the gross receipts of the business, minus—

"(A) amounts paid as principal or interest on a loan to the microenterprise;

"(B) transportation expenses;

"(C) inventory costs;

"(D) amounts expended to purchase capital equipment;

"(E) cash retained by the microenterprise for future use by the business;

"(F) taxes paid by reason of the business;

"(G) if the business is covered under a policy of insurance against loss—

"(i) the premiums paid for such insurance; and

"(ii) the losses incurred by the business that are not reimbursed by the insurer solely by reason of the existence of a deductible with respect to the insurance policy;

"(H) the reasonable costs of obtaining 1 motor vehicle necessary for the conduct of the business; and

"(I) the other expenses of the business."

(c) INCLUSION OF MICROENTERPRISE TRAINING AND ACTIVITIES IN THE JOBS PROGRAM.—

(1) IN GENERAL.—Section 482(d)(1) of such Act (42 U.S.C. 682(d)(1)) is amended adding at the end the following:

"(C) The services and activities referred to in subparagraph (A)—

"(i) in the case that at least 3 percent of the adult recipients of aid under the State plan approved under part A (as of the close of the immediately preceding fiscal year) elect to participate in microenterprise activities, shall include programs described in paragraph (4); or

"(ii) in the case that not more than 3 percent of the adult recipients of such aid elect to participate in microenterprise activities, may include programs described in paragraph (4)."

(2) MICROENTERPRISE PROGRAMS.—Section 482(d) of such Act (42 U.S.C. 682(d)) is amended by adding at the end the following:

"(4) The programs described in this paragraph are programs of public and private organizations, agencies, and other entities (including nonprofit and for-profit entities) to enable such entities to facilitate economic development by—

"(A) providing technical assistance, advice, and business support services (including assistance, advice, and support relating to business planning, financing, marketing, and other microenterprise development activities) to owners of microenterprises and persons developing microenterprises; and

"(B) providing general support (such as peer support and self-esteem programs) to owners of microenterprises and persons developing microenterprises."

(d) ADJUSTMENT OF PERFORMANCE STANDARDS FOR MICROENTERPRISES TO TAKE ACCOUNT OF TIME REQUIRED FOR THEIR ESTABLISHMENT.—Section 487(a)(2) of such Act (42 U.S.C. 687(a)(2)) is amended by inserting

"shall be adjusted with respect to microenterprises to reflect the time required to establish, and develop a stable income from, such an enterprise as part of a plan to move toward economic self-sufficiency," after "dependency."

(e) STUDY TO IDENTIFY ADMINISTRATIVE BARRIERS TO DEVELOPMENT OF MICROENTERPRISES AMONG INTERESTED AFDC RECIPIENTS.—The Secretary of Health and Human Services shall conduct a study to identify the administrative and bureaucratic barriers that impede the development of microenterprises by recipients of aid to families with dependent children under the State plans approved under part A of title IV of the Social Security Act who desire to move toward self-sufficiency, and, not later than 1 year after the date of the enactment of this section, shall report the results of the study to the Committee on Ways and Means of the House of Representatives and the Committee on Finance of the Senate.

**SEC. 2. EFFECTIVE DATE.**

The amendments made by section 1 shall apply to payments under part A of title IV of the Social Security Act for calendar quarters beginning on or after October 1, 1991.

By Mr. DASCHLE:

S. 1861. A bill to require the Secretary of the Treasury to perform a

study of the structures, operations, practices, and regulation of Japan's capital and securities markets, and their implications for the United States; to the Committee on Banking, Housing, and Urban Affairs.

FOREIGN CAPITAL AND SECURITIES MARKETS STUDY ACT

• Mr. DASCHLE. Mr. President, I urge my colleagues to join me in supporting legislation to address a topic with significant consequences for the United States—the structure, operation, and practices of Japan's capital and securities markets.

The Foreign Capital and Securities Markets Study Act, which I introduce today, calls on the Secretary of the Treasury to conduct a year-long study of Japan's capital and securities markets and their implications for the United States. The study will focus on how the structure and operation of these markets provide Japanese manufacturers with competitive advantages against their American counterparts. The study also will examine how these markets, in the way they are structured and operated, pose a risk to American investments, international liquidity, and the stability of international financial markets. The study will touch on several topics that have been the subject of negotiation between the United States and Japan in the structural impediments initiative, such as corporate governance, a cross-shareholding, but which have never been studied in the breadth or depth proposed in this legislation.

The time is right for such a study. We have watched with interest the reports of inside dealings, loss guarantee payments, market manipulation, and other irregularities emanating this summer from Japan. We have seen allegations that Nomura Securities, the world's preeminent securities house, consorted with and manipulated stock prices for Japanese gangsters. We have seen disclosures that Japanese securities houses paid more than \$1 billion to cover the market losses of favored insiders, which include the world's most powerful industrial corporations.

The Japanese stock market scandals of 1991 are reason enough for this legislation. In today's global financial markets, a scandal of this proportion has international dimensions. We must know how the scandals will affect the United States economy as a whole, as well as American investors, including United States pension funds that have invested billions in the Japanese markets.

However, what may be more important for the long-term well-being of the United States economy is what the scandals reveal about the structure and operation of the Japanese capital and securities markets. This scandal gives us a glimpse into the heart of Japan Inc. They call our attention to the much broader and fundamental con-

tributions of Japan's financial sector to that country's remarkable postwar economic success. In so doing, the Japanese financial scandal has profound consequences for the United States, reaching from Wall Street in Manhattan to Main Street in Aberdeen, SD.

The consequences are as subtle as they are profound; here are some examples of what I mean:

#### COST OF CAPITAL

The structure and operation of Japan's securities and capital markets have provided Japanese corporations with access to cheap capital, especially during the go-go 1980's. This advantage over their American competitors has allowed Japanese companies to pursue aggressive market and pricing strategies, modernize plant and equipment, conduct extensive research and development programs, acquire American companies, and make other investments to position themselves for global competition in the 1990's. Sony, for example, reportedly raised more than \$6 billion in stock and equity-based bond issues between 1987 and 1990. Sony's reported cost of capital for these funds was estimated to be under 1 percent. In the same timeframe, Sony acquired CBS Records and Columbia Pictures for a combined total of \$5.7 billion. Access to such low-cost funds, when American companies are paying 10 percent or more, can spell the difference between competitive success and failure.

#### BARRIERS TO TRADE

The structure and operation of Japan's securities markets also have facilitated barriers to United States exports to Japan. In the well-known keiretsu corporate structure, Japanese suppliers and their customers develop longstanding business relationships through reciprocal stable shareholding arrangements, interlocking directorates, and other mutually beneficial stock arrangements. One obligation of the arrangement is continued procurement from the supplier company, which in turn depends heavily upon and works intimately with the keiretsu customer. Such relationships, forged in Japanese securities markets, act to exclude American vendors seeking to penetrate the Japanese market.

#### ANOTHER FINANCIAL SCANDAL

Japanese banks, including some of the largest banks in the world, are confronting problems similar to those faced by American banks and savings and loans. Japan's real estate and securities markets, which have been marvels of long-term growth, are depressed significantly. This downturn poses a two-pronged threat to Japanese banks.

First, loan losses could soar along with surging loan defaults and bankruptcies, especially in the real estate sector. The Economist magazine projects that Japanese bankruptcies could reach into hundreds of billions of dollars over the next few years, with

Japanese banks woefully unprepared. Loan loss reserves in Japanese banks are reported to amount to only 3 trillion yen on 448 trillion yen in outstanding loans.

Second, Japanese banks rely heavily upon securities in their portfolios to meet international capital standards. With the sharp downturn in the Japanese stock market, Japanese banks reportedly have encountered difficulty in meeting those capital standards, and have been forced to take remedial actions like curtailing international lending activity.

This scenario seems disturbingly similar to our banking and savings and loan debacle. But the implications of Japan's financial problems extend even further. Japanese banks and financial institutions play a critical role in providing international liquidity, including, most importantly for us, the financing of United States Government budget deficits. Serious dislocations in the Japanese financial sector could have global consequences.

In light of the magnitude of these and other questions concerning the implications for the United States of the structure and operation of Japan's securities and capital markets, this proposal is a fair, measured, even cautious response. If United States policy in this vitally important area is to rest on a solid foundation, we must have a comprehensive understanding of the Japanese financial markets and how they affect all Americans. •

By Mr. GRAHAM:

S. 1862. A bill to amend the National Wildlife Refuge System Administration Act of 1966 to improve the management of the National Wildlife Refuge System, and for other purposes; to the Committee on Environment and Public Works.

#### NATIONAL WILDLIFE REFUGE SYSTEM MANAGEMENT AND POLICY ACT

• Mr. GRAHAM. Mr. President, this Sunday marks the 133d anniversary of the birthday of one of America's first true conservationists, President Theodore Roosevelt. He left us many environmental legacies, including our wonderful system of national wildlife refuges.

#### PRESERVING THE LEGACY OF PRESIDENT THEODORE ROOSEVELT

In 1903 President Roosevelt established the first national wildlife refuge on tiny Pelican Island in Florida's Indian River. He sought to protect brown pelicans, egrets, herons and other impressive wading birds from hunters seeking plumes for the feathered hats that were the height of fashion in those days.

Since then our country's wildlife refuge system has grown to more than 460 refuges covering 90 million-plus acres in 50 States, from the Florida Keys to the North Slope of Alaska. This loose network of refuges provides critical

habitat to more than 700 species of birds, more than 1,000 mammals, reptiles and amphibians—and an even greater variety of fish and plants. Many of these species are listed as endangered or threatened.

Our wildlife refuges comprise one of the three largest public land systems managed by the Federal Government. More important, unlike Forest Service, Bureau of Land Management properties and other public lands, it is the only system managed primarily for the benefit of wildlife and its habitat.

#### OUR WILDLIFE REFUGE SYSTEM IS SUFFERING AND NEEDS HELP

However, other activities unrelated to wildlife protection are not categorically banned in most instances. Two laws passed in the 1960's allow recreational and other secondary uses so long as they are compatible with the refuge's primary purpose. As a result, at least one secondary use occurs on nearly every refuge, and more than 70 percent of our refuges have at least seven such uses. Unfortunately, many of these activities are severely harming the wildlife that the refuge system was designed to protect.

A 1989 study by the General Accounting Office—the investigation arm of Congress—found that activities considered by refuge managers to be harmful to wildlife resources were occurring on nearly 60 percent of our refuges, even though many of these uses had been found to be compatible. Power boating, mining, military air exercises, off-road vehicles and air boating were cited as the most frequent harmful uses.

Oil and gas drilling, timbering, grazing, farming, commercial fishing, hunting, trapping and even hiking in some cases were also found to harm wildlife, disturb habitat or breeding, or change normal animal behavior.

A followup study by the U.S. Fish and Wildlife Service, which manages the refuge system, confirmed the findings of the GAO. The Service found 63 percent of the refuges harbored one or more harmful activities.

#### THE MAJOR CAUSES BEHIND THE PROBLEM

The obvious question arose: If the law only allowed compatible activities, why must the majority of refuges endure harmful ones? The GAO found two primary causes.

First, the Fish & Wildlife Service often gave in to intense political and economic pressure.

The refuge managers became susceptible to pressure because the brief and generally worded laws passed in the 1960's governing refuges did not adequately define what the refuge purposes were or how to determine whether a proposed use was compatible with the purpose. Thus, they often ended up considering nonbiological factors in evaluating whether to allow these activities.

Furthermore, these decisions were often made without adequate public

input or written records. The problem was compounded by the Service's failure to periodically reevaluate the uses allowed.

The second major cause involved the joint jurisdiction of the refuge held by other Federal agencies or other entities. In many instances, another agency shared subsurface mineral responsibilities or a navigable waterway or had the right of access to the land and airspace for military exercises. Thus, by law such harmful activities as mining, boating, or military overflights could not be prevented.

The resulting damage is evident and widespread. At one time, the Key West National Wildlife Refuge harbored the only known breeding colony of frigatebirds in the United States. The Great White Heron National Wildlife Refuge in the Florida Keys hosted numerous colonies of wading birds and waterbirds.

Within the past year, the frigate bird rookery has been abandoned, and the other nesting birds—including the great white heron—have shown signs of declining breeding success. A major cause is sharply increased back country activity by jetskiers, power boaters, water skiers, campers, fishermen, and others.

In its very title the GAO report calls on Congress to take "bold action." That is what is needed, and that is what I am here to propose today.

A PROPOSED PLAN OF ACTION

The bill I am introducing today is a comprehensive organic act for the refuge system designed to accomplish the following:

First, set forth explicit, environmentally sound purposes for the system as a whole.

Second, establish a formal process for determining what secondary uses are compatible and thus allowable.

This decision must be based on scientific factors only, made in writing, subject to public comment and appeal, and periodically reviewed.

Existing uses may continue for up to 5 years pending a review for compatibility.

Third, require the Fish and Wildlife Service to prepare a systemwide master plan as well as conservation plans for each refuge or group of related refuges.

Fourth, require Federal agencies with joint or secondary jurisdiction over a refuge to ensure that their actions do not harm refuge resources unless permitted by law or necessary for the national security.

Fifth, reaffirm the existing law that permits wildlife recreational activities, such as hunting, fishing, and hiking, where found compatible with refuge purposes.

TRADITIONAL RECREATION SUCH AS HUNTING IS NOT BANNED

On that last point let there be no mistake: traditional recreation cur-

rently allowed on many refuges—including hunting—is not automatically banned. That is the main reason why the more strident animal rights organizations are opposed to my proposal: it does not ban hunting. Rather such activities will continue to be allowed so long as the refuge manager finds they are compatible with the purposes of the refuge.

For example, if a refuge has been established to promote the migration of waterfowl, a refuge manager could find that hunting can continue in a controlled fashion so as not to deplete the stock or endanger continued reproduction and migration.

As a hunter myself, I seek to achieve a balance between traditional recreational activities and preservation of our wildlife.

ENDORSEMENTS

This legislation has the support of the Wilderness Society, the Defenders of Wildlife, the National Audubon Society, the Sierra Club, the National Wildlife Refuge Association, the Natural Resources Defense Council, and the Florida Audubon Society. It has also been endorsed in editorials by the Tampa Tribune and the Pensacola News Journal.

CONCLUSION

Threats to our environment are all around us and seem to be growing daily. Though protection and improvement of the National Wildlife Refuge System is but one part of the needed response, it is a critical component.

Our national refuge system—started nearly a century ago by conservationist and outdoorsman Theodore Roosevelt—is one of our great national treasures. In large part, it has been a great success story, protecting species coast to coast. But now our refuge system and its mission are threatened. We have a choice: to accept retreat or to salute the spirit of Roosevelt.

President Roosevelt challenged our sense of stewardship. He said:

There are no words that can tell the hidden spirit of the wilderness, that can reveal its mystery, its melancholy and its charm. The nation behaves well if it treats the national resources as assets, which it must turn over to the next generation increased and not impaired in value.

That's exactly what we're trying to do today.

Mr. President, I ask unanimous consent that the full text of the bill and a September 21 editorial from the Tampa Tribune be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

S. 1862

*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 "National Wildlife Refuge System Management and Policy Act of 1991".

SEC. 2. FINDINGS AND PURPOSES.

(a) FINDINGS.—The Congress finds and declares that—

(1) the National Wildlife Refuge System (hereafter in this section referred to as the "System") was established under the National Wildlife Refuge System Administration Act of 1966 (16 U.S.C. 668dd et seq.);

(2) the National Wildlife Refuge System Administration Act of 1966 consolidates the authorities related to lands, waters, and interests in such lands and waters administered by the Secretary of the Interior (hereafter in this section referred to as the "Secretary"), for the purpose of conservation of fish and wildlife;

(3) the System provides opportunities for individuals to participate in wildlife-oriented recreation, and to learn, understand, and appreciate the value of and need for conserving fish and wildlife, wild lands, and naturally productive ecological communities, types, and systems;

(4) the System is the only complex of Federal lands devoted primarily to preserving, restoring, and managing fish and wildlife and the habitats of fish and wildlife;

(5) National Wildlife Refuges provide habitat for many endangered and threatened species, and for species that may become endangered or threatened, as well for other fish, wildlife, and plants;

(6) the well-being and abundance of such fish, wildlife, and plants would be diminished without such protected habitat;

(7) activities are occurring on a significant number of National Wildlife Refuges that result in harm to the fish and wildlife resources the System was designed to conserve; and

(8) improvements are needed in the administration and management of the System to ensure that sound and effective conservation programs for the System are developed, implemented, and enforced.

(b) PURPOSES.—The purposes of this Act are as follows:

(1) To reaffirm the provisions of the Act commonly known as the Refuge Recreation Act (16 U.S.C. 460k et seq.) that authorizes the Secretary of the Interior (hereafter in this subsection referred to as the "Secretary") to permit compatible fish and wildlife-oriented public recreation, such as hunting, fishing, and wildlife observation on refuges.

(2) To improve the administration and management of the System.

(3) To establish purposes for the System.

(4) To improve the compatibility determination process for National Wildlife Refuges.

(5) To establish comprehensive planning for the System and individual wildlife refuges of the System.

(6) To provide for interagency coordination in maintaining refuge resources.

SEC. 3. DEFINITIONS.

Section 5 of the National Wildlife Refuge System Administration Act of 1966 (16 U.S.C. bee) is amended—

(1) by redesignating subsections (a) through (c) as subsections (g) through (i); and

(2) by inserting the following new subsections before subsection (h) (as so redesignated):

"(a) The term 'Secretary' means the Secretary of the Interior (except as the context implies otherwise).

"(b) The term 'Director' means the Director of the United States Fish and Wildlife Service.

"(c) The term 'System' means the National Wildlife Refuge System.

"(d) The term 'refuge' means a unit of the National Wildlife Refuge System, except that such term shall not include State-managed wildlife management areas (commonly known as 'coordination areas').

"(e) The terms 'fish', 'wildlife' and 'fish and wildlife' mean any native member of the animal kingdom in a wild, unconfined state, including the parts, products, or eggs of such animals.

"(f) The term 'plant' means any native member of the plant kingdom in a wild, unconfined state, including plant communities, seeds, roots, and other parts thereof."

#### SEC. 4. PURPOSES AND ADMINISTRATION OF THE SYSTEM.

Subsection (a) of section 4 of the National Wildlife Refuge System Administration Act of 1966 (16 U.S.C. 668dd(a)) is amended—

(1) by redesignating paragraphs (2) and (3) as paragraphs (5) and (6); and

(2) by inserting after paragraph (1) the following new paragraphs:

"(2) The purposes of the System are as follows:

"(A) To provide a national network of lands and waters with respect to which, the size, variety, and location are designed to protect the wealth of fish, wildlife, and plants of this Nation and their habitats for present and future generations.

"(B) To provide healthy, naturally productive, and enduring food, water, and shelter to fish, wildlife, and plant communities and to ensure naturally diverse, healthy, and abundant populations of fish, wildlife, and plant species in perpetuity.

"(C) To serve in the fulfillment of international treaty obligations of the United States with respect to fish, wildlife, and plants, and their habitats.

"(3) If the Secretary finds that a conflict exists between any purpose set forth in the law or order that established a refuge and any purpose set forth in paragraph (2), the Secretary shall resolve the conflict in a manner that fulfills the purpose set forth in the law or order that established the refuge, and, to the extent possible, achieves all of the purposes set forth in paragraph (2).

"(4) In the administration of the System for the purposes described in paragraph (2), the Secretary, acting through the Director, shall—

"(A) ensure that the purposes of the System described in paragraph (2) of this subsection and the purposes of each refuge are carried out;

"(B) protect the System and the components of the System from threats to the ecological integrity of such System and components;

"(C) to the extent authorized by law, ensure adequate water quantity and water quality to fulfill the purposes of the System and of each refuge; and

"(D) plan, propose, and direct expansion of the System in a manner best designed to—

"(i) accomplish the purposes of the System and of each refuge in the System;

"(ii) protect and aid recovery of any species listed as endangered or threatened (and any species that is a candidate for such listing); and

"(iii) conserve other fish, wildlife, and plants, the habitats of such fish, wildlife, and plants, and other elements of natural diversity."

#### SEC. 5. COMPATIBILITY STANDARDS AND PROCEDURES.

Paragraph (1) of section 4(d) of the National Wildlife Refuge System Administration Act of 1966, (16 U.S.C. 668dd(d)(1)), is

amended by adding at the end of the paragraph the following new subparagraphs:

"(C) Except as provided in subparagraph (E) of this paragraph, the Secretary shall not initiate or permit a new use of a refuge or expand, renew, or extend an existing use unless the Secretary finds, in consultation with the Director, pursuant to subsection (e) of this section, that such use is compatible with the purposes of the System and of the refuge. The Secretary shall make no determination of such compatibility, nor initiate a proposed new use or permit a proposed, continued, or expanded use, unless the Secretary does the following:

"(i) States the time, location, manner, and purpose of such use.

