

HOUSE OF REPRESENTATIVES—Wednesday, January 30, 1991

The House met at 2 p.m.

The Chaplain, Rev. James David Ford, D.D., offered the following prayer:

With all our hearts, gracious God, we pray for those who must meet the test of battle and know the ordeal of conflict. May Your boundless grace, so new every morning, be with them this day and every day.

O God, whose love breaks down the barriers that separate people from other people, look with compassion on the whole human family. Forgive our mistakes and any arrogance of our hearts and lift our sight to see Your heavenly vision—where people honor each other and peace is our common treasure. This we pray. Amen.

THE JOURNAL

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

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

PLEDGE OF ALLEGIANCE

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

Mr. INHOFE led the Pledge of Allegiance as follows:

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

INTRODUCTION OF 1991 NATIONAL TOURISM WEEK RESOLUTION

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

Mr. TALLON. Mr. Speaker, every year, since 1983, National Tourism Week has become one of our Nation's most popular commemorative weeks. Thousands of Americans in every State and territory participate in exciting events and tourism conferences. Governors in many States issue proclamations recognizing the importance of tourism in their States. Media attention, both television and print, has been tremendous and increases every year focusing more attention on tourism.

This year, however, tourism is getting a different kind of attention. With the war in the gulf, we can't help but be concerned about our safety while

traveling. Both business and recreational travelers all over the world are opting to stay close to home.

However, we can't let this turn of events allow us to lose sight of the tremendous contributions that travel and tourism make to our economy. Tourism means jobs in every congressional district and tax revenue for our Federal, State, and local treasuries. Foreign visitor spending helps our international balance of payments.

In 1990, travel and tourism was our Nation's largest retail industry and the second largest private employer in the United States, generating nearly 6 million jobs and indirectly employing another 2.46 million Americans. Tourism is an essential American export, as over 38 million foreign travelers spend approximately \$44 billion annually in the United States.

I am pleased to introduce the 1991 National Tourism Week resolution today designating the second week in May as National Tourism Week. I urge my colleagues to join me in cosponsoring this resolution.

CNN'S COVERAGE FROM BAGHDAD IS SADDAM'S PROPAGANDA

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

Mr. COUGHLIN. Mr. Speaker, CNN's coverage of Peter Arnett being used as a propaganda tool by Iraqi dictator Saddam Hussein is disgusting if not treasonous.

We and our allies are engaged in a conflict in the Persian Gulf in support of resolutions adopted by the United Nations. On our part, that use of force was requested by the elected President of the United States and authorized by the elected Congress of the United States.

Saddam Hussein's propaganda purposes are clear: First, to turn U.S. public opinion against the war effort; second, to inflame Arab-Israeli tensions, and third, to disrupt the coalition, including almost every nation in the world, arrayed against him.

To aid and abet in that effort is actually posing additional danger to the lives of U.S. servicemen and servicewomen. That is to say nothing of aiding a fanatic who has invaded, raped, and plundered an innocent neighbor, aimed missiles indiscriminately against innocent civilians in both combatant and noncombatant countries, brutalized prisoners of war in violation of the Geneva Convention, conducted

environmental terrorism, and threatened the use of chemical, biological, and nuclear weapons.

We respect the right of free speech. We respect the right of dissent. In his own country, Saddam Hussein has silenced dissent with brutal force. Since the initial courageous days of reporting from Baghdad by Bernard Shaw, John Holliman, and Peter Arnett, the reporting from Baghdad has not been free. Though not by his own wishes, Peter Arnett has been reduced to being the Joseph Goebbels of Saddam Hussein's Hitler-like regime.

To compare Arnett's censorship by Iraq to allied censorship to protect our forces is to make a moral equivalence of our Government and Saddam Hussein. I cannot believe any American truly thinks our Government is evilly injuring innocent civilians.

The risk to our men and women, and the danger of the fanatics who actually believe Saddam Hussein, urgently suggest that the voice of Baghdad be more carefully aired.

□ 1410

BIG OIL COMPANIES PARTY ALL NIGHT LONG

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

Mr. TRAFICANT. Mr. Speaker, the big oil companies of America partied all night long. It is not hard to figure out why. Yesterday the President said he wants a capital gains tax cut.

Now, let us take a look at this. Texaco's profits are up 110 percent. Chevron is up 113 percent. Amoco, 150 percent. Phillips, 265 percent. Unocal, 500 percent increase in profits.

Would you want a capital gains tax cut? Absolutely.

But you can bet one thing, and this is what frosts me. You could bet the life of your sons and daughters that the sons and daughters of these big oil barons of America are not in the gulf fighting. It seems that the working people do the fighting and the rich get a tax break.

Before we go plea bargaining with Saddam Hussein, we better take a look at the statistics and numbers, and I say we should put a windfall profit tax on these oil barons, not give them a tax break.

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

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

DON'T LET SADDAM OFF THE HOOK

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

Mr. BROOMFIELD. Mr. Speaker, there seems to be some confusion over the details of yesterday's communique by the United States and the Soviet Union on the situation in the Persian Gulf.

But whatever the details, one thing should be clear. Saddam Hussein cannot be allowed to profit from his murderous invasion of Kuwait or allowed to escape the consequences of his many war crimes.

We have got to show Saddam, and any other tyrants with similar designs, that they cannot assault and pillage smaller countries and expect to get away with it.

Let us not lose sight of one important reason we are engaged in this conflict. We need to develop a new world order that rests on the rule of law.

That means tyrants who scoff at the law can count on being brought to justice.

ADMINISTRATION'S OVERTURE TO SADDAM HUSSEIN IS INAPPROPRIATE

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

Mr. RAY. Mr. Speaker, I rise today to respond to the joint statement made Tuesday by the United States State Department and the Soviet Union which states that the fighting in the Persian Gulf could end immediately if Iraq promises to withdraw from Kuwait. It also linked a resolution of the war with a promise to quickly address the Palestinian-Israeli issue.

I believe that this overture to Saddam Hussein is inappropriate and smacks of a "peace at any cost" theme. It is appropriate for us to pray for the end of hostilities. I do not believe that we should allow Saddam Hussein to continue as the leader of Iraq. Saddam Hussein has a consistent record of proof that he is not fit to rule Iraq. If he is allowed to continue as a ruthless dictator under any circumstances, we will soon have to deal with him again after he has rebuilt his defenses and weapons stockpile. Any resolution of the war must demand that he answer to war crimes charges.

In addition, Mr. Speaker, I do not believe that we should link the Palestinian question to our discussion on peace. Saddam Hussein is using this issue as a ploy to disrupt our coalition and we should not bow to his pressure to address this matter.

America can play a key role in resolving this important issue in the future, and this should be on the agenda,

but we should do it according to our own schedule and not under Saddam Hussein's timetable.

AN UNPRECEDENTED SURGE OF PATRIOTISM IN OUR YOUTH

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

Mr. INHOFE. Mr. Speaker, when a crisis surfaces, it is often accompanied by an unanticipated greatness in character. Or as Paul said in Romans 5, "suffering produces perseverance and perseverance produces character." We are observing a growth in American character today as evidence by a surge of patriotism unprecedented since World War II.

And it is most prominent where you would least expect it, in our youth. In the midst of an environment of national disrespect, flag burning, anti-Christian behavior, and immorality, young America has emerged waiving old glory with an enthusiasm understood by few parents.

The decades of the 1960's and 1970's were plagued by a fashionable disregard for the fundamental institutions our forefathers revered. The Jane Fondas and the Angela Davises captured the hearts of political leaders and squeezed the last drops of decency and national respect from our American fiber.

But those born in the midst of this moral decay have rejected it emphatically and have provided an example for all mature Americans to emulate.

But look at what happened in Tulsa, OK, last Saturday, a red, white, and blue ocean of high school students as far as the eye could see. And how did it happen? One 16-year-old student, Eric Wolking, thought his generation had a message to deliver, and he delivered it. The teen-aged army walked for miles on that cold Saturday morning shouting, "USA, support our troops. America, we love you."

Just a kid, some people will say, and I guess that is right. But a kid who wanted to deliver a message to half a million brave Americans in the Middle East. But equally significant is the message he sent to the rest of America.

God bless you, Eric Wolking, and your whole screaming army of teen-aged patriots. We hear you loud and clear.

REAL NOBILITY IS IN OUR ALLIED FORCES IN THE GULF

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

Mr. SOLOMON. Mr. Speaker, when Saddam Hussein was interviewed on CNN the other evening he referred to those people, in America and else-

where, who oppose Operation Desert Storm as "noble souls." And to those noble souls he said, Iraq is grateful.

Given Saddam's track record on human rights, terrorism, and international relations generally, all but the most hard-core protesters are likely to be discomforted at the thought of fitting his definition of nobility. Frankly, the vast majority of Americans—who support Desert Storm—have no compunctions about being an affront to Saddam's sensibilities. He did not earn the nickname, "Butcher of Baghdad," because he is a peacemaker.

The real nobility, Mr. Speaker, is being demonstrated day after day by our allied forces, all of them together over in Saudi Arabia. And President Bush paid our soldiers, sailors, airmen, marines, and Coast Guardsmen appropriate tribute last night during the State of the Union Message, which you all stood and applauded, and I applaud you all for it, because all of us, every single American, ought to be standing side by side making the same commitment that our troops are making overseas. Let us stand behind them.

RESIGNATION AS MEMBER OF COMMITTEE ON THE BUDGET

The SPEAKER pro tempore (Mr. HOYER) laid before the House the following resignation as a member of the Committee on the Budget:

HOUSE OF REPRESENTATIVES,
Washington, DC, January 29, 1991.

HON. THOMAS S. FOLEY,
Speaker, U.S. House of Representatives, The Capitol, Washington, DC.

DEAR MR. SPEAKER: Due to my increased responsibilities on the House Appropriations Committee, I herewith tender my resignation as a member of the Committee on the Budget and request its acceptance as soon as possible under the rules of the House.

Sincerely,

DEAN A. GALLO,
Member of Congress.

The SPEAKER pro tempore. Without objection, the resignation is accepted. There was no objection.

ELECTION OF MEMBER TO COMMITTEE ON THE BUDGET

Mr. MICHEL. Mr. Speaker, I offer a privileged resolution (H. Res. 49) and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 49

Resolved, That the following named Member be, and is hereby elected to the following standing committee of the House of Representatives to rank behind Mr. Miller of Washington.

Committee on the Budget Mr. Kolbe of Arizona.

The resolution was agreed to.

A motion to reconsider was laid on the table.

□ 1420

PERSIAN GULF: THE MAIL MUST GO THROUGH

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

Mr. HARRIS. Mr. Speaker, last night all of us, including the President, applauded our troops in the Persian Gulf for their efforts and sacrifices.

Day after day we speak of our pride in them and pledge to support their efforts in every way—the most sophisticated weapons, the best logistics, the most comprehensive medical facilities.

But, Mr. Speaker, we are failing these troops in the most fundamental way. We cannot get the mail delivered to them.

My State has one of the highest numbers of National Guard units and reservists in the gulf of any State and their families are letting me know that this problem is not an isolated one and is continuing even today.

You can imagine the effect this has on the morale of those men and women separated from home and family. We ask them to risk life and limb for us, but we cannot even deliver a message from home to say "Thanks, we are remembering you."

Someone has a misplaced sense of priorities if they cannot find a way to correct this problem immediately. Mr. Speaker, I call upon Secretary Cheney and General Powell to take whatever action is necessary to ensure this problem is corrected.

The mail must be delivered in a timely manner.

WE SHOULD BE A LITTLE MORE THAN SUSPICIOUS

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

Mr. WALKER. Mr. Speaker, if someone told me that he felt that everything I did as Congressman was wrong but he was my supporter, my guess is I would be a little suspicious.

If someone told me he hated everything I stood for but he was my supporter, I would be a little more suspicious.

And if that same someone told me he had always voted for my opponents but he was my supporter, I would get quite suspicious.

Yet that is the kind of thing we are hearing regarding our troops.

We have people who refuse to support the mission in the Middle East but say they support the troops. We have people who say they do not agree with the choice of profession by our soldiers but they support the troops. We even have people who march beside folks who are calling for an Iraqi victory but claim to support the troops.

We should be more than a little suspicious.

PLANNED INTRODUCTION OF THE FREEDOM FROM WANT ACT

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

Mr. HALL of Ohio. Mr. Speaker, President Bush came back to the Capitol this morning, to attend a ceremony on the 50th anniversary of FDR's famous "Four Freedom's" speech.

The four freedoms are simple: freedom from fear; freedom of expression; freedom of religion.

And the final one: freedom from want. As chairman of the Select Committee on Hunger, I feel very strongly about freedom from want.

But 50 years later, Mr. Speaker, too many people are still hungry, too many people still want, and too little is done for them. Millions of Americans are poor—many are homeless—locked in a cycle of poverty by the very programs designed to help them. Every year, 40,000 American children die before their first birthday. Every day 40,000 Third World children die unnecessarily. For these people, there is no freedom from want.

Soon I will be introducing the Freedom From Want Act, to secure real freedom for needy people here in America and around the world.

Freedom from want means that no child eligible for the WIC Program will be turned away. It means that hungry American children can get a nutritious diet. It means that low-income citizens can work or accumulate assets without jeopardizing their eligibility status. It means that famine barons of Third World won't be able to use hunger as a weapon of war. Freedom from want means assuring the basic right to food for all people.

Mr. Speaker, let us use this anniversary to get serious about guaranteeing real freedom from want to hungry, needy people around the world.

ALL WHO SERVE IN THE PERSIAN GULF ARE AMERICA'S FINEST

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

Mr. MCEWEN. Mr. Speaker, I recently called the office of my physician in Hillsboro, OH, Paul Terrell. The answering machine said:

The office is closed. Dr. Terrell is on active duty for 1 year in the U.S. Air Force.

Also his wife, a nurse, is in the Middle East, the mother of his children.

The children are with their aunts and uncles, and his wife, a licensed Methodist minister and nurse, is wearing the uniform of our country.

Mr. Speaker, those men and women who are sacrificing as volunteers to protect independence and freedom around the globe deserve our utmost respect and appreciation.

Scripture says, "Greater love hath no man than to lay down his life for another." And they have volunteered to do that.

This morning in the Washington Post the distinguished majority leader is quoted as saying last night:

Not many kids whose families earn more than \$200,000 a year volunteer to the Army. It is mostly the poor who do the fighting and dying.

Mr. Speaker, that is unwarranted, that is inappropriate. You should apologize to those fine technicians who are maintaining the sophisticated equipment, not only the pilots, not only the mechanics, but everyone involved who have dedicated their lives to serving in this noble cause.

Don't ridicule them, don't look down at them because they do not get a Senator's salary. Don't impugn their worth by such references that somehow or another they chose to serve their country as a last resort.

They are America's finest.

MY VISION: MAKE AMERICA A BETTER PLACE TO LIVE FOR OUR CHILDREN

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

Mr. SARPALIUS. Mr. Speaker, to be a great leader you must have a vision of the future. To be a great legislator you must have a vision of the future.

It is our hope that as Members of the Legislature, as Members of Congress, we can make this country a better place to live for our children than what we see today.

There is no question that one of the reasons our soldiers are overseas in the Persian Gulf is because of the lack of vision toward an energy policy for this country. Last night we heard the President make a commitment to work with this body to look at expanding alternative fuels, moving toward production of solar energy, wind energy, ethanol, methanol, and superconductive energy.

We have some of the brightest minds in the world right here in this country. With the investments that we have made in the superconducting super collider, we will be able to develop a battery about 1-foot square to provide enough energy to operate an automobile, one a little larger to provide enough energy to fuel and take care of our homes.

Ethanol, methanol will create jobs, create jobs, create alternative source of income for our farmers throughout this country.

Mr. Speaker, I challenge my colleagues to work aggressively toward a

vision in the production of these alternative fuels to help make this country a better place to live for our children.

THE SAGA OF A FLAGSAVER

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

Mr. JAMES. Mr. Speaker, 2 weeks ago, while driving home, Bill Smith, of Orange Park, FL, saw three teenagers burning an American flag. Instinctively, he could not tolerate this blatant display of disrespect, and ran to stop it. One of the teenagers, seeing Mr. Smith approach, pulled out an electric stun gun and attacked him.

Despite this, Mr. Smith was able to stop the desecration of our flag.

I have been touched by this act of patriotism. Mr. Smith's act reminds us that for many Americans, the flag represents the Nation.

The young people who burned the flag may have intended to express a political view, but in fact they simply provoked Mr. Smith and others who fought and died—and are dying today—to keep it free. Mr. Speaker, it is time that the Constitution of the United States recognized the unique place that the flag has in our hearts.

This country needs citizens who take pride in their flag, and as long as we have patriotic citizens, this issue will not go away.

□ 1430

PROCLAMATION SUPPORTING U.S. TROOPS

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

Mr. GUNDERSON. Mr. Speaker and Members, many individuals in communities across this country have chosen different ways to express their support for the men and women on behalf of us in the gulf, however I was particularly moved last Friday by receiving the following proclamation, which I would like to share with my colleagues.

PROCLAMATION SUPPORTING U.S. TROOPS

Whereas, the United States of America Congress has approved sending American troops into battle in the Mideast; and

Whereas, the support of an understanding and informed citizenry is vital to the morale and well-being of the troops that have been sent into battle; and

Whereas, the efficiency of the qualified and dedicated personnel being called upon to perhaps give the ultimate sacrifice is materially influenced by the people's attitude and understanding of the importance of their mission; Now, therefore, be it

Resolved, That I, Duane Pederson, Mayor of the City of River Falls, do hereby proclaim that the City of River Falls supports the troops in the Mideast conflict, and I call upon all citizens to show their support to

this special group of men and women ordered to battle.

Given under my hand and seal of the City of River Falls this 22nd day of January, 1991.

Mr. Speaker, a similar copy of this resolution has been forwarded to the President. I would encourage each community to pass a resolution like this, and I would encourage each of my colleagues to make all these resolutions of cities and villages in support of our troops a part of our CONGRESSIONAL RECORD.

TIME FOR RTC TO GET TO WORK AND STOP LOOKING FOR HAND-OUTS

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

Mr. ANNUNZIO. Mr. Speaker, the Resolution Trust Corporation [RTC] is building a \$141 billion empire, and the administration wants the taxpayers to pick up the tab.

In 1989, the administration repeatedly assured Congress that only \$50 billion would be needed to sell the assets of insolvent S&L's. Now, the Treasury says it needs another \$77 billion just to get through this year.

Mr. Speaker, it is outrageous that the RTC is asking for more taxpayer money, especially while the RTC is focusing more on holding assets than selling them.

Contrary to popular belief, nearly two-thirds of RTC's assets are performing and readily marketable. As of last October, delinquent loans made up only 14 percent of RTC's \$141 billion asset portfolio, and real estate made up only 12 percent.

On the other hand, \$92 billion of the RTC's assets consisted of performing loans, cash, and marketable securities. Instead of selling these assets, the RTC wants the taxpayers to pay \$77 billion to hold them and gather new ones.

Enough is enough. It is time for the RTC to feed itself by selling its assets rather than turning to the taxpayers for another handout.

SADDAM HUSSEIN—NOT A MAN OF HIS WORD BUT A MAN OF LIES

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

Mr. CONTE. Mr. Speaker, it strikes me as strange every time I hear a report which says that Saddam Hussein follows through on his word.

The 1925 Geneva treaty, signed by Iraq, explicitly prohibits the use of chemical weapons and poisonous gas as a means of waging warfare. And for years, Saddam Hussein has used chemical weapons against Iran.

The 1949 Geneva protocols demand the humane treatment of prisoners of war. Yet, Saddam has gone out of his

way to mistreat our prisoners of war, and brutally parade their bruised bodies before the world.

In 1972, Iraq participated in and signed an international agreement which called for the prohibition of the development, production, or stockpiling of biological weapons.

And each nation which signed the treaty promised to destroy any biological weapons in their arsenal within 9 months.

And in 1977, Iraq participated in and signed an international agreement which prohibited the use of "hostile environmental modification techniques by the military."

Under this treaty, Iraq agreed not to use their military to harm the environment in any way which would have widespread, longlasting, or severe effects.

A man of his word, Mr. Speaker?

Saddam Hussein is a man of lies!

And he will be held accountable for his war crimes as well as for his crimes against the environment.

THREE WAYS TO SHOW SUPPORT FOR OUR TROOPS

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

Mr. APPELEGATE. Earlier, Mr. Speaker, one of my colleagues said that there are many ways to show support for the troops, and he read a resolution from one of his communities. I have a couple of ideas.

Mr. Speaker, protesters have a constitutional right to get out and protest and say whatever they want, but protestations have a way of demoralizing the troops, and I do not like it. But the one thing I do not like that they do is to burn the flag of the United States. I think that is reprehensible. That is not free speech. We should respect it, fly the flag and show some of our patriotism that we say we have.

The next idea I have is: buy U.S. products, products made in the United States by Americans. The United States is paying for most of this war, both in money and in lives, and it is going to benefit mostly Europe and Southeast Asia whose products are coming into this country free.

Last, I would like to suggest that one thing we can all do is to give blood to the troops. The Members of this House of Representatives and the U.S. Senate could give their blood. I say to my colleagues, "It is the life fluid that you can get back in a short period of time and give again."

Mr. Speaker, the Rayburn nurses station is going to be open Thursday and Friday, and all my colleagues can go down and give all the blood they want. I am going to be giving my gift of life for the troops, and I am asking my colleagues to give theirs. There is nothing

that is more precious than that. There is no greater support.

PERSONAL EXPLANATION

Mr. THOMAS of Wyoming. Mr. Speaker, unfortunately, because I was in another part of the Capitol at a meeting with the Wyoming Hospital Association, I missed voting on the bills H.R. 555, to amend the Soldier's and Sailors' Civil Relief Act of 1940, and H.R. 556, to provide for the Secretary of Veterans Affairs to obtain independent review regarding associations between diseases and exposure to agent orange compounds. Had I been present, I would have strongly supported these bills and voted "yes" on both.

WE NEED AN ENERGY STRATEGY

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

Mr. RITTER. Mr. Speaker, we heard a few Members get up in the last several days and talk about energy policy. Mr. Speaker, mostly they are talking about sources of energy which make relatively small contributions to the total energy pie. They are not about to substitute for all of this oil we are importing from the Middle East.

However, Mr. Speaker, I must say they talk about taxpayer-funded subsidies to some of these more arcane technologies, moving them well past R&D subsidies and subsidies taking them into the marketplace. At the same time these are the same people, these people crying for energy policy, that have over the years voted and worked against sound development of America's major sources of energy: Coal, nuclear, our oil, our gas. Yes, those are the energy products that can substitute en masse for Persian Gulf oil.

□ 1440

We can leave a \$5.5 billion nuclear plant sitting idle in New York City while we import that same oil from the Persian Gulf. Does it make any sense at all?

Let us have an energy strategy. Let us have it based on health and environmental considerations, to be sure, but let us realize the biggest human health and environmental risk faced by the American people and this world is global war over oil in the Persian Gulf, which is exactly the bind we have gotten ourselves in today.

REINTRODUCTION OF EMERGENCY OIL MARKET STABILITY ACT

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

Mr. MINETA. Mr. Speaker, the dependence of the United States on foreign sources of oil is holding the American economy hostage to international instability.

When Iraq invaded Kuwait last August, the price Americans paid for oil shot up to \$40 a barrel even though there was a glut of oil in the world.

Just 2 weeks ago, after military force was launched against Iraq, oil prices jumped back up to nearly \$40 a barrel—again without a shortage.

But what will happen next?

What will happen if there is a shortage?

Mr. Speaker, Congress needs to act and act now.

Last night in his State of the Union address, the President called for a national energy policy.

Today, I am reintroducing the Emergency Oil Market Stability Act to act as the circuit breaker the country needs as part of that national energy policy.

Mr. Speaker, I hope Congress will send this legislation to the President as soon as possible, to give the American people the protection they need until the United States ends its addiction to oil.

OUTRAGE EXPRESSED AT MEDIA'S TREATMENT OF U.S. POW'S

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

Mr. MARTIN. Mr. Speaker, 8 days ago I was granted permission to address the House for 1 minute, and on that occasion I expressed my outrage and the outrage of others at our major networks using Iraqi film showing our prisoners of war in an almost impossible situation, being paraded in front of Saddam Hussein, TV cameras. I said they were working hand in glove with Saddam Hussein in his efforts to manipulate our POW's. That was 8 days ago, and I want to quote now from the second paragraph of that statement.

I said this:

When our leading national magazines hit the streets this week, you can bet there will be pictures of one or more of these hapless pawns, perhaps selected at random, features perhaps on the front page, for a little bang-bang. Come on people, have a heart.

Well, call me psychic if you wish, but unfortunately it is just the absolute predictability of our media that led to my prediction. They seemingly just cannot pass up the opportunity to bring more despair and more hurt, not only to those prisoners of war but to their families, loved ones, and countrymen.

I ask my colleagues to take a look at the front cover of Newsweek. This is absolutely what we predicted here 8 days ago. Have they no conscience? Have they no heart?

They do seemingly have a sense of fairness, and professional integrity however. On the inside they give the photo credit to Iraqi TV, sometimes known as Saddam Hussein.

Mr. Speaker, I just ask them in their board rooms, if not in their editorial rooms, to use a little common sense and have a little heart. These are not pieces of hamburger. These are American fighting men doing the very best they can under incredibly difficult circumstances.

ARAB-AMERICANS UNFAIRLY TARGETED BY FEDERAL AUTHORITIES

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

Mr. TORRICELLI. Mr. Speaker, a year ago this Congress made a painful admission. In the days following the commencement of the Second World War, Americans of Japanese ancestry were questioned. Their loyalty to America was put at issue. We recognized that wrong.

Now, as America goes to war again, across this country agents of the Federal Government are visiting other Americans, not because of their views, not because of associations with dangerous elements, or their knowledge of foreign governments but because of their ancestry, because indeed they or those before them came from Arab nations.

Mr. Speaker, the great tragedy is that as America goes to war, the first victims could become Americans, Arab-Americans. I ask the administration, I ask the Federal Bureau of Investigation, consider again what it is they are doing. If there are legitimate leads for those who might be violating our laws, follow them, but a person's ancestry and family is not cause for questioning.

Please, as Americans, this is a time to come together, not to be divided. Learn by the things we have done in the past. To come together 40 years hence to apologize will not be good enough. Respect one another and come together as a country as America once again wages war.

INTRODUCTION OF LEGISLATION TO ALLOW ADDITION TO OCMULGEE NATIONAL MONUMENT IN GEORGIA

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

Mr. ROWLAND. Mr. Speaker, the Ocmulgee National Monument, located in Macon, GA, is one of the country's important archeological treasures.

It is the site of a prehistoric Indian burial mound and village, a window into the lives of the earliest known

Americans. Although the most recent settlement dates back to about A.D. 900, there is evidence that native Americans inhabited the area as far back as 11,000 years ago.

The city of Macon is proposing to donate an 18-acre parcel of land known as Drake's Field to the national monument's existing 683 acres. This is something the Interior Department and National Park Service support, that local leaders support, and that archeologists support.

Unfortunately, the additional land cannot be accepted under current law. The legislation which created the Ocmulgee National Monument in 1936 prohibited any expansion. That law has to be amended to accept this gift from the city of Macon.

Today, I am introducing legislation to allow this transaction to take place. It would be an extremely valuable addition. Archeologists say it is potentially a rich archeological resource. Even now, Drake's Field is frequented by artifact collectors after heavy rains. This additional land would also enhance the visual impact of the monument.

Hundreds of thousands of visitors, including many schoolchildren, have toured this site. It is for their sake, Mr. Speaker, that I urge the passage of this legislation.

KENTUCKY HOSPITAL GROUP POINTS TO PROBLEMS IN QUALITY AND COST OF HEALTH CARE

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

Mr. MAZZOLI. Mr. Speaker, we all know that health care costs to America are both figuratively and literally going off the charts. The average U.S. company today will spend over \$3,200 per year in insurance costs for its employees, and depending upon how we look at it and how extensive the coverage is, as much as 26 percent of the net earnings of these companies can be going for health care costs. And costs are rising. From 1989 to 1990, the costs have risen somewhere around 20 percent.

Just yesterday the Kentucky Hospital Association came to Washington and visited with the Kentucky delegation and told us of the pressures being placed against hospitals and other health care providers, as well as upon the companies, to pay these costs.

Mr. Speaker, just a few feet from where I am standing, last night the President of the United States spoke to us and to the world about major problems in the gulf. He spoke to us eloquently about a new world order, and we support him in that. But let us not forget, Mr. Speaker, that in seeking a new world order and in seeking solutions to some of the problems here at home, prime among them is the quality

and the cost of health care in the United States.

□ 1450

TRIBUTE TO MANUEL RIVERA

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

Mr. SERRANO. Mr. Speaker, on Sunday, I spoke to an overflow congregation at a solemn pontifical mass for the repose of the soul of one of our best and brightest sons, 31-year-old Marine Capt. Manuel Rivera, who went down with his plane in the Persian Gulf.

I want to share with my colleagues the heroic but nonetheless tragic story of this young man from my neighborhood.

Like many poor working class families, Manuel's parents came to this country from Puerto Rico in search of a better quality of life. Manuel and his three sisters grew up in a housing project, a challenging environment in which to grow up.

Thanks to loving family care and good example, Manuel, like many of his peers, managed to avoid the pitfalls and temptations of urban poverty. He was a popular youngster, a good student, and an Eagle Scout, a classic role model for the youth of today.

He pursued a lifelong ambition to be a pilot by enrolling at Aviation High School, and completed his formal education at Dowling College on Long Island.

Then, like his Vietnam veteran father before him, Manuel joined the Marine Corps. He gave 10 dedicated years of service to his country, ultimately attaining the rank of captain. And Manuel had even loftier ambitions. He dreamed of flying to the stars and planned to apply for admission to NASA as an astronaut once the present conflict had ended. Manuel Rivera will never know that thrill. His service to his country has ended. He has made the supreme sacrifice.

I am heartsick that our young men and women, often the cream of their generation, are obliged to place themselves in harm's way while thousands of miles away, loved ones anguish over their safety and well-being.

Though I have consistently opposed military action at this time, I am nonetheless inspired by the courage of our forces now engaged in the field. We must support them without reservation. Most of all, we must pray for an end of these hostilities as soon as possible.

And in their hour of sorrow, we offer our heartfelt sympathy to the family of Capt. Manuel Rivera, this brave young man to whom this Nation owes an eternal debt.

AMERICA MUST NOT FORGET WHO ITS ENEMIES ARE

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

Mr. SMITH of Florida. Mr. Speaker, our good friend, the gentleman from New York [Mr. SERRANO], has just documented the first marine casualty as a result of combat. Yesterday and this morning we lost 12 more. While inflicting great casualties on the enemy, 12 of our young men are now dead today. And so it starts, the sadness of real combat, the truth about real combat, that people are going to die.

Mr. Speaker, we should not forget who our enemies are. I have taken to this well before and said very clearly that now that we are engaged in hostilities, it is time to keep a scorecard: who is with us, and who is not.

As we go through this, and hopefully it will be over soon and our casualties and losses will be at a minimum, we should remember just who is against us and who is with us.

So far the PLO have shown themselves to be a major force against the interests of the United States. Two days ago they started shelling Israel again, in addition to the Scuds of Saddam Hussein. The Israelis have retaliated against the PLO in southern Lebanon. But the PLO has allied themselves with Saddam Hussein. Jordan has allied itself with Saddam Hussein.

Mr. Speaker, our memories must be very clear, not only through the war, but subsequent to the war, people that we once supported, people we helped, people we tried to defend, ultimately are now fighting against us and our own men and women. That scorecard should be kept for a long time to come.

TAX RELIEF ON MIDDLE INCOME FAMILIES NEEDED, NOT TAX BREAKS FOR THE WEALTHY

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

Mr. MOODY. Mr. Speaker, President Bush's State of the Union Address struck so many correct notes last night that I was sorely disappointed to hear him raise his voice once again for the divisive issue of tax break for capital gains—at least if the tax break resembles the one President Bush proposed last year. You will remember from last year's debate the overwhelming amount of the benefit of such a tax cut would go to the very wealthiest individuals in our society, those earning over \$100,000 per year. And studies show that such a proposal would add only a small increase to our economy.

The average service man and woman now serving in the Persian Gulf—including officers—earns \$28,000. Will those soldiers' families reap any bene-

fit whatsoever from this policy of subsidizing wealthy investors?

Over 11 million households in this country, or 12 percent, of all American households, do not even have bank accounts—no savings at all. Tens of thousands of other households have only negligible savings.

Will they benefit from the President's proposed tax giveaway to the wealthy?

Clearly, no.

What we need is tax relief and savings incentives for average middle-income families.

I will soon introduce the Working Americans Tax Relief Act that will ease the squeeze faced by the great majority of workers who build our automobiles, run our small businesses, and manage the day-to-day operations of our enterprises.

Mr. President, with us now at war, offering a tax break targeted to the wealthiest Americans is a slap to the dependable, hardworking, middle-income taxpayers whose children are fighting in the Persian Gulf and who are facing rising unemployment and higher costs of living here at home.

AMERICA MUST RALLY SUPPORT FOR ISRAEL'S CAUSE AND SECURITY

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

Mr. SCHUMER. Mr. Speaker, I am here today to comment on yesterday's joint United States-Soviet statement on the Persian Gulf.

We all look forward to a swift resolution of the war in the Middle East. But if yesterday's statement is a wink in the direction of a so-called peace conference in the Middle East following this war, many must glare at it with regret and with anger.

We all know that peace conference is the code in the Arab world for a settlement for the Palestinians based on territorial concessions by Israel, concessions which recent events have shown would be no less than life-threatening to the Middle East's only democratic state. And, of course, any linkage of this issue to the cease-fire with Iraq would give Saddam the means to enhance the image he dreams of as a pan-Arab leader.

Now more than ever, we must rally support for Israel's cause and her security. Americans must warn our President not to sacrifice our truest friend in the region for the sake of flirtations with the Arab States in our U.N. coalition. Was this the price the administration expected to pay for Arab participation in our protection of their borders? If so, this entire strategy in the Middle East, in building this coalition and in prosecuting this war, is thrown open to question.

Israel, with deadly Scuds flying over her almost nightly, has awesome restraint, mainly out of her loyalty and affection for America. Why, then, are we giving Israel the back of our hand?

Instead, I urge the President to use our diplomatic opening with our Arab coalition partners, and the debt they owe us, to convince them to recognize Israel and the contribution she can make to peace. Lasting peace requires those states to rescind their declarations of war against her.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. McCathran, one of his secretaries.

DEPARTMENT OF VETERANS AFFAIRS PHYSICIANS' AND DENTISTS' COMPENSATION AND LABOR RELATIONS ACT OF 1991

Mr. MONTGOMERY. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 598) to amend title 38, United States Code, to improve the capability of the Department of Veterans Affairs to recruit and retain physicians and dentists through increases in special pay authorities, to authorize collective bargaining over conditions of employment for health care employees of the Department of Veterans Affairs, and for other purposes, as amended.

The Clerk read as follows:

H.R. 598

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 "Department of Veterans Affairs Physicians' and Dentists' Compensation and Labor-Relations Act of 1991".

TITLE I—PHYSICIANS AND DENTISTS SPECIAL PAY

SEC. 101. REVISION AND REORGANIZATION OF SPECIAL PAY STATUTE.

(a) IN GENERAL.—Part V of title 38, United States Code, is amended by inserting after chapter 73 the following new chapter:

"CHAPTER 74—VETERANS HEALTH SERVICES AND RESEARCH ADMINISTRATION—PERSONNEL

"[SUBCHAPTER I—RESERVED]

"Sec.

"SUBCHAPTER III—SPECIAL PAY FOR PHYSICIANS AND DENTISTS

- "4241. Special pay: authority.
- "4242. Special pay: written agreements.
- "4243. Special pay: full-time physicians.
- "4244. Special pay: part-time physicians.
- "4245. Special pay: full-time dentists.
- "4246. Special pay: part-time dentists.
- "4247. Special pay: general provisions.
- "4248. Special pay: coordination with other benefits laws.
- "4249. Periodic review of pay of physicians and dentists; quadrennial report.
- "4250. Annual report.

"[SUBCHAPTER I—RESERVED]

"SUBCHAPTER III—SPECIAL PAY FOR PHYSICIANS AND DENTISTS

"§ 4241. Special pay: authority

"(a) In order to recruit and retain highly qualified physicians and dentists in the Veterans Health Services and Research Administration, the Secretary shall provide special pay under this subchapter. Such special pay shall be provided under regulations that the Secretary shall prescribe to carry out this subchapter. Before prescribing regulations under this subchapter, the Secretary shall receive the recommendations of the Chief Medical Director with respect to those regulations.

"(b) Special pay may be paid to a physician or dentist under this subchapter only upon the execution of, and for the duration of, a written agreement entered into by the physician or dentist in accordance with section 4242 of this title.

"(c) A physician or dentist serving a period of obligated service pursuant to chapter 76 of this title is not eligible for special pay under this subchapter during the first three years of such obligated service, except that, at the discretion of the Secretary and upon the recommendation of the Chief Medical Director, such a physician or dentist may be paid special pay for full-time status during those three years.

"(d)(1) The Secretary may determine categories of positions applicable to both physicians and dentists in the Veterans Health Services and Research Administration as to which there is no significant recruitment and retention problem. Notwithstanding any other provision of this subchapter, physicians and dentists serving in those positions shall not be eligible for special pay under this subchapter. Before making a determination under this paragraph, the Secretary shall receive the recommendations of the Chief Medical Director with respect to the determination.

"(2) Not later than one year after making any such determination with respect to a category of positions, and each year thereafter that such determination remains in effect, the Secretary shall make a redetermination.

"(3) Any determination under this subsection shall be in accordance with regulations prescribed to carry out this subchapter.

"(e)(1) Special pay may not be paid under this section to a physician or dentist who—

- "(A) is employed on less than a quarter-time basis or on an intermittent basis;
- "(B) occupies an internship or residency training position; or
- "(C) is a reemployed annuitant.

"(2) If the Chief Medical Director determines that payment of special pay to a physician or dentist who is employed on a less than half-time basis is the most cost-effective way available for providing needed medical or dental specialist services at a Department facility, the Chief Medical Director may authorize the payment of special pay for factors other than for full-time status to that physician or dentist at a rate computed on the basis of the proportion that the part-time employment of the physician or dentist bears to full-time employment.

"§ 4242. Special pay: written agreements

"(a) An agreement entered into by a physician or dentist under this subchapter shall cover a period of one year of service in the Veterans Health Services and Research Administration unless the physician or dentist agrees to an agreement for a longer period of

service, not to exceed four years, as specified in the agreement. A physician or dentist who has previously entered into such an agreement is eligible to enter into a subsequent agreement unless the physician or dentist has failed to refund to the United States any amount which the physician or dentist is obligated to refund under any such previous agreement.

"(b)(1) An agreement under this subchapter shall provide that if the physician or dentist entering into the agreement voluntarily, or because of misconduct, fails to complete any of the years of service covered by the agreement (measured from the anniversary date of the agreement), the physician or dentist shall refund an amount of special pay received under the agreement for that year equal to—

"(A) in the case of a failure during the first year of service under the agreement, 100 percent of the amount received for that year;

"(B) in the case of a failure during the second year of service under the agreement, 75 percent of the amount received for that year;

"(C) in the case of a failure during the third year of service under the agreement, 50 percent of the amount received for that year; and

"(D) in the case of a failure during the fourth year of service under the agreement, 25 percent of the amount received for that year.

"(2) The Secretary may waive (in whole or in part) the requirement for a refund under paragraph (1) in any case if the Secretary determines (in accordance with regulations prescribed under section 4241(b) of this title) that the failure to complete such period of service is the result of circumstances beyond the control of the physician or dentist.

"(3) Any such agreement shall specify the terms under which the Department and the physician or dentist may elect to terminate the agreement.

"(c)(1) If a proposed agreement under this subchapter will provide a total annual amount of special pay to be provided to a physician or dentist who has previously entered into an agreement under this subchapter (or under section 4118 of this title as in effect before the effective date of the Department of Veterans Affairs Physicians' and Dentists' Compensation and Labor-Relations Act of 1991) that will exceed the previous annual amount of special pay provided for the physician or dentist by more than 50 percent (other than in the case of a physician or dentist employed in an executive position in the Central Office of the Department), or that will be less than the previous annual amount of special pay provided for the physician or dentist by more than 25 percent, the proposed agreement shall be promptly submitted to the Secretary. The proposed agreement shall not take effect if it is disapproved by the Secretary within 60 days after the date on which the physician or dentist entered into the proposed agreement.

"(2) For purposes of paragraph (1), the previous annual amount of special pay provided for a physician or dentist is the total annual amount of special pay provided, or to be provided, to the physician or dentist for the most recent year covered by an agreement entered into by the physician or dentist under this subchapter or under section 4118 of this title. In the case of an agreement entered into under section 4118 of this title, incentive pay shall be treated as special pay for purposes of this paragraph.

"(3) The Secretary shall adjust special pay as necessary for purposes of this subsection to reflect appropriately any change in the

status of a physician or dentist (A) from full-time status to part-time status, (B) from part-time status to full-time status, or (C) from one proportion of time spent as a Department employee under part-time status employment to a different proportion.

"(d)(1) If a proposed agreement under this subchapter will provide a total annual amount of special pay to be provided to a physician or dentist which, when added to the amount of basic pay of the physician or dentist, will be in excess of the amount payable for positions specified in section 5312 of title 5, the proposed agreement shall be promptly submitted to the Secretary. The proposed agreement shall not take effect if it is disapproved by the Secretary within 60 days after the date on which the physician or dentist entered into the proposed agreement. The Secretary may disapprove a proposed agreement submitted under this subsection only if the Secretary determines that the amounts of special pay proposed to be paid are not necessary to recruit or retain the physician or dentist.

"(2) The Secretary shall include in the annual report required by section 4250 of this title—

"(A) a statement of the number of agreements entered into during the period covered by the report under which the total amount of special pay to be provided, which when added to the amount of basic pay of the physician or dentist, will be in excess of the amount payable for positions specified in section 5312 of title 5;

"(B) a statement of the number of proposed agreements which during the period covered by the report were disapproved under this subsection; and

"(C) a detailed explanation of the basis for disapproval of each such proposed agreement which was disapproved under this subsection.

"(3) This subsection does not apply to any proposed agreement entered into after September 30, 1994.

"§ 4243. Special pay: full-time physicians

"(a) The Secretary shall provide special pay under this subchapter to eligible physicians employed on a full-time basis based upon the factors, and at the annual rates, specified in subsection (b).

"(b) The special pay factors, and the annual rates, applicable to full-time physicians are as follows:

"(1) For full-time status, \$9,000.

"(2)(A) For length of service as a physician within the Veterans Health Services and Research Administration—

"Length of Service	Rate	
	Mini- mum	Maxi- mum
2 years but less than 4 years.	\$4,000	\$ 6,000
4 years but less than 8 years.	6,000	12,000
8 years but less than 12 years.	12,000	18,000
12 years or more	12,000	25,000

"(B) The Chief Medical Director shall specify a uniform national rate for each range of years of service established by or under this paragraph. The Chief Medical Director may, as to length of service in excess of 12 years, establish uniform national rates for such ranges of years of service as the Chief Medical Director considers appropriate.

"(3)(A) For service in a medical specialty with respect to which the Chief Medical Director has determined that there are ex-

traordinary difficulties (on a nation-wide basis or on the basis of the needs of a specific medical facility) in the recruitment or retention of qualified physicians, an annual rate of not more than \$40,000.

"(B) For service by a physician who serves only a portion of a year in a medical specialty for which special pay is paid under subparagraph (A), the annual rate shall be calculated on the basis of the proportion of time served in the specialty for which the special pay is paid.

"(4)(A) For service in any of the following executive positions, an annual rate not to exceed the rate applicable to that position as follows:

"Position	Rate	
	Mini- mum	Maxi- mum
Service Chief (or in a comparable position as determined by the Secretary).	\$4,500	\$15,000
Chief of Staff or in an Executive Grade.	14,500	25,000
Director Grade	0	25,000

"(B) For service in any of the following executive positions, the annual rate applicable to that position as follows:

"Position	Rate
"Deputy Service Director	\$20,000
"Service Director	25,000
"Deputy Assistant Chief Medical Director	27,500
"Assistant Chief Medical Director	30,000
"Associate Deputy Chief Medical Director	35,000
"Deputy Chief Medical Director	40,000
"Chief Medical Director	45,000

"(C) For service by a physician who serves only a portion of a year in an executive position listed in subparagraph (A) or (B) or who serves a portion of a year in such a position and also serves a portion of that year in another position or grade for which special pay is provided under this section, the annual rate shall be calculated on the basis of the proportion of time served in the position or positions for which special pay is provided.

"(5) For specialty certification or first board certification, \$2,000, and for subspecialty certification or secondary board certification, an additional \$500.

"(6) For service in a specific geographic location with respect to which there are extraordinary difficulties in the recruitment or retention of qualified physicians in a specific category of physicians, an annual rate of not more than \$17,000.

"(7)(A) For service by a physician with exceptional qualifications within a specialty, an annual rate of not more than \$15,000.

"(B) Special pay under this paragraph may be paid to a physician only if the payment of such pay to that physician is approved by the Chief Medical Director personally and on a case-by-case basis and only to the extent that the rate paid under this paragraph, when added to the total of the rates paid to that physician under paragraphs (1) through (6), does not exceed the total rate that may be paid under those paragraphs to a physician with the same length of service, specialty, and position as the physician concerned.

"§ 4244. Special pay: part-time physicians

"(a) Subject to section 4241(e) of this title and subsection (b) of this section, special pay

under this subchapter for physicians employed on a part-time basis shall be based on the special-pay factors and annual rates specified in section 4243 of this title.

“(b) The annual rate of special pay paid to a physician employed on a part-time basis shall bear the same ratio to the annual rate that the physician would be paid under section 4243 (other than for full-time status) if the physician were employed on a full-time basis as the amount of part-time employment by the physician bears to full-time employment, except that such ratio may not exceed 3/4.

“§ 4245. Special pay: full-time dentists

“(a) The Secretary shall provide special pay under this subchapter to eligible dentists employed on a full-time basis based upon the factors, and at the annual rates, specified in subsection (b).

“(b) The special pay factors, and the annual rates, applicable to full-time dentists are as follows:

“(1) For full-time status, \$3,500.

“(2)(A) For length of service as a dentist within the Veterans Health Services and Research Administration—

"Length of Service	Rate	
	Minimum	Maximum
2 years but less than 4 years.	\$1,000	\$2,000
4 years but less than 8 years.	2,000	3,000
8 years but less than 12 years.	3,000	3,500
12 years or more	3,000	4,000

“(B) The Chief Medical Director shall specify a uniform national rate for each range of years of service established by or under this paragraph. The Chief Medical Director may, as to length of service in excess of 12 years, establish uniform national rates for such ranges of years of service as the Chief Medical Director considers appropriate.

“(3)(A) For service in a dental specialty with respect to which there are extraordinary difficulties (on a nation-wide basis or on the basis of the needs of a specific medical facility) in the recruitment or retention of qualified dentists, an annual rate of not more than \$20,000.

“(B) For service by a dentist who serves only a portion of a year in a dental specialty for which special pay is paid under subparagraph (A), the annual rate shall be calculated on the basis of the proportion of time served in the specialty for which the special pay is paid.

“(4)(A) For service in any of the following executive positions, an annual rate not to exceed the rate applicable to that position as follows:

"Position	Rate	
	Minimum	Maximum
Service Director	\$1,000	\$9,000
Deputy Service Director.	1,000	8,000
Chief of Staff or in an Executive Grade.	1,000	8,000

"Position	Rate	
	Minimum	Maximum
Director Grade	0	8,000
Service Chief (or in a comparable position as determined by the Secretary).	1,000	5,000

“(B) For service in any of the following executive positions, the annual rate applicable to that position as follows:

"Position	Rate
Assistant Chief Medical Director (or in a comparable position as determined by the Secretary)	\$10,000
Deputy Assistant Chief Medical Director	10,000

“(C) For service by a dentist who serves only a portion of a year in an executive position listed in subparagraph (A) or (B) or who serves a portion of a year in such a position and also serves a portion of that year in another position or grade for which special pay is provided under this section, the annual rate shall be calculated on the basis of the proportion of time served in the position or positions for which special pay is provided.

“(5) For specialty or first board certification, \$2,000 and for subspecialty or secondary board certification, an additional \$500.

“(6) For service in a specific geographic location with respect to which there are extraordinary difficulties in the recruitment or retention of qualified dentists in a specific category of dentists, an annual rate not more than \$5,000.

“(7)(A) For service by a dentist with exceptional qualifications within a specialty, an annual rate of not more than \$5,000.