"(ii) Evaluates the direct, indirect, and cumulative biological, ecological, and other effects that the Secretary determines to be appropriate of such use.

"(iii) Makes a determination, on the basis of the evaluation required under clause (ii) of this subparagraph, that such use will contribute to the fulfillment of the purposes of the System and the refuge or will not have a detrimental effect upon fulfillment of the purposes of the System or the refuge.

"(iv) Makes a determination that funds are available for the development, operation, and maintenance of such use.

"(D) Unless the Secretary, in consultation with the Director, determines that there is sufficient information available to make a reasoned judgment that a proposed, continued, or expanded use of a refuge is compatible with the purposes of the System and the refuge, the Secretary shall not permit the use.

"(E)(i) Except as provided in clause (ii), uses of refuge system lands in effect on the date of the enactment of the National Wildlife Refuge System Management and Policy Act of 1991 that, before such date, have been determined to be compatible under this section or the Act entitled 'An Act to assure continued fish and wildlife benefits from the national fish and wildlife conservation areas by authorizing their appropriate incidental or secondary use for public recreation to the extent that such use is compatible with the primary purposes of such areas, and for other purposes', commonly referred to as the 'Refuge Recreation Act' (16 U.S.C. 460k et seq.) may be continued pursuant to the terms and conditions of existing special use permits, and applicable law, for the period of time specified in the permit.

"(ii) Not later than 5 years after the date of the enactment of the National Wildlife Refuge System Management and Policy Act of 1991, any use described in clause (i) shall cease and permits for such uses be revoked unless the Secretary, in consultation with the Director of the United States Fish and Wildlife Service, makes a determination, pursuant to the procedures established under this section, that the use is compatible with the purposes of the System and the refuge.

"(F) The Secretary shall, acting through the Director, by regulation, establish and maintain a formal process for governing determinations of whether an existing or proposed new use in a refuge is compatible or incompatible with the purposes of the System and the refuge. The regulations shall provide for the expedited consideration of uses that the Secretary considers to have little or no adverse effects on the purposes of the System or a refuge, and shall—

"(i) designate the refuge officer initially responsible for compatibility and incompatibility determinations;

"(ii) describe the biological, ecological, and other criteria to be used in making such determinations;

"(iii) require that such determinations shall be made in writing and based on the best available scientific information;

"(iv) establish procedures that ensure an opportunity for public review and comment with respect to such determinations;

"(v) designate the officer who shall hear and rule on appeals from initial determinations; and

"(vi) provide for the reevaluation of a compatibility determination on a periodic basis or whenever the conditions under which the use is permitted change.

"(G) Except as provided in subparagraph (H), the head of each Federal agency that, with respect to a refuge, has an equivalent or secondary jurisdiction with the Department of the Interior, or that conducts activities within any refuge shall, in consultation with the Secretary, ensure that any actions authorized, funded, or carried out in whole or in part by such agency will not impair the resources of the refuge or be incompatible with the purposes of either the System or the refuge (unless such action is specifically authorized by law).

"(H) The President may find, on a case-by-case basis, that, with respect to a refuge, it is in the paramount interest of the United States to exempt the head of a Federal agency described in subparagraph (G) from the carrying out the requirements of subparagraph (G) of this paragraph.

#### SEC. 6. SYSTEM CONSERVATION PLANNING PROGRAM.

(a) IN GENERAL.—Section 4 of the National Wildlife Refuge System Administration Act of 1966 (16 U.S.C. 668dd), as amended by section 3 of this Act, is further amended—

(1) by redesignating subsections (e) through (i) as subsections (g) through (k); and

(2) by inserting the following new subsections:

"(e) SYSTEM PLAN.—(1) Not later than September 30, 1994, the Secretary shall prepare, and subsequently revise, not less frequently than every 10 years thereafter, a comprehensive plan for the System.

"(2) The plan described in paragraph (1) shall include—

"(A) relevant elements of recovery plans required under section 4(f), of the Endangered Species Act of 1973 (16 U.S.C. 1533(f));

"(B) relevant summaries and compilations of refuge plans developed under this section and the relevant elements of migratory bird management plans;

"(C) a strategy and standards for maintaining healthy and abundant wildlife populations in the System and in each refuge ecotype or ecosystem (including the protection of zones for dispersal, migration, and other fish and wildlife movements, and the conservation of species designated as candidates for listing pursuant to section 4 of the Endangered Species Act (16 U.S.C. 1533));

"(D) strategies, developed cooperatively with agencies administering other Federal or State land systems, to enhance wildlife protection on national wildlife refuges and other land systems which collectively form a national network of wildlife habitats; and

"(E) a plan and program for the acquisition of lands and waters, including water rights, necessary to achieve the purposes of the System and each refuge.

"(f) REFUGE CONSERVATION PLANS.—(1) Except with respect to refuge lands in Alaska (which shall be governed by refuge planning provisions of the Alaska National Interest Lands Conservation Act (16 U.S.C. 3101 et seq.)), the Secretary shall prepare, and revise at least every 15 years, a comprehensive con-

ervation plan (hereinafter in this subsection referred to as a 'plan') for each refuge or ecologically related complex of refuges (hereafter in this subsection referred to as a 'planning unit') in the System. The Secretary shall revise any plan at any time thereafter, upon a determination that conditions that affect a planning unit have changed significantly.

"(2) In developing each plan under this subsection, the Secretary shall identify and describe—

"(A) the purposes of the refuge and the purposes of the System applicable to the refuge or the individual refuges of the planning unit;

"(B) fish, wildlife, and plant populations and habitats of the planning unit (including at the time of the development of the plan, current, historical, and potentially restorable populations and habitats) and the seasonal (and other) dependence of migratory fish and wildlife species on the habitats and resources of interrelated units of the System;

"(C) archaeological, cultural, ecological, geological, historical, paleontological, physiographic, and wilderness values of the planning unit;

"(D) areas within the planning unit that are suitable for use as administrative sites or visitor facilities or for visitor services;

"(E) significant problems, including water quantity and quality needs (within or without the boundaries of the refuge or complex) that may adversely affect the natural diversity, communities, health, or abundance of populations or habitats of fish, wildlife, and plants;

"(F) existing boundaries of each refuge in the planning unit in relation to ecosystem boundaries and wildlife dispersal and migration patterns; and

"(G) specific strategies, developed cooperatively with the heads of agencies administering other Federal and State lands, to enhance wildlife protection in the planning unit, and, to the extent practicable, on other Federal and State lands proximate to the planning unit.

"(3) Each plan under this subsection shall—

"(A) designate each area within the planning unit according to the archeological, cultural, ecological, geological, historical, paleontological, physiographic, and wilderness values of the area;

"(B) specify the uses within each such area that may be compatible with the purposes of the refuge and the System and the funds and personnel that may be required to administer such uses;

"(C) specify programs for achieving the purposes described in paragraph (2)(A) and for conserving, restoring, and maintaining the resources and values identified and described under subparagraphs (B) and (C) of paragraph (2);

"(D) specify the approaches to be taken to avoid or overcome the problems identified in paragraph (2)(E) and estimate resource commitments required to implement such approaches;

"(E) specify opportunities that may be provided within the planning unit for compatible fish and wildlife related recreation, ecological research, environmental education, and interpretation of refuge resources and values;

"(F) except with respect to Alaska refuges studied pursuant to section 1317 of the Alaska National Interest Lands Conservation Act (16 U.S.C. 3205), review the suitability for designation as wilderness refuge lands not

previously studied for designation as wilderness or designated as wilderness, and recommend to the President and Congress designation for such lands in accordance with the provisions of sections 3(c) and 3(d) of the Wilderness Act (16 U.S.C. 1132 (c) and (d), respectively), including islands and areas of 200 acres or more immediately adjacent to wilderness areas (as designated at the time of the review), lands recommended (before the time of such review) for inclusion in the Wilderness Preservation System, and proposed land acquisitions by the Department of the Interior that the Secretary determines will, over time, be of an area of 5,000 contiguous acres; and

"(G) identify the funds and personnel necessary to implement the strategies and administer the uses identified in this section.

"(4) In preparing each plan under this subsection, and any revision of the plan, the Secretary shall consult with such heads of Federal and State departments and agencies as the Secretary determines to be appropriate.

"(5) Prior to the adoption of a plan, the Secretary shall issue public notice of the draft proposed plan in the Federal Register, make copies of the plan available at each regional office of the United States Fish and Wildlife Service, and provide opportunity for public comment.

"(6)(A) Not later than 4 years after the date of the enactment of the National Wildlife Refuge System Management and Policy Act of 1991, the Secretary shall, pursuant to this subsection, prepare and submit to the appropriate committees of Congress, plans for not less than one-third of the refuges in existence on the date of the enactment of this Act.

"(B) Not later than 7 years after the date of the enactment of the National Wildlife Refuge System Management and Policy Act of 1991, the Secretary shall, pursuant to this subsection, prepare and submit to the appropriate committees of Congress, plans for not less than two-thirds of refuges in existence on the date of the enactment of such Act.

"(C) Not later than 10 years after the date of the enactment of the National Wildlife Refuge System Management and Policy Act of 1991, the Secretary shall, pursuant to this subsection, prepare and submit to the appropriate committees of Congress, plans for each refuge in existence on the date of the enactment of such Act.

"(D) With respect to any refuge established after the date of the enactment of the National Wildlife Refuge System Management and Policy Act of 1991, the Secretary shall prepare a plan for the refuge not later than 2 years after the date of the establishment of such refuge."

#### SEC. 7. ADMINISTRATION.

The Secretary of the Interior shall manage the refuges in the National Wildlife Refuge System in a manner consistent with any refuge conservation plans developed under section 4 of the National Wildlife Refuge System Administration Act of 1966 (16 U.S.C. 668dd), as amended by this Act.

#### SEC. 8. REGULATIONS.

Except as otherwise required in this Act, the Secretary of the Interior, shall—

(1) not later than 1 year after the date of the enactment of this Act, propose regulations to carry out the provisions of this Act; and

(2) not later than 18 months after the date of the enactment of this Act, promulgate final regulations to carry out the provisions of this Act.

#### SEC. 9. CONFORMING AMENDMENT.

Section 4 of the National Wildlife Refuge System Administration Act of 1966, as amended by section 6 of this Act, is further amended by striking "Secretary of the Interior" each place it appears and inserting "Secretary".

#### SEC. 10. APPROPRIATIONS.

There are authorized to be appropriated such sums as may be necessary to carry out the purposes of this Act.

#### SEC. 11. EMERGENCY POWER.

The Secretary of the Interior is authorized to suspend any activity conducted in any refuge in the National Wildlife Refuge System in the event of an emergency that constitutes an imminent danger to the health and safety of any wildlife population, refuge, or to public health and safety.

#### SEC. 12. STATUTORY CONSTRUCTION.

Except as specifically provided in this Act, nothing in this Act shall be construed so as to alter or otherwise affect the provisions of the Refuge Recreation Act of 1962 (16 U.S.C. 460k et seq.), the National Wildlife Refuge System Administration Act (16 U.S.C. 668dd et seq.), the Alaska National Interest Conservation Act of 1980 (16 U.S.C. 3101 et seq.), and other laws and orders establishing individual refuges in effect on the date of the enactment of this Act.

[From the Tampa Tribune, Sept. 21, 1991]

#### GRAHAM'S MEASURE TO PROTECT WILDLIFE REFUGES RATES PASSAGE

In 1903, President Theodore Roosevelt designated a four-acre islet in Florida's Indian River as a federal refuge. His act did more than protect the island's nesting colony of brown pelicans from plume hunters.

The preservation of Pelican Island was the start of a great American endeavor; The National Wildlife Refuge System. Today there are 471 refuges, some 21 in Florida. But the original purpose of the refuges—to provide safe haven for wildlife—has been all but lost.

In refuges, jet fighters blast over eagle nests. Dirt bikes climb deer trails. Cattle and crops squeeze out native plants.

A 1989 General Accounting Office report found that nearly two-thirds of the nation's refuges were being damaged by activities ranging from mining to off-road vehicle races. A later report by the U.S. Fish and Wildlife Service, which supervises the refuges, confirmed the crisis.

Florida's Sen. Bob Graham offers a solution. He's introduced legislation that would give refuge managers authority to halt damaging activities. The measure would re-emphasize that the refuges' primary purpose is to shelter wildlife.

The measure would not keep people from using the refuges. Hunting, hiking, biking, and other pursuits would be permitted—as long as they did not unduly harm wildlife. The Fish and Wildlife Service would be required to conduct a "compatibility" study to determine if an action was appropriate.

The measure will not affect lands in Alaska, including the Arctic National Wildlife Refuge, where oil companies hope to drill. The Alaska lands were designated refuges under special legislation that excludes them from the regulations of other refuges. Graham's bill will apply only to refuges in the other 49 states, but that's where most of the abuse occurs.

It's also important to note that Graham's legislation is not related to a congressional effort to ban hunting in refuges. That misguided effort deserved defeat. After all, the federal duck stamp, which duck hunters are

obligated to buy, helps fund the refuge system. Hunting and other outdoor pursuits should be allowed—indeed encouraged—whenever possible. But they must be properly managed.

Unfortunately, as things stand, the Fish and Wildlife Service does not have the tools to properly supervise the sanctuaries. In the Florida Keys, for instance, water scooters racing by mangrove islands terrify wading birds off their nests. Refuge managers can do nothing. Graham would give them the power to ban the scooters from sensitive areas.

The legislation also would give clarity and purpose to the National Wildlife Refuge System. Now, the system's mission is foggy, refuge decisions are usually dictated by special interests and politics. What is best for wildlife becomes secondary.

Under Graham's proposal, the Interior Secretary would be required to prepare a comprehensive plan for the refuge system and formulate a strategy for maintaining healthy wildlife populations. A plan for such refuge would have to be prepared through a process that would include public hearings and comment.

In addition, other federal agencies would be prohibited from harming the refuges. Some of the refuges' worst problems are caused by the federal government itself. The military, for instance, conducts test flights over some of the preserves. Graham's proposal would not necessarily prohibit such flights, but it would ensure that they took place in areas and at times of year where they did no harm.

Fishermen and hunters, understandably, worry that the proposal might be subverted into an outright ban on all recreational activities. Graham must make certain that does not happen. Taxpayers deserve reasonable use of the lands. But if the refuges are properly managed, wildlife will prosper and that's to the advantage of sportsmen.

Graham's legislation revives Teddy Roosevelt's vision of a network of wilderness where native American animals, not dirt bikes and water scooters, can run wild. It deserves adoption.♦

By Mr. LEVIN (for himself, Mr. DODD, Mrs. KASSEBAUM, Mr. MITCHELL, Mr. JEFFORDS, Mr. HARKIN, Mr. MOYNIHAN, Mr. DASCHLE, Mr. CRANSTON, Mr. RIEGLE, Mr. KOHL, Mr. DECONCINI, Mr. FOWLER, Mr. PRYOR, and Mr. CONRAD):

S. 1863. A bill to provide for the establishment of a program that shall facilitate, on a voluntary request basis, the reunion of birth parents and adopted individuals, birth siblings, or birth grandparents of adopted individuals, through a centralized computer network, and for other purposes; to the Committee on Labor and Human Resources.

#### NATIONAL VOLUNTARY REUNION REGISTRY

♦ Mr. LEVIN. Mr. President, today I am joined by a number of my colleagues from both sides of the aisle in introducing a humane piece of legislation which creates a voluntary system to make it possible for birth relatives, separated by adoption, to be accessible to one another, should they both so desire. I am pleased to have the support of Senator DODD, Senator KASSEBAUM, Senator MITCHELL, Senator MOYNIHAN,

Senator CRANSTON, Senator JEFFORDS, Senator DASCHLE, Senator HARKIN, Senator RIEGLE, Senator FOWLER, Senator KOHL, Senator DECONCINI, Senator PRYOR, and Senator CONRAD.

We are all deeply touched by the problems of adult adoptees, birthparents and separated siblings who, often for many years and at great expense, have been looking for each other. It is our hope, through this legislation, to help reduce the anguish and expense faced by birth relatives who are frustrated in attempts to find each other in situations where both want to find each other.

Mr. President, aside from the natural, human desire to know one's family roots and genetic heritage, there are other important reasons why many birth relatives seek to make contact with each other. Some are seeking a deeper sense of identity, some need vital information which may affect their own mental and physical health and some are facing momentous family decisions that require more knowledge about their heritage.

Our proposal authorizes the Secretary of the Department of Health and Human Services to create a National Voluntary Reunion Registry to facilitate voluntary, mutually requested reunions between adult adopted individuals, their birth parents, and birth siblings separated by adoption. The anticipated cost of the program is minimal—expected not to exceed 300,000 the first year—and future costs would be offset by reasonable fees paid by the applicant. The Senate has previously approved this legislation, however, the House failed to act due to the crunch of legislative business prior to adjournment of the 100th Congress.

Mr. President, this legislation is based on tested principles. It is similar to the reunion and matching registries that presently exist in 25 States.

The State-based systems are restricted, by nature, to the geographic boundaries of the State. Since we are a mobile society, that limitation reduces the utility of State-based systems. Adoptions are often started in one State but finalized in another. Additionally, the adoptee, birth parent, or sibling may be a resident of several different States during their lifetimes. States with registries report a low match success rate which is disproportionately low when compared to the number of individuals who have entered the registry. For example, in one State which has over 3,000 registrants, there have been 17 matches. That is one of the reasons many registry States have expressed support for the enactment of the National Voluntary Reunion Registry. For instance, Gov. Donald Schaefer of Maryland, wrote me:

In light of the differing, and often conflicting requirements of the existing local registries and the number of states with no reg-

istry at all, we support the legislation you propose.

Mr. President, according to a report prepared by the American Law Division of the Congressional Research Service:

It is estimated at the present time that there are five million adopted persons in the United States, of whom some 2 million are actively involved in a search for the identity of their birth parents. A lesser but still significant number of birth parents are also attempting to locate children they have given up for adoption. These figures may in fact be low, due in part to the increasing practice, widespread in some areas, of placing infants for adoption through unauthorized channels. Also, of the adoptees not seeking to learn something of their background, many have been placed with relatives or otherwise grow up with knowledge of the circumstances behind their adoptions; others are children, too young for any such effort; and still others while interested, are discouraged from trying by the realization that the present state of the law in many states makes any such effort difficult if not impossible."

Dr. Dick Brown, family therapist and coauthor of "Clinical Practice in Adoption," has had extensive clinical experience working with families who have adopted, adoptees of all ages, and birthparents who have relinquished children in adoption. In correspondence to me about the proposed National Voluntary Reunion Registry, he said:

Your legislation will contribute in a substantial way to the positive emotional and social well-being of all those involved in the adoption experience—adoptees, birth parents, and the adoptive family. Adoptees understand and acknowledge universally that their "real parents" are their adoptive parents—that bond cannot be broken by having accurate information about one's birth parents and having the opportunity, as an adult, to have contact with them if that is desired.

Another nationally known expert, Reuben Pannor, had this to say:

DEAR SENATOR LEVIN: I am in complete support of the Adoption Registry Bill you have introduced. It has overwhelming support of adoption professionals, adoptees, and birth parents, as well as adoptive parents, who realize that your bill is in the best interest of adoptees.

I have been the director of a nationally recognized adoption agency in Los Angeles, California for 35 years. After years of experience with all the parties involved in adoption, I have no question but that a National Registry is necessary . . . and will prevent that pain and suffering that thousands of adoptees and birth parents are forced to endure in a search that is often fruitless.

The mental health profession strongly supports the need for the Levin Bill. \* \* \* The time is now to humanize adoption.

Sincerely,

REUBEN PANNOR.

I would also like to share the sentiments expressed by Linda Cannon Burges of Franklin, NH. A noted author of several books on adoption and the reunion experience and former director of two adoption agencies, in her letter to me in support of the National Voluntary Reunion Registry, she said:

FRANKLIN, NH.

Senator CARL LEVIN,  
Russell Building, Washington, DC.

I support a National Volunteer Reunion Registry in which birth kin may be aided in reuniting. I am particularly concerned about the separation that comes through adoption.