“(B) Special pay under this paragraph may be paid to a dentist only if the payment of such pay to that dentist is approved by the Chief Medical Director personally and on a case-by-case basis and only to the extent that the rate paid under this paragraph, when added to the total of the rates paid to that dentist under paragraphs (1) through (6), does not exceed the total rate that may be paid under those paragraphs to a dentist with the same length of service, specialty, and position as the dentist concerned.

“§ 4246. Special pay: part-time dentists

“(a) Subject to section 4241(e) of this title and subsection (b) of this section, special pay under this subchapter for dentists employed on a part-time basis shall be based on the special-pay factors and annual rates specified in section 4245 of this title.

“(b) The annual rate of special pay paid to a dentist employed on a part-time basis shall bear the same ratio to the annual rate that the dentist would be paid under section 4245 of this title (other than for full-time status) if the dentist were employed on a full-time basis as the amount of part-time employment by the dentist bears to full-time employment, except that such ratio may not exceed 3/4.

“§ 4247. Special pay: general provisions

“(a) A physician who is provided special pay for service in an executive position under paragraph (4)(B) of section 4243(b) of this title may not also be provided scarce specialty special pay under paragraph (3) of that section. A dentist who is provided special pay for service in an executive position under paragraph (4) of section 4245(b) of this title for service as a Service Director, Deputy Service Director, Deputy Assistant Chief Medical Director, or Assistant Chief Medical Director may not also be provided scarce

specialty special pay under paragraph (3) of that section.

“(b) The following determinations under this subchapter shall be made under regulations prescribed under section 4241 of this title:

“(1) A determination that there are extraordinary difficulties (on a nation-wide basis or on the basis of the needs of a specific medical facility) in the recruitment or retention of qualified physicians in a medical specialty or in the recruitment or retention of qualified dentists in a dental specialty.

“(2) A determination of the rate of special pay to be paid to a physician or dentist for a factor of special pay for which the applicable rate is specified as a range of rates.

“(3) A determination of whether there are extraordinary difficulties in a specific geographic location in the recruitment or retention of qualified physicians in a specific category of physicians or in the recruitment or retention of qualified dentists in a specific category of dentists.

“(c) A determination for the purposes of this subchapter that there are extraordinary difficulties in the recruitment or retention of qualified physicians in a medical specialty, or in the recruitment or retention of qualified dentists in a dental specialty, on the basis of the needs of a specific medical facility may only be made upon the request of the director of that facility.

“(d) A physician or dentist may not be provided scarce specialty pay under section 4243(b), 4244(b), 4245(b), or 4246(b) of this title (whichever is applicable) on the basis of the needs of a specific medical facility unless the Secretary also determines that geographic location pay under that section is insufficient to meet the needs of that facility for qualified physicians or dentists, as the case may be.

“(e)(1) A physician or dentist shall be paid special pay under this subchapter at a rate not less than the rate of special pay the physician or dentist was paid under section 4118 of this title as of the day before the effective date of this subchapter if the physician or dentist—

“(A) is employed on a full-time basis in the Veterans Health Services and Research Administration;

“(B) was employed as a physician or dentist on a full-time basis in the Administration on the day before such effective date; and

“(C) on such effective date was being paid only for the special-pay factors of primary, full-time, and length of service.

“(2) A physician or dentist shall be paid special pay under this subchapter at a rate not less than the rate of special pay the physician or dentist was paid under section 4118 of this title as of the day before the effective date of this subchapter if the physician or dentist—

“(A) is employed on a part-time basis in the Veterans Health Services and Research Administration;

“(B) was employed as a physician or dentist on a part-time basis in the Administration on the day before such effective date; and

“(C) on such effective date was being paid only for the special-pay factors of primary and length of service.

“(f) Any amount of special pay payable under this subchapter shall be paid in equal installments in accordance with regularly established pay periods.

“(g) Except as otherwise expressly provided by law, special pay may not be provided to a physician or dentist in the Veter-

ans Health Services and Research Administration for any factor not specified in section 4243, 4244, 4245, or 4246, as applicable, of this title.

"(h) In no case may the total amount of compensation paid to a physician or dentist under this title in any year exceed the amount of annual compensation (excluding expenses) specified in section 102 of title 3.

"§ 4248. Special pay: coordination with other benefits laws

"(a) Special pay paid under this subchapter shall be in addition to any other pay and allowances to which a physician or dentist is entitled.

"(b)(1) A physician or dentist who has no section 4118 service and has completed not less than 15 years of service as a physician or dentist in the Veterans Health Services and Research Administration shall be entitled to have special pay paid to the physician or dentist under this subchapter considered basic pay for the purposes of chapter 83 or 84 of title 5, as appropriate.

"(2) A physician or dentist who has section 4118 service and has completed a total of not less than 15 years of service as a physician or dentist in the Veterans Health Services and Research Administration shall be entitled to have special pay paid to the physician or dentist under this subchapter considered basic pay for the purposes of chapter 83 or 84, as appropriate, of title 5 as follows:

"(A) In an amount equal to the amount that would have been so considered under section 4118 of this title on the day before the effective date of this section based on the rates of special pay the physician or dentist was entitled to receive under that section on the day before such effective date.

"(B) With respect to any amount of special pay received under this subchapter in excess of the amount such physician or dentist was entitled to receive under section 4118 of this title on the day before the effective date of this section, in an amount equal to 25 percent of such excess amount for each two years that the physician or dentist has completed as a physician or dentist in the Veterans Health Services and Research Administration after the effective date of this section.

"(3) All special pay paid under this subchapter shall be included in average pay (as defined in sections 8331(4) or 8401(3) of title 5, as appropriate) for purposes of computing benefits paid under section 8337, 8341(d) or (e), 8442(b), 8443, or 8451 of such title.

"(4) Special pay paid under section 4118 of this title, as in effect before the effective date of this section, to a physician or dentist who has section 4118 service shall be credited to the physician or dentist for the same purposes and in the same manner and to the same extent that such special pay was credited to the physician or dentist before such effective date.

"(5) For purposes of this subsection:

"(A) The term 'physician or dentist who has no section 4118 service' means a physician or dentist employed as a physician or dentist in the Veterans Health Services and Research Administration who has no previous service as a physician or dentist in the Administration (or its predecessor) before the effective date of this section.

"(B) The term 'physician or dentist who has section 4118 service' means a physician or dentist employed as a physician or dentist in the Veterans Health Services and Research Administration who has previous service as a physician or dentist in the Administration (or its predecessor) before the effective date of this section.

"(C) Service in any predecessor entity of the Veterans Health Services and Research Administration shall be considered to be service in the Veterans Health Services and Research Administration.

"(c) Compensation paid as special pay under this subchapter or under an agreement entered into under section 4118 of this title (as in effect on the day before the effective date of the Department of Veterans Affairs Physicians and Dentists Compensation and Labor-Relations Act of 1991) shall be considered as annual pay for the purposes of chapter 87 of title 5, relating to life insurance for Federal employees.

"§ 4249. Periodic review of pay of physicians and dentists; quadrennial report

"(a) In order to make possible the recruitment and retention of a well-qualified work force of physicians and dentists capable of providing quality care for eligible veterans, it is the policy of Congress to assure that the levels of total pay for physicians and dentists of the Veterans Health Services and Research Administration are fixed at levels reasonably comparable—

"(1) with the levels of total pay of physicians and dentists employed by or serving in other departments and agencies of the Federal Government; and

"(2) with the income of non-Federal physicians and dentists for the performance of services as physicians and dentists.

"(b)(1) To assist the Congress and the President in carrying out the policy stated in subsection (a), the Secretary shall—

"(A) define the bases for pay distinctions, if any, among various categories of physicians and dentists, including distinctions between physicians and dentists employed by the Veterans Health Services and Research Administration and physicians and dentists employed by other departments and agencies of the Federal Government and between all Federal sector and non-Federal sector physicians and dentists; and

"(B) obtain measures of income from the employment or practice of physicians and dentists outside the Administration, including both the Federal and non-Federal sectors, for use as guidelines for setting and periodically adjusting the amounts of special pay for physicians and dentists of the Administration.

"(2) The Secretary shall submit to the President a report, on such date as the President may designate but not later than December 31, 1992, and once every four years thereafter, recommending appropriate rates of special pay to carry out the policy set forth in subsection (a) with respect to the pay of physicians and dentists in the Veterans Health Services and Research Administration. The Secretary shall include in such report, when considered appropriate and necessary by the Secretary, recommendations for modifications of the special pay levels set forth in this subchapter whenever—

"(A) the Department is unable to recruit or retain a sufficient work force of well-qualified physicians and dentists in the Administration because the incomes and other employee benefits, to the extent that those benefits are reasonably quantifiable, of physicians and dentists outside the Administration who perform comparable types of duties are significantly in excess of the levels of total pay (including basic pay and special pay) and other employee benefits, to the extent that those benefits are reasonably quantifiable, available to those physicians and dentists employed by the Administration; or

"(B) other extraordinary circumstances are such that special pay levels are needed to

recruit or retain a sufficient number of well-qualified physicians and dentists.

"(c) The President shall include in the budget transmitted to the Congress under section 1105 of title 31 after the submission of each report of the Secretary under subsection (b)(2) recommendations with respect to the exact rates of special pay for physicians and dentists under this subchapter and the cost of those rates compared with the cost of the special pay rates in effect under this subchapter at the time the budget is transmitted.

"§ 4250. Annual report

"The Secretary shall submit to the Committees on Veterans' Affairs of the Senate and House of Representatives an annual report on the use of the authorities provided in this subchapter. The report shall be submitted each year as part of the budget justification documents submitted by the Secretary in support of the budget of the President submitted pursuant to section 1105 of title 31 that year. Each such report shall include the following:

"(1) A review of the use of the authorities provided in this subchapter (including the Secretary's and Chief Medical Director's actions, findings, recommendations, and other activities under this subchapter) during the preceding fiscal year and the fiscal year during which the report is submitted.

"(2) The plans for the use of the authorities provided in this subchapter for the next fiscal year.

"(3) A description of the amounts of special pay paid during the preceding fiscal year, shown by category of pay.

"(4) A list of those geographic areas, and those scarce specialties, for which special pay was paid during the preceding fiscal year, those for which special pay is being paid during the current fiscal year, and those for which special pay is expected to be paid during the next fiscal year, together with a summary of any differences among those three lists.

"(5) The number of physicians and dentists (A) who left employment with the Veterans Health Services and Research Administration during the preceding year, (B) who changed from full-time status to part-time status, (C) who changed from part-time status to full-time status, as well as (D) a summary of the reasons therefor.

"(6) By specialty, the number of positions created and the number of positions abolished during the preceding fiscal year and a summary of the reasons for such actions.

"(7) The number of unfilled physician and dentist positions in each specialty in the Veterans Health Service and Research Administration, the average and maximum lengths of time that such positions have been unfilled, and a summary of the reasons that such positions remain unfilled and, in the case of any specialty not designated as a scarce specialty for purposes of special pay under this subchapter, an explanation (including comparisons with other specialties that have been so designated) of why the specialty has not been so designated."

SEC. 102. CONFORMING AND TECHNICAL AMENDMENTS.

(a) REPEAL OF SECTION 4118.—Section 4118 of title 38, United States Code, is repealed.

(b) CROSS-REFERENCE AMENDMENTS.—(1) Section 4107 of such title is amended—

(A) in subsection (c), by striking out "section 4118 of this title" and inserting in lieu thereof "subchapter III of chapter 74 of this title"; and

(B) in subsection (d), by striking out "sections 4118 and 4120 of this title" and inserting

in lieu thereof "section 4120 of this title and subchapter III of chapter 74 of this title".

(2) Section 4120(f) of such title is amended by striking out "section 4118 of this title" and inserting in lieu thereof "subchapter III of chapter 74 of this title".

SEC. 103. REIMBURSEMENT OF CONTINUING PROFESSIONAL EDUCATION EXPENSES FOR FULL-TIME BOARD-CERTIFIED PHYSICIANS AND DENTISTS.

(a) IN GENERAL.—(1) Section 4113 of title 38, United States Code, is amended—

(A) by inserting "(a)" at the beginning of the text; and

(B) by adding at the end the following:

"(b) The Secretary shall reimburse any full-time board-certified physician or dentist appointed under section 4104(1) of this title for expenses incurred, up to \$1,000 per year, for continuing professional education."

(2) The heading of such section is amended to read as follows:

"§ 4113. Travel expenses of certain employees; continuing professional education of physicians."

(b) CLERICAL AMENDMENTS.—The table of sections at the beginning of chapter 73 of such title is amended—

(1) by striking out the item relating to section 4113 and inserting in lieu thereof the following:

"4113. Travel expenses of certain employees; continuing professional education of physicians."; and

(2) by striking out the item relating to section 4118.

(c) EFFECTIVE DATE.—The amendments made by subsection (a) shall apply with respect to expenses incurred for continuing professional education that is pursued after the date of the enactment of this Act.

SEC. 104. OTHER BENEFITS.

(a) DISCRETIONARY BENEFITS.—Chapter 73 of title 38, United States Code, is amended by inserting after section 4120 the following new section:

"§ 4120A. Additional pay authorities

"The Secretary may authorize the Chief Medical Director to pay allowances or expenses to employees described in paragraph (1) of section 4104 of this title in the same manner, and subject to the same limitations, as in the case of the authority provided the Office of Personnel Management under sections 5524a, 5706b, 5753, and 5754 of title 5."

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 4120 the following new item:

"4120A. Additional pay authorities."

SEC. 105. EFFECTIVE DATE AND TRANSITION.

(a) EFFECTIVE DATE.—The amendments made by sections 101 and 102 shall take effect on the first day of the first pay period beginning after the earlier of—

(1) July 1, 1991; or

(2) the end of the 90-day period beginning on the date of the enactment of this Act.

(b) TRANSITIONS PROVISIONS.—(1) In the case of an agreement entered into under section 4118 of title 38, United States Code, before the date of the enactment of this Act that expires after the effective date specified in subsection (a), the Secretary of Veterans Affairs and the physician or dentist concerned may agree to terminate that agreement as of that effective date in order to permit a new agreement under subchapter III of chapter 74 of title 38, United States Code, as added by section 101, to take effect as of that effective date.

(2) In the case of an agreement entered into under section 4118 of title 38, United

States Code, before the date of the enactment of this Act that expires during the period beginning on the date of the enactment of this Act and ending on the effective date specified in subsection (a), an extension or renewal of that agreement may not extend beyond that effective date.

(3) In the case of a physician or dentist who begins employment with the Department of Veterans Affairs during the period beginning on the date of the enactment of this Act and ending on the effective date specified in subsection (a) who is eligible for an agreement under section 4118 of title 38, United States Code, any such agreement may not extend beyond that effective date.

(c) SAVINGS PROVISION.—Except as provided in subsection (b)(1), any agreement entered into under section 4118 of title 38, United States Code, before the effective date specified in subsection (a) shall remain in effect in accordance with its terms and shall be treated for all purposes in accordance with such section as in effect on the day before such effective date.

(d) PROHIBITION OF RETROACTIVE AGREEMENTS.—An agreement entered into under subchapter III of chapter 74 of title 38, United States Code, as added by section 101, may not provide special pay with respect to a period before the effective date specified in subsection (a).

TITLE II—LABOR-MANAGEMENT RELATIONS

SEC. 201. COLLECTIVE BARGAINING FOR TITLE 38 EMPLOYEES.

(a) IN GENERAL.—Chapter 74 of title 38, United States Code, as added by section 101, is amended by inserting before subchapter III the following:

"SUBCHAPTER II—COLLECTIVE BARGAINING AND PERSONNEL ADMINISTRATION

"§ 4231. Personnel administration: in general

"(a) Notwithstanding any law, Executive order, or regulation, the Secretary shall prescribe by regulation the hours and conditions of employment and leaves of absence of employees appointed under any provision of this chapter in positions in the Veterans Health Services and Research Administration listed in subsection (b).

"(b) Subsection (a) refers to the following positions:

"(1) Physicians.

"(2) Dentists.

"(3) Podiatrists.

"(4) Optometrists.

"(5) Nurses.

"(6) Physician assistants.

"(7) Expanded-duty dental auxiliaries.

"§ 4232. Collective bargaining

"(a) Except as otherwise specifically provided in this title, the authority of the Secretary to prescribe regulations under section 4231 of this title is subject to the right of Federal employees to engage in collective bargaining with respect to conditions of employment through representatives chosen by them in accordance with chapter 71 of title 5 (relating to labor-management relations).

"(b) Such collective bargaining (and any grievance procedures provided under a collective bargaining agreement) in the case of employees described in section 4231(b) of this title may not cover, or have any applicability to, any matter or question concerning or arising out of (1) professional conduct or competence, (2) peer review, or (3) the establishment, determination, or adjustment of employee compensation under this title.

"(c) For purposes of this section, the term 'professional conduct or competence' means any of the following:

"(1) Direct patient care.

"(2) Clinical competence.

"(d) An issue of whether a matter or question concerns or arises out of (1) professional conduct or competence, (2) peer review, or (3) the establishment, determination, or adjustment of employee compensation under this title shall be decided by the Secretary and is not itself subject to collective bargaining and may not be reviewed by any other agency.

"(e) A petition for judicial review or petition for enforcement under section 7123 of title 5 in any case involving employees described in section 4231(b) of this title or arising out of the applicability of chapter 71 of title 5 to employees in those positions, shall be taken only in the United States Court of Appeals for the District of Columbia Circuit.

"§ 4233. Personnel administration: full-time employees

"(a) The hours of employment in carrying out responsibilities under this title of any employee who is appointed in the Administration under any provision of this chapter on a full-time basis in a position listed in section 4231(b) of this title (other than an intern or resident appointed pursuant to section 4114 of this title) and who accepts responsibilities for carrying out professional services for remuneration other than those assigned under this title shall consist of not less than 80 hours in a biweekly pay period (as that term is used in section 5504 of title 5).

"(b) A person covered by subsection (a) may not do any of the following:

"(1) Assume responsibility for the medical care of any patient other than a patient admitted for treatment at a Department facility, except in those cases where the person, upon request and with the approval of the Chief Medical Director, assumes such responsibilities to assist communities or medical practice groups to meet medical needs which would not otherwise be available for a period not to exceed 180 calendar days, which may be extended by the Under Secretary for additional periods not to exceed 180 calendar days each.

"(2) Teach or provide consultative services at any affiliated institution if such teaching or consultation will, because of its nature or duration, conflict with such person's responsibilities under this title.

"(3) Accept payment under any insurance or assistance program established under title XVIII or XIX of the Social Security Act or under chapter 55 of title 10 for professional services rendered by such person while carrying out such person's responsibilities under this title.

"(4) Accept from any source, with respect to any travel performed by such person in the course of carrying out such person's responsibilities under this title, any payment or per diem for such travel, other than as provided for in section 4111 of title 5.

"(5) Request or permit any individual or organization to pay, on such person's behalf for insurance insuring such person against malpractice claims arising in the course of carrying out such person's responsibilities under this title or for such person's dues or similar fees for membership in medical or dental societies or related professional associations, except where such payments constitute a part of such person's remuneration for the performance of professional responsibilities permitted under this section, other than those carried out under this title.

"(6) Perform, in the course of carrying out such person's responsibilities under this title, professional services for the purpose of generating money for any fund or account which is maintained by an affiliated institution for the benefit of such institution, or for such person's personal benefit, or both.

"(c) In the case of any fund or account described in subsection (b)(6) that was established before September 1, 1973—

"(1) the affiliated institution shall submit semiannually an accounting to the Secretary and to the Comptroller General of the United States with respect to such fund or account and shall maintain such fund or account subject to full public disclosure and audit by the Secretary and the Comptroller General for a period of three years or for such longer period as the Secretary shall prescribe, and

"(2) no person in a position specified in paragraph (1)(B) may receive any cash from amounts deposited in such fund or account derived from services performed before that date.

"(d) As used in this section:

"(1) The term 'affiliated institution' means a medical school or other institution of higher learning with which the Secretary has a contract or agreement as referred to in section 4112(b) of this title for the training or education of health personnel.

"(2) The term 'remuneration' means the receipt of any amount of monetary benefit from any non-Department source in payment for carrying out any professional responsibilities."

(b) CONFORMING AMENDMENT.—Section 4108 of such title is amended by striking out subsection (a).

SEC. 202. ADVERSE PERSONNEL ACTIONS.

(a) REFORM OF DISCIPLINARY PROCEDURES FOR SECTION 4104(1) EMPLOYEES.—Chapter 74 of title 38, United States Code, as added by section 101 and amended by section 201, is further amended by adding at the end the following:

"SUBCHAPTER V—GRIEVANCE PROCEDURES

"§ 4261. Adverse actions: section 4104(1) employees

"(a) Whenever the Chief Medical Director (or an official designated by the Chief Medical Director) brings charges based on conduct or performance against a section 4104(1) employee and as a result of those charges an adverse personnel action is taken against the employee, the employee shall have the right to appeal the action.

"(b)(1) If the case involves or includes a question of professional conduct or competence in which a major adverse action was taken, such an appeal shall be made to a Disciplinary Appeals Board under section 4262 of this title.

"(2) In any other case, such an appeal shall be made—

"(A) through Department grievance procedures under section 4263 of this title, in any case that involves or includes a question of professional conduct or competence in which a major adverse action was not taken or in any case of an employee who is not covered by a collective bargaining agreement under chapter 71 of title 5; or

"(B) through grievance procedures provided through collective bargaining under chapter 71 of title 5 or through Department grievance procedures under section 4263 of this title, as the employee elects, in the case of an employee covered by a collective bargaining agreement under chapter 71 of title 5 that does not involve or include a question of professional conduct or competence.

"(c) For purposes of this subchapter—

"(1) Section 4104(1) employees are employees of the Department employed on a full-time basis under a permanent appointment in a position listed in section 4104(1) of this title (other than interns and residents appointed pursuant to section 4114 of this title).

"(2) A major adverse action is an adverse action which includes any of the following:

- "(A) Suspension.
- "(B) Transfer.
- "(C) Reduction in grade.
- "(D) Reduction in basic pay.
- "(E) Discharge.

"(3) A question of professional conduct or competence is a question involving any of the following:

- "(A) Direct patient care.
- "(B) Clinical competence.

"(d) An issue of whether a matter or question concerns, or arises out of, professional conduct or competence is not itself subject to any grievance procedure provided by law, regulation, or collective bargaining and may not be reviewed by any other agency.

"(e) Whenever the Secretary proposes to prescribe regulations under this subchapter, the Secretary shall publish the proposed regulations in the Federal Register for notice-and-comment not less than 30 days before the day on which they take effect.

"§ 4262. Major adverse actions involving professional conduct or competence

"(a)(1) Disciplinary Appeals Boards appointed under section 4264 of this title shall have exclusive jurisdiction to review any case—

"(A) which arises out of (or which includes) a question of professional conduct or competence of a section 4104(1) employee; and

"(B) in which a major adverse action was taken.

"(2) The board shall include in its record of decision in any mixed case a statement of the board's exclusive jurisdiction under this subsection and the basis for such exclusive jurisdiction.

"(3) For purposes of paragraph (2), a mixed case is a case that includes both a major adverse action arising out of a question of professional conduct or competence and an adverse action which is not a major adverse action or which does not arise out of a question of professional conduct or competence.

"(b)(1) In any case in which charges are brought against a section 4104(1) employee which arises out of, or includes, a question of professional conduct or competence which could result in a major adverse action, the employee is entitled to the following:

"(A) At least 30 days advance written notice from the Chief Medical Director or other charging official specifically stating the basis for each charge, the adverse actions that could be taken if the charges are sustained, and a statement of any specific law, regulation, policy, procedure, practice, or other specific instruction that has been violated with respect to each charge, except that the requirement for notification in advance may be waived if there is reasonable cause to believe that the employee has committed a crime for which the employee may be imprisoned.

"(B) A reasonable time, but not less than seven days, to present an answer orally and in writing to the Chief Medical Director or other deciding official, who shall be an official higher in rank than the charging official, and to submit affidavits and other documentary evidence in support of the answer.

"(2) In any case described in paragraph (1), the employee is entitled to be represented by

an attorney or other representative of the employee's choice at all stages of the case.

"(3)(A) If a proposed adverse action covered by this section is not withdrawn, the deciding official shall render a decision in writing within 21 days of receipt by the deciding official of the employee's answer. The decision shall include a statement of the specific reasons for the decision with respect to each charge. If a major adverse action is imposed, the decision shall state whether any of the charges sustained arose out of a question of professional conduct or competence. If any of the charges are sustained, the notice of the decision to the employee shall include notice of the employee's rights of appeal.

"(B) Notwithstanding the 21-day period specified in subparagraph (A), a proposed adverse action may be held in abeyance if the employee requests, and the deciding official agrees, that the employee shall seek counseling or treatment for a condition covered under the Rehabilitation Act of 1973. Any such abeyance of a proposed action may not extend for more than one year.

"(4)(A) The Secretary may require that any answer and submission under paragraph (1)(B) be submitted so as to be received within 30 days of the date of the written notice of the charges, except that the Secretary shall allow the granting of extensions for good cause shown.

"(B) The Secretary shall require that any appeal to a Disciplinary Appeals Board from a decision to impose a major adverse action shall be received within 30 days after the date of service of the written decision on the employee.

"(c)(1) When a Disciplinary Appeals Board convenes to consider an appeal in a case under this section, the board, before proceeding to consider the merits of the appeal, shall determine whether the case is properly before it.

"(2) Upon hearing such an appeal, the board shall, with respect to each charge appealed to the board, sustain the charge, dismiss the charge, or sustain the charge in part and dismiss the charge in part. If the deciding official is sustained (in whole or in part) with respect to any such charge, the board shall—

- "(A) approve the action as imposed;
- "(B) approve the action with modification, reduction, or exception; or
- "(C) reverse the action.

"(3) A board shall afford an employee appealing an adverse action under this section an opportunity for an oral hearing. If such a hearing is held, the board shall provide the employee with a transcript of the hearing.

"(4) The board shall render a decision in any case within 45 days of completion of the hearing, if there is a hearing, and in any event no later than 120 days after the appeal commenced.

"(d)(1) After resolving any question as to whether a matter involves professional conduct or competence, the Secretary shall cause to be executed the decision of the Disciplinary Appeals Board in a timely manner and in any event in not more than 90 days after the decision of the Board is received by the Secretary. Pursuant to the board's decision, the Secretary may order reinstatement, award back pay, and provide such other remedies as the board found appropriate relating directly to the proposed action, including expungement of records relating to the action.

"(2) If the Secretary finds a decision of the board to be clearly contrary to the evidence or unlawful, the Secretary may—

- "(A) reverse the decision of the board, or

"(B) vacate the decision of the board and remand the matter to the Board for further consideration.

"(3) If the Secretary finds the decision of the board (while not clearly contrary to the evidence or unlawful) to be not justified by the nature of the charges, the Secretary may mitigate the adverse action imposed.

"(4) The Secretary's execution of a board's decision shall be the final administrative action in the case.

"(e) The Secretary may designate an employee of the Department to represent management in any case before a Disciplinary Appeals Board.

"(f)(1) A section 4104(1) employee adversely affected by a final order or decision of a Disciplinary Appeals Board (as reviewed by the Secretary) may obtain judicial review of the order or decision.

"(2) In any case in which judicial review is sought under this subsection, the court shall review the record and hold unlawful and set aside any agency action, finding, or conclusion found to be—

"(A) arbitrary, capricious, an abuse of discretion, or otherwise not in accordance with law;

"(B) obtained without procedures required by law, rule, or regulation having been followed; or

"(C) unsupported by substantial evidence.

"§ 4263. Other adverse actions

"(a) The Secretary shall prescribe by regulation procedures for the consideration of grievances of section 4104(1) employees arising from adverse personnel actions in which each action taken either—

"(1) is not a major adverse action; or

"(2) does not arise out of a question of professional conduct or competence.

Disciplinary Appeals Boards shall not have jurisdiction to review such matters, other than as part of a mixed case (as defined in section 4262(a)(3) of this title).

"(b) In the case of an employee who is a member of a collective bargaining unit under chapter 71 of title 5, the employee may seek review of an adverse action described in subsection (a) either under the grievance procedures provided through regulations prescribed under subsection (a) or through grievance procedures determined through collective bargaining, but not under both. The employee shall elect which grievance procedure to follow. Any such election may not be revoked.

"(c)(1) In any case in which charges are brought against a section 4104(1) employee which could result in a major adverse action and which do not involve professional conduct or competence, the employee is entitled to the same notice and opportunity to answer with respect to those charges as provided in subparagraphs (A) and (B) of section 4262(b)(1) of this title.

"(2) In any other case in which charges are brought against a section 4104(1) employee, the employee is entitled to—

"(A) an advance written notice stating the specific reason for the proposed action, and

"(B) a reasonable time to answer orally and in writing and to furnish affidavits and other documentary evidence in support of the answer.

"(d) Grievance procedures prescribed under subsection (a) shall include the following:

"(1) A right to formal review by an impartial examiner within the Department of Veterans Affairs, who, in the case of an adverse action arising from a question of professional conduct or competence, shall be selected from the panel designated under section 4264 of this title.

"(2) A right to a prompt report of the findings and recommendations by the impartial examiner.

"(3) A right to a prompt review of the examiner's findings and recommendations by an official of a higher level than the official who decided upon the action. That official may accept, modify, or reject the examiner's recommendations.

"(e) In any review of an adverse action under the grievance procedures prescribed under subsection (a), the employee is entitled to be represented by an attorney or other representative of the employee's choice at all stages of the case.

"§ 4264. Disciplinary Appeals Boards

"(a) The Secretary shall from time to time appoint boards to hear appeals of major adverse actions described in section 4262 of this title. Such boards shall be known as Disciplinary Appeals Boards. Each board shall consist of three employees of the Department, each of whom shall be of the same grade as, or be senior in grade to, the employee who is appealing an adverse action. At least two of the members of each board shall be employed in the same category of position as the employee who is appealing the adverse action. Members of a board shall be appointed from individuals on the panel established under subsection (d).

"(b)(1) In appointing a board for any case, the Secretary shall designate one of the members to be chairman and one of the members to be secretary of the board, each of whom shall have authority to administer oaths.

"(2) Appointment of boards, and the proceedings of such boards, shall be carried out under regulations prescribed by the Secretary. A verbatim record shall be maintained of board hearings.

"(c)(1) Notwithstanding sections 3301 and 4132 of this title, the chairman of a board, upon request of an employee whose case is under consideration by the board (or a representative of that employee) may, in connection with the considerations of the board, review records or information covered by those sections and may authorize the disclosure of such records or information to that employee (or representative) to the extent the board considers appropriate for purposes of the proceedings of the board in that case.

"(2) In any such case the board chairman may direct that measures be taken to protect the personal privacy of individuals whose records are involved. Any person who uses or discloses a record or information covered by this subsection for any purpose other than in connection with the proceedings of the board shall be fined not more than \$5,000 in the case of a first offense and not more than \$20,000 in the case of a subsequent offense.

"(d)(1) The Secretary shall provide for the periodic designation of employees of the Department who are qualified to serve on Disciplinary Appeals Boards. Those employees shall constitute the panel from which board members in a case are appointed. The Secretary shall provide (without charge) a list of the names of employees on the panel to any person requesting such list.

"(2) The Secretary shall announce periodically, and not less often than annually, that the roster of employees on the panel is available as described in paragraph (1). Such announcement shall be made at Department medical facilities and through publication in the Federal Register. Notice of a name being on the list must be provided at least 30 days before the individual selected may serve on a Board or as a grievance examiner. Employ-

ees, employee organizations, and other interested parties may submit comments to the Secretary concerning the suitability for service on the panel of any employee whose name is on the list.

"(3) The Secretary shall provide training in the functions and duties of Disciplinary Appeals Boards and grievance procedures under section 4263 of this title for employees selected to be on the panel."

(b) CONFORMING REPEAL.—(1) Section 4110 of title 38, United States Code, is repealed.

(2) The table of sections at the beginning of chapter 73 of such title is amended by striking out the item relating to section 4110.

(c) CLERICAL AMENDMENTS.—The table of sections at the beginning of chapter 74 of title 38, United States Code, as added by section 101, is amended—

(1) by inserting before the item relating to subchapter III the following:

"SUBCHAPTER II—COLLECTIVE BARGAINING AND PERSONNEL ADMINISTRATION

"4231. Personnel administration: in general.

"4232. Collective bargaining.

"4233. Personnel administration: full-time employees."; and

(2) by adding at the end the following:

"SUBCHAPTER V—GRIEVANCE PROCEDURES

"4261. Adverse actions: section 4104(1) employees.

"4262. Major adverse actions involving professional conduct or competence.

"4263. Other adverse actions.

"4264. Disciplinary Appeals Boards."

SEC. 203. DEADLINE FOR REGULATIONS.

The Secretary of Veterans Affairs shall prescribe regulations under subchapter V of chapter 74 of title 38, United States Code (as added by section 202), not later than 180 days after the date of the enactment of this Act. Such regulations shall be published in the Federal Register for notice-and-comment not less than 30 days before the day on which they take effect.

SEC. 204. PRESERVATION OF EXISTING COLLECTIVE-BARGAINING ARRANGEMENTS AND PENDING ACTIONS.

(a) EXISTING COLLECTIVE-BARGAINING ARRANGEMENTS.—Any determination under chapter 71 of title 5, United States Code, of a collective bargaining unit within the Veterans Health Services and Research Administration of the Department of Veterans Affairs, and any recognition under that chapter of an employee labor organization as the exclusive bargaining representative for employees in a collective bargaining unit of the Department of Veterans Affairs, that is in effect on the date of the enactment of this Act shall not be affected by the amendments made by this Act and shall continue in effect in accordance with the terms of such determination or regulation.

(b) PENDING CASES.—With respect to cases pending on the date of the enactment of this Act, or those cases which are brought before the establishment of either an administrative grievance procedure pursuant to section 4263 of title 38, United States Code (as added by the amendments made by this title), or a negotiated grievance procedure established under a collective bargaining agreement, such cases shall proceed in the same manner as they would have if this Act had not been enacted.

TITLE III—MISCELLANEOUS

SEC. 301. AMENDMENTS TO PROVISIONS ENACTED BY THE DEPARTMENT OF VETERANS AFFAIRS NURSE PAY ACT OF 1990.

(a) SAVINGS PROVISION.—Physician assistants and expanded-function dental auxili-

aries shall continue to be paid after August 14, 1990, according to the Nurse Schedule in section 4107(b) of title 38, United States Code, as in effect on August 14, 1990, until the effective date of a determination by the Secretary to convert those occupations to "covered positions" and pay them pursuant to section 4141 of such title.

(b) **CONFORMING AMENDMENT.**—Section 4107(f) of title 38, United States Code, is amended by striking out "shall be compensated by use of Nurse Schedule grade titles and related pay ranges and" in the first sentence.

(c) **CHIEF MEDICAL DIRECTOR AUTHORITY.**—Section 4141(d) of such title is amended—

(1) in paragraph (1)(B), by inserting "or the Chief Medical Director, with respect to covered Regional and Central Office employees in that grade," before "determines";

(2) in paragraph (3)—

(A) by redesignating subparagraph (C) as subparagraph (D) and by inserting "or Chief Medical Director" in that subparagraph after "facility"; and

(B) by inserting after subparagraph (B) the following:

"(C) The Chief Medical Director shall prescribe regulations providing for the adjustment of the rates of basic pay for Regional and Central Office employees in covered positions in order to assure that those rates are sufficient and competitive."; and

(3) in paragraph (4), by inserting "or the Chief Medical Director with respect to Regional and Central Office employees," in the first sentence after "facility" the first place it appears.

(d) **INCLUSION OF CERTAIN TITLE 5 EMPLOYEES.**—Section 4141(a)(3) of such title is amended by inserting "or chapter 53 of title 5" before the period at the end.

(e) **TECHNICAL AMENDMENT.**—Section 4142(a)(3) of such title is amended by striking out "appointed" and inserting in lieu thereof "paid".

(f) **EFFECTIVE DATE.**—Section 104(a)(2) of Public Law 101-366 is amended by inserting "the first day of the first pay period beginning after" before "April 1, 1991".

SEC. 302. EXTENSION OF ANNUAL REPORT ON FURNISHING NON-SERVICE-CONNECTED HEALTH CARE.

Section 1901(e)(1) of the Veterans' Health Care Amendments of 1986 (38 U.S.C. 610 note) is amended by striking out "each of" and all that follows through "1989" and inserting in lieu thereof "each fiscal year through fiscal year 1991".

SEC. 303. CONDITIONS OF EMPLOYMENT OF MEDICAL EMPLOYEES.

(a) **FULL-TIME EMPLOYEES.**—Section 4233 of title 38, United States Code, as added by section 201(a), is amended by adding at the end the following new subsection:

"(e) A person appointed as a full-time employee of the Veterans Health Services and Research Administration under this title may (notwithstanding any other provision of law) receive and retain amounts (or any other thing of value) paid to that person for an appearance, speech, or article, so long as the appearance, speech, or article does not create a conflict of interest or an appearance of a conflict of interest."

(b) **PART-TIME EMPLOYEES.**—Section 4114 of title 38, United States Code, is amended by adding at the end the following new subsection:

"(h) A person appointed as an employee of the Veterans Health Services and Research Administration on a part-time basis may (notwithstanding any other provision of law) receive and retain amounts (or any other

thing of value) paid to that person for an appearance, speech, or article, so long as the appearance, speech, or article does not create a conflict of interest or an appearance of a conflict of interest."

SEC. 304. ADMINISTRATIVE REORGANIZATION AUTHORITY.

Section 210(b)(2) of title 38, United States Code, is amended—

(1) in subparagraph (A), by striking out the second and third sentences and inserting in lieu thereof the following: "No action to carry out such reorganization may be taken after the submission of such report until the end of a 90-day period of continuous session of Congress following the date of the submission of the report. For purposes of the preceding sentence, continuity of a session of Congress is broken only by an adjournment sine die, and there shall be excluded from the computation of such 90-day period any day during which either House of Congress is not in session during an adjournment of more than three days to a day certain.";

(2) by striking out subparagraph (B) and inserting in lieu thereof the following:

"(B) An administrative reorganization described in this subparagraph is an administrative reorganization of a covered field office or facility that involves a reduction during any fiscal year in the number of full-time equivalent employees with permanent duty stations at such office or facility—

"(i) by 15 percent or more; or

"(ii) by a percent which, when added to the percent reduction made in the number of such employees with permanent duty stations at such office or facility during the preceding fiscal year, is 25 percent or more.";

(3) in subparagraph (C)—

(A) by inserting "administrative" before "reorganization" the first place it appears;

(B) by striking out "the reorganization" after "applies to" and inserting in lieu thereof "an administrative reorganization";

(C) by striking out "more than 25 but less than 100 employees" and inserting in lieu thereof "30 or more employees"; and

(D) by striking out "in such unit—" and all that follows and inserting in lieu thereof "in such unit by 50 percent or more."; and

(4) in subparagraph (D)—

(A) by adding at the end of clause (i) the following new sentence: "Such term does not include a consolidation or redistribution of functions at a covered field office or facility, or between components of the Veterans Benefits Administration and the Veterans Health Services and Research Administration at a Department medical and regional office center, if after the consolidation or redistribution the same number of full-time equivalent employees continues to perform the affected functions at that field office, facility, or center.";

(B) by striking out clause (ii); and

(C) by redesignating clauses (iii) and (iv) as clauses (ii) and (iii), respectively.

SEC. 305. SALARY OF JUDGES OF UNITED STATES COURT OF VETERANS APPEALS.

(a) **IN GENERAL.**—Subsection (e) of section 4053 of title 38, United States Code, is amended to read as follows:

"(e) The judges of the court shall each receive a salary at the same rate as is received by judges of the United States Court of Military Appeals."

(b) **EFFECTIVE DATE.**—The amendment made by subsection (a) shall take effect on the first day of the first pay period beginning after the date of the enactment of this Act.

SEC. 306. TECHNICAL AMENDMENTS.

(a) **SECTION 3202.**—Section 3202(d) of title 38, United States Code, is amended by strik-

ing out "an inmate" and inserting in lieu thereof "a patient".

(b) **SUBCHAPTER HEADING.**—(1) The heading of subchapter II of chapter 85 of such title is amended by striking out "INMATE" and inserting in lieu thereof "PATIENT".

(2) The item relating to such subchapter heading in the table of sections at the beginning of such chapter is amended by striking out "INMATE" and inserting in lieu thereof "PATIENT".

The SPEAKER pro tempore (Mr. HARRIS). Pursuant to the rule, the gentleman from Mississippi [Mr. MONTGOMERY] will be recognized for 20 minutes, and the gentleman from Arizona [Mr. STUMP] will be recognized for 20 minutes.

The Chair recognizes the gentleman from Mississippi [Mr. MONTGOMERY].

GENERAL LEAVE

Mr. MONTGOMERY. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks, and include therein extraneous material, on H.R. 598.

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

There was no objection.

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

Mr. Speaker, during the second session of the 101st Congress, many of the committee's bills that passed the House were held up in the Senate. While several measures were agreed to in principle, problems experienced in the other body prevented action on the House-passed legislation.

The bill we are considering today reflects a compromise agreement reached between the Veterans' Affairs Committees of the House and the Senate on VA physician's and dentist's pay. This compromise contains provisions derived from H.R. 4557 and S. 2100.

In recent weeks and months, Members of the House and Senate have received thousands of letters from veterans throughout the country who are frustrated about the lack of access or delays in receiving VA care. It is no secret that many VA hospitals are having a difficult time. Our VA hospitals simply do not have the resources and staff to take care of all eligible veterans seeking specialized inpatient care, outpatient care, and long-term care.

A key part of the problem is the inability of the VA to recruit and retain highly qualified physicians, nurses, and other health care professionals who are needed to provide quality care. Something must be done about it. I believe this bill is a step in the right direction.

Mr. Speaker, the committee has heard a lot of testimony from various physician and dental organizations both within and outside the Department, concerning how overworked and underpaid these VA health care professionals are. Yet, they continue to work for the Department. They do so be-

cause they are dedicated and loyal employees. They do so because the VA, despite its problems, is still a high-quality health care delivery system and we want to keep it that way. However, we cannot continue to rely on this dedication and loyalty alone. We must make the VA a real option for medical professionals and a more competitive salary structure would go a long way toward accomplishing this goal.

On August 15, 1990, the President signed into law Public Law 101-366. This law restructured the nurse pay system within the Department in order to provide local directors with more flexibility in their efforts to recruit and retain needed nursing personnel. What we need now is a similar effort for VA physicians and dentists.

In May of last year H.R. 4557, as amended, was passed by the House. This was a bill to improve the capability of the VA to recruit and retain physicians and dentists through increases in special pay authority. As noted previously, the other body failed to act on the bill. The bill before you today contains many of the same provisions that were in H.R. 4557. It was important then that action be taken to address the VA's recruitment and retention problems and it is even more important now that the House remain steadfast in its commitment to correct them. Otherwise, the VA is going to lose some of its better physicians and will continue to have difficulty in recruiting many specialists.

Mr. Speaker, in some medical specialties and in some geographic locations, VA pay lags at least 33 percent behind comparable private sector salaries. This means that more and more physicians are leaving the VA every day and that more and more work is being contracted out to private physicians at a tremendous expense. In fiscal year 1988, the VA spent \$42 million on physician contracts for doctors the VA had been unable to recruit into specialty areas such as radiology, anesthesiology, and orthopedic surgery. This amount exceeds the Administration's request for increased physicians' and dentists' special pay in its fiscal year 1991 budget submission. More and more physicians are leaving fulltime service with the VA. Many are converting to part-time status so that they can supplement their VA salary by engaging in private practice.

Specifically, the bill would increase the amount of special pay available to some categories of physicians and dentists. It would also streamline disciplinary procedures for VA health care professionals to make the system more responsive. Finally, it contains several provisions from H.R. 5740 as passed by the House on October 15, 1990.

Mr. Speaker, this bill addresses one of the most compelling problems in VA medical care system: Attracting and keeping the dedicated, well-trained

staff that are the foundation of the VA's Veterans Health Services and Research Administration. It would provide a partial solution to the Department's current shortage of medical professionals which is critical to the VA's efforts to maintain high-quality care for our Nation's veterans. The problems with recruitment and retention of DVA medical care staff are well known. Our committee's 1988 survey of Department medical centers documented that VA medical centers are staffed at much lower levels than their community counterparts and that they suffer from unfilled vacancies across all medical professions.

This bill would help address these problems by authorizing changes in the amount of special pay for DVA physicians and dentists. As in current law, this title would provide special pay for five characteristics of employment—as applicable: First, longevity—tenure of service; second, scarce specialty; third, geographic location; fourth, executive medicine; and fifth, board certification. By increasing the amounts available for these types of special pay and by allowing the local medical center directors the flexibility to pay only what is necessary to recruit and retain needed physicians and dentists, the bill would be less costly and more effective than a simplistic across-the-board increase.

In fact, the most significant departure from current law is the flexibility the bill would provide local directors to meet unique circumstances both for a particular physician or dentist and for certain categories of such professionals. At the committee's hearing on the recruitment and retention of physicians and dentists on October 25, 1989, Deputy Secretary Principi testified that the DVA supported the idea of providing the local director with flexibility to make the necessary determinations in hiring needed medical professionals. At that hearing, the committee received additional testimony supporting the need for the maximum amount of flexibility at the local managerial level. The committee strongly believes that directors should have the flexibility to use the special pay authority as an incentive for DVA employment.

The committee has stated previously, and I want to reemphasize its intention, that this flexibility not be circumvented. Under current law, the Secretary "may pay no more than" certain amounts for the different special pay factors. The bill before you today clearly addresses this issue. It provides that the local director would determine the amounts of scarce specialty and geographic special pay. This was a major concern of the committee since we wish to provide as much local flexibility as possible. It should be noted that only with length of service special pay does the bill follow current law and vest the chief medical director

with the authority to set uniform national rates.

In the past, departmental regulations have significantly reduced the flexibility of the ranges provided in current law. Those regulations established a fixed amount within the range that must be paid for each special pay category. By setting a uniform regulatory amount, the regulations fail to take account of local circumstances and deprive local directors of discretion. We do not intend for the Department to pay a uniform rate of special pay to all physicians and dentists, but rather to allow the local directors to pay differing amounts to address their different needs.

Clearly, there must be greater flexibility in physicians' and dentists' special pay. Now, Mr. Speaker, I realize that there may be some who are concerned that this increased flexibility will cause professional pay to increase beyond what is needed. However, the bill contains safeguards. For example, the bill would provide a check against unwarranted increases by requiring any individual request for an increase of over 50 percent of the previous year's amount of special pay to be submitted to the Secretary. The request would have to be disapproved within 60 days or it would take effect. This would provide the Department with the necessary authority to deny unreasonable and unwarranted requests for increased amounts of special pay. Let me clarify, Mr. Speaker, that this check on special pay increases is not intended to apply to central office physicians performing executive functions, including outstationed physicians. On the other hand, the bill would provide a measure of protection for physicians and dentists. It would do so by providing that if the total amount of special pay would be reduced by more than 25 percent of the previous year's amount then the request would have to be submitted to the Secretary.

One final check is that any special pay request that would raise a physician's or dentist's total pay over the executive level I threshold would have to be submitted to VA central office [VACO]. This submission requirement would cover all salary requests, including those physicians and dentists serving in the central office. Once again, such a request would have to be disapproved by the Secretary within 60 days or it would automatically take effect. The committee does not intend for this dollar threshold or additional check to be used as a cap for physicians' or dentists' pay. The Secretary would exceed the authority granted in this measure if he were to deny a special pay request on the basis that it exceeds this threshold. This check is intended to be used as a device by which the Secretary would monitor the upper levels of pay, and disapproval would be permissible only upon a Secretarial

finding that a proposed special pay amount is not necessary to recruit or retain the particular physician or dentist. To ensure that this check is not to be used as a means by which to cap salaries, the committees have decided to sunset this submission requirement.

The bill also changes current law by allowing part-time physicians and dentists, who work one-quarter or three-eighths time, to be eligible for special pay. Under current law, only those part-time physicians and dentists who are employed at least half-time with the Department can receive special pay. The bill would authorize payment of special pay to those medical professionals working less than half-time when the chief medical director determines that such payment is the most cost effective way for providing the needed services.

Mr. Speaker, it does not make sense that the VA should be forced to contract out for physicians and dentists, at a much higher cost, when they might be able to attract a part-time physician through the use of special pay. As I stated before, many of the VA's hospitals are being forced to contract out for needed services at great expense to the VA. For example, the Seattle Medical Center spent over \$1 million on anesthesiology contracts in fiscal year 1990. Also, the St. Louis Medical Center has spent approximately \$2.4 million during the same fiscal year on radiology contracts. Mr. Speaker, these are not isolated examples, but rather reflect the current salary crisis throughout the VA.

Mr. Speaker, I want to take this opportunity to explain how the committee's emphasis on flexibility relates to the various provisions of the bill.