During my active career as director of two adoption agencies in the District of Columbia (The Barker Foundation and The Peirce-Warwick adoption Service) I was responsible for over 900 adoptions. In the 1950s and 1960s, it was a time when the shame of having a baby out of wedlock was great, when raising a bastard child was inconceivable. I witnessed the anguish and sacrifice of these mothers in releasing their infants for adoption. These same mothers now seek their grown children. They do not ask for the privacy we think they want. Over 90% of them welcome the reunion of their adult offspring lost through adoption. Adopted adults, separated siblings, birth fathers and grandparents are also seeking each other.

Through my research in adoption I have recorded in two books, "The Art of Adoption" (1976 WW Norton) and "Adoption in Transition" about to be published the plight of adopted persons growing up without knowledge of genetic origins. I am convinced that as human beings and United States citizens, they are being denied their civil rights. A reunion registry makes it possible for these adopted adults to gain the knowledge they need, the genetic facts they must pass on to their children.

It is evident that state reunion registries cannot function effectively in our distinctly mobile society. Only a national registry can reach all searching persons. A National Volunteer Reunion Registry makes sense and can act to humanize and reconstruct our broken family trees.

Respectfully submitted,  
LINDA CANNON BURGESS.

Bruce M. Clagett of the New England Historic Genealogical Society writes:

The National Voluntary Reunion Registry properly addresses the very real plight of birth parents and adopted persons, who are often deprived of the ability to learn each other's identity—even when the desire to do so is mutual. While a number of states have provided for adoption registries, many others have not. Moreover, because of the great mobility of the American population and because of wide differences among state laws and procedures, there is an urgent need for action at the national level, which would vastly enhance the effectiveness of the important registry device. In addition, the existence of state registries is often not well known, and the provision in your bill for dissemination of information is a constructive step in that respect.

Mr. President, this proposal also enjoys the support of adoptive parents. A 1988 survey conducted by my staff revealed that more and more adoptive parents support efforts of adopted sons and daughters who seek to connect with their roots. The Organization, Roots and Reunions in L'Anse, MI, reported that 75 percent of all requests for reunion assistance came from adoptive parents. Not only are these adoptive parents seeking to meet the needs of their sons and daughters, "our adoptive parents want to set at ease the hearts of their children's birth mothers, but are unable to do so," says Mrs. J.A. Swanson, director of the organiza-

tion. Similar sentiments were expressed in a letter which I received from Carol F. Gustavson, founder of an adoptive families organization based in Long Valley, NJ. Her letter reads as follows:

LONG VALLEY, NJ,  
April 18, 1988.

DEAR SENATOR LEVIN: It is with utmost sincerity and urgency that I send you this letter in support of your bill to establish an unrestrictive National Voluntary Reunion Registry through the Department of Health and Human Services.

The organization of adoptive parents is a non-profit all volunteer organization of adoptive families who seek humane adoption reform. The organization networks with other reform groups on a national level and feel strongly that our sons and daughters deserve the dignity of their heritage. We acknowledge the birth-families of our children through the shared desire to support all efforts towards reconciliation between them and their original family, should they choose to meet. . . . We need to impress upon those making legal decisions for us the importance and value of our personal knowledge, having been directly involved in adoption. Birthparents and adoptive parents share a mutual love and concern for their children. We hear our sons and daughters speaking out. A well publicized unrestricted National Voluntary Reunion Registry through the Department of Health and Human Services can provide the opportunity for a healthier approach to the adoption experience. We appreciate your continued efforts, and intend to actively participate in the efforts to gain enactment of your proposal.

Sincerely,  
CAROL F. GUSTAVSON,  
Founder, Organization of Adoptive Families.

Mr. President, many who have sought and succeeded in locating each other have concluded that numerous troublesome events might have been avoided had their struggle been aided at an earlier time. And yet for some, too many, the culmination of the search of a birth relative comes too late. I would like to share just a few of the hundreds that have been brought to my attention from all over the country.

One case is that of Michael Reagan, son of former President Ronald Reagan. Had this legislation been signed into law earlier, Michael might have met his birth mother before her death. These sentiments were expressed in a March 28, 1988, letter to me from Michael Reagan. It reads as follows:

LOS ANGELES, CA,  
March 28, 1988.

Hon. CARL LEVIN,  
U.S. Senate,  
Washington, DC.

DEAR SENATOR LEVIN: As you may know, I am an adoptee who has recently had the great privilege of meeting my birth brother and learning about the life-time of loving and caring by my deceased birth mother. You should also know that my adoptive father, Ronald Reagan, supported my desire for a reunion with my birth mother and helped me in my early efforts. When my father helped me, it was the greatest gift he ever gave me.

I believe wholeheartedly in your bill establishing a national registry for adoptees, birth parents and separated siblings. And I support your efforts to make this a reality. I would have used such a registry myself, and it has become apparent to me that my birth mother would have also.

I look forward to meeting you and actively assisting in your efforts to gain enactment of this compassionate legislation.

With all good wishes.

Sincerely,  
MICHAEL E. REAGAN.

Mr. President, the other cases I would like to share with my colleagues are as follows:

[From the Richmond Times-Dispatch, Apr. 15, 1991]

DECADE-LONG SEARCH TURNS UP LARGE FAMILY

CHARLOTTESVILLE.—After a search that included breaking into a courthouse, poring over more than 250,000 feet of microfiche and calling strangers across the country to say, "I may be your brother," Skipp Schwartz finally met his father and 10 siblings.

Schwartz, 38, of Guilford, Conn., knew little about his natural family except that he and his brother Larry were adopted.

His natural parents decided in the early 1950s they needed to put Skipp and Larry up for adoption because his father, already struggling to support the family, was having trouble finding work.

They tried to get the boys back a few years later, but adoption confidentiality laws prevented them from finding their sons.

An old letter Schwartz found in 1980 sparked the search. The letter, written by Schwartz's grandmother, referred to his natural mother and "the girl," possibly a daughter. It carried a return address in Rutland, Vt.

Schwartz finally found four sisters and six brothers. He met his new family, including his natural father, for the first time last week at the home of his sister, Tricia Laurin Frazier, outside Barbourville.

Most of the family lives in the Charlottesville area. One brother, Michael, came from Greensboro, N.C. Another, Charlie, came from Port Charlotte, Fla.

"I had never thought I'd see them again," said Charles Laurin, father of the siblings.

Schwartz's mother, Helen, died in 1988. While in Virginia, he visited her grave in Waynesboro.

"She knows," Schwartz said. "There's something that tells me that she knows and that she's smiling right now."

Schwartz began his search in 1988 at the only hospital in Rutland, eight years after he found the letter. Finding nothing, he went to a nearby library and waded through thousands of newspaper birth notices on microfiche looking for clues—to no avail.

He then went to the city courthouse to look through files there, but was told he would have to petition the court, a process a judge said could take years.

Discouraged and dejected, Schwartz went to an Alcoholics Anonymous meeting, where members encouraged him to take control of his life. Schwartz decided to do it.

That night he broke into the Rutland courthouse, lit a cigarette and began his search. Within a matter of hours he found his adoption file and his identity: "Baby Laurin."

He said he returned to the hospital and danced through the halls after he found his parents' names and his birth certificate.

The family had left Rutland in 1953, so Schwartz began making random calls to

Laurins all over the East Coast. A week before Christmas 1990, after years of calls, he found a nephew in West Springfield, Mass.

"I need your father's telephone number," he said to the wary man who answered the phone. "I think he's my brother."

That brother was Rickie Palsa, 50, the oldest of the clan and the only sibling with a different father. It was then that Schwartz learned of his other brothers and sisters.

At the reunion, Schwartz's new family smiled, laughed and kidded each other.

"Guess what I got for Christmas," Ruthie Shifflett, one of the sisters, said. "Two brothers. Just what I need—I already got six I hate."

Schwartz works as a counselor by night and an Oldsmobile service representative by day. He has two boys by a previous marriage.

Schwartz was brought up Jewish, although his biological family is Catholic of Swedish descent.

GAITHERSBURG, MD.

September 24, 1991.

DEAR SENATOR LEVIN: My last letter to you on March 12th regarding the search for my daughter Joanne was to let you know I had, at last, located her whereabouts. I would like to close a chapter for you.

In early April, in spite of restrictive State laws, we were reunited in California the week before her 24th birthday. It was a tremendous experience and we've been in touch ever since, building on our new found relationship. But for every one like me who has some degree of sophistication to be able to circumvent the "system" with the aid of knowledgeable search assistance, there are thousands who are not so fortunate. These individuals—both adoptees and birth parents—find it difficult to come to grips with the proliferation of "registries" throughout the country and the new cottage industry of "professional searchers"—many of whom prey both emotionally and financially on those wanting to make contact with birth relatives.

A national registry, while it would not solve all problems, would be a start because it could provide a focal point. My search could have been accomplished much sooner with less aggravation had your proposed bill been in effect. My daughter had thought about trying to contact me but didn't know where to start or what steps to take.

The need for your proposal is dramatic!

Sincerely,

DAVID A. HODGSON, Ph.D.

GAITHERSBURG, MD.

September 28, 1988.

Senator CARL LEVIN,  
U.S. Senate, Washington, DC.

DEAR SENATOR LEVIN: I was extremely interested to read the Washington Post article regarding your bill to establish a voluntary national clearinghouse for adopted children and their natural parents. I would like to tell you my story and express my feelings as to why I think this is so very much needed.

In 1967, I was sent on an assignment to Vietnam and let me just say I could not be contacted. Unbeknownst to me, my close friend at the time was pregnant with my child. I really think she did not tell me because of the nature of my assignment. When I "came out", I learned I had a daughter. By the time I arrived back, the mother had done the best thing she thought possible and had her adopted. I do not blame the mother for she did what she thought was best for the child at the time, given the circumstances. While I tried to fight it, it was too late and

the situation was compounded because I was single at the time.

I have agonized for years. While I would never want to interrupt my child's life, the question keeps coming back to me: "What if she ever wanted to find out who her daddy was?"

The best I have been able to accomplish is that I was able to talk with a very sympathetic social worker in the California Department of Social Services who was able to tell me my daughter was adopted by a fine family and that her case record is empty since the adoption—a sign there have been no problems. The social worker was also kind enough to allow me to place a letter from me to the now young lady in the file so that should she ever want to contact me, she will know she will be welcomed with open arms. Because I am licensed with the California Board of Medical Quality Assurance, this agency will always know my address.

This approach was rather unique but, out of desperation, it has been all I have been able to do. You don't know how troubled I have been at times. How much easier it would have been to have a national mechanism that was widely publicized such as your bill proposes.

I heartily endorse your bill and if there is anything I can do to support you, please do not hesitate to have Ms. Parker contact me.

Respectfully,

D.A. HODGSON, Ph.D.

GAITHERSBURG, MD.

December 1982.

MY BELOVED DAUGHTER: I just wanted to let you know a few things about me should you ever wonder who I am and what you mean to me.

First of all, let me assure you that you were conceived and born of love. When you were born, I was in Vietnam and could not be reached because I was on a classified mission. Your mother made a decision which, under the circumstances, was probably best for you in the long run. I understand you are with a very loving family, and for this, I thank God.

When I returned, you were one month old and had been adopted. I tried desperately to stop the proceedings but lost the battle because I was single and lived in another state. Even your Grandmother in New Zealand wanted to raise you if she had the chance.

You are my first born—I have loved you all these years although I have not had the opportunity to lay my eyes upon you. I can't tell you how many times I have cried because I cannot know you.

Since you were born, I married and you have two beautiful brothers; John David and Michael. At the time of this writing, they are seven and eleven and unfortunately, they live in Seattle because their mother and I are divorced. She knows about you. As a matter of fact, while we were in Hawaii in 1970, we coincidentally met your mother. I introduced them to one another and we talked niceties. As we left, my wife said to me: "That is your daughter's mother—to which I proudly responded "yes."

Little one—let me get to the crux of the matter. I have tried for years to make some kind of contact with you. Recently, I received some assistance from the Department of Social Services. Current laws do not permit them to disclose your whereabouts—that is fair. They have been very helpful. This letter is being placed on file should you ever try to locate me.

Please remember—I have no wish to disrupt your life. I have every reason to believe

your adoptive parents have given you a loving life. However, should you ever choose to seek me out—which means you get this letter—I can only assure you that you are my daughter and regardless of my personal situation at that time, my home is yours and you will be welcomed with open and loving arms.

If I move, you can always get my address from the Board of Medical Quality Assurance in Sacramento—my psychologist license is PN 003788.

Princess, it is somewhat strange. We hear all about how adopted children want to identify their mothers. I hope some day you may want to find your father. This is the reason for this letter.

Your loving father,

D.A. HODGSON, Ph.D.

#### TRIPLETS SEPARATED AT BIRTH REUNITED AFTER 57 YEARS

WICHITA, KS.—Nearly 40 years ago, John E. Jones discovered he strongly resembled a boy who worked in a nearby town. But it was many years before Jones found that the stranger was his brother—from a set of identical triplets.

The triplets, separated shortly after their birth in 1926, gathered for the first time Wednesday, a joyous meeting punctuated by jokes and wisecracks.

"I've seen enough," said James Hahn of Cape Girardeau, Mo. "I got off the plane and saw these two jokers and they looked so much like me, I could hardly stand it."

"I feel like I've been in an electric chair all afternoon," cracked Jones, of Santa Pablo, Calif., after meeting Hahn and John Clay Burch of Warren, Ark. "I just kept getting shocked."

Aside from the jokes and gentle ribbing, the reunion raised other emotions among the brothers.

"I've had so many feelings that are so varied and mixed," said Jones, the security director for the university of California at Berkeley. "I don't know where to start thinking about our relationship and where it's going to lead. It's going to take some time for us to be together, to sit down and really start feeling that closeness that I think is bound to follow from this meeting."

The triplets were born Feb. 2, 1926. Abandoned by her husband and struggling financially, the mother gave her three babies to a St. Louis orphanage shortly after their birth.

The mother kept her 5-year-old son, eventually remarried and had a daughter. She died in 1978 without seeing her triplets again.

None of the brothers was told by their adoptive parents they were triplets. All were raised by different families in different cities.

Once, Jones, who lived in Kennett, Mo., happened to walk into a drug store in Poplar Bluff, a Missouri town about 40 miles northwest of his home. The store's owner was struck by Jones' resemblance to a boy working for him.

Hahn, too, was surprised to find someone who looked just like him. The boys discovered they had the same birthday, but had no idea they were brothers. Thinking the resemblance was just a quirk, they never met again until Wednesday.

In 1971, Burch was reading some documents belonging to his father. He discovered at that time he was adopted, but didn't know until last year he was a triplet. The revelation came when he asked the Children's Home Society of Missouri for a birth certificate.

Burch found Hahn by using a phone number supplied by the orphanage. The brothers then found Jones by using clues provided by children's home officials who didn't have his address or phone number, but knew his adopted name and where he worked.

Two months ago they contacted each other by phone. After many long-distance calls, the brothers decided to meet in Wichita, the home of their older brother and half-sister.

"We just grabbed one another and put our arms around each other," Jones said.

[From the Daily News, June 15, 1986]

#### LOST MOM'S KIDNEY GIFT

BOSTON.—A 20-year-old woman given up for adoption at birth has received a life-saving kidney transplant from her natural mother, who was tracked down by the woman's adoptive parents.

Alicia Sferrino met her mother, Ruth Foisy, 37, last week for the first time. The transplant operation was performed Thursday, said Martin Bander, a spokesman at Massachusetts General Hospital. Both women were reported in good condition.

Sferrino's adoptive parents wanted to donate a kidney, but tests ruled them out, Bander said. Efforts were then made to locate her natural mother.

Darlene MacDonald, Foisy's cousin, said Sferrino's adoptive parents wrote Foisy in Florida asking if she would consider the transplant.

"Right away she decided she would do it," said MacDonald. "Ruth was very nervous about seeing her daughter. After all, it had been 20 years. But they hit it off immediately. Alicia is not shy at all. She's a very bubbly, happy person. She hit Ruth on the arm and said, Hi, how've you been?"

[From the Las Vegas Review-Journal, Nov. 27, 1987]

#### LONG-LOST SIBLINGS REUNITE FOR THANKSGIVING AFTER 58 YEARS

FREMONT, CA.—A Thanksgiving reunion that brought together five children who were put up for adoption 58 years ago was "at least an 11" on a scale of one to 10, according to one sibling, Ed Maddox.

But it was far from complete. Two brothers are dead, one sister is in a nursing home suffering from Alzheimer's disease and three others are still missing.

"It was nice to be able to bring each other up to date about what's happened in our lives," Maddox said Thursday. "We hope next time, there will be three more with us."

Maddox, 62, of Sunland near Los Angeles, was put up for adoption along with his 10 siblings by their poverty-stricken parents, Agnus and Harry Bunan, in 1929.

The Bunans and their children had camped all summer on the bank of a creek in what is now Fremont, about 40 miles southeast of San Francisco, on the eve of the Great Depression.

Alameda County authorities at first refused to take responsibility for the children of transients. Unable to feed the youngsters, the couple gave 10 of them to well-wishers attracted by newspaper accounts of their plight.

The county later reconsidered, took custody and offered all the children for adoption. No one knows for sure what became of the elder Bunans, although it is believed they moved to Arizona.

Born Edward Birdsel Bunan, Maddox was adopted by an Oakland streetcar motorman and his wife.

When he decided to look into his past, The Associated Press was contacted. Less than

three weeks after a story on his search appeared, seven of his 10 siblings had been accounted for.

The siblings found included:

—Agnes Durand, 69, of Citrus Heights, Calif. She told Maddox their eldest sibling, Harry, died in 1972 at the age of 56.

—Lillian Stong, 67, now lives in a Castro Valley nursing home and suffers from Alzheimer's disease. Her sister, Marie Peterson, lives in Minneapolis. From them, Maddox learned another brother, Ernest Bunan, died of appendicitis in 1931 at the age of 12.

—Walter Berman, 65, of Hamilton, Ohio.

—Lloyd Lindberg, 63, of Springfield, Mass. Still missing are Marion Fenton, who was last known to be living in Petaluma, Calif., and had her name changed from Viola; Leonard Loftus Bunan, last seen in 1942 when he was 15 and was adopted by a family named Wilson; and Harold Bunan, adopted when he was 10 months old and his name changed to James.

A reunion was held at Holy Spirit Parish church hall in Fremont with Maddox, Berman, Lindberg, Durand, Peterson and about 44 other relatives from across the United States.

And they found they have more in common besides similar noses, mouths, smiles and eyes.

"The whole group likes jigsaw puzzles, reading and gardening," said Maddox, standing in the hall, surrounded by leftovers, half empty paper plates and a family tree on the wall.

"It was a marvelous day," said Peterson, adding they were to visit their sister, Lillian, later in the day. "I didn't believe it would ever happen. It has and I'm so glad I was alive to be here."

About the three who are still missing, she said, "We hope they'll see this in the paper or television and get in touch with us."

Berman said he always thought he would see his family again. He said he was sure of it when a fellow Pentacostal minister told him he would someday minister side-by-side with a brother. Maddox is a Christian missionary.

"It was a wonderful time," he said. "We'll be keeping in touch."

Lindberg, sitting in a wheelchair, described the reunion as "breathtaking." He said that when he worked as a service manager for a clock company and traveled around the country, he would always look for the Bunan name.

[From the Pittsburgh (PA) Press, Aug. 21, 1985]

#### SHE FINALLY MET MOM, BUT THEY ONLY HAD 5 HOURS

(By Douglas Heuck)

Put up for adoption moments after being born out of wedlock, Judy Van Ryn wanted to see her real mother just once:

"God, just give me five minutes of her time," she says she prayed time and time again. "Is that too much to ask?"

The 39-year-old McCandless woman received her wish. But instead of five minutes, fate allowed Mrs. Van Ryn and her mother five hours together before her mother died on the operating table during open heart surgery.

On July 31, Mrs. Van Ryn received word from an Amarillo, Texas, hospital that her biological mother, Mary Bergman, would undergo open heart surgery early the next morning.

Mrs. Van Ryn immediately drove from her McCandless home to the airport and found the last seat on the last jet with connections to Amarillo that night.

In her Amarillo hotel room that evening, Mrs. Van Ryn slowly began to realize that the long search for her mother would end in a few hours. She couldn't sleep.

"My brain was going a mile a minute. I got dressed, then changed my clothes again, I guess it was a little silly, but after 39 years, I was worried about looking good for my mother."

Mrs. Van Ryn and her twin brother, Jimmy, were adopted and raised together.