Current law limits the amount of longevity pay for full-time physicians to a maximum amount of up to \$3,000 after 8 years of service and does not provide a minimum amount that must be paid. The amounts available under existing law, however, are insufficient and do not provide enough of a retention incentive for VA physicians considering outside employment opportunities. At the committee's hearing in October 1989, witnesses testified that the Department loses many of its physicians with 4 to 6 years of experience because their compensation from VA is not competitive with those of their peers in academic medicine and the private sector. If this trend continues, we are going to have fewer experienced physicians to take over our critical leadership positions in the future. This provision addresses the problem by increasing both the minimum and maximum amounts of longevity special pay available. By increasing the amount of special pay available, especially in the earlier years, and allowing the facility director the flexibility to meet unique situations, it is the committee's intent to curb the flow of less senior physi-

cians from the VA and to reward physicians whose experience and seniority contribute significantly toward the high quality of care provided in the VA medical care system.

Similarly, the bill increases the local director's flexibility to pay scarce specialty pay. Under current law, the chief medical director must determine which specialties are scarce within the Department. These physicians are then eligible for scarcity pay within a mandated pay range. However, as stated previously, VA regulations have restricted flexibility by setting a specific amount that may be paid to each of the scarce specialties. The committee believes that the Department should pay what it takes to recruit physicians in these specialties and no more. We expect that there would be differences in the amounts of special pay offered to physicians within a given specialty, even at the same facility, because in some geographic areas it will cost more to hire a physician in that specialty and, conversely, in some areas it will cost less. Paying everyone the same amount is an unwise and ineffective use of limited resources.

The bill would also address the problem of local scarcity. Not all vacancies at a medical center are reflective of a national scarcity; some are unique to specific locations. In these instances, we expect that local directors would identify those specialties that are extraordinarily difficult to recruit and retain at their facility, though not necessarily at the national level. The committee intends that the local director would request authority from the Secretary to pay scarce special pay in these specialties. The committee intends that the use of this authority would be allowed in those instances where geographic special pay was not sufficient to meet the local need to recruit and retain physicians in a locally scarce specialty.

Let me state again the importance of retaining the flexibility provided in the bill. For purposes of paying scarce specialty and geographic location special pay, the local directors could offer amounts up to the maximum amount allowable in order to meet their recruitment and retention needs.

Mr. Speaker, this bill also contains several provisions applicable to certain health care professionals. These provisions would authorize collective bargaining as to certain working conditions and provide for a revision of disciplinary procedures, including a negotiated grievance process.

For many years, the VA and the employee unions have litigated over the scope of collective bargaining for health care professionals appointed under title 38. This culminated in the case of Colorado Nurses Association versus Federal Labor Relations Authority in which the courts decided that title 38 employees did not have

any collective bargaining rights. It had long been the VA's position that certain areas were exempt from collective bargaining because provisions of law granted the VA's Administrator—now Secretary—exclusive authority over them. These areas related principally to patient care, disciplinary actions, professional peer review, and employee compensation. The committee shares the view that the VA must have unfettered authority in these areas and complete accountability for the care of its patients.

However, the committee and the Department believe that some conditions of employment should be subject to collective bargaining and the provisions found in title II of the bill reflect the efforts of the Department and the employee unions to come to agreement on what areas are grievable and what areas are not. Both sides are pleased with the provisions in title II and the committee appreciates the efforts of these and other interested groups and their support of the bill.

Title II of the bill would provide for an improved system to govern the disciplining of VA physicians, dentists, nurses, and other specified health care personnel. The bill would distinguish for the first time between procedures to govern the handling of major versus lesser adverse personnel actions affecting these employees. Those lesser cases—that is, those not arising out of a question of professional conduct or competence, or not a major adverse action—would be subject to grievance procedures developed by the Secretary or through grievance procedures determined through collective bargaining.

Mr. Speaker, I take this opportunity to clarify a relatively technical point. New section 4261(d) would provide that issues of whether a matter or question concerns or arises out of professional conduct or competence are not subject to any grievance procedure provided by law, regulation, or collective bargaining, and may not be reviewed by any other agency. This section is consistent with new section 4232 (b), (d), which reserves exclusively to the Secretary the power to determine whether a matter concerns, first, professional conduct or competence; second, peer review; or third, the establishment, determination, or adjustment of employee compensation under title 38, and excludes determinations concerning such matters from collective bargaining—including grievance procedures pursuant to such collective bargaining—and from review by any agency other than VA. Although new section 4261(d) does not specifically mention peer review or compensation matters, the committee does not intend to authorize either grievance procedures or outside review to extend to these matters which section 4232 (b), (d) excludes from collective bargaining.

Additionally, the bill would resolve concerns provoked by provisions of the Ethics Reform Act of 1989. Under the act, Federal employees are prohibited from accepting payments for articles, speeches, or appearances as of January 1, 1991. There is growing recognition that this sweeping prohibition is not warranted and yet its impact on the VA is likely to be severe. In almost all universities, honoraria and royalties are regarded as both appropriate and desirable sources of income for the individual, as long as no conflict of interest is present. The law's ban will clearly discourage from VA employment the very specialists and academicians that VA hopes to recruit and retain. This prohibition would have a particularly negative impact on the Department's ability to recruit and retain needed part-time physicians; such part-time medical staff allow the VA to employ personnel for medical subspecialties where there may be insufficient workload to justify a full-time staff member or where the cost to contract for such care would be very expensive.

Mr. Speaker, if part-time physicians in critical subspecialties are penalized by being denied fees that they would otherwise collect while not on duty with the VA, many will seek employment elsewhere. With staffing levels already low in some specialties, the Department cannot afford to lose any critical personnel.

Mr. Speaker, this bill would exempt employees of the Department's Veterans Health Services and Research Administration from the restrictions contained in the Ethics Reform Act of 1989. However, the bill provides an important safeguard. It clearly states that receipt of outside payments must not create a conflict of interest or the appearance of a conflict of interest. Mr. Speaker, in keeping with the aim of providing the Department with greater flexibility to meet critical needs, this bill seeks to provide a measure of flexibility to VA in carrying out administrative reorganizations. The need for such changes was highlighted by VA's experience in attempting to reorganize the structure of its medical regions by reducing the number of regions from seven to four. As with any changes, there were some difficulties with the reorganization. This bill addresses some of those problems by relaxing existing restrictions on reorganizations and allowing the Secretary more flexibility to manage the Department efficiently.

First, it would allow the Secretary to submit plans for reorganizations at any time during the year. Currently, these plans must be presented along with the Department's budget submissions.

Second, it would revise the definition of an administrative reorganization subject to the law's reporting requirements. It would do so by increasing the percentages of the number of employ-

ees that would be affected by a reorganization. It would also revise the circumstances under which VA central office reorganizations are reported.

Third, it would authorize reorganizations in place without any advance notice. These reorganizations do not change the number of employees or the work that they do. The only change is one in which the bureau, agency, or office management control changes.

Mr. Speaker, it is important to note that these changes do not reflect a lack of interest on the committee's part regarding VA's internal operations. Rather these changes are intended to provide the Secretary the necessary flexibility to operate the Department effectively. I believe that these provisions provide the Secretary with the flexibility that he needs to carry out his mission.

Mr. Speaker, the provisions in this bill are very important to the vitality of the VA's health care system. I believe it will provide the Department with the necessary tools which are critical to realizing our goal of quality medical care for our veterans.

Mr. Speaker, as stated previously, the bill we are considering today reflects a compromise agreement reached between the Veterans' Affairs Committees of the House and the Senate.

Mr. Speaker, I want to thank the ranking minority member of the committee, BOB STUMP, and JOHN PAUL HAMMERSCHMIDT, the ranking minority member on the Hospitals and Health Care Subcommittee, for their cooperation in working out this compromise with the other body.

I would also like to thank the distinguished gentleman from Georgia [Mr. ROWLAND] for his assistance in working out this compromise. His medical background and clinical experience were of great value to us.

Finally, I want to thank the Members of the other body for their cooperation, Senators ALAN CRANSTON, chairman of the Senate Veterans' Affairs Committee, and FRANK MURKOWSKI, of Alaska, the ranking minority member.

I urge my colleagues to support the bill.

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

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

Mr. Speaker, I rise in support of H.R. 598, as amended, a bill for improved VA physicians' and dentists' special pay and for other purposes.

Our chairman, SONNY MONTGOMERY, has explained the basic provisions of the bill, and I am going to defer to the distinguished ranking member of the Subcommittee on Hospitals and Health Care, JOHN PAUL HAMMERSCHMIDT, for any further remarks he may care to make on the bill's substance. My good friends from Mississippi and Arkansas are continuing to follow up on issues of

critical importance to the VA's health care system when its capabilities may well become vital to our national security.

SONNY MONTGOMERY, Dr. ROY ROWLAND, and JOHN PAUL HAMMERSCHMIDT deserve our Nation's deepest gratitude for all that they have done, including this legislation, for our men and women in uniform and for our veterans of wars past.

Mr. Speaker, my colleagues are urged to give H.R. 598 their approval at a moment when support for our veterans and our military forces in Operation Desert Storm is of paramount importance.

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

Mr. HAMMERSCHMIDT. Mr. Speaker, I join my colleagues today in support of H.R. 598, the Department of Veterans Affairs Physicians' and Dentists' Compensation and Labor-Relations Act of 1991. This bill contains many of the same provisions of H.R. 4557, as amended, which was passed by the House in the 101st Congress. Furthermore, H.R. 598 is a compromise piece of legislation, supported by both the House and Senate Committees on Veterans' Affairs.

The 101st Congress was successful in clearing H.R. 1199, the DVA Nurse Pay Act for the President's signature. It is only fitting that we commence the 102d Congress by passing legislation which establishes vital improvements in the pay structure of DVA physicians and dentists, as well as providing for improved grievance procedures for title XXXVIII employees. These are all necessary components to enhance the recruitment and retention efforts of the DVA.

The current pay structure has perpetuated a staffing shortage in DVA hospitals of immense proportion. The DVA finds it increasingly difficult to compete with the private sector as the disparity in basic pay continues to grow. H.R. 598 provides relief by increasing the amounts of special pay available for physicians, dentists, and other dedicated health care professionals.

This bill further provides for local flexibility for directors of DVA medical centers by allowing them to set the amounts of special pay within given ranges. It was the judgment of both the House and Senate Committees on Veterans' Affairs that the pay levels outlined in H.R. 598 are sufficient to adequately compensate DVA physicians and dentists. To set these pay levels any lower would defeat the purpose of the bill.

Finally, H.R. 598 reaffirms DVA employees' rights, as Federal employees, to collective bargaining, as well as sets regulations for hours, conditions of employment, and leaves of absence. This bill also exempts DVA Veterans' Health Service and Research Administration employees from the Ethics Reform Act of 1989, thus allowing them to accept honoraria.

As we face inevitable casualties and injuries from our involvement in the Persian Gulf, our DVA hospitals must be prepared to give the highest quality of care by top-notch professionals. H.R. 598 is certainly a substantial step in attracting skilled medical professionals

to provide our Nation's deserving veterans, old and young, with the best possible care.

Mr. MONTGOMERY. Mr. Speaker, I yield such time as he may consume to the gentleman from Georgia [Mr. ROWLAND], a member of the Veterans' Affairs Committee.

Mr. ROWLAND. Mr. Speaker, I thank the chairman for yielding this time to me, and also thank him for bringing this legislation to the floor. I thank the ranking minority member, the gentleman from Arizona, Mr. STUMP, and the gentleman from Arkansas, Mr. JOHN PAUL HAMMERSCHMIDT, ranking minority member on the Hospitals and Health Care Subcommittee, for the work that they have done on this legislation.

Mr. Speaker, our VA health care centers have been trying to cope with shortages of physicians and dentists for a number of years. We have not provided special pay to recruit and retain physicians and dentists in the VA system for more than a decade. As a result, VA centers have been getting by as best they can. But the situation is getting more critical every day.

At last count, the VA system had more than 500 vacancies out of the some 7,000 full-time physician positions. This does not count the many positions that are filled by contracting out or by retaining part-time physicians.

The Carl Vinson VA Medical Center in Dublin, GA, in my congressional district, has five vacancies out of a full-time physician staff of 38. Three of those positions have been filled with contract physicians, two remain unfilled.

This is not an efficient way to operate. It costs twice as much to retain physicians on a contract basis as it does to employ them on a full-time basis. Contracting out also does not provide the kind of stability we need at our VA Hospitals and stability is a must. These hospitals will probably be needed even more, due to the war in the gulf.

H.R. 598 provides for special pay increases to VA physicians and dentists based on such factors as length of service, level of responsibility, and prevailing area pay levels. It also establishes new procedures for dealing with employee grievances. It is a bill that provides the kind of reform that has long been needed.

Mr. Speaker, this bill is essential if we are to fulfill the promise of quality health care that we have given our veterans.

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

Mr. ROWLAND. Mr. Speaker, I yield to the gentleman from Mississippi.

Mr. MONTGOMERY. The gentleman makes an excellent point that I would like to follow up on. We are getting

some casualties now over in the Persian Gulf, and as the primary backup for our military medical hospitals, and I hope we do not have any more wounded, but if we do, they will come back to our VA health care facilities around the country. Eighty Veterans Department hospitals are on alert now. Beds are available to receive those wounded. We all hope we do not have to use them, but certainly we have to be prepared. My point is that with this legislation we are talking about, we can keep the quality and get more quality in our veterans' hospitals with health care professionals, not only doctors and nurses, but technicians. We can give better service to our veterans, plus our new veterans in combat in that faraway place in Saudi Arabia and Kuwait.

Mr. ROWLAND. Mr. Speaker, the gentleman is exactly right. We have been having difficulty for a good many years now in trying to continue to provide the quality of care that is due our veterans, and have been able to do that only because of the dedication of the people that work in the VA.

As the gentleman pointed out, veterans who may be coming back who have been wounded, and we hope there are not many, but it is quite possible that many would have to come to the VA.

I think it is important that we get prepared for this, and not let the horse leave the barn and find anyone lacking severely in being able to supply the kind of care that is needed for the brave men and women who are now defending our freedom and the freedom of the entire world in the Persian Gulf area.

Mr. CONTE. Mr. Speaker, I rise in support of H.R. 598.

Mr. Speaker, thunderous applause filled this Chamber last night in demonstration of our support for our troops overseas. Let there be no mistake: this Congress stands behind our servicemen and servicewomen all the way.

The brave young men and women who risk everything on behalf of their country deserve our continued support, long after they return home from the fields of war and the deserts of battle. This is as true for our veterans of World War II, Korea, Vietnam and other engagements as it is for our valiant forces in the Persian Gulf.

Mr. Speaker, passage of the bill before us will help strengthen the hospital system of the Department of Veterans Affairs. This system provides medical care to our veterans and may be called upon to treat Persian Gulf casualties as well.

The biggest problem faced by the VA hospitals is their inability to compete with the private sector for qualified health care professionals. Last year, we passed a special pay act to attract nurses to the system. Today's companion bill will provide for scales of special pay for physicians and dentists.

Mr. Speaker, the medical professionals in the VA system are among the Federal Government's brightest stars. These dedicated men and women sacrifice a great deal in the

service of our veterans. For many, the sacrifice is too great, and they cannot afford to enter or remain in the system. H.R. 598 will permit the payment of more competitive salaries to VA doctors and dentists and will help reduce the private sector's overwhelming competitive advantage over the VA in the recruitment of medical professionals.

Mr. Speaker, I find myself once again indebted to my dearest of friends, the wise and honorable gentleman from Mississippi, Chairman SONNY MONTGOMERY. His dedication to the care of our veterans knows no bounds. My esteemed and learned colleague, the Republican chairman of the House Committee on Veterans' Affairs, the Honorable BOB STUMP, is also to be commended for his exacting work on this and all veterans' legislation.

Mr. Speaker, this is a sensible, fair and necessary bill. I urge my colleagues to vote "aye".

Mr. MILLER of Ohio. Mr. Speaker, I rise in support of this worthy legislation—H.R. 598—and I want to take this opportunity to commend the chairman of the Veterans Affairs Committee and the minority leadership on that committee for bringing to the House a bill designed to improve the quality of health care for our Nation's veterans.

With the Nation's attention rightfully focused on events in the Persian Gulf, interest in our veterans—those brave Americans who have served in previous conflicts—has increased, as well. Those veterans needing medical attention deserve nothing less than the best care which can be provided by the Department of Veterans Affairs. VA medical facilities must be responsive. They must be well staffed by those best qualified to give excellent care and service to veterans and their dependents.

The VA medical system must compete for highly professional and well trained care providers. The record shows that the need to recruit and retain quality doctors and dentists for our military forces and veterans is overwhelming. Without the pay incentives and increases included in this measure, the public sector—the VA facilities—will lose out, again, to the private sector. The veteran will lose, and we—as a society—cannot afford to let that happen. There are limits on the use of special pay. This bill does not open up a fiscal floodgate. It gives us the means to bring equity to pay for those expected to care for our veterans. This is a matter of fairness. The bill deserves approval. I urge the House to approve it.

Mr. GILMAN. Mr. Speaker, I am pleased to rise in support of H.R. 598, the Physicians' and Dentists' Pay Amendments and Labor Relations Act.

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

H.R. 598 is intended to enhance the Department of Veterans Affairs' ability to recruit and retain quality physicians, dentists, and other health-care professionals. This measure authorizes the Department of Veterans Affairs to increase special pay for medical professionals in order to make DVA's salaries more competitive with the private sector, as well as sets limitations on the use of this special pay.

Mr. Speaker, veterans health care must not be neglected. There are flaws in the health care programs that need to be corrected. H.R. 598 attempts to resolve many of the difficulties the DVA has with recruiting and retaining physicians and dentists.

This measure sets regulations for hours, conditions of employment, and leaves of absence for various medical professionals and medical support personnel serving the DVA. Additionally, H.R. 598 establishes avenues and procedures by which full-time permanent employees may appeal adverse personnel action.

Mr. Speaker, now, more than ever, the quality of health care for our Nation's veterans must not deteriorate. H.R. 598 takes the necessary steps needed in providing the health care our veterans deserve.

Accordingly, I fully support this measure, and urge my colleagues to vote in favor of it.

Mr. HARRIS. Mr. Speaker, I rise to express my strong support for House Resolution 598, the Department of Veterans Affairs Physicians' and Dentists' Compensation and Labor-Relations Act of 1991. This bill will reform the compensation rates for physicians and dentists who serve our Nation's veterans in VA medical centers.

I believe this bill is vitally important to our veterans, because it will assure that specialized health care professionals remain an integral part of the VA medical system. Without this pay reform, I believe many physicians and dentists would leave the system. The ultimate price would be paid by our veterans when specialists are no longer available to perform surgery such as orthopedic reconstructive surgery.

The measure authorizes the medical directors at VA facilities to create special pay incentives for those physicians and dentists who are most in demand. These special pay rates will be both flexible and responsive to individual situations throughout the medical system. As you may be aware, many of our specialists are part-time employees. This bill exempts these medical professionals from the Ethics Reform Act of 1989, allowing them to maintain their private practice as well as provide specialized medical service to our veterans. Without this exemption, many of these specialists would choose to pursue full-time employment in the private sector. In addition, this exemption acts as a valuable recruitment incentive.

Last year the House VA Committee drafted similar legislation which was overwhelmingly supported by the House of Representatives. Unfortunately, the other body did not act upon the issue before adjournment. I am hopeful that this bill will be favorably received by the Senate VA Committee to ensure quick passage of this bill. Our veterans need assurance that the VA medical system will continue to run efficiently with high quality personnel. I urge my colleagues to support its passage.

Mr. SMITH of New Jersey. Mr. Speaker, I rise in support of H.R. 598, the Physicians' and Dentists' Compensation and Labor-Relations Act of 1991. H.R. 598 improves the working conditions for VA health care professionals and provides more flexibility in pay rates for workers.

H.R. 598 provides pay increases for VA health care workers and targets the increases

to those areas in greatest need. Under the legislation, special pay can be awarded to professionals with exceptional qualifications, or concentrated in areas where recruitment and retention is a particular problem. Additionally, H.R. 598 gives more authority to VA medical center directors to adjust pay to address the unique difficulties their institution may face.

H.R. 598 also makes changes to allow health care professionals to accept honoraria for work outside the VA. Currently, VA workers are not permitted to accept honoraria and it is believed that this policy makes it more difficult for the VA to recruit and retain well qualified professionals.

Mr. Speaker, this legislation is very important in order to maintain the delivery of quality care to veterans. Compounding the real need for this legislation is the situation in the Persian Gulf, which may result in yet greater demands upon the VA for health care services.

Mr. Speaker, H.R. 598 is a good bill and I urge my colleagues to join in my support of the measure.

Mr. McGRATH. Mr. Speaker, I rise today in strong support of H.R. 598, the Physicians' and Dentists' Pay Amendments and Labor Relations Act.

Salary levels of Department of Veterans Affairs physicians and dentists were last set in 1980. The DVA faces difficulty in recruiting and retaining highly qualified physicians and dentists, especially in metropolitan areas. H.R. 598 provides the DVA with the flexibility to address the recruitment and retention problems at the local level by authorizing pay increases to professional medical staff. Under the bill, physicians and dentists will be eligible for pay increases based on factors such as length of service, level of responsibility, and service in a specialty or geographic area where there are recruitment and retention difficulties.

There are currently 20,000 DVA beds not in use today because of an acute shortage of health care personnel. With the DVA recently stating that they will accommodate Operation Desert Storm casualties, the need for qualified physicians has never been greater.

Again, I want to thank Chairman MONTGOMERY and the Veterans' Affairs Committee for their expeditious work this week. I urge my colleagues to join me in voting for H.R. 598 and send a message of support to our DVA physicians.

Ms. WATERS. Mr. Speaker, approximately 20,000 beds are no longer in use at VA hospitals, many due to a shortage of VA doctors. According to the Veterans Affairs Committee, special pay for VA physicians and dentists—intended to improve recruitment and retention of these health care workers—has not been increased since 1980. As a result, it is critical that we pass H.R. 598 to begin to address this problem.

I have spoken before about the difficult state in which our veterans' care facilities find themselves today. Funding continues to be a problem in many different areas. One of the most critical, it seems to me, is the financial inability to retain the services of qualified, competent doctors and dentists. There is certainly no shortage of demand for their services. We must see to it that the supply of caregivers matches the demand of its patients.

Chairman MONTGOMERY deserves credit for, once again, bringing attention to the plight of our veterans service systems. H.R. 598 takes steps to deal with the problem of retaining medical professionals by increasing the salary levels of VA physicians and dentists. These increases would be based on factors such as length of service, level of responsibility, and services in a specialty or geographic area where recruitment or retention is difficult.

In addition, the legislation authorizes collective bargaining and a negotiated grievance procedure for VA health care workers. Under the legislation, the VA would be required to issue regulations regarding hours, conditions of employment and leaves of absence for health care employees as well.

It is no mystery that once the war in the Persian Gulf comes to an end, hopefully sooner rather than later, a whole new class of veterans will be in need of care and assistance. Our veterans service-delivery system is already swamped. We must prepare now for the anticipated influx of new cases.

I thank Chairman MONTGOMERY for his leadership and look forward to working with him in the future on the problems affecting our veterans.

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

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

The SPEAKER pro tempore (Mr. HARRIS). The question is on the motion offered by the gentleman from Mississippi [Mr. MONTGOMERY] that the House suspend the rules and pass the bill, H.R. 598, as amended.

The question was taken.