In the last letter she sent to her daughter, June 30, 1985, Mrs. Bergman, living alone, reminisced: "I got to see you and Jimmy twice, once when you were born and once on the day you left the home. I worked in the kitchen before and after you were born, and I was coming up from the kitchen one day when I saw a couple with two babies, one in blue, and one in pink.

"I remember going upstairs and finding your beds empty. I cried and cried, thinking I'd never see you again."

Although the possibility of a reunion was often present in the letters, the last letter suggested an unusual urgency. "We have so much to talk about, and I know we must meet face to face. Lately I have the feeling that it must be soon, as you never know what the future holds."

The future held an 11th-hour reunion.

When Judy walked into the hospital room at 7 a.m., her mother laughed and said "You don't look like anybody I'm related to."

Above all, Mrs. Van Ryn remembers "her eyes, I'll never forget them, real dark brown. She stared and stared, never blinking as she looked at me—and nobody had ever stared at me the way she did.

"I just let her stare," Judy recalled with a laugh "but it was driving me wild. She must have been soaking up those 39 years."

Mary Bergman was weak, and after a few sentences, she would fall asleep. Her daughter just waited for her to wake up, and conversation resumed.

By chance, the operation was postponed from 9 a.m. until 1 p.m. And by the time they wheeled Mary out of the room shortly after noon, Judy said the two "felt like we'd known each other for all those years."

After the operation, Mrs. Van Ryn walked down the hospital corridor toward the doctor and two nurses, still in their surgical gowns and gloves. But although she is a nurse of anaesthesiology at Allegheny General Hospital, she said she never expected to hear what the doctor told her.

"I'm sorry, but your Mama didn't make it offpass."

Judy listened and then cried.

"Even though I had just met her, I cried; but I wasn't crying because she died. I cried from the joy of the reunion. It meant a heaviness had left my heart.

"But for my mother, the reunion was even something more. For all those years, she lived with tremendous guilt. For her, the reunion meant inner peace at last—she died a healed woman."

HOUSTON, TX, December 8, 1988.

Senator CARL LEVIN,  
Russell Office Building, Washington, DC.

DEAR SENATOR LEVIN: My search for birth family began in 1962 when my oldest son was diagnosed with Rheumatoid arthritis and suffered a kidney condition (nephritis) from which he bled from the kidneys for three months. At the time I was pregnant with my third child and became alert to the importance of having genetic information. Doctor after doctor asked what our past family history was—"I don't know," I answered, "I'm adopted."

My search was unorganized. There were no support groups to help. I thought I was the only one who suffered these feelings of helplessness and lack of power over my own life—it seemed no one would help me or could help me.

In 1972 I was diagnosed as having cystic kidneys. My doctor suggested I write Canton Catholic Charities and try to get medical background. Catholic Charities said I needed a lawyer—I got a lawyer. They could not release anything to the lawyer, then they said my doctor would need to write—my doctor wrote. They were not too quick to produce any files to the doctor so I wrote again and pleaded that they send him the files out of Christian Charity. They finally sent what they had, which was not much.

Even if agencies do give out old files it is a given fact that birth families develop illnesses over the decades through the years. We need more than one generation of genetic information and we require updating. My third son has a ventricle heart prolapse condition, and my fourth son (also my first-born son) have chronic upper respiratory bronchial conditions.

In January of 1985, after 23 years of searching, I found my brother, now named Pat Simon, a broadcaster for the past 25 years, living in Lynchburg, VA. Three months later I found our maternal family. I managed to contact my grandfather's second wife who was still living, and also found some cousins living in the Washington area \* \* \* one cousin is Mary Starrs Brown who does P.R. work for Wolf Trap. Other than these few all my maternal relatives are dead.

We missed meeting our mother by a year and half. George Washington University released our mother's ashes late in 1985. I met my brother in Washington for our mother's funeral. I was literally her pallbearer. I carried her ashes to her grave. My brother, who became a minister in 1984, gave the funeral service and afterward we both took a shovel and literally buried our mother, committing her body to the earth. The death certificates I have managed to acquire of the maternal side show that a definite upper respiratory weakness runs through that branch of the Broderick family. Even though two of my sons suffer upper respiratory problems we are fortunate that the boys never smoked—this would have worsened their condition. What are the chances of having four boys and not having one pick up on smoking? This is genetic information that should have been passed on to us.

Our little granddaughter who is now three years old was diagnosed with rheumatoid arthritis before she took her first step. The story continues into the third generation.

Sincerely,

KATE PLJANOWSKI.

[From the Stars and Stripes, Aug. 23, 1987]  
SIBLING SEARCH ALMOST COMPLETE

SAN JOSE, CA—A missionary separated from his 10 siblings for 58 years by adoption has found a brother in Springfield, Mass., the sixth piece of the family puzzle to fall into place.

Ed Maddox, 62, of Sunland, Calif., telephoned the brother, Lloyd Lindberg, on Thursday after officials at KGO-TV in San Francisco told him Lindberg had called to say he had seen Maddox on television.

Lindberg had been watching Cable News Network with his son, David, when news of Maddox's search for his family came on the air, Maddox said. David asked his father, "Hey, isn't that someone in your family?"

Lindberg immediately phoned CNN, and network officials contacted KGO, according

to Maddox, who was also reunited last week with two of his sisters.

"It's just getting more exciting all the time," said Maddox, who vowed to continue searching for the four siblings he has not yet found.

He said it felt "great" to talk with his brother, and the two spoke for half an hour. "It was just kind of family talk," he said.

Maddox, a retired schoolteacher who works as a volunteer for Youth With A Mission, a Hawaii-based Christian church group, said he lacks the money to visit Lindberg in Massachusetts but said: "Somehow, sometime, we're going to get together. I'm sure."

In 1929, when Maddox was 4 years old, his poverty-stricken parents placed all of the children up for adoption rather than see them go hungry, according to an article published in the Oakland Tribune at the time.

After his adoptive mother died in July, Maddox said he felt free finally to begin looking for his natural family and came upon the Tribune article with a photograph of himself and two siblings.

So far, his search has determined that two of his brothers are dead. Maddox has met with two of his sisters, in Sacramento, Calif., and Minneapolis, and plans to visit another sister this week in a Castro Valley, Calif., nursing home.

#### FOR MANY, SEARCH HITS A DEAD END

(By Linda Hilbun)

Gladys House vividly remembers the day she, her two sisters and her brother were taken from their mother.

"They came and woke us up about 5 in the morning and took us to the jail," Mrs. House said. "I was screaming and kicking and crying. They just came and got us out of bed."

That was in 1941. Her mother was widowed and the family's sole source of income was the grandfather's government paycheck.

Welfare officials in Macon County, Tenn., separated the children from their mother and claimed the children were being neglected.

Mrs. House, now 48, has spent the last 30 years looking for her brothers and sisters.

"I've gone through every channel that I know of," she said.

Mrs. House, who lived in the Raleigh-Bartlett area, was 6 years old when her family was broken up. Her brother, Edward D. Crook, was 13 days old, and her two sisters, Lamon Elizabeth and Lorene Cora Crook, were 4 and 5. An older half-brother, Willard Coley Clanahan, was not removed from the home.

Mrs. House was placed in a foster home in McKenzie, Tenn., but that family never adopted her.

When she was 18, Mrs. House acted on the assumption that her mother and half-brother still lived in Middle Tennessee, in Macon County. She was correct. Her mother, Beadie Coley Crook, had no idea where her children were until Mrs. House found her in December 1954.

For the next 14 years, until her mother's death, Mrs. House and her mother searched for the other children. They found out all were adopted through the Tennessee Children's Home in Nashville.

In a letter from the children's home, written April 22, 1952, Mrs. House was told that her two sisters were adopted together and the younger brother separately. Edward's name had been changed to Jerry Lee and all were said to be in good health.

Although the Tennessee Legislature passed a new law in April allowing adoptees to obtain nonidentifiable information about their

families, Mrs. House cannot get that information. The refusal is based on the legal point that her foster family never adopted her; so she is not considered an adoptee.

"Because I wasn't adopted, I can't find out," she said. "I've been told that the only other thing I can do is get a court order for the information. But you have to know the court of jurisdiction to do that, and they're not allowed to give that information out. So I'm barred again."

"They've barred me forever from finding out."

DEAR SENATOR LEVIN: I am a birthmother who surrendered to adoption in 1960. I was pleased and encouraged when Michigan instituted a mutual consent registry in 1980, but was disappointed that no effort was made to notify adoptive parties of its existence. After six years of searching, and the expenditure of over \$3,000, I finally located my daughter shortly before her 24th birthday. Because she no longer lived in Michigan, she was unaware of the mutual consent registry, so had not filed. However, she had made a preliminary contact with a Detroit search and support group in 1981, taking the first steps toward finding me. She did not feel comfortable about conducting an all-out search for me at that time, because she feared my rejection of her. Had she attended a support group meeting, she might have learned about the Michigan registry, where I had filed a consent waiver years ago. My daughter was one of two adopted children raised in an unfortunate home situation.

The mother's alcoholism led to her death at the age of 52, leaving the two girls motherless at ages 12 and 14. My daughter left home without finishing high school at age 17, and was totally on her own thereafter. One year later, I had begun to search for her, yet we were kept apart by the current adoption system. Because of that system, I also lost my first grandchild to abortion. I have learned that, at age 20, my daughter became pregnant out of wedlock. Being her own sole means of support, and having no family to back her up, she saw abortion as the only realistic alternative open to her. It breaks my heart to realize that at the time she was going through this excruciating decision-making process, I was searching frantically for her. If only I could have found her in time, I could have offered her the loving support she needed to bring her child to term and parent it. You will be interested to know that at the present time I am helping a number of adoptive parents in search of their children's birthparents.

Sincerely,

MICHIGAN BIRTHMOTHER.

[From the Clarksville (TN) Leaf Chronicle, Feb. 19, 1991]

RESERVIST ADOPTEE FINDS BIRTH MOM BEFORE LEAVING FOR DUTY IN DESERT

(By Connie Cass)

Reservist Christy Mathews knew she might be sent soon to the Persian Gulf, leaving little time to find the mother who gave her away 19 years ago and say "I understand."

A hectic search brought only a few clues; Christy's mother was 18 when she gave up her newborn baby, had dropped out of high school, was unmarried.

Christy had almost given up hope when she left her Russiaville, Ind., home for training at Fort Campbell Ky., on Feb. 7. Her deployment was only weeks away.

The next evening, she called home to talk to the parents who raised her, Jim and Jean Mathews. "We found her," Mrs. Mathews said.

At that moment, Karen Raef sat on the Mathews' living room sofa, trembling, just hours after learning her lost daughter was alive, well and headed to war. As the phone was passed to her, Ms. Raef worried what Christy would think about the mother who gave her up.

"You did what you had to do and I love you for it," Christy told her.

Both mother and daughter struggled to speak through their sobs.

"Each year I wondered what does she look like, what is she doing?" Ms. Raef said. "I never thought I would see you again."

Going to Saudi Arabia would be easier now, Christy said, because she felt "complete." Then she told two worried mothers what they wanted to hear most, "I'm coming home, mom, you know that."

Mrs. Mathews taped the conversation. She hopes to play it for grandchildren one day.

"I never felt threatened by her need to find her birth mother," Mrs. Mathews said. "She told me once, 'I have to find her before I go to Saudi Arabia, because I might not come back.' How can you say no to that?"

Mother and daughter met for the first time this weekend during the few hours Christy could slip away from her training with the Army Reserves' 199th Supply Company at nearby Fort Campbell. For more than a minute there were no words, only a tearful embrace.

Then Christy was surrounded by 15 relatives she had never met—grandparents, aunts, half-brothers and cousins who had traveled from Indiana and Illinois to meet her. Family photographs covered the bed and were passed around the crowded Clarksville motel room.

Over and over, Christy saw her own round, brown eyes, slightly thick nose and brown hair in her mother's family pictures.

She learned she and her mother both collected ceramic cats, preferred water over any other drink, and loved the color peach. Christy said she never doubted finding her mother would be a joyous occasion.

"Deep down I knew she wouldn't turn me away," she said. "There's a special bond between adopted children and their natural mother. Nobody could break that."

Since she was 6 years old, Christy had asked about her mom. After her 18th birthday, she began searching seriously.

Indiana law would not allow her to unseal her adoption records. All she could do was put her name on a registry and hope her birth mother did the same. If the information they provided matched, they would be contacted. But Ms. Raef didn't know she could file such a request.

"They tell the birth mother you don't have the right to look for them," she said. "They really made that strong—that once you signed that paper you have no rights."

Christy searched city records and pleaded with adoption officials. Then she took her case to the media, appearing in local TV newscasts and newspaper articles.

Mrs. Mathews sent 90 letters to newspapers and TV shows across the country, asking that her daughter's story be told. She hung posters in grocery stores and gas stations. Someone somewhere might have the answer.

Ms. Raef and her father, who lived 30 miles from Christy in Lafayette, Ind., never saw the news reports or posters.

An anonymous call on Feb. 6 gave Mrs. Mathews the idea that her daughter's mother was living in central Indiana. That inspired her to make a "last-ditch, desperate" call to someone who knew Christy's birth name. Dozens of such calls had failed in the past.

But this time the person on the other end of the line, who Mrs. Mathews won't identify, gave in. Christy's mother had named her Patricia Lynn Rehberg.

With the help of directory assistance operators, Mrs. Mathews tracked down Christy's grandfather.

He tearfully confirmed that his daughter, now living in Bradley, Ill., gave up a baby for adoption in 1971 in Kokomo, Ind.

"I always said one day the phone would ring and it would be her," James Rehberg said.

Mr. President, it is my hope that the Senate will again act with speed on this much-needed legislation. I ask unanimous consent that this legislation be printed in full following my remarks.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

#### S. 1863

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. PURPOSE.

The purpose of this Act is to provide for the establishment of a program which shall facilitate on a voluntary mutual request basis, the reunion of birth parents and adopted persons, birth siblings or birth grandparents of adopted persons, through a centralized computer network.

#### SEC. 2. DUTIES OF THE SECRETARY.

(a) ESTABLISHMENT OF NATIONAL REGISTRY.—The Secretary of Health and Human Services (hereinafter referred to in this Act as the "Secretary") is authorized, in accordance with the provisions of this Act, to establish a National Voluntary Reunion Registry within the Department of Health and Human Services that shall be under the direction of a designee of the Secretary. The Secretary shall, in carrying out this Act, utilize, to the maximum extent practicable, existing computer capacity available to the Secretary, such as that utilized to carry out the duties of the Secretary under section 452 of the Social Security Act (42 U.S.C. 652).

(b) ANNUAL REPORT.—The Secretary shall submit to the appropriate committees of Congress an annual report of all activities carried out under this Act. Such reports shall include—

(1) the total amount of fees collected under this Act;

(2) the number of applications submitted by birth parents, adopted persons, birth siblings, or other birth grandparents under this Act; and

(3) the number of inquires under this Act ending in a successful match.

(c) DISSEMINATION OF INFORMATION.—The Secretary shall annually publicize the availability of The National Voluntary Reunion Registry, including, but not limited to, the notification to (1) appropriate public and private agencies; and (2) the dissemination of information to the general public.

#### SEC. 3. VOLUNTARY REUNION REGISTRY.

(a) CENTRALIZED CAPACITY.—The National Voluntary Reunion Registry established under this Act shall provide a centralized nationwide capacity, utilizing computer and data processing methods. Participation in the registry shall be voluntary by all parties involved.

(b) PROCEDURES.—

(1) MATCHING PROCESS.—The registry authorized under this Act shall provide that—

(A) a birth parent, or an adopted person over the age of 21 may initiate the matching process by submitting an application to the agency operating the system; and

(B) a birth sibling or birth grandparent of an adopted person may also initiate the matching process whenever—

(i) the birth parent of an adopted person is deceased or his or her whereabouts is unknown;

(ii) the birth parent of an adopted person has consented in writing to the initiation of the matching process; or

(iii) under such other circumstances as the Secretary may determine to be appropriate after taking into consideration the privacy rights and interest of all parties who may be affected.

(2) CONFIDENTIALITY.—The Secretary shall, to the maximum extent feasible, establish specific procedures to protect the confidentiality and privacy rights and interests of all parties participating in the program authorized by this Act.

(3) CONSENT.—Information pertaining to any individual that is maintained in connection with any activity carried out under this Act shall be confidential and not be disclosed for any purpose without the prior written informed consent of the individual with respect to whom such information applies or is maintained.

(4) FEES.—Reasonable fees, established by taking into consideration the costs of services provided for individuals under this Act and the income of such individuals, shall be collected for all services provided under this Act but may be waived if the Secretary determines appropriate.

(c) STATEWIDE COMPUTER SYSTEM.—The National Voluntary Reunion Registry may include the development and operation of a similar Statewide identification computer system in a State that chooses to participate in the voluntary reunion registry and agrees to—

(1) provide necessary coordination with the voluntary identification system provided for in subsection (a); and

(2) provide such participation as the Secretary may prescribe by the State.

(d) VIOLATIONS OF CONFIDENTIALITY PROVISIONS.—Any individual or entity found to have disclosed or used confidential information in violation of the provisions of this section shall be subject to a fine of \$5,000 and imprisonment for a period not to exceed 1 year, and the provisions of section 3571 of title 18, United States Code, shall not apply to such violations.

#### SEC. 4. INFORMATION SERVICES.

The Secretary may, on application to the registry, provide a list of adoptee or birth parent support groups, community social service agencies, health professionals, and agencies providing family counseling and other information that the Secretary determines appropriate.

#### SEC. 5. REGULATIONS.

Not later than 90 days after the date of enactment of this Act, the Secretary shall issue interim regulations necessary to carry out the provisions of this Act. The Secretary shall issue final regulations not later than 180 days after the date of enactment of this Act.

#### SEC. 6. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated to carry out this Act, \$300,000 for fiscal year 1992, and such sums as may be necessary for each of the fiscal years 1993 and 1994.●

● Mrs. KASSEBAUM. Mr. President, I am pleased to join with Senator LEVIN

and several other of my distinguished colleagues in introducing a bill to create a national voluntary reunion registry. This legislation has been crafted to facilitate the reunions of adoptees, birth parents, and siblings who are seeking to find one another, while preserving the confidentiality of those who expect their privacy to be protected.

Our bill would achieve this through the establishment of a national voluntary reunion registry within the Department of Health and Human Services. The registry would assist voluntary, mutually requested reunions between adult adoptees, birth parents, birth siblings, and birth grandparents. Although many States have established reunion registries, they are unable to provide the centralized network that is required if these linkages are to be made.

There are many reasons why birth kin may want to reunite—why adoptees search for their biological relatives; why birth parents seek their adopted children. All of us have been touched by the stories of siblings who find each other after many years of frustration and expense or of the adoptee who desperately searches for a birth parent who may be able to provide an organ needed for a lifesaving transplant. Each of these stories is usually accompanied by an account of the years of frustration and expense involved in the search. The national voluntary reunion registry can streamline the process of identifying and locating separated relatives who wish to be reunited.

For adoptees and their birth parents, adoption is a very emotional issue. Many may not wish to be reunited. There is nothing in this bill which would undermine the confidentiality of adoptee or birth parents who want and expect their privacy to be respected. Both parties must voluntarily and mutually enroll in the registry. The national voluntary reunion registry would simply match requests entered into the system, not search for one party at the request of another.

A centralized, national registry can serve as a key component to unlocking the doors for adoptee and birth parents who are seeking each other. I respectfully ask that my colleagues join with me in cosponsoring and passing this humane legislation.●

● Mr. KOHL. Mr. President, I am proud to cosponsor Senator LEVIN's legislation to create a national voluntary reunion registry to facilitate voluntary and mutually desired meetings between adult adoptees and their biological parents.

This proposal is designed to address the very real desire that many biological parents and adoptees have to know more about each other. But it does so in a reasonable way: it does not invade anyone's privacy or intrude on any-

one's life. This registry is not going to make it possible for anyone to suddenly show up on someone else's door step. Nor is it going to require any records to be opened. The registry makes a match only if both the biological parents and the adoptee indicate a desire to meet or get information about each other.

Now Mr. President, Wisconsin has some experience with programs like this. Our Department of Health and Social Services operates an Adoption Search Program. Like Senator LEVIN's legislation, it works only if both the adult adoptee and the biological parents consent. Unlike Senator LEVIN's bill, however, it includes an "active search" component; if, for example, an adoptee requests information about his or her genetic and medical history and if the biological parents have not supplied that information to the system, an active search for the biological parents will be undertaken; if they are located and if they give their permission, the information will be supplied to the adoptee. The Adoption Search Program in Wisconsin receives over 1,500 inquiries a year. While the program has produced many successes, its ability to provide requested information is restricted by State boundaries and financial constraints. The type of national computer match program contained in the Levin legislation would help Wisconsin, and other States, in their efforts to fully serve the legitimate needs of biological parents and adoptees.

Mr. President, there is in all of us a desire to learn who and what we are; to find the pieces of our past and integrate them into our present so that we can have a more complete future. This search for our roots is an inherent characteristic of the human condition. It can not be constrained, it can not be curtailed, it ought not be made more complicated than it needs to be. In the absence of the sort of national registry proposed by Senator LEVIN, biological parents and adoptees engage in private searches. Those searches are not governed by any regulations—which means they often do not respect the privacy rights of others. The bill Senator LEVIN has drafted will go a long way toward reducing that problem—and a long way to making mutually desired reunions possible.

The Senate approved an earlier version of this legislation in the past, but the House did not act on it. This year I hope that we can move this bill through the Congress. It is a reasonable approach to a difficult problem. It deserves our support. And just as adoptees and biological parents want to complete their search, I am sure that Senator LEVIN and his staff want to complete what is now a 12-year quest to get this bill adopted. This, I believe and hope, is the Congress which will do that.●

By Mr. SPECTER:

S. 1864. A bill to authorize the Secretary of Health and Human Services to award a grant for the purpose of constructing a medical research facility at the Children's Hospital of Philadelphia; to the Committee on Labor and Human Resources.

THE CHILDREN'S HOSPITAL OF PHILADELPHIA  
MEDICAL RESEARCH FACILITY

Mr. SPECTER. Mr. President, today I am introducing legislation to authorize limited Federal participation in the construction of a new research building at the Children's Hospital of Philadelphia.

Established in 1855, the Children's Hospital of Philadelphia is one of this country's most distinguished clinical and research facilities—and the very first pediatric hospital in America. As a pediatric hospital, it specializes in treating infants and young people. As a research hospital, it specializes in understanding childhood illnesses and developing better ways to fight them. As a site of clinical care and research, it specializes in bringing the fruits of its research to its patients' bedsides in the quickest, safest, most effective manner possible.

A source of hope for children everywhere, Mr. President, the Children's Hospital of Philadelphia has an outstanding reputation as one of this Nation's leading pediatric research institutions. Over the years, work performed in the hospital's research laboratories has benefited children everywhere.

Despite the many advances of science, caring for children remains very much a medical specialty. Pediatric medicine is based on subspecialties, and for this reason, facilities devoted to the care of children are as important as ever. Children and adults experience different kinds of health problems. Adults typically suffer from chronic, degenerative diseases that appear late in life but develop over many years. Children, on the other hand, suffer from the more immediate effects of premature birth, congenital abnormalities, and viral and infectious diseases such as measles and chicken pox. Even the diseases common among both adults and children affect their victims differently.

Children also must be treated differently from adults. Medications that help adults are often too strong for children or are detrimental to their growth and development. Diagnostic equipment is not always scaled to smaller patients. Often, children do not understand the nature of their illnesses and need special support if they are to participate in their own treatment.

The Children's Hospital of Philadelphia is committed to the medical care of children, whether their needs are basic or special. For many such children the hospital is the best hope to which they and their families turn for medical innovations and new therapies.

Time and time again, innovations in patient care first introduced at the Children's Hospital of Philadelphia have blazed a path and become the standards by which all others are measured in the field of pediatric care. Children's Hospital established the first pediatric day-surgery unit in the country. It established the first neonatal surgical intensive-care unit in the Nation under the leadership of Dr. C. Everett Koop, our former Surgeon General. The Children's Hospital of Philadelphia also established the very first pediatric bone marrow transplant program on the east coast; and as we all know, bone marrow transplantation offers an extraordinary shining hope for so many youngsters fighting blood-related ailments.

Mr. President, as much as these accomplishments stand on their own, the Children's Hospital of Philadelphia has also been recognized by others for its achievements. It ranks second nationally among pediatric hospitals for research funding, with most of these funds awarded through peer review, and it ranks eighth among hospitals of all kinds. In 1990 and again this year, the magazine U.S. News & World Report ranked the Children's Hospital of Philadelphia second among the top five pediatric hospitals in the United States.

The Children's Hospital of Philadelphia possesses all of the qualities necessary to continue and enlarge its role as a leader in linking basic medical research to improved pediatric care. Its past is marked by noteworthy, enduring achievements. Presently, the hospital enjoys significant growth in the research staff it has assembled and the support it has garnered from both its neighbors in Philadelphia and the international scientific community. Because the medical needs of children are special, the research facilities dedicated to addressing those needs must be special, too. At this time, the Children's Hospital of Philadelphia's greatest need is the space in which to turn today's research into tomorrow's care. As new researchers and new research projects have come to the hospital, attracted by the vitality of its environment, the quality of its staff, and the institution's rich history of accomplishments, research space has grown increasingly scarce. With this problem in mind, the hospital's leaders have developed a plan for a new research building, a 300,000-square-foot facility that will double the institution's current research space and be dedicated solely to research.

This new building has been designed not only to accommodate today's research needs, but also to anticipate tomorrow's needs as well. Its modular design will provide flexibility over time, with multiple laboratory modules that can be adjusted to the needs of their occupants at any given time. Such de-

sign reflects the new realities of scientific research. It is a visionary building, a fitting site for what I believe to be the truly visionary research that will take place within its walls.

Mr. President, it is important to mention a major research effort at Children's Hospital sponsored by the Human Genome Project. Earlier this year, the Children's Hospital of Philadelphia became one of just seven institutions in the entire Nation—and the only pediatric hospital, or hospital of any kind—to be selected to participate in the latest phase of this landmark project. The Human Genome Project, as you know, is a major national priority, and the Children's Hospital of Philadelphia has been chosen to study chromosome 22, known as the Philadelphia chromosome, which is associated with at least eight forms of pediatric cancer and three other often-fatal developmental disorders affecting children.

The Commonwealth of Pennsylvania has already pledged its financial support for this effort, and the hospital also plans a substantial sale of bonds. In addition, the Children's Hospital of Philadelphia will look to its charitable donors, a good many of whom either through their own personal experience or that of a relative or friend, are familiar with the hospital's level of care and commitment to the community.

The facility that we develop together will perform one additional but vital role: It will permit space originally designed for clinical care, but now used for research, to be returned to its intended use. This benefits the children of Philadelphia, to be sure, but in reality, it does much more, for over 65 percent of the patients treated at the Children's Hospital of Philadelphia come to this facility from outside the city of Philadelphia and over 20 percent come from outside the Commonwealth of Pennsylvania.

Mr. President, let me reiterate that the Children's Hospital of Philadelphia is one of the premier pediatric research institutions in the United States, one with a long, proud tradition as a pioneer in the development of new ways to address old and persistent medical problems. Through its proven ability to perform vital, ground-breaking research and to translate its findings into clinical innovations, it has proved, time and time again, its ability to make a difference in the quality of life for children everywhere. With the support of this body, it can do so for years to come. For these reasons, I respectfully request expeditious consideration of this bill by the Senate.

Mr. President, I ask unanimous consent that the full text of the bill be printed in the RECORD following my remarks.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 1864

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

**SECTION 1. FINDINGS.**

Congress finds that—

(1) because the health care needs of children are special, the research dedicated to addressing those needs must be special as well;

(2) founded in 1855 as the Nation's first pediatric hospital, The Children's Hospital of Philadelphia has committed itself to improving the health of children through innovative and specialized research aimed at preventing and curing pediatric diseases and conditions; and

(3) American children, and children worldwide, have benefited from research conducted at The Children's Hospital of Philadelphia, including research that has led to developments in the prevention, diagnosis and treatment for childhood disease such as—

(A) vaccines against rubella, mumps and influenza;

(B) a serum for whooping cough;

(C) a simple, inexpensive, and rapid test for detecting sickle cell disease;

(D) the Isolette, the first closed incubator for newborns, which is now used worldwide; and

(E) the cardiac balloon catheter technique used to enlarge defective heart openings and fix congenital defects.

**SEC. 2. GRANT FOR PEDIATRIC RESEARCH FACILITY.**

(a) IN GENERAL.—The Secretary of Health and Human Services (hereafter referred to in this section as the "Secretary") may award a grant to The Children's Hospital of Philadelphia, a nonprofit, tax-exempt medical institution located in Philadelphia, Pennsylvania, for the purpose of constructing a medical research facility at such Hospital.

(b) REQUIREMENTS OF MATCHING CONTRIBUTION.—

(1) IN GENERAL.—The Secretary may not award a grant under subsection (a) unless the applicant for such grant agrees, with respect to the costs of carrying out the purpose described in such subsection, to make available (directly or through donations from public or private entities) non-Federal contributions toward such costs in an amount that is not less than two-thirds of the amount of Federal funds provided under the grant.

(2) DETERMINATION OF AMOUNT OF NON-FEDERAL CONTRIBUTION.—For purposes of paragraph (1), in determining the amount of non-Federal contributions that have been made available pursuant to such paragraph, the Secretary may not include any amounts provided by the Federal Government.

(c) AUTHORIZATION OF APPROPRIATIONS.—

(1) IN GENERAL.—There are authorized to be appropriated to carry out this section, such sums as may be necessary for each of the fiscal years 1993 through 1995.

(2) LIMITATION.—Subject to the availability of appropriations, the total amount of the grant under subsection (a) shall not exceed \$25,000,000.

**ADDITIONAL COSPONSORS**

S. 190

At the request of Mr. GRAHAM, the names of the Senator from South Dakota [Mr. PRESSLER] and the Senator from Alabama [Mr. HEFLIN] were added

as cosponsors of S. 190, a bill to amend 3104 of title 38, United States Code, to permit veterans who have a service-connected disability and who are retired members of the Armed Forces to receive compensation, without reduction, concurrently with retired pay reduced on the basis of the degree of the disability rating of such veteran.

S. 310

At the request of Mr. PELL, the name of the Senator from North Dakota [Mr. BURDICK] was added as a cosponsor of S. 310, a bill to provide for full statutory wage adjustments for prevailing rate employees, and for other purposes.

S. 649

At the request of Mr. BREAU, the name of the Senator from New Jersey [Mr. BRADLEY] was added as a cosponsor of S. 649, a bill to amend the Internal Revenue Code of 1986 to repeal the luxury tax on boats.

S. 700

At the request of Mr. DURENBERGER, the name of the Senator from Wisconsin [Mr. KASTEN] was added as a cosponsor of S. 700, a bill to amend the Internal Revenue Code of 1986 to impose an excise tax on insurance companies not meeting certain requirements with respect to health insurance provided to small employers.

S. 891

At the request of Mr. MACK, the name of the Senator from Louisiana [Mr. JOHNSTON] was added as a cosponsor of S. 891, a bill to amend the Internal Revenue Code of 1986 to provide a refundable credit for qualified cancer screening tests.

S. 1087

At the request of Mr. HARKIN, the name of the Senator from Hawaii [Mr. INOUE] was added as a cosponsor of S. 1087, a bill to require the Secretary of the Treasury to mint coins in commemoration of the 100th anniversary of the Pledge of Allegiance to the Flag.

S. 1294

At the request of Mr. FOWLER, the names of the Senator from Tennessee [Mr. SASSER] and the Senator from Alaska [Mr. STEVENS] were added as cosponsors of S. 1294, a bill to protect individuals engaged in a lawful hunt within a national forest, to establish an administrative civil penalty for persons who intentionally obstruct, impede, or interfere with the conduct of a lawful hunt, and for other purposes.

S. 1357

At the request of Mr. BREAU, the name of the Senator from Georgia [Mr. NUNN] was added as a cosponsor of S. 1357, a bill to amend the Internal Revenue Code of 1986 to permanently extend the treatment of certain qualified small issue bonds.

S. 1423

At the request of Mr. DODD, the name of the Senator from California [Mr. SEYMOUR] was added as a cosponsor of

S. 1423, a bill to amend the Securities Exchange Act of 1934 with respect to limited partnership rollups.

S. 1451

At the request of Mr. BIDEN, the name of the Senator from California [Mr. SEYMOUR] was added as a cosponsor 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. 1557

At the request of Mr. LAUTENBERG, the name of the Senator from California [Mr. SEYMOUR] was added as a cosponsor of S. 1557, a bill to improve the implementation and enforcement of the Federal cleanup program.

S. 1623

At the request of Mr. DECONCINI, the names of the Senator from South Dakota [Mr. DASCHLE] and the Senator from Hawaii [Mr. AKAKA] were added as cosponsors of S. 1623, a bill to amend title 17, United States Code, to implement a royalty payment system and a serial copy management system for digital audio recording, to prohibit certain copyright infringement actions, and for other purposes.

S. 1715

At the request of Mr. GRAMM, the name of the Senator from Alabama [Mr. HEFLIN] was added as a cosponsor of 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.

S. 1729

At the request of Mr. KENNEDY, the name of the Senator from Ohio [Mr. METZENBAUM] was added as a cosponsor of S. 1729, a bill to amend the Public Health Service Act to require drug manufacturers to provide affordable prices for drugs purchased by certain entities funded under the Public Health Service Act, and for other purposes.

S. 1738

At the request of Mr. DASCHLE, the name of the Senator from North Dakota [Mr. CONRAD] was added as a cosponsor of S. 1738, a bill to prohibit imports into the United States of meat products from the European Community until certain unfair trade barriers are removed, and for other purposes.

S. 1741

At the request of Mr. ROBB, the names of the Senator from Massachusetts [Mr. KERRY], the Senator from California [Mr. CRANSTON], and the Senator from Rhode Island [Mr. PELL] were added as cosponsors of S. 1741, a bill to provide for approval of a license for telephone communications between the United States and Vietnam.

S. 1789

At the request of Mr. DURENBERGER, the name of the Senator from Washington [Mr. GORTON] was added as a cosponsor of S. 1789, a bill to provide

emergency unemployment compensation, and for other purposes.

S. 1810

At the request of Mr. ROCKEFELLER, the names of the Senator from South Dakota [Mr. DASCHLE] and the Senator from Ohio [Mr. GLENN] were added as cosponsors of S. 1810, a bill to amend title XVIII of the Social Security Act to provide for corrections with respect to the implementation of reform of payments to physicians under the medicare program, and for other purposes.

At the request of Mr. DURENBERGER, the name of the Senator from Rhode Island [Mr. CHAFEE] was added as a cosponsor of S. 1810, supra.

S. 1821

At the request of Mr. PACKWOOD, the name of the Senator from Wisconsin [Mr. KASTEN] was added as a cosponsor of S. 1821, a bill to amend the Internal Revenue Code of 1986 to simplify the definition of dependent, to provide a uniform definition of child, and for other purposes.

S. 1851

At the request of Mr. ROCKEFELLER, the name of the Senator from New Jersey [Mr. BRADLEY] was added as a cosponsor of S. 1851, a bill to provide for a Management Corps that would provide the expertise of United States businesses to the Republics of the Soviet Union and the Baltic States.

SENATE JOINT RESOLUTION 64

At the request of Mr. GORE, the name of the Senator from Alaska [Mr. STEVENS] was added as a cosponsor of Senate Joint Resolution 64, a joint resolution to authorize the President to proclaim the last Friday of April as "National Arbor Day."

SENATE JOINT RESOLUTION 188

At the request of Mr. LAUTENBERG, the names of the Senator from Nebraska [Mr. EXON] and the Senator from Arkansas [Mr. BUMPERS] were added as cosponsors of Senate Joint Resolution 188, a joint resolution designating November 1991, as "National Red Ribbon Month."

SENATE JOINT RESOLUTION 194

At the request of Mr. GRAMM, the names of the Senator from Idaho [Mr. SYMMS] and the Senator from Hawaii [Mr. AKAKA] were added as cosponsors of Senate Joint Resolution 194, a joint resolution to designate 1992 as the "Year of the Gulf of Mexico."

SENATE JOINT RESOLUTION 200

At the request of Mr. THURMOND, the names of the Senator from Iowa [Mr. GRASSLEY], the Senator from South Carolina [Mr. HOLLINGS], the Senator from Montana [Mr. BURNS], and the Senator from Arkansas [Mr. BUMPERS] were added as cosponsors of Senate Joint Resolution 200, a joint resolution designating the week of October 27 to November 2, 1991 as "National Pornography Victims Awareness Week."

SENATE RESOLUTION 193

At the request of Mr. LEVIN, the name of the Senator from California

[Mr. CRANSTON] was added as a cosponsor of Senate Resolution 193, a resolution expressing support for a just peace in Yugoslavia.

## SENATE RESOLUTION 201

At the request of Mr. DANFORTH, the names of the Senator from Arkansas [Mr. BUMPERS], the Senator from Maryland [Ms. MIKULSKI], and the Senator from North Dakota [Mr. CONRAD] were added as cosponsors of Senate Resolution 201, a resolution to express the sense of the Senate regarding enforcement of the oilseeds GATT panel ruling against the European Community.

## AUTHORITY FOR COMMITTEES TO MEET

## COMMITTEES ON VETERANS' AFFAIRS

Mr. MITCHELL. Mr. President, the Committee on Veterans' Affairs would like to request unanimous consent to hold a joint hearing with the House Veterans' Affairs Committee on the Report of the Commission on the Future Structure of Veterans Health Care. The hearing will be held on October 23, 1991, at 9 a.m. in Cannon 334.

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

## SUBCOMMITTEE ON EMPLOYMENT AND PRODUCTIVITY

Mr. MITCHELL. Mr. President, I ask unanimous consent that the Subcommittee on Employment and Productivity of the Committee on Labor and Human Resources be authorized to meet during the session of the Senate on Wednesday, October 23, 1991, at 2 p.m. for a hearing on "Women and the Workplace: The Glass Ceiling."

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

## COMMITTEE ON GOVERNMENTAL AFFAIRS

Mr. MITCHELL. Mr. President, I ask unanimous consent that the Governmental Affairs Committee be authorized to meet on Wednesday, October 23, 1991, at 9:30 a.m. for a hearing on the "The Glass Ceiling in Federal Agencies—Part II."

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

## SUBCOMMITTEE ON CONSUMER AND REGULATORY AFFAIRS

Mr. MITCHELL. Mr. President, I ask unanimous consent that the Subcommittee on Consumer and Regulatory Affairs of the Committee on Banking, Housing, and Urban Affairs be allowed to meet during the session of the Senate, Wednesday, October 23, 1991, at 10 a.m. to conduct a hearing on restructuring the RTC, including the administration's proposal.

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

## COMMITTEE ON LABOR AND HUMAN RESOURCES

Mr. MITCHELL. Mr. President, I ask unanimous consent that the Committee on Labor and Human Resources be authorized to meet during the session of the Senate on Wednesday, October

23, 1991, at 10 a.m., for a hearing on America's best school teachers and principals.

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

## SUBCOMMITTEE ON WATER AND POWER

Mr. MITCHELL. Mr. President, I ask unanimous consent that the Subcommittee on Water and Power of the Committee on Energy and Natural Resources be authorized to meet during the session of the Senate, 2 p.m., October 23, 1991, to receive testimony on S. 1618, S. 724, S. 1370, S. 1806, S. 1812, and H.R. 429.

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

## COMMITTEE ON FOREIGN RELATIONS

Mr. MITCHELL. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on Wednesday, October 23, at 3:30 p.m. to hold a hearing on the Iraq experience: Lessons for the future.

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

## COMMITTEE ON FOREIGN RELATIONS

Mr. MITCHELL. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on Wednesday, October 23, at 2 p.m. to hold a hearing on the start treaty and the future of nuclear arms control.

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

## SUBCOMMITTEE ON TERRORISM NARCOTICS AND INTERNATIONAL OPERATIONS

Mr. MITCHELL. Mr. President, I ask unanimous consent that the Subcommittee on Terrorism, Narcotics and International Operations of the Foreign Relations Committee be authorized to meet during the session of the Senate on Wednesday, October 23, at 10 a.m. to hold a hearing on the narcotics and foreign policy implications of the BCCI affair.

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

## ADDITIONAL STATEMENTS

## IN HONOR OF NORMAN TANZMAN

• Mr. BRADLEY. Mr. President, Norman Tanzman, a longtime friend and a man I greatly admire, is being honored on October 27 by the Central New Jersey Jewish Home for the Aged. I would like to take this opportunity to share with you and my colleagues why this public recognition of Norman's many civic contributions is so richly deserved.

Norman was in the Coast Guard during World War II, and his community involvement dates back to 1954 when he served on the Woodbridge Township Planning Board. In 1960, he was elected to the New Jersey General Assembly, became assistant majority leader, and

was elected to the State senate in 1967. While serving in these legislative capacities, he was twice named "Legislator of the Year."