Mr. STUMP. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The vote was taken by electronic device, and there were—yeas 399, nays 0, not voting 35, as follows:

[Roll No. 18]

YEAS—399

Abercrombie	Boniork	Conte
Alexander	Borski	Conyers
Allard	Boucher	Cooper
Anderson	Brewster	Costello
Andrews (NJ)	Brooks	Coughlin
Andrews (TX)	Broomfield	Cox (CA)
Annuozio	Browder	Cox (IL)
Applegate	Brown	Coyne
Archer	Bruce	Cramer
Armey	Bryant	Cunningham
Aspin	Bunning	Dannemeyer
Atkins	Burton	Darden
AuCoin	Bustamante	Davis
Bacchus	Byron	de la Garza
Baker	Callahan	DeFazio
Ballenger	Camp	DeLauro
Barnard	Campbell (CA)	DeLay
Barrett	Campbell (CO)	Derrick
Bartlett	Cardin	Dickinson
Barton	Carper	Dicks
Bateman	Cartr	Dingell
Beilenson	Chandler	Dixon
Bennett	Chapman	Dooley
Bentley	Clay	Doolittle
Bereuter	Clement	Dorgan (ND)
Berman	Clinger	Dornan (CA)
Bevill	Coble	Downey
Bilbray	Coleman (MO)	Dreier
Billrakis	Coleman (TX)	Duncan
Bliley	Collins (IL)	Durbin
Boehlert	Collins (MI)	Dwyer
Boehner	Combest	Dymally

Early
Eckart
Edwards (OK)
Edwards (TX)
Emerson
Engel
English
Erdreich
Espy
Evans
Fascell
Fawell
Fazio
Feighan
Fields
Fish
Flake
Ford (MI)
Ford (TN)
Frank (MA)
Franks (CT)
Frost
Gallegly
Gallo
Gekas
Gephardt
Geren
Gibbons
Gilchrist
Gillmor
Gilman
Gingrich
Glickman
Gonzalez
Goodling
Gordon
Goss
Gradison
Grandy
Gray
Green
Guarini
Gunderson
Hall (OH)
Hall (TX)
Hamilton
Hammerschmidt
Hancock
Hansen
Harris
Hastert
Hatcher
Hayes (IL)
Hayes (LA)
Hefley
Henry
Henger
Hertel
Hoagland
Hobson
Hochbrueckner
Holloway
Hopkins
Horn
Horton
Houghton
Hoyer
Hubbard
Huckaby
Hughes
Hunter
Hutto
Hyde
Inhofe
Ireland
Jacobs
James
Jefferson
Jenkins
Johnson (CT)
Johnson (SD)
Johnston
Jones (GA)
Jones (NC)
Jontz
Kanjorski
Kaptur
Kasich
Kennelly
Kildee
Klecza
Klug
Kolbe
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Lantos
LaRocco
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Lewis (FL)
Lewis (GA)
Lightfoot
Lipinski
Livingston
Long
Lowery (CA)
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Madigan
Manton
Markey
Marlenee
Martin
Martinez
Matsui
Mavroules
Mazzoli
McCandless
McCloskey
McCollum
McCrery
McDade
McEwen
McGrath
McHugh
McMillan (NC)
McMillan (MD)
McNulty
Meyers
Mfume
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Miller (CA)
Miller (OH)
Miller (WA)
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Mollohan
Montgomery
Moody
Moorhead
Moran
Morella
Morrison
Murphy
Murtha
Myers
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Neal (MA)
Neal (NC)
Nichols
Nowak
Nussle
Oakar
Oberstar
Obey
Olin
Ortiz
Orton
Owens (NY)
Oxley
Packard
Pallone
Panetta
Parker
Patterson
Paxon
Payne (NJ)
Payne (VA)
Pease
Penny
Perkins
Peterson (FL)
Peterson (MN)
Petri
Pickett
Pickle
Poshard
Price

Pursell
Quillen
Ramstad
Rangel
Ravenel
Ray
Reed
Regula
Rhodes
Richardson
Ridge
Riggs
Rinaldo
Ritter
Roberts
Roe
Roemer
Rogers
Rohrabacher
Ros-Lehtinen
Rose
Roth
Roukema
Rowland
Roybal
Russo
Sabo
Sanders
Sangmeister
Santorom
Sarpalius
Savaze
Sawyer
Saxton
Schaefer
Scheuer
Schiff
Schroeder
Schumer
Sensenbrenner
Serrano
Sharp
Shaw
Shays
Shuster
Sikorski
Sisisky
Skaggs
Skeen
Skelton
Slattery
Slaughter (NY)
Slaughter (VA)
Smith (FL)
Smith (NJ)
Smith (OR)
Smith (TX)
Solarz
Solomon
Spence
Spratt
Stallings
Stark
Stearns
Stenholm
Stokes
Studds
Stump
Sundquist
Swett
Swift
Tallon
Tanner
Taylor (MS)
Taylor (NC)
Thomas (CA)
Thomas (GA)
Thomas (WY)
Thornton
Torres
Torricelli
Towns
Traficant
Traxler
Upton
Valentine
Vander Jagt
Vento
Viscosky
Volkmmer
Vucanovich
Walker
Walsh
Washington
Waters
Waxman

Weber
Weldon
Wheat
Whitten
Williams

Wilson
Wise
Wolf
Wyden
Wylie

Yatron
Young (AK)
Young (FL)
Zeliff
Zimmer

hopeful the Senate will act quickly on companion legislation.

PERSONAL EXPLANATION

Mr. McDERMOTT. Mr. Speaker, during rollcall No. 18 on H.R. 598, I was unavoidably detained. Had I been present, I would have voted "yes."

PERSONAL EXPLANATION

Mr. PORTER. Mr. Speaker, I was unavoidably detained and was not present on the House floor for rollcall No. 18.

Had I been present, I would have voted "yea."

□ 1536

Mr. THOMAS of California and Mr. DICKINSON changed their votes from "nay" to "yea."

So (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Ms. PELOSI. Mr. Speaker, I offer a personal explanation of my absence from vote on rollcall No. 18, passage of H.R. 598, the VA Physician and Dentist Pay Act. I was unavoidably delayed due to an official meeting on the Persian Gulf. Had I been here to vote, I would have voted "aye."

PERSONAL EXPLANATION

Mrs. LOWEY. Mr. Speaker, during consideration of H.R. 598 the Veterans' Administration Physician and Dentist Pay Act, I was unavoidably detained in a meeting with the Speaker of the House. Had I been present, I would have voted "aye" on rollcall No. 18.

PERSONAL EXPLANATION

Mr. CONDIT. Mr. Speaker, I was absent for rollcall No. 18. Had I been present I would have voted "aye." I believe that our veterans have a right to decent medical care and believe that H.R. 598 goes a long way to achieving this goal.

PERSONAL EXPLANATION

Mr. SYNAR. Mr. Speaker, on January 30, I was unable to cast my vote during consideration of H.R. 598, the Veterans' Administration Physician and Dentist Pay Act. Had I been present, I would have voted "aye" on rollcall No. 18, which was passed by the House by a vote of 399 to 0.

H.R. 598 will help solve a major problem in our Nation's veterans health care system. This measure will help give the Veterans' Administration the ability to recruit and retain highly qualified physicians and dentists who are needed to provide necessary care to our country's veterans. H.R. 598 will authorize higher salaries for physicians and dentists at the Nation's 172 veterans' hospitals. I am

PERSONAL EXPLANATION

Mr. RAHALL. Mr. Speaker, I was unavoidably absent from the Chamber and unable to vote on H.R. 598, the VA physician and dentist pay bill. Had I been present and voting, I would have voted "aye."

LEGISLATIVE PROGRAM

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

Mr. MICHEL. Mr. Speaker, I am taking this time for the purpose of inquiring of the distinguished majority leader of the program for next week.

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

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

Mr. GEPHARDT. I thank the gentleman for yielding.

Mr. Speaker, business is finished for today. There will be a pro forma session tomorrow but no votes.

Friday there will not be a session of the House.

The program for the week of February 4 is as follows: On Monday, February 4, we will meet in pro forma session, no legislative business. On Tuesday, the House will meet at noon, consider two bills on suspension. However, recorded votes on suspensions will be postponed until after debate on all suspension.

First there will be H.R. 180, veterans education and employment amendments of 1991, and, second, H.R. 154, transfer of an existing U.S. memorial, Pershing Hall, to the Department of Veterans Affairs.

Wednesday, February 6, the House will meet at 2 p.m. to consider one suspension, H.R. 232, veterans housing and memorial affairs amendments of 1991, and resolutions providing for the establishment of select committees.

Thursday, February 7, the House will meet at 11 a.m., but it will be a pro forma session, no legislative business.

Friday, February 8, the House will not be in session. That will be the start of the Lincoln-Washington district work period.

At the close of the week's business the House will adjourn until noon on Tuesday, February 19, for the Lincoln-Washington district work period.

Conference reports may be brought up at any time, if there were any.

Any further program will be announced at a later point.

Mr. MICHEL. I thank the gentleman from Missouri.

ADJOURNMENT TO MONDAY, FEBRUARY 4, 1991

Mr. GEPHARDT. Mr. Speaker, I ask unanimous consent that when the House adjourns on Thursday, January 31, 1991, it adjourn to meet at noon on Monday next.

The SPEAKER pro tempore (Mr. HARRIS). Is there objection to the request of the gentleman from Missouri? There was no objection.

DISPENSING WITH CALENDAR WEDNESDAY BUSINESS ON WEDNESDAY NEXT

Mr. GEPHARDT. Mr. Speaker, I ask unanimous consent that the business in order under the calendar Wednesday rule be dispensed with on Wednesday next.

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

There was no objection.

□ 1540

MAKING IN ORDER ON WEDNESDAY, FEBRUARY 6, 1991, CONSIDERATION OF H.R. 232, VETERANS' HOUSING AND MEMORIAL AFFAIRS AMENDMENTS OF 1991

Mr. GEPHARDT. Mr. Speaker, I ask unanimous consent that it may be in order on Wednesday, February 6, to consider a motion to suspend the rules and pass the bill, H.R. 232, the veterans' housing and memorial affairs amendments of 1991.

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

There was no objection.

REPORT ON IMPLEMENTATION AND EFFECTIVENESS OF OPER- ATION OF UNITED STATES-CAN- ADA FREE-TRADE AGREEMENT— MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 102-36)

The SPEAKER pro tempore laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, without objection, referred to the Committee on Ways and Means, and ordered to be printed.

(For message, see proceedings of the Senate of today, Wednesday, January 30, 1991.)

UNITED STATES NEEDS A POLICY FOR ENERGY INDEPENDENCE

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

Mr. PICKETT. Mr. Speaker, even as the war in the gulf continues, it is not too soon for this Nation to develop and adopt an energy policy that will free us, once and for all, from our dangerous dependence on foreign oil to meet energy needs.

For more than a decade now, U.S. energy policy has languished, the victim of a mistaken belief that the energy requirements of our Nation could safely be left to the vagaries of the world oil market place as manipulated by multinational oil companies and producing nation cartels.

In the 1970's, Americans heard a clarion call for conservation, alternate fuels, and the development of domestic energy supplies.

During the entire decade of the 1980's, nothing even resembling a coherent energy policy came from the White House. As a consequence, the United States produces less oil today than it did just 5 years ago; and it imports more—1.2 million barrels per day more than it did 5 years ago. Efforts to achieve conservation have been ridiculed, and projects to develop alternate fuels have been abandoned.

Mr. Speaker, I have supported our President in every major action he has taken thus far to expel Saddam Hussein from Kuwait. But I also believe firmly that we cannot let another oil crisis pass without a sensible and achievable energy policy that makes our Nation energy independent.

For this reason, I have again introduced legislation, H.R. 647, that will require the President to submit to Congress, and the American people, a plan to achieve the goal of U.S. energy independence by the year 2000. For the sake of our economic and strategic security, I urge Members to join me in this initiative.

KUWAITI YOUTHS CELEBRATE WAR IN CAIRO

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

Mr. FALEOMAVEGA. Mr. Speaker, as America's sons and daughters risk their lives to stop the atrocities of Saddam Hussein, many young Kuwaitis have chosen to fight the battle on the discotheque floors of the Semiramis Hotel in Cairo, Egypt.

It was recently reported that when news of war was announced, a certain number of Kuwaiti youths at an exclusive hotel in Cairo, Egypt, were having rounds of drinks, and just enjoying themselves by partying and dancing to pop music at a discotheque. While our military men and women are out there risking their lives to liberate Kuwait, many rich Kuwaiti families are paying \$3,000 monthly rents in apartments in Cairo just waiting to return after we liberate Kuwait, at the expense of American and coalition blood and guts. Mr. Speaker, this just does not make any sense.

Mr. Speaker, I rise to voice my outrage at such conduct unbecoming a country that really appreciates freedom and independence. The Kuwaiti students who qualify to serve in the army, should be in the front lines defending their country, and if they choose not to fight because of royalty or because they come from rich families—then I submit, Mr. Speaker, perhaps we should not sacrifice the lives of our men and women in battle, if we are doing it only to allow these rich Kuwaiti families and their children to continue enjoying the luxuries of life after we do the dirty work by forcing Saddam Hussein back to Iraq.

Mr. Speaker, I submit that it is indeed a tragedy that these Kuwaiti students either do not fully appreciate and comprehend the efforts of America's help and that of the coalition countries, or that they simply do not care. I submit the leaders of Kuwait need to examine closely the apparent lack of appreciation of our assistance by the more affluent members of their society—and if such is the case, then do we really need to liberate Kuwait?

Mr. Speaker, I submit for the RECORD the written article which appeared in the Wall Street Journal on the matter. [From the Wall Street Journal, Jan. 24, 1991] FOR SOME KUWAITIS, WAR IS JUST REASON FOR ANOTHER PARTY—THEY BOOGIE DOWN IN CAIRO TO THE CHAGRIN OF ELDERS; SENDING IN THE DISCO SPIES

(By Jane Mayer)

CAIRO, Egypt.—When Allied bombs first hit Baghdad, many young Kuwaitis here had their own, unique response: They hit the dance floors.

"They're battling it out in the discotheque," cracked an official at Cairo's newest five-star luxury hotel, the Semiramis Intercontinental.

As the night wore on, the neon-lighted dance floor at Sultana's, the hotel's discotheque, became crowded with fashionably-dressed Kuwaiti youths. They celebrated the news of war by ordering rounds of drinks, nibbling hors d'oeuvres and gyrating to American pop hits; at one point, a belly-dancer joined in. At dawn, some of them formed a convey of cars, rocking and rolling through Cairo's narrow, sooty streets, honking their horn with glee. A few left the driving to their chauffeurs.

FACING THE MUSIC

That night one week ago marked the beginning of what some Kuwaiti officials here

delicately call "the disco problem." Kuwait's extraordinary oil wealth has long aroused envy in poorer Arab lands, such as Egypt. But the spectacle of draft-aged Kuwaiti youths partying while Egyptian and other troops risk their lives has sharpened tensions. It has also given new life to feelings here that Kuwait is less a country than a country club.

"They start their days at two in the afternoon, and stay out until five each morning," exclaims Ahmed Hamed, a waiter at Cairo's spacious Safir Hotel, where a number of Kuwaiti families are waiting out the war in \$3,000-a-month apartments. "At first, they tried to act nice, but now that the war has begun, and they know they will get their villas back, they are reverting to their arrogant ways."

"It is real, this discotheque problem," sighs Ahmed al Nafisi, a former member of the Kuwaiti parliament who now heads a citizens group here called the Kuwait Association for People's Work. "In normal times it's okay for people to do whatever they want. But now that people are dying on the front, it doesn't look good to have young Kuwaiti men going to all the wrong places at the wrong times. The obvious question to many is why instead of going to discos, don't they enlist?"

HIRE HELP

The answer, he suggests, lies in Kuwaiti society. Before the war, Kuwait had a population of about 2 million, of which only 750,000 were native Kuwaitis. The rest were Palestinians, Egyptians and other non-Kuwaitis who filled many roles in the country—including that of soldier. Mercenaries were common in the military, but since Iraq's invasion of Kuwait, they have disappeared.

So it is that Kuwait has contributed only a small military force of roughly 7,000 troops to the war effort, though several thousand more are in training and at least some Kuwaitis have been fighting underground in Kuwait. Notably, the country has also contributed several A-4 Skyhawk fighter-bombers and pilots to the effort; one of those pilots was recently shot down in a combat mission and is now a prisoner of war in Iraq.

The fact that so many of the country's soldiers and service workers have been outsiders has left some Kuwaitis thinking about the future—and about reducing the number of Non-Kuwaitis in a liberated Kuwait. "There's so much money in Kuwait, we are used to having non-Kuwaitis doing many jobs for us," says Mr. Nafisi. "We want to become far more self-reliant. We have been living in a very artificial society."

Extravagant socializing may be one of the more minor problems Kuwait faces these days, but Kuwaiti leaders are nonetheless moving swiftly to assure disco damage control. Mr. Nafisi's group has formed a committee to offer youths other pastimes, such as courses in plumbing and auto mechanics. It has also sent out three directives to the 7,000-odd Kuwaiti families hunkered down in Cairo, calling for them to behave in a modest manner, stay at home as much as possible and cease gathering in large groups "particularly in hotels and restaurants."

Kuwait's embassy in Cairo has gone even further. It began this week to send citizen volunteers out to infiltrate the city's most glitzy watering holes and collect the names of Kuwaitis behaving in an indecorous fashion. Hard-core party-goers who don't heed their government's warnings, say embassy officials, will face the ultimate punishment: deportation to Saudi Arabia, where women are not allowed to drive, let alone dance.

PAINFUL REALITY

Kuwait's ambassador to Egypt, Abdul Razag al Kandari, who has the task of ministering to the 30,000 Kuwaitis living in Egypt, explains his approach to the disco problem this way: "I've advised our people not to feel so happy." Of course, not all have been dancing the Arabian nights away. Amal el Hamad, who works at the Kuwait information center here, says, "It was always a mixed feeling of happiness that they had started to liberate our land, and agony over the death and destruction."

But Mr. Kandari nonetheless has his hands full: Judging from the early hours of Wednesday morning, the war on the disco front is having mixed success. As American tunes blast over Sultana's huge sound system, and decorative fog pours from pipes in the ceiling, a number of young men describing themselves as Kuwaiti take to the dance floor, while others make a beeline for the bar. A young Saudi woman named Reba, scantily clad in black velvet and pearls, looks on admiringly and declares, "The Kuwaiti men have the best style!"

But nearby, a 19-year-old Kuwaiti youth, who gives his name only as Butres, isn't so thrilled. He acknowledges he has been sent to Sultana's by the embassy to collect names of misbehaving Kuwaitis. Observing the crowd illuminated by strobe lights, the citizen sentinel admits, "There's not really a lot I can do to stop anyone right here. All I can do is report back."

HOLD THE ANCHOVIES

The anti-disco campaign is controversial among some Kuwaiti youths in Cairo. "In Kuwait, we were free, so they can't expect us to live under severe restrictions here," complains Abul Azziz el Naqar, a lanky 19-year-old who says he hopes to join the military.

Ashrad el Qattan, 18, says he whiles away much of his free time hanging out with his buddies in one of Cairo's two Pizza Hut restaurants. He says he has no appetite for dancing these days, although he understands why others do. "Everyone is just so frustrated," explains the nattily dressed young man.

His own life was turned upside down the day he fled Kuwait last summer in his Mercedes coupe. "I was crying, seeing the streets burning behind me," he recalls. His family soon relocated for the duration in Cairo, where they own an apartment.

Next fall he plans to start studying medicine at the American University in Cairo. Kuwait has student deferments, so this should keep him out of the military. "Of course I thought about joining the army," he says, "but I would rather study. The troops over there now can surely carry it."

Meanwhile, until school begins next fall, he's not worried about having too much free time. "In Egypt," he says with a smile, "I have fun everywhere I go."

THOUGHTS REGARDING THE ISSUE OF JOURNALISTIC RESTRICTIONS IN THE PERSIAN GULF WAR

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

Mrs. MINK. Mr. Speaker, I rise to address the issue of journalistic restrictions in covering the war in the Persian Gulf.

What will history say about the war now being waged in the Persian Gulf?

How will a complete story be pieced together? Will the historical record of this conflict be complete?

These may seem only important questions to a historian, but in truth they hold crucial meaning for us all. We are a nation built on history and dependent on truth, and it will be valuable to us and invaluable to our children to know everything that can be known about Operation Desert Storm.

We have all seen the heavy restriction placed on reporters who have been covering this war. And for those restrictions that are solely intended to protect the lives of soldiers and civilians, I give my wholehearted support. There can be no excuse for aiding and abetting an enemy in time of war, whether for journalistic reasons or not.

But this is not to say that journalists should be prevented from witnessing the events of the war. I see a tremendous difference between restricting what reporters see and restricting what they say. What they see harms no one so long as they respect the need for utmost discretion in reporting. Yet what they see will perhaps be one of the best sources for understanding this war when it is over. We cannot afford to let the history being created now in the Persian Gulf pass away unrecorded.

Truth is not served well when there is only one source. And the military, however well intentioned, cannot be expected to be objective in time of war. It is simply not their job. The military should not be permitted to have exclusive rights to report on the war after it is over to the public. History must be taken from the record of eyewitnesses, both military and civilian.

I support restrictions on what information may be made public and when, but I strongly condemn constraints on what our journalists and others can see and hear and learn. We owe it to ourselves and our posterity to record as completely and accurately as possible what is being done in the Persian Gulf.

[From the Washington Post, Jan. 27, 1991]

THE WAR AND THE PRESS—

WORK THE PROBLEM OUT

(By Barry Zorthian)

Controversy about media coverage seems to have become as much a part of American combat operations as air strikes and troop movements. The role of the media in Vietnam, of course, has long been a matter of sharp contention, and both Grenada and Panama resulted in intense dispute about how the media were treated by the military.

And now in the Gulf, even though the first week seems to have gone reasonably well in terms of relations between the U.S. military and the media, there has been a rising undercurrent of media grumbling about the amount and nature of the information made available. The groundwork has been laid for even more serious dispute in the future through growing media complaints about the rules of coverage established by the military. These rules will be challenged much more intensively if and when U.S. ground operations get underway.

In the face of all our other national concerns about the war, this prospective dispute seems unnecessary. What is needed to avoid future acrimony is agreement by both the military and the media that each has a legitimate and essential role in informing the American public about the conduct and progress of combat operations, and each has legitimate needs and concerns that must be taken into account by the other.

It isn't that the military and the media can or should march hand in hand down the same road to inform the public. There are differences and tensions—adversarial relations, if you will—built into the system growing out of different cultures, constitutional provisions and roles in our society. The military must provide official information as part of its accountability to the public for the use of the nation's manpower and other resources, and the media must provide an independent accounting on the same activities as a check on the military.

No democratic system can be devised that will eliminate all disputes between the two. But these can be held to a minimum, and the overall relationship need not become hostile. There might even develop a deeper degree of mutual respect if some confidence can be established on each side that the other is operating in good faith.

To begin, both sides need to accept the reality that the military information gathering system as distilled for briefings is not designed to meet the journalists' desires for personal observation, detail and favor. In turn, the journalist's approach to coverage is no substitute for official overall analysis and evaluation in perspective. The two complement each other, and the combination of information from both these sources provides the American public with a much better basis for making judgments on national policy which after all is the ultimate goal of this communication process.

Beyond this, the military must realize that it is better served in the long run by putting out an accurate and candid report of information, both good and bad, sooner rather than later, complete rather than selective—all with a proper concern for security, of course, but with a security standard that is sensible and logical. And in this framework, the military must recognize the media's excellent record in Vietnam and elsewhere and its voluntary readiness to accept and observe restrictions on tactical military information that could jeopardize either the security of a mission or the lives of personnel. This is the only form of restriction accepted by the American public over the years. Coverage and comment, critical or favorable, on other aspects of a war—justification, strategy, overall conduct, general performance—while sometimes irritating or even invalid, is not subject to censorship in our open form of government.

Moreover, the military would do well to acknowledge that the media in their own way can lead credibility to the official military briefing if the latter is accurate and valid.

For their part, the media need to concede more readily that the military has legitimate security concerns that must be met and that voluntary acceptance of restrictions on tactical information must be respected in spirit as well as in fact. They must also recognize that the enormous number of correspondents of varying competence seeking to cover military operations presents a problem of overwhelming presence at the combat unit level that must be resolved. It is also clear that today's communications

capabilities in which a secretary of defense can say that his most current information comes from watching a television network leads to extraordinary responsibility on the part of the media to make certain that hostile forces are not able to obtain critical information through interception of their broadcasts.

Furthermore, editors and producers at home offices must, despite the pressures created by competition, assume full responsibility for the actions of their representatives in the field and for their final product at home.

With this kind of mutual understanding, there is no reason the present points of contention can not be resolved without serious harm to the effective performance of either element.

“TRUST ME”

(By Robert G. Kaiser)

Here we go again. The country has been at war for 10 days, and already the government and the press are arguing about censorship, access to the front and the general flow of information about the fighting. The Bush administration has imposed the strictest rules in modern times on reporters on the scene, and the briefers in Saudi Arabia and Washington are putting out what seem to be sketchy accounts of the action to increasingly restive press corps in both places.

The government's position probably strikes most people as reasonable on its face. The Pentagon must control information to avoid helping the enemy; reporters often get in the way in wartime and must be kept in check; briefings have to be sketchy both to avoid helping the enemy, and because in wartime information is difficult to confirm. Those are the arguments made openly.

Behind these arguments—each of which has some merit—is a deep suspicion of the news media in the American armed services. Any reporter covering the Pentagon or the war has encountered some version of this suspicion: the media lost Vietnam, and we won't let them lose another one for us. That attitude is also understandable. Vietnam became an unpopular war, and the men who fought it were systematically mistreated on the home front. Some media accounts of the war were openly hostile to the military mission. More important, the media brought the news home that made the war so unpopular, and all of us in the news business know what happens to the messenger bearing bad tidings.

Gen. Colin Powell, a Vietnam veteran who is now chairman of the Joint Chiefs of Staff, summed up the government's position at his Pentagon briefing for the media Wednesday in just two words: “Trust me.” Then he flashed a winning grin, and the reporters laughed, but they were not persuaded. Partly this is because it is our job not simply to trust government officials—the essence of a journalist's obligation is to be skeptical. And partly it is history. However, unfairly, Powell and George Bush carry a burden in this war that Lyndon B. Johnson and William C. Westmoreland (among many others) put on their shoulders. This generation of journalists has been misled before about grave matters of war and peace; we'd be fools to think it could never happen again.

Already there have been hints that this administration wants to put a rosy cast on events in the Gulf. Powell himself said that 80 percent of the bomber attacks on the first day of the war had been “effective.” That meant that 80 percent of the pilots reached what they thought was their targets and dropped their bombs—there was no informa-

tion on whether the bombs hit anything. Fair-minded outsiders might think the military is exaggerating the size of its air campaign by speaking of 2,000 sorties a day, when any flight by any airplane—a refueling craft, an escort plane that carries no bombs, etc.—counts as a sortie.

But so far the system of providing information on the war has worked reasonably well. The air war is a hard thing to report; cloud cover did make it difficult to assess damage; we know we can't go to Iraq to see the damage, and most of us don't want to. We are not going to make a big issue about the government's information policy in the first 10 days of the war. It is what will come if and when a ground war begins that worries the news media.

Under the Pentagon's latest rules, no reporter will be allowed to the front except in a government-sponsored pool and accompanied by a military officer. All dispatches will be subject to “security review,” which means they must be read at least once and possibly by several layers of public information officers before becoming available to news organizations in this country. One such report from a Post reporter with the Marines in the north of Saudi Arabia on the first day's fighting was delayed 24 hours, and thus was useless when it reached us. Another took eight hours to reach Dhahran, because the Army insisted on driving the dispatch many hours across the desert instead of allowing reporters to file from a telephone just an hour from their location. And those dispatches were routine.

If ground fighting begins and Americans begin to die in large numbers, how much news of such events will reach the home front? How will Americans know what is happening to their soldiers in Kuwait? And what will the impact be on the military and the Bush administration if Americans are being killed in the dark—without the news media providing full and speedy accounts of the action?

That is the key point. The American people are shrewd; they have an excellent record over the years in giving support to policies that deserve it and withholding it from those that don't. They can be trusted. If things start to go badly in Kuwait the government ought to realize that it needs to convey that news to home quickly and in detail. The most credible messenger to carry such news is the American press, for all its warts and imperfections. Any attempt to withhold bad news, or put a false shine on it will diminish the public support the military wants and needs. If reporters are hobbled by “security reviews” and lack of access to the front, Americans—who are used to getting the full story—will become suspicious. They will spread rumors. And some of them will never believe subsequent government accounts, because there will be no independent witnesses to confirm them.

Reporters do not want to report information that will endnager American lives or help Saddam Hussein. In Vietnam the military prepared a sensible list of topics that reporters could not write about—precise locations of bases, future troop movements and the like. Any reporter who broke the rules lost his or her accreditation. It was a simple procedure, and it worked. Reporters were otherwise free to cover the war any way they could.

The media did not cause the public to withdraw its support from the Vietnam war; the government, did. Johnson and Westmoreland kept saying how splendidly the war was going, but the Viet Cong refused to cooper-

ate. The Tet offensive undermined the government's credibility.

You need not take a newspaper editor's word for this. The Army's own official history of Vietnam includes a volume on the news media that came to the same conclusion. "What alienated the American public, in both the Korean and Vietnam wars, was not news coverage but casualties," wrote Army historian William L. Hammond. "It is undeniable," he added, "that press reports were . . . often more accurate than the public statements of the administration in portraying the situation in Vietnam."

"In the end," Hammond wrote, "President Johnson and his advisers put too much faith in public relations." Precisely. Americans may like a funny Diet Pepsi commercial, but on matters as serious as war, they are most unlikely to be conned by clever public relations. They want the facts, and if the government's restrictive information policy prevents them from getting the facts quickly from independent, tough-minded reporters, it's the government and its policy that will ultimately pay the price.

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

BUSH'S TIGHT CONTROL

WHITE HOUSE STRAINS TO WAGE WAR IN GULF AS CONGRESS SEEKS INFORMATION

(By Andrew Rosenthal)

WASHINGTON, Jan. 22—In Saudi Arabia, the military briefing officer was so careful about sensitive information that he would not say whether it had been good flying weather today.

NEWS ANALYSIS

At the White House, Marlin Fitzwater, the President's spokesman, got as many questions about American policy on news from the Persian Gulf as about the progress of the war.

After six days of conducting the most intensive bombardment in history, with inconclusive results, the Administration is confronting the political problems created by war news as it affects political debate, journalistic analysis and, potentially, public support or opposition.

Every wartime President has had to find the balance between the need to wage war in an effective and secure way and the need to inform a public and Congress who ultimately judge whether the bloodshed was justified. It is particularly hard to conduct a war that is showing little progress, or producing high casualties.

A FUTURE POLITICAL PROBLEM

But for President Bush, news from the war front has become a contentious issue at military briefings and among some in Congress even before the public has had a chance to judge the progress of the war, or debate the efficacy of the Pentagon's tactics and strategy. It underscores the risks of a policy that has appeared to succeed at keeping down information so far but may become a political problem in the future.

There is no way to say now whether the information withheld by the military would provide a different view of the war than Americans have seen through vague briefings, controlled interviews and a half-dozen videotapes of successful attacks by high-technology rocketry.

Those have provided snapshots of the action, but the Government has so far not revealed a comprehensive picture of the results of a bombing campaign that has surpassed that launched on Hanoi and Haiphong in 1972.

SUPPORT FOR BUSH'S POLICY

The Pentagon blames clouds for obscuring its view of bomb damage, but almost one week into battle, most analysts agree that Iraq still has 450 of its 500 warplanes, an army capable of fighting and worrisome surface-to-air missiles like the one that struck Israel this evening.

President Bush so far appears to be enjoying wide support for his gulf policy. Today, with spokesmen coming under intensified questioning, Administration officials promised repeatedly that they would be more forthcoming. The Pentagon said the Secretary of Defense, Dick Cheney and Gen. Colin L. Powell, chairman of the Joint Chiefs of Staff, would hold a news conference on Wednesday to discuss the war "as graphically as possibly."

Pete Williams, Mr. Cheney's spokesman, said, "There's some feeling that we know a lot more about battle damage than we're saying, and we're trying to convey to you that that is not the case."

Mr. Fitzwater said today that Mr. Bush had little more information about bombing runs and casualties than the public and was "frustrated" by it.

"Our policy, of course, is to report as much damage as possible, to be as forthcoming with information as we can be," Mr. Fitzwater said. "It doesn't seem to me that there's much more information to give. The reason we don't have more is because we don't have more."

SOME CONCERN IN CONGRESS

The White House has minimized discontent on Capitol Hill by providing daily briefings on the war. Many lawmakers, including some who opposed the war, said they were inclined to give the Administration the benefit of the doubt for now.

But some members of Congress and military analysts have started to express concern that the tight control of information is—deliberately or inadvertently—delaying the moment when Mr. Bush will have to face public accountability for his conduct of the war.

"I don't object in the early stages, because they are trying to get their feet on the ground," said Senator Bob Kerrey, Democrat of Nebraska, who opposed the war. "But in the longer run, people like myself in Congress need to have more information so we can make judgments about what the policy ought to be. It's not healthy to have so much silence."

Representative Les Aspin, the Wisconsin Democrat who heads the House Armed Services Committee, said in an interview today with the NBC News, "We haven't got the specifics and that's causing heartburn in Congress, as well as it has in the press corps."

BUSH'S OPERATING STYLE

The tight information policy may have been militarily effective so far. The risk the White House faces, as demonstrated in recent days, is that public opinion can swing from optimism to pessimism as the current of good news is punctuated by more sobering information, like the sight of American prisoners in Iraq or the Pentagon's acknowledgment that raids on Iraqi airfields have left the vast majority of Baghdad's warplanes intact.

There are several apparent reasons for the Administration's attempt to hold down news coverage. For one thing, it suits the operating style of Mr. Bush—to make a decision with a small circle of advisers, let it play out with minimal information and then ask to be judged on the results.

The Pentagon also has long grappled with the belief among many officers that the press "lost the war" in Vietnam.

And there are universally recognized security reasons for not revealing details about things like troop movements and bombing targets, since that would aid the Iraqis.

CIVILIAN CASUALTY ESTIMATES

But the Pentagon has revealed some obvious operational details, including accounts of attacks by allied bombers of Scud missiles in western Iraq that circulated when Washington was trying to assure Israel and its domestic lobby that the Israelis were being protected and thus keep them out of the war.

That has raised questions about whether the Administration is using its security concerns as an umbrella to restrict information that not only would affect operations but also could inflame the domestic political situation.

The withholding of civilian casualty estimates and bomb damage could be the result of inadequate information, as the Pentagon has repeatedly said. Or, it could be an effort to avoid focusing on issues, that could prove divisive at home and within the Arab alliance.

Mr. Kerrey, who won the Medal of Honor during the Vietnam War, said he was particularly concerned about the Administration's refusal to estimate civilian casualties, a figure that Washington also withheld during the invasion of Panama in December 1989.

"The American people need to feel that price," he said. "They need to know that people are dying right now and that force is being applied in a major way and they need to accept the responsibility at the beginning."

Senator John F. Kerry, Democrat of Massachusetts, a Vietnam veteran, said: "There is a general sense left over from Vietnam that they don't want the media telling an independent story for fear of what the repercussions might be. No one is talking about writing about battles yet to come or deployment of troops, but in a democracy you need more information than has been forthcoming."

VOLLEYS ON THE INFORMATION FRONT

FRUSTRATED BY POOLS, CENSORSHIP AND TIGHT-LIPPED MILITARY OFFICIALS, THE MEDIA FIGHT FOR MORE—AND MORE DETAILED—NEWS FROM THE BATTLEFIELD

(By Richard Zoglin)

The briefing was lengthy, packed with information and as candid as any of the Bush Administration had yet given on the gulf war. But when General Colin Powell trotted out the visual aids last week, things got a bit fuzzy. One chart, showing the decline in Iraqi radar activity under allied bombing, was virtually devoid of numbers. Still, said Powell, the gist was accurate. "Trust me," he said, "Trust me."

That could be the battle cry from an emerging theater in the gulf conflict: the information front. Despite the deluge of words and pictures, analysis and speculation, pouring forth on TV and in print, the supply of reliable, objective information about the war's progress has been scant. Most of the dribs that have been released are coming from—or have been carefully screened by—Pentagon officials or their coalition equivalents. Inevitably, frustration with that eye-dropper approach has been on the rise, particularly among correspondents trying to cover the action. For others, less concerned with that friction than with monitoring the

progress of the war, a pair of crucial questions came to the fore: Are they being told enough about what is happening on the battlefield? And can they trust what they are being told?

Disgruntlement among the press was boiling all week. Press briefings in Saudi Arabia grew testy, as tight-lipped officers evaded questions as simple as what the weather was like over Iraq. Pentagon spokesman Pete Williams was fending off more attacks than an Iraqi supply depot. "There is a beast of war out there, an elephant we're trying to describe," said a frustrated Forrest Sawyer on ABC's *Nightline*. "Based on the information we're given, we're about at the toenail range." Pentagon briefings, meanwhile, churned out sterile numbers (1,000 sorties a day, 80% of them successful) and confusing generalizations (Saddam's communications network was cut; then it wasn't).

Powell's relatively forthcoming press conference was a response to the demand for better information. But it did not stem the complaints of reporters in the field. Hampered by a pool arrangement that restricts them largely to specified trips arranged by military officials, correspondents grew restless—and possibly reckless. Late in the week, a vehicle belonging to CBS-TV correspondent Bob Simon and three colleagues was found abandoned near the Saudi-Kuwaiti border. Their whereabouts was still not known by the weekend, but they had apparently struck out on their own—something allowed but discouraged under Pentagon rules—to try to find out more about what was going on.

What is going on? Despite the saturation news coverage, Americans remain ignorant of countless details about the gulf operation, from the exact targets being hit in Iraq to the morale among U.S. troops on the front lines—wherever those might be. Part of the problem, of course, is the nature of the war thus far. Most of it is taking place in the skies over Iraq, territory that is inaccessible to reporters. Confusion has also resulted from a mix of Pentagon obfuscation and reporters' unfamiliarity with military jargon and many technical details. It took nearly a week, for example, for the press to learn the definition of such terms as air superiority and the 80% success rate attributed to allied-bombing sorties.

All of this is exacerbated by the delicate problem facing journalists in any war: how to communicate events fairly and accurately without revealing confidential military information. The problem has been made even tougher by the advent of live, satellite-fed TV communication. While U.S. viewers are watching air-raid alerts and Scud attacks as they happen, so are the Iraqis, via CNN. One ill-advised sentence or too revealing a picture could put troops in danger.

Reporters acknowledge, and always have, that restrictions are necessary in wartime. They voluntarily adhered to security guidelines for press coverage during the Vietnam War. Yet they are now feeling the heavy hand of the Pentagon in a more direct fashion. In Vietnam reporters were free to travel almost anywhere they wanted in areas under nominal U.S. control. With the restrictive gulf pool system, military escorts stand by while a limited number of journalists conduct their interviews. Pentagon officials insist that the pools are intended to help reporters gain access and to avoid the nightmare of more than 700 journalists all trying to reach the front lines at once. "Having reporters running around would overwhelm the battlefield," says Colonel Bill Mulvey, direc-

tor of the military's Joint Information Bureau in Dhahran.

Logistics, though, is hardly the military's main concern. All press reports from the gulf must be passed by military censors, who look for taboo details such as troop locations or hints of future operations. Their ostensible aim is to protect the lives of American servicemen, a goal no journalist would deny. But complaints are growing about the arbitrary and dilatory way in which the censors are operating. When ABC News wanted to report that the pilot had been rescued from a downed F-14, military censors refused to allow the plane to be identified. Reason: the F-14 carries a two-man crew, and the Iraqis would know to look for the other member. "That sounded perfectly reasonable to us," says Richard Kaplan, coordinator of ABC's coverage in Saudi Arabia. "Then 20 minutes later they have a briefing, and the briefer says, 'An F-14 was shot down, and we picked up one of the pilots.'"

Similarly a report from New York Times correspondent Malcolm Browne that U.S. warplanes had hit an Iraqi nuclear installation was held up for two days while censors wrangled over wording. By the time his story was cleared, the Pentagon had announced the same news.

The military scrutiny is not only slowing the flow of information; it is also making it difficult for the public to assess the war. Forcing reporters into supervised pools, for example, reduces the chance that candid opinions or negative news about the war will be reported. "If combat boots are wearing out, as they did in Vietnam, or weapons are not working, somebody has to be there to report it," says ABC correspondent Morton Dean. "If we're not there, who is going to do it?"

Elsewhere in the gulf, the press is operating under other tough restrictions. Israel has long required that all material relating to military security be subject to censorship. Revealing such details as the exact location of Scud missile hits is forbidden. (The information could theoretically be used by the Iraqis to improve their targeting.) After a Scud attack in Tel Aviv, NBC correspondent Martin Fletcher broadcast prematurely that there were casualties; Israeli authorities retaliated by cutting NBC's satellite link. NBC anchorman Tom Brokaw had to apologize on air for the inadvertent violation before the line was restored. "We apologized for telling the truth," said NBC News president Michael Gartner later. "And that really grates on you."

The few dispatches from Iraq itself have posed unique problems. CNN's Peter Arnett, the last American correspondent left in Baghdad, has been filing reports via satellite with the approval of Iraqi censors. Fears that his dispatches are being used for propaganda purposes surged last week, when Arnett reported that allied bombs had hit a plant that manufactured infant formula. U.S. Officials insist that it produced biological weapons.

CNN executives defend the airing of Arnett's reports so long as they are clearly identified as Iraqi approved. "The alternative," says executive vice president Ed Turner, "is to pack up and leave, and then there is no one there at all." CNN, along with NBC and CBS, also aired footage of American POWs making pro-Iraqi statements apparently under duress. ABC refused to broadcast the statements, noting that its policy is to avoid using anything said by hostages that "furthers the aims of those holding them."

The dearth of uncensored, firsthand information about the war is forcing the press—especially television—to focus on the few parts of the story reporters can witness. The TV networks have continued (though with less frequency) to break in with live shots of reporters under Scud missile attack in Israel and Saudi Arabia. Some correspondents learned the hard way the pitfalls of that approach. For many viewers, the week's most memorable moment came not when General Powell unveiled his diagrams of damaged Iraqi targets but when CNN's Charles Jaco scrambled for his gas mask on the air in Saudi Arabia, in the erroneous belief that he had whiffed poison gas during an alert in Dhahran.

For all the miscues, the immediacy of television coverage has continued to overshadow the efforts of daily print journalism. But newspapers are catching up, running important pieces of reporting and analysis, like a story in the New York Times revealing that pro-Saddam sentiment is growing in Egypt. Times executive editor Max Frankel maintains that the major unexplored story of the war lies inside Iraq: "That's the heart of the war, not some Scud missile landing on a correspondent's hotel roof."

Some veteran journalists, particularly those who remember the adversarial days of Vietnam, lament the meekness with which the press seems to have acceded to the Pentagon's control of the war story. The public, however, does not appear to have much sympathy for that view—at least not yet. "In a war, people are apt to feel that the press is being too pushy and that it ought to be less intrusive, more 'on the team,'" says Marvin Kalb, a former CBS and NBC diplomatic correspondent who heads the Barone Center at Harvard. "I think that's a perfectly natural human reaction." But if the war starts to take a troubling turn, another natural reaction may set in: a demand to know why more was not revealed sooner.

SHOWDOWN AT 'FACT GAP'

CAN THE PRESS MAKE THE MILITARY LOOSEN UP?

"Trust me, trust me," said Gen. Colin Powell at a Pentagon briefing last week. Powell was trying to explain why he wasn't releasing more information about the course of the war—but he wasn't making much headway. Reporters realize that certain military details, conveyed via CNN, could help Saddam Hussein; they understand that the military can't, as Powell said, "keep up with the hourly news cycle"; most admire Powell personally. But to "trust" the word of the government without being able to report the story on their own is alien to the very nature of journalism. As the press chafed under wartime censorship last week, polls showed Americans siding overwhelmingly with the military. Before long, however, more viewers may come to realize that for all the spooky network music, theatrical correspondents and Nintendo military briefings, they have little real information about the progress of the war.

It's no wonder that more than 700 reporters from around the world are going stir crazy in Saudi Arabia. The "pool" system, in which small groups of tightly controlled correspondents report back to their colleagues, is widely viewed by the press as a disaster. "If the war is a beast, we've seen only a toenail," says Forrest Sawyer, an ABC News correspondent in Dhahran. While avoiding a repeat of Lyndon Johnson's "credibility gap," military planners realize that a "fact gap" is widening, and it leaves them with a

dilemma. While they crave the control their stringent approach provides, they know the dangers of a frustrated press corps.

The Pentagon's argument that it's simply trying to save the lives of soldiers and reporters is wearing thin. Why, for instance, did a military spokesman refuse to acknowledge the capture of American POW's even days after the downed pilots showed up on Iraqi TV? The "security review" process was supposedly streamlined, but Carol Morello of *The Philadelphia Inquirer* says that reports she filed from the Red Sea went through four layers of censorship. Even adjectives are edited: Frank Bruni of *The Detroit Free Press* wrote that pilots were "giddy" on returning from early missions. Officers changed the word to "proud"; they compromised on "pumped up." From avoiding coverage of wounded Marines to banning the traditional pictures of the arrival of flag-draped coffins at Dover Air Force Base, the military is determined to impede reporting that might convey the war's emotional price.

Whiny: The press has a crippling fear of appearing whiny about its own logistics. This is partly what led news organizations to go along with the unworkable pool system, even after it failed miserably in its 1989 debut in Panama. The whole arrangement is antithetical to the craft. Not only is enterprise reporting impossible in pools (whose information must, by definition, be shared), but talking to soldiers in the presence of public-affairs officers rarely yields anything substantial. Reporters on the ground are disturbed that their bosses back home haven't fought harder to change these realities.

Now, with the political motivation of the restrictions growing clearer, objections are mounting from other quarters. "The Pentagon is as much interested in structuring public opinion as safeguarding security," charges Rep. Frank McCloskey (Democrat of Indiana), who said hearings will likely begin next week to scrutinize the restrictions. Meanwhile, Federal Judge Leonard Sand ordered Pentagon spokesman Pete Williams to submit to a deposition in a suit brought by the Center for Constitutional Rights challenging the legality of the rules.

Some newspeople—most of them photographers and print reporters—decided to fight the restrictions on the ground in Saudi Arabia, undertaking unauthorized trips to cover what they could in the desert. Reaching the front without the help of the military is far more difficult and dangerous than in Vietnam (in part because of allied roadblocks). CBS correspondent Bob Simon and his crew disappeared near the Kuwaiti border early last week after embarking on one such unauthorized trip. Their car, with keys and gear still in it, was found abandoned in the desert.

Beyond the incident's potentially tragic implications, the disappearance dealt a blow to the cause of independent reporting. Simon had already broken free from the pool for one first-rate piece from the front and he was determined to do so again. Now his colleagues might be discouraged from following his example. The military argues that the pools are not only safer for reporters, but a distinct improvement over the 1983 invasion of Grenada, which was off the record entirely. "What we have here is a compromise between the journalists who want to go to the front in their rent-a-car and the generals who would rather have all the press stay in a hotel in London," says Col. William Mulvey. To the Pentagon, George Bush's battle cry "This will not be another Vietnam" means in part that the easy media access of that conflict will not be repeated.

But the pool system could unravel yet. Last week's first footage of the Persian Gulf oil spill came from ITN, a British network that circumvented the pool system to obtain it. This caused alarm at other networks, whose cooperation is needed for the system to work. "We've been playing by the rules, and the rules aren't working very well," says Ed Turner, executive vice president of CNN. The best arrangement from reporters' perspective would be simply to help them go independently where they request. Military complaints about the troops being overrun by the media ring hollow. Spread out over 500,000 troops, a few hundred carefully accredited reporters at a time would hardly be noticed.

Grandstander: As it is, the journalists have been reduced to interviewing one another. The Dhahran prize for grandstanding goes easily to CNN's Charles Jaco. "It's gas!" he yelled to his viewers at one point, reaching for his gas mask. (He later apologized.) "I've run for it too many times," Jaco said in a war-weary voice to a reporter from *Mirabella* magazine in the Dhahran International Hotel last week. "The next thing you know, we are taking these air bursts and I'm almost literally knocked off my feet." Other reporters who believe the danger has been greatly exaggerated point out that so far not one person in the Dhahran area has been even slightly injured. On TV, anyway, the war is strangely bloodless. With Iraq sealed off and Israel under heavy censorship, reporters have employed the wonders of live satellite technology mostly just to fill time.

Live, unedited coverage not only generates mistakes, it lacks a sense of context. That elusive journalistic quality involves more than disclaimers on propaganda reports. Sometimes true context requires breaking the rules for getting to the story, as Simon did. And sometimes it simply means focusing on the subject from a different angle. Only rarely, for instance, have Iraqi refugees who fled to Jordan been interviewed on TV about the effects of the allied bombing, as if firsthand accounts of war are somehow less newsworthy than the "I've got nothing for you on that" comments of briefers or the repetitious speculation of retired generals. Disasters from the war, given at least a little voice before hostilities began, have been all but absent from most network coverage. ABC, NBC and CBS have each extended their evening news programs to one hour, which by itself allows for more context. But if the Pentagon succeeds in severely restricting access to information, all the air time imaginable won't fill the gap in what the public needs to know about its war.

REPORTING FROM ENEMY TERRITORY (By Peter Arnett)

In 1966, Harrison E. Salisbury of *The New York Times* traveled to North Vietnam and filed reports on civilian casualties caused by American bombing that caused a furor back home. In 1991, Peter Arnett of CNN, the only major Western reporter allowed by the Iraqis to remain inside the country, finds himself in a similar situation. For a week, Arnett filed censored daily reports from Baghdad by telephone. Now Iraqi authorities have granted CNN permission to bring in a crew for live satellite transmission. The network has an exclusive that's envied by all its competitors. But it's also one that plenty of Americans resent.