Norman has set an impressive example for others by showing that charity and voluntarism can be very rewarding. Briefly, he has been chairman of the board of the Woodbridge Library, vice chairman of the board of trustees of Middlesex County College, a charter member of the Woodbridge Lions Club, and has also been on the board of the Jewish Federation, the Regional YMHA, and the Central New Jersey Jewish Home for the Aged. He has received the Distinguished Citizen Award from the Thomas A. Edison Council Boy Scouts of America as well as several awards from the B'nai B'rith. Remarkably, this is but a partial list of Norman's accomplishments. Wherever his interests lie, he gives of himself tirelessly. As an attorney specializing in real estate, he received the Community Service Award as Realtor of the Year. He was named Citizen of the Year by the Perth Amboy General Hospital and served on New Jersey's Citizens for Better Schools, the Raritan Bay Health Services Corp., and the First Fidelity Bancorporation.

As Norman Tanzman is honored by the Central New Jersey Jewish Home for the Aged, I take great pride in bringing his achievements to your attention. Along with his family and many, many friends, I applaud his lifelong commitment to helping his neighbors and to making his State and community a better place in which to live. •

## JOHN MORTON, SR., OF BERLIN NAMED KIWANIS INTERNATIONAL PRESIDENT

• Mr. SMITH. Mr. President, I rise today to recognize a fellow Granite Stater and friend, John Morton, Sr., of Berlin, NH. John and his wife, Jackie, have devoted their lives in service to New Hampshire and they were recently named Kiwanis international president and first lady respectively.

The Mortons grew up, married raised their children, and built businesses in the small New England town of Berlin, NH. John serves as sheriff of Coos County, a post he has held since 1980, and he owns Morneau Moving Co., managed by his son, John Jr. Jackie is a partner in the moving company and also serves as deputy sheriff.

The distinguished honor of being named international president of the Kiwanis Club, comes to John Morton after years of business experience and community service in and around Berlin. He began his first business venture with a newspaper delivery job in first grade where he made deliveries to 175 homes daily. John, along with his brother, expanded deliveries at both local Catholic churches.

In high school, John became a member of Key Club, a service organization

for students. John believes this decision is what led him to becoming a Kiwanian. During these years, John served as a class officer, played football and was an active Key Clubber. These early years of community service led him to continue his service to others throughout his life.

After working with his wife at a hotel resort in Florida, and working in a restaurant in Martha's Vineyard, John and Jackie brought their business expertise home to Berlin. They operated several businesses including a coin-operated laundry and a Montgomery Ward franchise, before opening the Morneau Moving Co. in 1976. John also held positions as a county treasurer and county chairman for the Republican Party. He is currently bank director for the City Bank of Berlin and chairman of the New Hampshire Police Standards and Training Council.

Invited by his friend Eli Isaacson, John joined the Kiwanis Club of Berlin and has since accumulated 29 years of perfect attendance. He served as president in 1965, two terms as lieutenant governor, 1968-70; governor, 1975-76; International board member, beginning in 1984; and now international president.

The Kiwanis Club, under John's devotion and leadership, is currently working on many admirable programs to encourage growth in the organization. They are also working on a major multiyear Major Emphasis Program [MEP], "Young Children: Priority One." John wants to emphasize the prevention of injury to children and support for pediatric trauma units in hospitals. The New England district is supporting this effort through the institute at the New England Medical Center in Boston, MA.

Again, I want to thank John and Jackie for their years of service to New Hampshire and now as international president of the Kiwanis Club. I wish them great success in this endeavor as they, along with their family, continue to live and work in the Granite State. It is people like John and Jackie Mor-ton that make me proud to represent New Hampshire in the U.S. Senate.●

**NOTICE OF DETERMINATION BY THE SELECT COMMITTEE ON ETHICS UNDER RULE 35, PARAGRAPH 4, PERMITTING ACCEPTANCE OF A GIFT OF EDUCATIONAL TRAVEL FROM A FOREIGN ORGANIZATION**

● Mr. SANFORD. Mr. President, it is required by paragraph 4 of rule 35 that I place in the CONGRESSIONAL RECORD notices of Senate employees who participated in programs, the principal objective of which is educational, sponsored by a foreign government or a foreign educational or charitable organization involving travel to a foreign country paid for by that foreign government or organization.

The select committee has received a request for a determination under rule 35 for Mr. Stuart Feldman, a member of the staff of Senator ORRIN G. HATCH, to participate in a program in Japan, sponsored by the Japanese Ministry of Foreign Affairs, from October 19-30, 1991.

The committee has determined that participation by Mr. Feldman in the program in Japan, at the expense of the Japanese Ministry of Foreign Affairs, is in the interest of the Senate and the United States.●

**VOLUNTEER OF THE YEAR, MABEL PITTARD**

● Mr. GORE. Mr. President, I want to take this opportunity to recognize Mrs. Mabel Pittard, the 1991 recipient of the William J. "Bill" Davis Award for Volunteer of the Year. This honor was announced recently by the Arts and Humanities Council of Murfreesboro and Rutherford County, TN.

Mrs. Pittard was selected for this award because of her tireless work on behalf of the Rutherford County Historical Society [RCHS], an organization dedicated to the preservation of the historical heritage of my State for the benefit of future generations. She was a charter member of that group and has remained active throughout its existence, holding a variety of offices including president.

Several members of the RCHS have told me that no organization has a volunteer who has devoted more time and energy than Mrs. Pittard has given to it. She has served outstandingly as a source of local history to the media, to any interested individual, and to the community as a whole.

A historian in her own right, Mrs. Pittard authored "A History of Rutherford County" in 1983 and "A Pictorial History of Rutherford County" in 1990. This year, she has served as editor of the first two volumes of "Annals of Rutherford County."

On two occasions, she has received the Cannonsburgh Award, presented annually for outstanding contributions to RCHS.

Mr. President, like thousands of volunteers involved in various causes throughout America, Mrs. Pittard receives no monetary benefit for her work. Her only goal has been to keep Rutherford County's history alive and accessible to the general public.

Voluntarism is an essential element in the American character. It demonstrates the pride our citizens have in their community, the compassion they have for others, and the hopes they have for a better quality of life for all our people.

With this in mind, I also want to recognize others who were nominated for Volunteer of the Year and whose contributions to community life have made Murfreesboro and Rutherford County a better place to live and work:

Jack Rogers of the Children's Discovery House; Linda Lichtenberger of the Middle Tennessee Symphony Society; Liz Johnson of Friends of Linebaugh Public Library; the Reverend Dwight Ogleton of the National Association for the Advancement of Colored People; Melinda Haines of Oaklands Historic House Museum; Westie Windham of the Great American Sing-Along; Dr. Madison Dill of the Tennessee Valley Winds; Elsie Stem of the Flower Growers Garden Club; and Richard Sims of the Murfreesboro Art League.●

**COMMENDING FRANCES AND BERYL WEINSTEIN**

● Mr. LIEBERMAN. Mr. President, it is with great pleasure that I bring to the attention of the Senate two very special individuals from my home State of Connecticut, Frances and Beryl Weinstein.

In September, the New England chapter of the American Friends of the Hebrew University honored the Weinsteins by naming them this year's recipients of the Torch of Learning Awards. The highly regarded Torch of Learning Award is presented annually to leading men and women who have demonstrated deep concern for education, their community, the Jewish people, and Israel.

Frances and Beryl have set an unusual standard for sustained leadership and commitment as they have played a major role in a wide variety of Jewish community activities as well as in the general community. Like his father, Beryl Weinstein has been involved in the local Jewish Community throughout the years, particularly the Waterbury Jewish Federation, where he served as president and campaign chairman. He has also served as president of Temple Israel. His regional and national affiliations include the Connecticut Jewish Community Relations Council, the United States Jewish Appeal, HIAS, and the Council for Jewish Federations.

While attending the College of Pharmacy of the University of Connecticut, Beryl founded the Doctor's Diagnostic Laboratory, Inc., one of the regions first private clinical laboratories. Although the business was sold in 1987, Beryl continues his affiliation as director of the laboratory and consultant.

Beryl has also demonstrated a strong commitment to a number of important educational causes. His involvement with the Jewish Educational Service of North America and the Mattatuck Community College, where he serves as chairman of the board of that college's foundation, exemplify Beryl's dedication to improving the quality of our Nation's educational system.

Frances Weinstein has also dedicated herself to a number of organizations seeking to strengthen the Jewish community as well as the general commu-

nity of Waterbury. A lifetime member of Hadassah, Frances has served as the president of the Waterbury chapter and is presently Zionist affairs chairman of the Shoreline chapter in Connecticut. She has also served as president and campaign chairman of the Waterbury Jewish Federation as well as the president of the Temple Israel Sisterhood.

Frances' deep concern for the greater Waterbury community and helping it to meet its needs is evidenced by her work as president of the Child Guidance Clinic and by her involvement with the Council of Girl Scouts and the United Way of Central Naugatuck Valley. Frances has also worked tirelessly on behalf of the Women's Emergency Shelter of Waterbury and currently serves on the board of the Guilford Interfaith Housing Corp.

The residents of the greater Waterbury area have been touched by the efforts and presence of these great people. Mr. President, I hope that my colleagues will join me in paying tribute to the Weinstains for their unselfish devotion to improving the lives of others.●

**NOTICE OF DETERMINATION BY THE SELECT COMMITTEE ON ETHICS UNDER RULE 35, PARAGRAPH 4, PERMITTING ACCEPTANCE OF A GIFT OF EDUCATIONAL TRAVEL FROM A FOREIGN ORGANIZATION**

● Mr. SANFORD. Mr. President, it is required by paragraph 4 of rule 35 that I place in the CONGRESSIONAL RECORD notices of Senate employees who participate in programs, the principal objective of which is educational, sponsored by a foreign government or a foreign educational or charitable organization involving travel to a foreign country paid for by that foreign government or organization.

The select committee has received a request for a determination under rule 35 for Steven Shimberg, a member of the staff of Senator CHAFEE, to participate in a program in Australia, sponsored by the Australian Government, in early January 1992.

The committee has determined that participation by Mr. Shimberg in the program in Australia, at the expense of the Australian Government, is in the interest of the Senate and the United States.●

**NEW JERSEY BLUE RIBBON SCHOOLS—FAIR LAWN HIGH, EAST BRUNSWICK HIGH, SOUTH BRUNSWICK HIGH, AND RICHARD TEITELMAN SCHOOL**

● Mr. LAUTENBERG. Mr. President, I rise today to congratulate four New Jersey schools which recently have been recognized by the U.S. Department of Education's 1990-91 Blue Ribbon Schools Program.

These schools are 4 of 222 public and private middle and secondary schools nationwide to receive this Federal distinction. The program evaluates schools on quality of leadership, curriculum, instruction, teaching environment, commitment to improvement, parent and community support, and evidence of success. There are over 36,000 middle and secondary schools in the country and I am proud to salute these four outstanding New Jersey schools and those individuals who have been instrumental in promoting superior education classes and programs.

Each of the four schools has its own special characteristics which make them each an exemplary educational institution. One of the four New Jersey schools honored, Richard Teitelman School, has been recognized as one of 19 junior high schools across the Nation to be a 1990-91 Blue Ribbon School. This school is located in Lower Township, in Cape May County. It stresses community involvement and service activities for faculty, students, and residents. Richard Teitelman School responds to change by taking new educational research into consideration, evaluating its possible effects upon the school, and then planning long-term goals. In addition to this process, the school offers various programs such as psychological counseling services, peer leadership groups and a Teacher-Mentor Program. These programs have helped the school improve its attendance record, increase student achievement levels, and decrease the need for disciplinary actions. Richard Teitelman is a school where everyone has the chance to learn and grow.

Blue Ribbon Fair Lawn High School was cited for its advanced use of technology, including a television hookup which allowed its students to participate in classes conducted at 16 other schools. It also has a renovated planetarium and a weather station and classes that include computer-assisted drafting and desktop publishing. Extracurricular programs are also provided by Fair Lawn High which promote increased involvement within the community such as an animal rights club.

South Brunswick High School was noted for its cooperative program with the University of Dentistry and Medicine of New Jersey to provide a variety of services to its students. At the age of 18, South Brunswick students with special needs have the option to be placed in the private sector. This program provides these young adults with experiences which enable them to complete their education.

East Brunswick High School is regarded by many as a renaissance school. It prides itself on creating a learning atmosphere where its students can explore many educational avenues. Its most popular elective taken is the Institute for Political and Legal Education. In this class, students debate

many current issues. They take the role of Members of the U.S. Senate and House of Representatives, introducing and debating legislation. Other outstanding classes include geography and physics, where students use computers to analyze data and produce graphs. Their art program is one of the most comprehensive and highly regarded art programs in the State.

Mr. President, I am pleased to join in honoring and congratulating these schools for being recognized as four of the Nation's top notch educational institutions. Committed individuals are the key to these outstanding schools and I commend the faculty, students, parents, and the communities who have dedicated much of their time and effort into making East Brunswick High School, Fair Lawn High School, South Brunswick High School, and Richard Teitelman School shining examples for other schools to follow.●

**COLUMBUS' STORY HAS A JEWISH CHAPTER**

● Mr. WELLSTONE. Mr. President, the upcoming 500th anniversary of Christopher Columbus' voyage to the New World provides all of us with the opportunity to return to this chapter of world history.

Indian and Hispanic organizations have already begun to voice their view that Columbus' so-called discovery is not a cause for celebration.

I would like to call my colleagues' attention to an article by Rabbi Bernard Raskas of St. Paul, MN. Rabbi Raskas reminds us of the experience of Spanish Jews during this period. The Spanish leaders in 1492 brutally persecuted and banished Jews from Spain.

Rabbi Raskas' article, "Columbus' Story Has a Jewish Chapter," follows:

**COLUMBUS' STORY HAS A JEWISH CHAPTER**

(By Rabbi Bernard S. Raskas)

"In fourteen hundred and ninety-two, Columbus sailed the ocean blue" is a verse from our childhood. It prompts us to begin thinking about the Columbus quinqucentennial in 1992. The process of historical evaluation has already begun, and there is a fierce controversy building between those who see Columbus as a great hero and those who see him as a ruthless exploiter.

While much attention in the Western world will be focused on the 500th anniversary of the discovery (that's news to Native Americans) of America, Jews will be remembering the ferocious persecutions and banishment of their ancestors from Spain (Sepharad) in 1492. Columbus himself wrote that, as he set out on his journey he could see boatloads of Jews leaving, in peril of their lives.

The expulsion order, which culminated a series of oppressions that began in 1313, gave the Jews the choice of converting to Christianity or leaving within three months. Up to 150,000 left for the Ottoman Empire, France, Italy, Holland, North Africa and eventually North and South America.

Those who converted to Christianity to save themselves were called *conversos*. Those who were forcibly converted but maintained Judaism secretly were called *marranos*. It

was the purpose of the Inquisition, under the cruel leadership of Torquemada, to ferret out the so-called Judaizers and exterminate them.

The recent novel, "Adventures in the Land of the Inquisition 1492," by Mexican poet and philosopher Homero Aridjis, graphically and painfully depicts the suffering, the torture, the burnings, the crucifixions of thousands of Jews.

Some historians hold that confiscated and plundered Jewish property and possessions financed the expeditions of Columbus. However, there is more to Jewish involvement than this. While Spain was under Moslem rule, Jewish culture was inspired to a level of creativity unparalleled except in the biblical and rabbinic periods. Jewish poets, grammarians, biblical commentators, mystics and philosophers produced works of enormous magnitude.

In Jewish history, this time is known as "The Golden Age." In this environment the greatest Jewish mind of the past millennium, Moses Maimonides, flourished.

In Christian Spain, the Jewish mind turned to astronomy and navigation. The journey of Columbus would have been inconceivable without the work of the Crescas, a family of Jewish cartographers, who created the famous "Mapamundi," the first world map, which was also used by Marco Polo. The astrolabe that Columbus used was perfected by Abraham Zacuto, whose scientific works were first written in Hebrew and then translated into Spanish. The instrument itself was the work of Tzvi Hertz and is noted for its Hebrew inscriptions.

Remarkably enough, in Toledo in the 12th century there was established a center of learning known as the School of Translators. There, Jewish, Christian and Moslem scholars worked together to translate classic Greek and Arabic philosophic and scientific texts into Latin. Such corporate labors helped lay the foundations for humanistic thought in the Renaissance.

It was in this spirit of reconciliation that King Juan Carlos of Spain recently pledged to rescind the expulsion order on March 31, 1992, the anniversary date of the royal edict. He will also visit the synagogue in Madrid at that time, as an act of friendship.

In addition, there will be significant programs of Jewish content at the World's Fair in Seville. Shephard '92, an organization made up of descendants of the Jews of Spain, is planning important events all over the world. These include a special exhibit at the Smithsonian; a new chair in Jewish Sephardi Civilization at the University of Paris; restoration of the old Jewish quarters of Toledo, Verona and Seville; academic convocations and conferences on Spanish Jewry in France, Jerusalem, Fez, Cairo, Istanbul and South America, as well as many other vital projects.

These commemorations have a direct tie to the voyages of Columbus. When the New World was first sighted, the cry of "Tierra! (Land!)" came from a lookout on the Pinta whose name was Rodrigo de Triana, a marrano who secretly practiced Judaism. That day was Friday, Oct. 12, 1492. It happened to be a Jewish holiday on which Jews sing praises to God and carry the Torah (Pentateuch) scrolls.

Jews all over the world are looking at the celebration of the quincentennial of Columbus reaching America with mixed feelings of painful remembrance and positive reconciliation. American Jews will have a special sense of gratitude because in Columbus' New World they have found a home and a haven.

They will celebrate Jewish contributions to the arts, the sciences, the economy, and the social welfare of this blessed land. •

#### URGE ACTION ON S. 775

• Mr. MACK. Mr. President, I rise today as a cosponsor of S. 775, the Veterans Compensation Improvement Act of 1991. This bill includes a cost-of-living adjustment [COLA], effective December 1, 1991, for the more than 2 million American veterans who receive service-connected disability compensation. It also includes a COLA for the 340,000 disability and indemnity [DIC] beneficiaries. This bill was placed on the Legislative Calendar on August 2, 1991, yet no further action has been taken.

Let us turn back the clock to the final day of the 101st Congress. We had been in a budget battle for weeks. Members were trying desperately to reach an agreement on a number of bills, including legislation to provide a COLA for service-connected disabled veterans and DIC beneficiaries. We reached an impasse on passage of the bill due to the controversy surrounding exposure to agent orange. It was my opinion that the Senate should vote on a clean COLA bill, and agree to consider agent orange as the first issue to come before the 102d Congress. However, much to my dismay, such an agreement could not be reached. Congress adjourned, and the veterans did not receive the COLA when they were entitled to receive it.

In the weeks to follow, my office received hundreds of letters, telephone calls, and telegrams from veterans throughout Florida. I cannot tell my colleagues how many times the word "betrayed" was used to describe the feelings of our Nation's veterans toward the Congress of the United States of America.

It is now October 23, 1991, and the clock is ticking. I asked officials of the Department of Veterans Affairs how long it takes to input the data once President Bush signs a COLA bill. I was told they are nearing the zero hour in order for veterans to receive their COLA in the January benefit checks. Even with today's technology, it will take from 6 to 10 weeks to input the data, print the checks, and get them in the mail. I don't need to remind my colleagues how busy the U.S. Postal Service is during the holiday season.

Mr. President, time is of the essence. If Congress is to meet its deadline and obligation to America's service-connected disabled veterans and DIC beneficiaries, we need to move now on this important legislation. S. 775 contains controversial provisions, specifically those dealing with radiation exposure. This issue may require lengthy floor debate, and I will have more to say about it at the appropriate time. The House of Representatives recently

passed a clean COLA bill. Obviously, this means the additional benefits of the Senate bill will need to be worked out in conference. This will require more time. Regardless of the position of my colleagues on radiation exposure, let's roll up our sleeves and get to work.

Over the past few months I have received thousands of letters from Florida's 200,000 service-connected disabled veterans and DIC beneficiaries. "Please," they write, "don't do it to us again. Don't put us at the end of your legislative priorities. Show us you care. Provide us with our COLA." I find it shameful that American veterans are being forced to practically beg us for a modest cost-of-living adjustment.

Mr. President, the clock is ticking. Congress has many important legislative issues to consider before we adjourn. But, let us get our priorities in order. I strongly urge the leadership to bring S. 775 to the floor now so we don't end up in the same predicament as last year. We must not let our veterans down again. •

#### THE NEW COVENANT

• Mr. BREAUX. Mr. President, Gov. Bill Clinton delivered a stirring speech today at the Georgetown University that clearly points out some of the problems our country is facing and offers compelling new policy ideas.

I believe this speech is thought-provoking and commend it to all Members of the Senate for their review. I ask that this speech be printed in the RECORD.

The speech follows:

#### THE NEW COVENANT: RESPONSIBILITY AND REBUILDING THE AMERICAN COMMUNITY

(Speech by Gov. Bill Clinton)

Thank you all for being here today. You are living in revolutionary times. When I was here, America sought to contain Communism, not roll it back. Indeed, most respected academics held that once a country "went Communist," the loss of freedom was irreversible. Yet in the last three years, we've seen the Berlin Wall come down, Germany reunified, all of Eastern Europe abandon Communism, the Soviet coup fail and the Soviet Union itself disintegrate liberating the Baltics and other republics. The Soviet Foreign Minister is trying to help our Secretary of State make peace in the Middle East. And in the space of one year, Lech Walesa and Vaclav Havel both came to this city to thank America for supporting their work for freedom. Nelson Mandela walked out of a jail in South Africa he entered before I entered Georgetown in 1964. He now wants a Bill of Rights like ours for his country.

We should be celebrating. All around the world, the American Dream—political freedom, market economics, national independence—is ascendant. Everything your parents and grandparents stood for from World War II on has been rewarded.

Yet we're not celebrating. Why? Because our people fear that while the American Dream reigns supreme abroad, it is dying here at home. We're losing jobs and wasting

opportunities. The very fiber of our nation is breaking down; families are coming apart, kids are dropping out of school, drugs and crime dominate our streets. And our leaders here in Washington are doing nothing to turn America around. Our political system rotates between being the butt of jokes and the object of scorn. Frustration produces calls for term limits from voters who think they can't vote incumbents out, resentment produces votes for David Duke—not just from racists, but from voters, so desperate for change, they'll support the most anti-establishment message, even from an ex-Klansman who was inspired by Adolf Hitler. We've got to rebuild our political life together before demagogues and racists and those who pander to the worst in us bring this country down.

People once looked to our President and Congress to bring us together, solve problems, and make progress. Now, in the face of massive challenges, our government stands discredited, our people disillusioned. There's a hole in our politics where a sense of common purpose used to be.

The Reagan-Bush years have exalted private gain over public obligations, special interests over the common good, wealth and fame over work and family. The 1980s ushered in a gilded age of greed, selfishness, irresponsibility, excess, and neglect.

S&L crooks stole billions of dollars in other people's money. Pentagon contractors and HUD consultants stole from the taxpayers. Many big corporate executives raised their own salaries when their companies were losing money or their workers were losing their jobs. Middle-class families worked longer hours for less money and spent more on health care, housing, education, and taxes. Poverty rose. Many inner-city streets were taken over by crime and drugs, welfare and despair. Family responsibility became an oxymoron for deadbeat fathers, who were more likely to make their car payments than pay their child support.

And government, which should have been setting an example, was even worse. Congress raised its pay and guarded its perks while most Americans were working harder for less money. Two Republican presidents elected on a promise of fiscal responsibility advanced budget policies that more than tripled the national debt. Congress went along with that, too. Taxes were lowered on the wealthiest people whose incomes rose, and raised on middle class people whose incomes fell.

And through it all, millions of decent, ordinary people who worked hard, played by the rules, and took responsibility for their own actions were falling behind, living a life of struggle without reward or security. For 12 years, the forgotten middle class watched their economic interests ignored and their values run into the ground. Nothing illustrates this more clearly, in the 1980s, than the fact that charitable giving by middle-class families went up as their incomes went down, while charitable giving by the wealthiest Americans went down as their incomes went up. Responsibility went unrewarded and so did hard work. It's no wonder so many kids growing up on the street think it makes more sense to join a gang and deal drugs than to stay in school and go to work. The fast buck was glorified from Wall Street to Main Street to Mean Street.

To turn America around, we need a new approach founded on our most sacred principles as a nation, with a vision for the future. We need a New Covenant, a solemn agreement between the people and their government, to

provide opportunity for everybody, inspire responsibility throughout our society, and restore a sense of community to this great nation. A New Covenant to take government back from the powerful interests and the bureaucracy, and give this country back to ordinary people.

More than two hundred years ago, the founders outlined our first social compact between government and the people, not just between lords and kings. More than a century ago, Abraham Lincoln gave his life to maintain the Union the compact created. Sixty years ago, Franklin Roosevelt renewed that promise with a New Deal that offered opportunity in return for hard work.

Today we need to forge a New Covenant that will repair the damaged bond between the people and their government and restore our basic values—the notion that our country has a responsibility to help people get ahead, that citizens have not only the right but a responsibility to rise as far and as high as their talents and determination can take them, and that we're all in this together. We must make good on the words of Thomas Jefferson, who said, "A debt of service is due from every man to his country proportional to the bounties which nature and fortune have measured to him."

Make no mistake—this New Covenant means change—change in our party, change in our national leadership, and change in our country. Far away from Washington, in your hometowns and mine, people have lost faith in the ability of government to change their lives for the better. Out there, you can hear the quiet, troubled voice of the forgotten middle class, lamenting that government no longer looks out for their interests or honors their values—like individual responsibility, hard work, family, community. They think their government takes more from them than it gives back, and looks the other way when special interests only take from this country and give nothing back. And they're right.

This New Covenant can't be between the politicians and the established interests. It can't be another backroom deal between the people in power and the people who keep them there. That's why the New Covenant for change must be ratified by the people in the 1992 election. And that's why I'm running for President.

Some may think it's old-fashioned, even naive, to talk about restoring the American Dream, through a covenant between the people and their government. But I believe with all my heart that a New Covenant is the only way we can hold this country together, and move boldly forward into the future.

Over 25 years ago, Professor Carroll Quigley taught in his Western Civilization class here at Georgetown that the defining idea of our culture in general and our country in particular is "future preference," the idea that the future can be better than the present, and that each of us has a personal, moral responsibility to make it so.

I hope they still teach that lesson here, and I hope you believe it, because I don't think we can save America without it.

In the week to come I will outline my plans to rebuild our economy, regain our competitive leadership in the world, restore the forgotten middle class, and reclaim the future for the next generation. I will put forth my views on how to promote our national security and foreign policy interests after the Cold War. And I will tell you what the President and the Congress owe the people in this New Covenant for change.

But there will never be a government program for every problem. Much of what holds

us together and moves us ahead is the daily assumption of personal responsibility by millions of Americans from all walks of life. I can promise to do a hundred different things for you as President. But none of them will make any difference unless we all do more as citizens. And, today, I want to talk about the responsibilities we owe to ourselves, to one another, and to our nation.

It's been 30 years since a Democrat ran for President and asked something of all the American people. I intend to challenge you to do more and to do better.

We must go beyond the competing ideas of the old political establishment: beyond every man for himself on the one hand and the right to something for nothing on the other.

We need a New Covenant that will challenge all our citizens to be responsible. The New Covenant will say to our corporate leaders at the top of the ladder: We'll promote economic growth and the free market, but we're not going to help you diminish the middle class and weaken the economy. We'll support your efforts to increase profits and jobs through quality products and services, but we're going to hold you responsible to be good corporate citizens, too.

The New Covenant will say to people on welfare: We're going to provide the training and education and health care you need, but if you can work, you've got to go to work, because you can no longer stay on welfare forever.

The New Covenant will say to the hard-working middle class and those who aspire to it: We're going to guarantee you access to a college education, but if you get that help, you've got to give something back to your country.

And the New Covenant will challenge all of us in public service: We have a solemn responsibility to honor the values and promote the interests of the people who elected us, and if we don't, we don't belong in government anymore.

This New Covenant must begin here in Washington. I want to revolutionize government and fundamentally change its relationship to people. People don't want some top-down bureaucracy telling them what to do anymore. That's one reason they tore down the Berlin Wall and threw out the Communist regimes in Eastern Europe and Russia.

Now, the New Covenant will challenge our government to change its way of doing business, too. The American people need a government that works at a price they can afford. The Republicans have been in charge of the government for 12 years. They've brought the country to the brink of bankruptcy. Democrats who want the government to do more—and I'm one of them—have a heavy responsibility to show that we're going to spend the taxpayer's money wisely and with discipline.

I want to make government more efficient and more effective by eliminating unnecessary layers of bureaucracy and cutting administrative costs, and by giving people more choices in the services they get, and empowering them to make those choices. That's what we've tried to do in Arkansas—balancing our budget every year, improving services, and treating taxpayers like our customers and our bosses, giving them more choices in public schools, child care centers, and services for the elderly.

The New Covenant must challenge Congress to act responsibly. And here again, Democrats must lead the way. Because they want to use government to help people, Democrats have to put Congress in order:

Congress should live by the laws it applies to other workplaces. No more midnight pay raises. Congressional pay shouldn't go up while the pay of working Americans is going down. Let's clamp down on campaign spending and open the airwaves to encourage real political debate instead of paid political assassination. No more bounced checks. No more bad restaurant debts. No more fixed tickets. Service in Congress is privilege enough.

We can't go on like this. We have to honor, reward and reflect the work ethic, not the power grab. Responsibility is for everybody, and it begins here in the nation's capital.

The New Covenant will also challenge the private sector. The most irresponsible people in the 1980's were those in business who abused their position at the top of the totem pole. This is my message to the business community: As President, I'm going to do everything I can to make it easier for your company to compete in the world, with a better trained workforce, cooperation between labor and management, fair and strong trade policies, and incentives to invest in America's economic growth. But I want the jetsetters and the feather bedders of corporate America to know that if you sell your companies and your workers and your country down the river, you'll get called on the carpet. That's what the President's bully pulpit is for. It's simply not enough to obey the letter of the law and make as much money as you can. It's wrong for executives to raise their pay by four times the percentage their worker's pay goes up and three times the percentage their profits go up—and that's exactly what they did. It's wrong to drive a company into the ground and bail out with a golden parachute to a cushy life.

The average CEO at a major American corporation is paid about 100 times as much as the average worker—compare that to a ratio of 23 to 1 in Germany and only 17 to 1 in Japan. And our government today rewards that excess with a tax break for executive pay, no matter how high it is. That's wrong. If a company wants to overpay its executives and underinvest in the future, it shouldn't get any special treatment from Uncle Sam. If a company wants to transfer jobs abroad and out the security of working people, it shouldn't get special treatment from the Treasury. In the 1980s, we didn't do enough to help our companies to compete and win in a global economy. We did too much to transfer wealth away from hard-working middle-class people to the rich without good reason. That's got to stop. There should be no more deductibility for irresponsibility.

The New Covenant will also challenge the hard-working middle-class families of America. Their challenge centers around work and education. I know Americans worry about the quality of education in this country and want the best for their children. The Clinton Administration will set high national standards based on international competition for what everybody ought to know, and a national examination system to measure whether they're learning it. It's not enough to put money into schools. We need to challenge the schools to produce and we've got to insist on results.

The New Covenant will challenge all parents and children to believe all children can learn. And here is the biggest challenge of all: Too many American parents raise their kids to believe that how much they learn depends on the IQ that God gave them and how much money their family makes. Yet in the countries we are competing against for the

future, children are raised to believe that how much they learn depends on how hard they work, and how much their parents encourage them to learn.

The New Covenant will challenge students of America to stay in school. Students who drop out of school or fail to learn as much as they can are not just letting down themselves and their families. They're failing their communities, because from that point on, chances are they're subtracting from society, not adding to it. In Arkansas, we've tried to enhance responsibility for students by saying that if they drop out for no good reason, they lose the privilege of a driver's license.

The New Covenant means new challenges for every young person. I want to establish a system of voluntary national service for all Americans. In a Clinton Administration, we'll put forth a domestic GI Bill that will say to the middle class as well as low-income people: We want you to go to college, we'll pay for it, it will be the best money we ever spent, but you've got to give something back to your country in return. As President, I'll set up a trust fund out of which any American can borrow money for a college education, so long as they pay it back either as a small percentage of their income over time or with a couple of years of national service as teachers, police officers, child care workers—doing work our country desperately needs.

And education doesn't stop in school. Adults have a responsibility to keep learning so they can stay ahead of the competition, too. All of us are going to have to work smarter in the years to come, and that will require new forms of cooperation in the workplace between management and workers, and a continuing effort to move toward high-performance work organizations.

There's a special challenge in the New Covenant for the young men and women who live in America's most troubled urban neighborhoods, the children like those I met in Chicago and Los Angeles who live in fear of being forced to join a gang or getting shot going to and from school.

Many of these young people believe this country has ignored them for too long, and they're right, many of them think America unfairly blames them for every wrong in our society—for drugs, crime, poverty, the breakup of the family and the breakdown of the schools—and they're right. They worry that because their face is of a different color, their only choice in life is jail or welfare or a dead-end job, that being a minority in an inner city is a guarantee of failure. But they're wrong—and when I'm President, I'm going to do my best to prove they're wrong.

I know these young people can overcome anything they set their mind to. I believe America needs their strength, their intelligence, and their humanity. And because I believe in them and what they can contribute to our society, they must not be let off the hook. All society can offer them is a chance to develop their God-given abilities. They have to do the rest. Anybody who tells them otherwise is lying—and they know it.

As President, I'll see that they get the same deal as everyone else: they've got to play by the rules, stay off drugs, stay in school and keep out of the streets. They've got to stop having children if they're not prepared to support them. Governments don't raise children. People do.

And for those young people who do get into trouble, we'll give them one chance to avoid prison, by setting up community boot camps for first-time non-violent offenders—where

they can learn discipline, get drug treatment if necessary, continue their education, and do useful work for their community. A second chance to be a first-rate citizen.

The New Covenant must be pro-work. That means people who work shouldn't be poor. In a Clinton Administration, we'll do everything we can to break the cycle of dependency and help the poor climb out of poverty. First, we need to make work pay by expanding the Earned Income Tax Credit for the working poor, creating savings accounts that make it easier for poor people even on welfare to save, and supporting microenterprise grants for those who want to start a small business. At the same time, we need to assure all Americans that they'll have access to health care when they go to work.

The New Covenant can break the cycle of welfare. Welfare should be a second chance, not a way of life. In a Clinton Administration, we're going to put an end to welfare as we know it. I want to erase the stigma of welfare for good by restoring a simple, dignified principle: no one who can work can stay on welfare forever.

We'll still help people who can't help themselves, and those who need education and training and child care. But if people can work, they'll have to do so. We'll give them all the help they need for up to two years. But after that, if they're able to work, they'll have to take a job in the private sector, or start earning their way through community service. That way, we'll restore the covenant that welfare was first meant to be: to give temporary help to people who've fallen on hard times.

If the New Covenant is pro-work, it must also be pro-family. That means we must demand the toughest possible child support enforcement. We need an administration that will give state agencies that collect child support full law enforcement authority, and find new ways of catching deadbeats. In Arkansas, we passed a law this year that says if you owe more than a thousand dollars in child support we're going to report you to every credit agency in the state. People shouldn't be able to borrow money before they take care of their children.

Finally, the President has the greatest responsibility of all—to bring us together, not drive us apart. For 12 years, this President and his predecessor have divided us against each other—pitting rich against poor, black against white, women against men—creating a country where we no longer recognize that we're all in this together. They have profited by fostering an atmosphere of blame and denial instead of building an ethic of responsibility. They had a chance to bring out the best in us and instead they appealed to the worst in us.

I pledge to you that I'm not going to let the Republicans get away with this cynical scam anymore. A New Covenant means it's my responsibility and the responsibility of every American in this country to fight back against the politics of division and bring this country together.

After all, that is what's special about America. We want to be part of a nation that's coming together, not coming apart. We want to be part of a community where people look out for each other, not just for themselves. We want to be part of a nation that brings out the best in us, not the worst. And we believe that the only limit to what we can do is what our leaders are willing to ask of us and what we are willing to expect of ourselves.

Nearly sixty years ago, in a famous speech to the Commonwealth Club in the final

months of this 1932 campaign, Franklin Roosevelt outlined a new compact that gave hope to a nation mired in the Great Depression. The role of government, he said was to promise every American the right to make a living. The people's role was to do their best to make the most of it. He said: "Faith in America demands that we recognize the new terms of the old social contract. In the strength of great hope we must all shoulder our common load."

That's what our hope is today: A New Covenant to shoulder our common load. When people assume responsibility and shoulder that common load, they acquire a dignity they never knew before. When people go to work, they rediscover a pride that was lost. When fathers pay their child support, they restore a connection they and their children need. When students work harder, they find out they all can learn and do as well as anyone else on Earth. When corporate managers put their workers and their long-term profits ahead of their own paychecks, their companies do well, and so do they. When the privilege of serving is enough of a perk for people in Congress, and the President finally assumes responsibility for America's problems, we'll begin to do what is right to move America forward.

And that is what this election is really all about—forging a New Covenant of change that will honor middle-class values, restore the public trust, create a new sense of community, and make America work again. Thank you.●

#### OUTSTANDING ACHIEVEMENT AWARD TO WESTCHESTER COUNTY BEE-LINE SYSTEM

● Mr. D'AMATO. Mr. President, I rise today to honor the Westchester County Department of Transportation's Bee-Line System which has been awarded the prestigious Public Transportation System Outstanding Achievement Award.

The award, presented by the American Public Transit Association [APTA], is given annually to the North American transit system that has demonstrated extraordinary achievement in efficiency and effectiveness in its category.

A major reorganization of the department's administrative structure in 1987 provided the impetus for refocusing and an increased emphasis on management responsibility and accountability.

Highlights of the reorganization's success include: the development and adoption of a strategic plan; the development of improved management information systems; the enhanced role of the system as a mobility manager in the service area; improved customer-responsiveness and marketing efforts in developing system identity and information dissemination; improved effectiveness in the areas of maintenance and scheduling; improvements in the service planning process, which includes detailed studies of transportation needs in localized regions, and coordination of services with neighboring bus systems and regional commuter rail services.

The Bee-Line System provides local and express service for the entire county of Westchester. It also provides service to local commuter rail stations. This system is comprised of 60 routes, 250 bus shelters, and 3,000 bus stops. It transports 110,000 New Yorkers each day.

The Bee-Line System is a public/private partnership which includes six private operators. It has been praised for its operating excellence and innovation within the transit industry. The Bee-Line has had a fare recovery ratio above 50 percent for the last 10 years. In 1990, the ratio was 54 percent. Last year, the system's passenger growth of 3.3 percent was the largest passenger increase of any bus system in New York State.

I am extremely proud to honor the Westchester County Bee-Line System for its outstanding performance and achievement of excellence.●

#### THE SELECTION OF IRVING GOLDSTEIN TO BE THE U.S. CANDIDATE FOR DIRECTOR GENERAL OF THE INTERNATIONAL TELECOMMUNICATIONS SATELLITE ORGANIZATION

● Mr. BREAUX. Mr. President, recently the State Department announced the selection of Irving Goldstein, Chairman and Chief Executive Officer of Communications Satellite Corporation [Comsat] to be the U.S. candidate for the post of Director General of the International Telecommunications Satellite Organization [Intelsat]. This is an outstanding nomination to a very important position in the field of global communications.

Intelsat is a consortium that owns and operates the global commercial communications satellite system. It owes its genesis to the 87th Congress which, working with the administration of John F. Kennedy, passed the landmark Communications Satellite Act of 1962. That law created Comsat and laid the groundwork for the global system. When Intelsat launched its first satellite, Early Bird, in 1965 there were 11 member countries. Today, there are 121, including the Soviet Union, which joined the organization this past July. Intelsat currently operates 15 satellites in geosynchronous orbit, providing international telecommunications services to 180 countries. As the U.S. participant in the consortium, Comsat provides services for all communications coming through the Intelsat system which originate or terminate in this country.

There is little doubt that advancement in telecommunications technology has played a pivotal role in the march of democracy throughout the world over the past 30 years. The most recent telling examples have been in Eastern Europe and the Soviet Union. We have to wonder how successful the

Soviet military coup might have been without instantaneous television coverage of the event being broadcast throughout the world. Clearly, the ability of news organizations to keep the world community informed contributed substantially to the demise of the coup. Without satellite communications this would not have been possible.

The Intelsat network has brought new opportunities to countries in every corner of the globe. The global accessibility of a high-quality telecommunications network, which was unthinkable before the advent of satellites, is commonplace today. This is a testament to the leadership played first by Comsat and then by Intelsat in bringing the world together through voice, data, and facsimile communications. But Intelsat cannot rest on its stellar achievements. There is more to be done and I believe there is no one better qualified to lead Intelsat as it meets the many challenges that lie ahead than Irving Goldstein.

Mr. Goldstein has a wealth of knowledge and experience in the area of space and telecommunications. He has enjoyed a long and successful career at Comsat, beginning his service there as a lawyer in 1966. He has held a number of responsible positions within Comsat and presently serves as chairman and CEO. He was one of those responsible for the creation of our international satellite network.

Mr. Goldstein has represented Comsat on the Board of Governors of Intelsat and served as Chairman during the 1980-81 term. He is a member of the Presidentially appointed National Security telecommunications Advisory Committee, the National Aeronautics and Space Administration Commercial Programs Advisory Committee, and the U.S. Department of Commerce National Oceanic and Atmospheric Management Advisory Committee. These positions have given him a deep and broad understanding of telecommunications, trade and technology issues. He is well known and highly respected in the international communications arena. These leadership qualities are vital to Intelsat as it enters a decade of changing markets, technological advancements and increased competition.

Mr. Goldstein is also active in the community serving as a member of the Mayor's Management Advisory Committee of the Federal City Council in Washington. He is also a director of the Challenger Center for Space Science and Education and has further demonstrated his commitment to education through his leadership with the highly commended Comsat/Jefferson Junior High School Alliance.

Mr. President, I am proud to support Irving Goldstein in his bid to become the next Director General of Intelsat. His breadth of experience, dedication to excellence and record of service

make him uniquely qualified to serve in this post. I am confident he will be elected and I know he will serve with distinction.●

#### F/A-18E/F DEVELOPMENT

● Mr. D'AMATO. Mr. President, having not yet fully paid the bill for the disastrous development of the A-12, the C-17, and the T-45, the Navy, the Pentagon, and some in Congress, are now falling over themselves to front-load the new F/A-18E/F development program. Where I come from, it's "three strikes and you're out," but I played hardball, and I am told you cannot strike out in softball.

No matter that the aircraft proposed is an F/A-18 in name only—the fuselage, wing, tail, engines, and avionics will all be new. No matter that development is now pegged at roughly \$5 billion with nowhere to go but up. No matter that the Navy cannot now afford to buy enough of the current generation of aircraft to fill the decks of the carriers we already have. All this has counted for nothing in the minds of those who are proposing this accelerated, almost desperate, ramp-up to meet a first flight deadline of the first quarter of 1995.

What is alarming about the F/A-18E/F is its suddenness. Last year's testimony by the Navy before the Defense Appropriations Subcommittee included not a word about the F/A-18E/F. Now, in the wake of a A-12 debacle, we are being asked to toss something approaching half a billion dollars at the very company responsible for the A-12 to develop a gap filler for the A-12. This would be laughable, if it were not for the fact that the joke is on the taxpayer.

And talk about a busy schedule, between now and the end of the fiscal year 1992, the F/A-18E/F program must jump the following hurdles:

First, system engineering studies to reduce risk and provide data for configuration definition;

Second, aircraft configuration definition based on the results of engineering studies;

Third, detailed specification generation;

Fourth, engine risk reduction effort or initiation of engine source competition;

Fifth, engine source selection—if competed;

Sixth, detailed specification review and approval;

Seventh, Milestone II decision;

Eighth, FSD contract award;

Ninth, contractor FSD aircraft design, analysis, and model testing;

Tenth, subsystem design and testing;

Eleventh, software preliminary design; and

Twelfth, long lead procurement.

No loitering around the water cooler for these guys.

Most amazing of all, however, is how close this plan came to being accepted. Had it not been for the Defense Appropriations Subcommittee, the F/A-18E/F would have sailed through and not even been a conference issue.

Mr. President, I ask that the language concerning the F/A-18E/F from the fiscal year 1992 Senate Defense Appropriations report be inserted at this point.

The excerpt follows:

F/A-18 squadrons.—The Navy's attempts in the past year to chart an affordable, militarily justified, and cost-effective course for the future of naval aviation have, in the Committee's opinion, not yielded the intended result. In the wake of the demise of the A-12 attack aircraft and F-14D remanufacturing programs, the Navy has proposed two new, major, and costly modernization efforts—the AX aircraft and the F/A-18E/F programs.

The AX program, intended to develop a less costly successor to the A-12 and an ultimate replacement for the aging A-6E, all-weather, medium-attack fleet, is nevertheless expected to cost at least \$14,000,000,000. The F/A-18E/F upgrade is projected to cost at least \$4,000,000,000. It is intended to provide the Navy with a complement and successor to the Navy's primary air-to-air combat platform, the F-14, as well as to supplement the carrier's offensive ground attack capabilities.

The Committee believes it is premature to assess the overall affordability of the AX aircraft, since the specific mix of combat capabilities and airframe performance parameters is largely undefined. For example, the concept exploration phase of the AX program will begin and extend through fiscal 1992, as competing industry design teams formulate their specific proposals to meet the Navy's broad set of tentative operational requirements.

Indeed, the degree to which the AX can perform both air-to-air, as well as air-to-ground, missions, is an important consideration being defined during the next year. According to the Secretary of Defense, the AX is expected to possess a significant air-to-air and air-to-ground capability for both offensive and defensive purposes. In a decade of declining defense budgets and changing threats, the Committee thinks this is a prudent conclusion. The affordability and military utility of primarily single-missions aircraft under these conditions is very much in doubt.

Thus, based on the Defense Secretary's statement, and the designs expected to be proposed by some of the industry teams, the Committee concludes that the AX actually has the potential to fulfill some of the air-to-air missions of the proposed F/A-18 aircraft.

The Committee's fiscal year 1992 recommendation with respect to the F/A-18 program is heavily influenced by the potential for the multirole capability for the AX, and the need to review the results of the concept exploration phase of the program to establish the extent to which this potential will be fulfilled.

While the F/A-18E/F variant is proposed to cure long-standing Navy dissatisfaction with the range and payload capabilities of current F-18's, a principal justification for the program is to provide growth room for further improvements beyond the F/A-18C/D and beyond the basic E/F. The core of the E/F program is to provide the fuselage weight, space, and power to permit further extensive

and expensive upgrades to the E/F shortly after the basic E/F configuration is fielded.

The costs of developing and procuring these additional capabilities are not included in the \$4,000,000,000 cost so far projected for the F/A-18E/F. The true costs of the F/A-18E/F program are unknown and the ability of future defense budgets to support such upgrades is uncertain. Indeed, these costs are not included even in the later years of the Navy FYDP, which is underfunded just for planned upgrades to the F/A-18C/D's.

The Committee is uncertain what advantage lies in spending \$4,000,000,000 during the next 5 years just to field an aircraft we immediately will have to spend further untold millions or billions to improve. Based on the Defense Secretary's projection and the expected contractor designs, the extent to which the F/A-18 needs to be upgraded is very hypothetical. The more the AX is capable of air-to-air combat and supersonic speeds, the more simply producing additional F/A-18C/D's is an acceptable, affordable alternative to an open-ended, costly E/F program.

Furthermore, the high cost and steep increase in F/A-18E/F funding profiles is driven by an arbitrary initial operational capability (IOC) date and large contract termination-liability requirements. The Navy has failed to justify both the IOC urgency and the termination liability financial requirements.

The Committee notes the Navy has inflated the weight projection used to claim that the F/A-18 C/D will lose too much payload in the future—thus necessitating the E/F.

Also, a major question exists with respect to the survivability improvements claimed for the E/F compared with the C/D. In the Committee's opinion, these claims should be subject to more independent review before they can be accepted with sufficient confidence to help justify a \$4,000,000,000 program. Further elaboration on this issue is contained in the classified annex to the Committee's report.

Finally, the Committee observes that in making claims about the affordability of the E/F, the Navy compares the costs of the aircraft with the more expensive F-14. The service does not consider any economies from forgoing the E/F altogether, procuring multimission AX in larger quantities, and purchasing more F/A-18 C/D's in the near term to address hypothetical inventory shortfalls. The Committee thinks these considerations should be assessed and notes the unit cost of an E/F will not be inexpensive, especially when further upgrades are considered.

Taking into account all these considerations, the Committee believes it is prudent to moderate the proposed pace of the F/A-18E/F program to prevent premature commitment to a costly program which may not be necessary, and which may not deliver as advertised. This moderation also will reduce the financial burden on the Navy budget and permit further assessment of the AX and F/A-18 programs as better, more complete information becomes available. The Committee's course of action permits more time to resolve these issues and preserves Congress' options and the taxpayers' pocketbook without risking national security.

For all these reasons, it is recommended that \$319,077,000 be appropriated for all F/A-18 research and development efforts in fiscal year 1992. This amount includes \$250,000,000 for the F/A-18E/F, a reduction of \$133,000,000 from the budget request and \$153,000,000 from the House allowance, but an amount still

representing 2,908-percent growth (excluding inflation) from the program's fiscal year 1991 funding. This amount is more than sufficient to maintain program momentum in this difficult budget environment.

The Committee makes this reduction without prejudice and believes that the \$250,000,000 provided demonstrates full support for maintaining Congress' option to pursue a vigorous and robust F/A-18E/F Development Program in the future.

To assist the Congress in evaluating the full benefits and costs of the F/A-18E/F program, additional information is needed. Therefore, the Committee directs the Office of the Secretary of Defense to submit the following information, no later than April 15, 1992:

An updated cost estimate for the program, including a full listing of all the upgrades contemplated for the F/A-18E/F, the total cost, and costs between fiscal years 1992 and 1998 to develop, procure, and install each upgrade, the timetable for such acquisition and installation, and whether each upgrade project is fully funded in these years.

An updated projection by the U.S. intelligence community validating in detail, by region, scenario, and potential adversary, the most likely and realistic air-to-air and surface-to-air threats the F/A-18E/F would face in the years 1998-2010, and the specific validated threat capabilities which each particular F/A-18E/F upgrade project is intended to counter.

An independent assessment of the capabilities of each F/A-18E/F upgrade to counter each specific threat.

A new cost and operational effectiveness analysis by an independent organization in no way connected with the Navy, assessing the cost and operational effectiveness of the E/F with the F/A-18C/D's configured as they are programmed to be by fiscal year 1996, and with the emerging designs for the AX.

An independent assessment by the Air Force's civilian and military experts of the proposed survivability features of the E/F and their likely effectiveness against the expected threats and their resistance to countermeasures.

For the purposes of conducting the independent survivability analysis, the Committee directs that the Air Force military and civilian experts, including those at Lincoln Laboratory, be provided access and clearances for all information they deem necessary.

Mr. D'AMATO. This is some of the most thoughtful language on naval aviation I have seen in a year that will hopefully represent the nadir of Navy aircraft development. Let me repeat the key paragraph: "The Committee makes this reduction without prejudice and believes that the \$250,000,000 provided demonstrates full support for maintaining Congress' option to pursue a vigorous and robust F/A-18E/F development program in the future".

That is considerably more generous than I would have been, but it gets to the heart of the matter: Good government. Our job is not simply to rubber stamp every cockamamie scheme that is belched forth from the Navy's bilge. We are charged with oversight, with holding the services to account. This language does that.

I commend it to my colleagues, and look to both the Defense Authorization

and Appropriations conferees to incorporate this reasoned approach into their final conference packages.●

#### A TRIBUTE TO RUSS BERRIE

● Mr. LAUTENBERG. Mr. President, I rise today to recognize, Russ Berrie, a New Jersey businessman and civic leader, for his contributions to our State and service to the community.

On December 5, 1991, Russ will be honored by the Anti-Defamation League of B'nai B'rith with its prestigious "Torch of Liberty Award" in Alpine, NJ. For his philanthropy and dedication to Jewish life, Russ Berrie is most deserving of this honor.

In 1963, Russ founded Russ Berrie and Co., Inc., a highly successful designer and distributor of stuffed animals, dolls, picture frames, candles, and other gift items. The company has grown to employ over 2,500 employees with offices in the United States, Canada, the Orient, and Great Britain. In 1986, Forbes magazine named it the 21st best run small company in the Nation and in 1987, Nikkei Press listed it as the 15th best company in the world.

Mr. President, by any measure, Russ Berrie has been an enormously successful businessman. More importantly, he has used his personal success as a tool to help ease the burdens of others. Russ has always believed his success in business carried with it an obligation to give back to the community. To this end, he has lent his support to a variety of groups and institutions which share his vision of creating opportunity and improving the quality of life for others.

As a graduate of New York University and the University of Florida, Russ has been committed to education and institutes of higher learning. He has joined the boards of numerous educational institutions including New York University, Elisabeth Morrow School of Englewood, NJ, Farleigh Dickinson University and the University of Florida where he established an Eminent Scholar Chair in Marketing in 1988.

Our children have been a focus of his philanthropic efforts and, to that end, Russ has made the holidays brighter for over a million handicapped and underprivileged children through his donations of toys and gifts to the AYUDA Toy Drive. Further, he has dedicated pediatric rooms at the Center for Child Health at Englewood Hospital in New Jersey and he contributes generously to Tomorrow's Children Fund of New Jersey, the Children's Museum of Manhattan, the March of Dimes, and the Association for Help.

His determination to make the lives of our children more fulfilling has extended overseas to Israel, where he has dedicated both a Youth Center in Natanya and an electronics projects laboratory to Boys Town Jerusalem.

Mr. President, the list of Russ Berrie's good works continues to include, among others, involvement in the United Way, the World Jewish Congress, the United Jewish Community of Bergen County, NJ, the Jewish Community Center on the Palisades, Hadasah Medical Relief Association, Development Corp. for Israel, and American Friends of the Shalom Hartman Institute.

For his effort, Russ has received numerous accolades over the years, including awards from various Native Americans for his contributions of toys to the needy children of many tribes. He was named "Man of the Year" by Catholic Community Services, received the "Gates of Jerusalem" award in 1987, the "Covenant of Peace Award" by the Synagogue Council of America and, in 1987, then-Mayor Dianne Feinstein named July 31, 1987, "Russell Berrie Day" in San Francisco.

All of these honors reflect Russ' commitment to others. On December 5, the ADL will bestow upon him the "Torch of Liberty Award" in recognition of his ongoing humanitarian efforts. For years, the ADL has worked diligently to reduce prejudice and promote harmony between groups and Russ Berrie's contributions to this end have been invaluable.

I've been proud to call Russ Berrie my friend for many years, Mr. President, and I applaud the ADL for its decision to recognize Russ for his good works. Having known him for a long time, I know it isn't awards and community recognition that drive Russ, but a deep-seated desire to be of service, to do what's right. Such qualities are too rare and individuals who possess them serve as an inspiration to us all.

Successful businessman, community leader, supporter of Israel, dedicated father of Brett, Richard, Leslie, Scott, Nicole and David Berrie, Russ Berrie has proven time and again his commitment to, not just business, but the business of making our country work for so many others. When the system falls short, as too often it does, Russ steps in to fill in the gaps.

I share my congratulations with Russ and am proud to bring them to the attention of my colleagues.●

#### COMMENDING TYLER GARVENS

● Mr. D'AMATO. Mr. President, I rise today to pay tribute to Ms. Tyler Garvens who has been a member of my staff since February 2, 1988. Tyler is leaving my staff to take a position in the Legislative Affairs Office of the White House.

Tyler Garvens came to my office from the Government relations office of United Airlines. She started as a receptionist in our front office. Her friendly manner, knowledge, and gentle presence were the key ingredients to

her success in constituent relations. She was well received and greatly loved by her coworkers.

Last year Tyler was promoted to Legislative Coordinator. At this post Tyler was responsible for organizing the entire legislative office. She was also responsible for commemorative legislation, congressional statements, and constituent correspondence; among other duties. Tyler carried out her duties masterfully and professionally and has been a tremendous assistance to me.

Tyler will be missed. I offer her great success and much good fortune in all of her future endeavors. Congratulations to Tyler Garvens on her promotion, considerable regrets on our loss, and best wishes for continued success in all her future endeavors. ●

#### THE CALENDAR

Mr. MITCHELL. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration en bloc of Calendar Nos. 276 and 277, that the bills be deemed read three times and passed en bloc, and the motion to reconsider the passage of these items be laid upon the table en bloc.

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

#### MEMORIAL TO MARTIN LUTHER KING, JR. IN THE DISTRICT OF COLUMBIA

The bill (S. 239) to authorize the Alpha Phi Alpha Fraternity to establish a memorial to Martin Luther King, Jr., in the District of Columbia, was considered, ordered to be engrossed for a third reading, read the third time, and passed; as follows:

S. 239

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. AUTHORITY TO ESTABLISH MEMORIAL.

(a) IN GENERAL.—

(1) ESTABLISHMENT.—Subject to subsection (b), the Alpha Phi Alpha Fraternity is authorized to establish a memorial to Martin Luther King, Jr., in the District of Columbia and its environs in accordance with the Act entitled "An Act to provide standards for placement of commemorative works on certain Federal lands in the District of Columbia and its environs, and for other purposes", approved November 14, 1986 (40 U.S.C. 1001, et seq.), to honor Martin Luther King, Jr.

(2) DEFINITION.—For purposes of paragraph (1), the term "the District of Columbia and its environs" has the same meaning given to such term by section 2(e) of such Act.

(b) EXPENSE TO THE UNITED STATES.—The United States shall not pay any expense of the establishment of the memorial under subsection (a).

#### CONVEYANCE OF CERTAIN LANDS IN GARY, IN

The bill (H.R. 470) to authorize the Secretary of Transportation to release the restrictions, requirements, and conditions imposed in connection with the conveyance of certain lands to the city of Gary, IN, was considered, ordered to be read a third time, read the third time, and passed.

Mr. MITCHELL. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. MITCHELL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

#### PROGRAM

Mr. MITCHELL. Mr. President, for the information of Members of the Senate, there will be no further rollcall votes today. The Senate will proceed to the civil rights bill at 11 a.m. tomorrow. I will be obtaining that consent shortly. At 2:30, the Senate will temporarily set aside the civil rights bill and turn to the consideration of the Federal facilities bill for 1 hour of debate equally divided between Senator SEYMOUR and myself, following which there will be three votes: A vote on a resolution which I will offer, a vote on the Seymour amendment, and then a vote on final passage of the Federal facilities bill.

The Senate will then return to consideration of the civil rights bill thereafter.

#### ORDERS FOR TOMORROW

Mr. MITCHELL. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in recess until 10 a.m. on Thursday, October 24; that following the prayer, the Journal of proceedings be deemed approved to date; that the time

for the two leaders be reserved for their use later in the day; that there be a period for morning business not to extend beyond 11:15 a.m., with Senators permitted to speak therein; that the following Senators be recognized to speak with the time limitation specified: Senator BOREN for up to 15 minutes; Senator ROTH for up to 30 minutes; Senator NICKLES for up to 15 minutes; Senator REID for up to 10 minutes.

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

#### UNANIMOUS-CONSENT AGREEMENT—S. 1745

Mr. MITCHELL. Mr. President, I now ask unanimous consent that at 11:15 a.m. on Thursday, October 24, the Senate proceed to the consideration of S. 1745, the Civil Rights Act of 1991.

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

#### RECESS UNTIL TOMORROW AT 10 A.M.

Mr. MITCHELL. Mr. President, if there is no further business to come before the Senate today, I ask unanimous consent that the Senate stand in recess as under the previous order.

There being no objection, the Senate, at 8:14 p.m., recessed until Thursday, October 24, 1991, at 10 a.m.

#### NOMINATIONS

Executive nominations received by the Senate October 23, 1991:

##### DEPARTMENT OF JUSTICE

KEVIN V. SCHIEFFER, OF SOUTH DAKOTA, TO BE U.S. ATTORNEY FOR THE DISTRICT OF SOUTH DAKOTA FOR THE TERM OF 4 YEARS VICE PHILIP N. HOGEN, TERM EXPIRED.

#### CONFIRMATIONS

Executive nominations confirmed by the Senate October 23, 1991:

##### INTER-AMERICAN DEVELOPMENT BANK

RICHARD C. HOUSEWORTH, OF ARIZONA, TO BE U.S. ALTERNATE EXECUTIVE DIRECTOR OF THE INTER-AMERICAN DEVELOPMENT BANK.

##### DEPARTMENT OF STATE

EDWARD GIBSON LANPHER, OF THE DISTRICT OF COLUMBIA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO ZIMBABWE.

THE ABOVE NOMINATIONS WERE APPROVED SUBJECT TO THE NOMINEES' COMMITMENT TO RESPOND TO REQUESTS TO APPEAR AND TESTIFY BEFORE ANY DULY CONSTITUTED COMMITTEE OF THE SENATE.