Arnett is virtually a journalistic prisoner of war. He sees only what the Iraqis want him to see, and is not allowed to interview anyone independently. Unlike his carefully

controlled colleagues in Saudi Arabia, he can't complain about his working arrangements or call the home office without someone listening in. But even while transmitting the official Iraqi line to the world via CNN, New Zealand-born Arnett manages to remain a reporter. Having covered more than a dozen wars in 30 years, he knows what to look for. (He won a Pulitzer Prize for his Vietnam coverage for the *Associated Press*.) From the start, he has refused to speculate or report anything beyond what he can physically see, hear and smell. As a result, his reports of civilian casualties at various sites have more credibility than they might in the hands of a less experienced correspondent. Last Saturday, for instance, he reported accounts of civilian deaths in a holy city believed to have been off-limits to bombing. But he added that the mosque itself was still open and full of visitors. What emerges from his reporting is a country that has been stunned by the allied bombing, but far from destroyed—not such a different picture from the one provided by the American briefers.

Baby Formula: Of course the White House doesn't quite see it that way. When Arnett reported on bombing at a plant that the Iraqis claim made baby formula, the U.S. military argued that the site was in fact a chemical-weapons factory. Do such conflicting reports harm the allied war effort? It's hard to see how they do. TV viewers know—or ought to know—that women and children die in war. CNN has put its Baghdad reports in context with a series of disclaimers. As a tool for Iraqi manipulation, Arnett's formidable talents are not being put to their best use. But a little light from enemy territory is better than none at all.

SADDAM THANKS THE PROTESTERS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California [Mr. DORNAN] is recognized for 5 minutes.

Mr. DORNAN of California. Mr. Speaker, I thought I had the current cover of *Time* magazine, or this week's *Newsweek*, with me. I do not. On the cover is Lt. Jeffery Vaun, V-a-u-n, one of the A-6 pilots off the *Saratoga* that was shot down on the second night of Desert Storm.

Mr. Speaker, we are actually living through one of the most peculiar periods of warfare in all of the ignominious history of aggressors and the glorious history of men, and in many cases women, who fought for freedom to defend their home, their country or way of life. Until a few hours ago, as we approached tonight, the ending of the second week of war, we had, unbelievable as it may sound, as phenomenal as this is; we had one American killed in action, an F-18 pilot, also off the *Saratoga*, that went down the first night, and that pilot was followed down by his wingman, I guess, at night, and did not get out of the airplane. That was Lt. Michael Speicher from Jacksonville, FL. One killed in action, seven POW's, seven missing in action and four Purple Hearts in small skirmishes along the Kuwaiti-Saudi border; that is the way we were up until a few hours ago.

Yesterday, before the interview, the amazing interview of Peter Arnett of Saddam Hussein, the dictator that has brought the world into a war, the propaganda ministry of Saddam Hussein said that one of our pilots had been killed in a bombing. He had been put as a human shield in what we think was the ministry of industry, and then they gave the ominous news that several others were wounded. Now the families of our seven missing in action American pilots and our eight allied air crew that are missing in action, not to mention the families of the five allied prisoners who have been identified, and we could see that they had been tortured, or the seven American pilots and bombardier navigators that had been shown on television that are now declared as POW; all of these families of these over 2 dozen airmen are wondering now: Was that my son? My brother? My husband? The father of our kids? Was he the one that they say was killed? Was somebody killed? How badly were the others injured? Were they blinded? Did they lose an arm or a leg? Are they dying in some hospital now? Are they getting medical treatment? No Red Cross people under Geneva Convention, civilized treatment, have been allowed to see any of these two dozen plus air crewmen, or the seven Americans or the five allied pilots that have been shown on Iraqi television.

But a few hours ago, the count is now, according to CNN, 13 KIA, because 12 young marines in blunting this Iraqi attack across the border, an attack at our allied forces, the forces of 28 nations now with combat people in the area; who knows how many hundreds they lost to kill these 12 marines? We now have some ground action, and the death toll begins to move up.

Mr. Speaker, I would ask those demonstrators, at least those who saw the Arnett interview with Saddam Hussein, to please consider what they are doing when they are in the streets. Saddam Hussein has looked into a camera and thanked those demonstrators for being in the streets in the United States, in Germany, Great Britain and France. He has thanked them because they are figuring in his war planning. He will extend this war based on the calculations of seeing them in the streets and number 6 or 7 years before people appeared in those numbers in the Vietnam war. He feels they are his key to some sort of victory that he will claim in spite of the fact that his air force is destroyed or fled to Iran, in spite of the fact that he does not have one naval surface ship left that can be put to sea, in spite of the fact that he has polluted the gulf with the biggest oilspill in history times 44, and maybe bigger, that another oilspill has started with Iraqi oil up in the Fao area, which may in the end be bigger than the spill he already put out from Sea Island with captured Kuwaiti oil.

□ 1550

He is now looking at demonstrators, and as the President said here last night, Mr. Speaker, some are reckless, but most are not. I maintain now that it is reckless to go into the streets, not just to burn an American flag but to fly one and embolden this dictator and prolong this war and kill off not only allied men and women but to kill Iraqi kids in uniform who do not know which end is up.

GROUND RULES FOR A PEACE CONFERENCE ON THE MIDDLE EAST

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Utah [Mr. ORTON] is recognized for 5 minutes.

Mr. ORTON. Mr. Speaker, just a few short months ago, as I campaigned for this office, the world rejoiced as the barbed wire was rolled up and the concrete walls crumbled before Eastern European demands for freedom. A new world order was declared, a new era of world peace proclaimed. And the ancient Prophet Isaiah was quoted, wherein he foretold a day when the peoples of the world would "beat their swords into plowshares and not learn war anymore."

In my first week as a Member of this body, I sanctioned the war which now rages in the very cradle of civilization. I recall the words of the Apostle John who described so vividly the final battle of Armageddon.

Which course is it on which the world has now embarked—world peace or Armageddon?

The United States of America is unquestionably the world's only true superpower. Over the past few weeks, we have displayed to the world our terrible military might. With our superior technology and training, military victory can only be a matter of time.

Our military power is evident and our willingness to use that power confirmed. But there is a still greater power in this Nation. It is the power of freedom and the love of peace. Now that we have demonstrated our willingness to use force in defense of collective security, let the United States now show the strength of our resolve for peace.

I commend President Bush for his leadership in building the international coalition, and, I call upon him now to build an even greater coalition for peace. The President should take this opportunity to call for an international peace conference to resolve all issues of war and peace in the Middle East.

It is not too early to sue for peace. I agree with the President that we cannot reward Saddam for his military aggression and that his removal from Kuwait must not be linked to other issues. But we have made our point there

is no linkage. As we speak, United States and allied forces are driving Saddam inevitably from Kuwait, and I will continue my unflagging support for the President in that goal.

Now is the ideal time to call for a peace conference on the Middle East. We have the chance not only to display our commitment to peace, but to remove future generations from the everpresent specter of war.

If a peace conference is to be successful, it must be based upon certain ground rules. I suggest the following:

First, no more terrorism: All participants must denounce terrorism and cooperate in investigation and prosecution of terrorists.

Second, Israel's safety must be guaranteed: Israel has an absolute right to exist within safe and secure borders. Any attack against Israel will be treated as an attack against the world community.

Third, Palestine self-rule. Palestinians have an absolute right to exist in a Palestinian state with governmental self-rule.

Fourth, a neutral Jerusalem: Jerusalem is a holy city to Jews, Christians, and Moslems. It should be an international city similar to the Vatican.

These four points are not negotiable. All other grievances and issues, including borders, are negotiable.

Mr. Speaker, now is the time for America to show its resolve for peace. The horrible consequences of war lie in full view before the world. Now is the time to strike a blow for peace while the world is united in a coalition against aggression.

Let America, the world's greatest superpower, use all her might for peace. Let the fire kindled in the cradle of civilization light the torch of world peace—not fan the flames of Armageddon.

LANDLORD OR FRIEND? JAPAN THREATENS UNITED STATES FUNDS

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Maryland [Mrs. BENTLEY] is recognized for 60 minutes.

Mrs. BENTLEY. Mr. Speaker, yesterday the New York Times carried a story that "a top Japanese Treasury official warned that if the United States applied sanctions against his country because of slowness in opening financial markets, Tokyo would respond by curbing credit to the United States, creating a very, very harmful situation."

This statement is a reaction to the sanctions bill by Senators RIEGLE and GARN which authorizes regulators to deny bids for expansion in the United States by financial institutions originating in countries barring American companies from competitive opportunities.

The bill, aimed mostly at Japan, strikes at the arcane web of laws and regulations that protect Japanese financial institutions from competition with American firms.

I know some American officials have labeled the sanctions bill as narrow reciprocity. To the contrary, I believe, any narrowness is on Japan's part. They are the ones not wanting to compete on a level field. Japanese banks and securities firms expect full faith and credit from the United States and even exemption from capital gains taxes. Why shouldn't they open their markets?

Also in the New York Times this week is a story about the Industrial Bank of Japan opening a boutique of American mergers and acquisitions in New York City.

I think the sentiments expressed by Mr. Hideo Ishihara, deputy president of the Industrial Bank, fully explain the Japanese attitude of doing business.

Asked why a new firm was developed instead of purchasing an existing firm, Mr. Ishihara replied:

We did not want to commit the interests of our Japanese clients into the hands of people who might not have the same motives as we do.

The story also reported that:

Unlike many American investment banks which have been criticized by Americans and Japanese for being more interested in executing transactions, the preservation and retention of relationships with Japanese corporations has been the cornerstone of the Japanese banking community.

That paragraph completely explains the difference in the attitude between American and Japanese businesses. It speaks to the heart of the Riegle-Garn sanctions bill and the need for a level playing field for American business in foreign markets.

A recent article on foreign investment by John Burgess in the Washington Post explained how foreign firms are investing in the United States with American, not foreign loans. In other words, foreign firms are competing with us for our capital—then taking the profits out of the country and fraudulently delaying the payment of \$50 billion of taxes.

At a time when this country is in a recession, the foreign firms are borrowing from our capital pool to buy American properties. The New York Times article also reported "as a group, foreign-owned companies in the United States were paying off debt to their parents abroad and they were sending out profits faster than they were making them."

The report on repatriation of earnings is not welcome news for the investment lobby. They argue that foreign companies often reinvest their profits in the United States, creating more jobs and economic activity.

The report in the paper states that foreign companies repatriated more

money out of the United States than they kept in the United States.

Another article in Business Week stated that the Government's "tough new line on foreign investment is only a mirage." A recent Treasury Department directory limits the Committee on Foreign Investment in the United States [CFIUS] to only examining critical technology if a foreign firm buys a 51-percent interest. Now any astute businessman will tell you that it does not take 51 percent to be able to control a company.

What does this mean to the United States? It is time that we stand firm behind American business and stop bowing to blackmail threats. Japan can threaten to pull their funds and create a hardship for us—but they will for themselves as well.

Whenever the United States politely asks for more freedom of financial opportunities or a level playing field—quid pro quo, if you like—Japan, like scolding parents, threatens to ground us—and take away our allowance. I wish they would take away their Japanese cars instead.

□ 1600

LESSON 3: WAR AND OIL

Mr. SPEAKER pro tempore (Mr. CHAPMAN). Under a previous order of the House, the gentlewoman from Ohio [Ms. KAPTUR] is recognized for 60 minutes.

Ms. KAPTUR. Mr. Speaker, last night the President of the United States came to this Congress to present his State of the Union Address. The title of my remarks this afternoon is "Lesson 3: War and Oil."

I have been on this floor since the war began last week talking about how the United States became involved in this conflict, the reasons for it, and the manner in which we can avoid war over oil in the future.

I would like to refer to the President's address, because it was very well presented. No sentence in the speech was more powerfully applauded than the President's assertion that there is no one more devoted, more committed to the hard work of freedom, than every soldier and sailor, every marine, airman, and Coastguardsman, every man and woman now serving in the Persian Gulf. All of them are on our minds every minute of the day.

Mr. Speaker, the President devoted much of his remarks to the war in the gulf, and properly so. It is an all-consuming subject, a topic that dominates every conversation, a subject for every dinner table discussion all across our land. The war is on our minds, and it will be on our minds for some time.

But the war in the gulf, as I have said repeatedly, is a war that has been a long time in coming. The war is the culmination of three decades, three

decades, of American policy, or failure of policy, many would say, that has, in fits and starts, attempted to define and protect American interests in the Middle East.

Those interests have been defined by two consuming issues: Our consuming demand for cheap oil, and the need to protect the security of Israel. As we all know too well, these two American interests are, more often than not, in direct conflict with each other.

The Arab nations arrayed against Israel control the world's proven oil reserves. Despite more than two decades of effort, little real progress has been made to resolve the security concerns of Israel and the demands of the Palestinian people for a homeland. It has been a muddle, a muddle that has been exploited by Saddam Hussein.

This is why yesterday I was heartened to see the statement issued by our Secretary of State, James Baker, and Soviet Foreign Minister Alexander Bessmertnykh. This statement offers the possibility, a ray of light, to the Government of Iraq and the allied nations that negotiations on the Arab-Israeli conflict will be a part of the aftermath of the crisis in the Persian Gulf.

I would like to enter the entire statement in the RECORD, and only quote directly from parts of it at this point.

JOINT UNITED STATES-SOVIET STATEMENT ON GULF

(Following is last night's joint statement by Secretary of State James A. Baker III and Soviet Foreign Minister Alexander Bessmertnykh.)

In the course of the discussions held in Washington on January 26-29, 1991, USSR Minister of Foreign Affairs Alexander Bessmertnykh and U.S. Secretary of State James Baker devoted considerable attention to the situation in the Persian Gulf.

The ministers reiterated the commitment of their countries to the U.N. Security Council resolutions adopted in connection with Iraq's aggression against Kuwait. They expressed regret that numerous efforts of the United Nations, other international organizations, individual countries, and envoys were all rebuffed by Iraq. The military actions authorized by the United Nations have been provoked by the refusal of the Iraqi leadership to comply with the clear and lawful demands of the international community for withdrawal from Kuwait.

Secretary of State Baker emphasized that the United States and its coalition partners are seeking the liberation of Kuwait, not the destruction of Iraq. He stressed that the United States has no quarrel with the people of Iraq, and poses no threat to Iraq's territorial integrity. Secretary Baker reiterated that the United States is doing its utmost to avoid casualties among the civilian population, and is not interested in expanding the conflict. Minister of Foreign Affairs Bessmertnykh took note of the American position and agreed that Iraq's withdrawal from Kuwait must remain the goal of the international community. Both sides believe that everything possible should be done to avoid further escalation of the war and expansion of its scale.

The ministers continue to believe that a cessation of hostilities would be possible if Iraq would make an unequivocal commit-

ment to withdraw from Kuwait. They also believe that such a commitment must be backed by immediate, concrete steps leading to full compliance with the Security Council resolutions.

The Iraqi leadership has to respect the will of the international community. By doing so, it has it within its power to stop the violence and bloodshed.

The ministers agreed that establishing enduring stability and peace in the region after the conflict, on the basis of effective security arrangements, will be a high priority of our two governments. Working to reduce the risk of war and miscalculation will be essential, particularly because a spiraling arms race in this volatile region can only generate greater violence and extremism. In addition, dealing with the causes of instability and the sources of conflict, including the Arab-Israeli conflict, will be especially important. Indeed, both ministers agreed that without a meaningful peace process—one which promotes a just peace, security, and a real reconciliation for Israel, Arab states, and Palestinians—it will not be possible to deal with the sources of conflict and instability in the region. Both ministers, therefore, agreed that in the aftermath of the crisis in the Persian Gulf, mutual U.S.-Soviet efforts to promote Arab-Israeli peace and regional stability, in consultation with other parties in the region, will be greatly facilitated and enhanced.

The two ministers are confident that the United States and the Soviet Union, as demonstrated in various other regional conflicts, can make a substantial contribution to the achievement of a comprehensive settlement in the Middle East.

Both Secretary Baker and the Soviet Foreign Minister stated, "The ministers continue to believe that a cessation of hostilities would be possible," even at this point, "if Iraq would make an unequivocal commitment to withdraw from Kuwait. They also believe that such a commitment must be backed by immediate concrete steps leading to full compliance with the Security Council resolutions."

"In addition," they say, "dealing with the causes of instability and the sources of conflict, including the Arab-Israeli conflict, will be especially important. Indeed, both ministers agreed that without a meaningful peace proposal—one which promotes a just peace, security, and a real reconciliation for Israel, Arab states, and Palestinians—it will not be possible to deal with the sources of conflict and instability in the region. Both ministers, therefore, agreed" in the statement "that in the aftermath of the crisis in the Persian Gulf, mutual U.S.-Soviet efforts to promote Arab-Israeli peace and regional stability, in consultation with other parties in the region, will be greatly facilitated and enhanced.

"The two ministers" state they "are confident that the United States and the Soviet Union, as demonstrated in various other regional conflicts, can make a substantial contribution to the achievement of a comprehensive settlement in the Middle East."

Would it not be wonderful if these two superpowers, even today, as troops

are lined up in battle on both sides of the front, could somehow convince Saddam Hussein that that particular issue would be put on the table? This offered us hope as late as just yesterday afternoon.

Now I would like to go back into some of the history of how we got involved in this. I place this in the RECORD for historians and Americans interested in how wars happen.

They just do not happen overnight. We can go back to the experts who have told us and saw that this war was coming. Let us go back to 1957, following the first oil war in the Middle East called the Suez crisis. They even make movies about that now, and I ask people to go out and rent one of those films on the Suez crisis and show it on your VCR at home. It will tell you where the root of all this is.

At the time a very well known journalist, John C. Campbell, wrote for Foreign Affairs magazine the following: "Nothing is so unstable in the world balance as a group of newly independent states," and, of course, he was referring to the new states in the Middle East that had just been carved, "weak, uncertain of their frontiers and their future, jealous and suspicious of each other, resentful of the interference of the great powers from the outside." He said; "The Middle East today recalls the Balkans of 50 years ago."

□ 1610

Campbell went on to write: "Outside Powers who fish in such waters have to gauge the force of nationalism and to accommodate their policies to it if they wish to succeed at all. But woe to those who, in pursuit of supposed advantage or of a benevolent theory or principle, abdicate powers of decision vital to their own future."

Remember, this was being written in 1957.

"The important thing," he goes on, "is that the Arabs know where the United States stands, that it is not an enemy of their cause, but neither as a responsible world power can it give a premium to irresponsibility," on the part of others. "On a number of matters (oil production, pipelines, economic development, regional planning) the possibility of arrangements of real benefit to them should provide some incentive. Saudi Arabia, for example, has an obvious interest in such practical relationships, rather than in beating the anti-Western drums for the greater glory of Abdel Nasser," who was then, of course, the nationalist leader of Egypt, and still is a very popular person today in Egypt and the Arab world.

He goes on to say;

Only in that way can the West successfully support and encourage those Arab leaders who are moderate nationalists, who do not repudiate the West and all its works, or who

have a substantial political or economic interest in cooperation. Such leaders may seem hard to find at the moment.

That was back in 1957. They are still hard to find today.

The tide has been running so strong in the other direction that they have tended to ride along with it or to keep silent. They can not make headway if the West persists in making Abdel Nasser the sole champion of Arab nationalism who can win victories.

I might add on a personal note at this point that the unfortunate Western habit of picking one man in the Arab world and making him into the enemy, or picking another and making him into a hero, serves to hide the real currents that are going on in each of these nations, the political currents, the economic currents, the religious currents, and the social movements that are transforming the Middle East even today in the midst of war. The more the West tries to create an Arab enemy in the person of one man, the more it fuels the latent nationalism, pride, resentment, and the strong pressures for nationalism and recognition in their own right of each of these nations.

I want to go on continuing with a quote from this Foreign Affairs article.

It may be objected that to try to walk this fine line—if it exists at all—between encouragement of "good" nationalists and appeasement of "bad" nationalists is well beyond the capacities of our diplomacy. How can the West "accept" Arab nationalism without playing into the hands of the extremists . . . Our only hope of doing so is by consistent official and public attitudes which give Arabs the sense that they are regarded as equals and not as those being exploited for lower wages or because they happen to have oil under the ground, "and are being treated fairly and impartially."

We can recognize the "futility of trying to hold Western positions based on former imperial relationships," colonial powers that dominated that region for years, "that are an offense to Arab feeling and serve to unite all Arabs against the West." We can encourage "greater unity among Arab States that are desirous of maintaining freedom, and even taking a more tolerant attitude toward the Arab League if the league will itself develop a measure of tolerance; by respecting the neutrality of those Arab States that prefer it, provided it is genuine; and by a courageous attempt to tackle the question of Israel in a way that does some justice to outraged Arab feeling without feeding the fires of Arab megalomania."

The last point illustrates the basic dilemma in which the existence of unresolved and seemingly insoluble conflicts in the Middle East has placed the Western powers. The United States, on Palestine and other thorny disputes, has not been eager to make proposals sure to be rejected and to earn the

abuse of both sides. Yet it is the persistence of unsettled conflicts that has brought us to the present.

This is why yesterday's United States-Soviet statement by our Secretary of State and their Foreign Minister is so significant, because it places the two superpowers strongly on the side of negotiating the Arab-Israeli festering sore.

In 1968, and this was about 10 years after the quotes I have just been reading, 10 years later we saw this coming. We saw this war coming back as much as 30 years ago, just after the 1967 war when Charles Yost, a senior career diplomat and American Ambassador to the United Nations, wrote an article in *Foreign Affairs* magazine entitled "Order and American Responsibility." In his article Yost reviewed America's responsibility throughout the world, particularly in relationship to the Soviet Union, and his remarks on the Middle East, like those of Campbell 10 years earlier, are a precursor of our troubles today in 1991.

Yost wrote back then:

In view of the passionate nationalism of most of the states in the area, as well as its fragmentation and the crisscross of rivalries among the countries involved, it is most unlikely that either the Soviet Union or the United States could hope to dominate the area or any significant part of it. New intruders into the Arab world can not expect, particularly in this day and age, to be any more permanently successful than old ones were. It can hardly be doubted that their aid will be used by their respective clients more in the interests of the clients than of the patrons.

He recommends:

If this analysis is correct, both the United States and the Soviets should firmly forgo, unilateral military intervention in the area, or indeed other competitive measures which could lead to confrontation. The traditional involvement of the United Nations creates a convenient cushion, to the extent it can be used, between the interests of the two superpowers and their respective friends. Before new disasters occur, the United States, the Soviet Union and the Europeans should exert every ounce of leverage they possess to achieve whatever elements to settlement can be extracted, for if multilateral peacekeeping fails again in the Middle East, there is little we can do unilaterally that would not entail greater peril than profit to ourselves and our friends.

This was stated back in 1967.

Then, in 1973:

The increasing dependence of America on Middle East oil would once again draw the attention of American experts, and once again the reason for our attention was the growing instability of the Middle East. The 1973 war between Israel and the Arab Alliance had not yet occurred, but experts here at home were already raising their voices concerning our dependency on Middle East oil.

Speaking at congressional hearings in May 1973, 5 months before the outbreak of war in the Middle East, Michael Hudson, a professor at Johns Hopkins University School of Inter-

national Studies, would make the connection between the Palestinian question and the growing American dependency on Middle East oil.

He said, and this man was a prophet,

The energy question has justifiably rekindled worries about the Middle East. Only a decade ago it was argued in some quarters that the Middle East was becoming an unimportant part of the world because of an alleged oil glut. But then in the last few years, when skyrocketing petroleum consumption and environmental concerns have forced us to revise our thinking about energy, the concerns, the estimates of our growing dependence on Middle East oil have been revised upward repeatedly.

The President's 1970 task force on oil imports predicted that the United States would not need to depend for 10 percent of its oil from Middle East sources—a dangerous threshold even then—until 1980; but that date was subsequently moved back to 1975. The State Department's top specialist in fuels and energy told a congressional hearing in 1971 that by 1980 the United States would be consuming 24 million barrels per day of which only half would be domestically produced: some 9 million barrels, around 37 percent, would be coming from the Arab States of North Africa and the Persian Gulf and from Iran. . . . But in a political sense, there is no escaping the simple fact that we are going to need, he said back then, substantial amounts of Arab oil at least until the end of this century. Furthermore, we are going to have to pay for it. According to a Chase Manhattan Bank study.

□ 1620

And, of course, Chase Manhattan has been the institution that has accepted so much of the oil wealth from the Middle East and has managed to move those dollars around the world; they said that the outflow of dollars from the United States for petroleum could reach \$30 billion a year by 1985, and that proved to be correct; and it could result in an enormous balance-of-payments deficit for petroleum alone on the order of \$25 billion, and it certainly has, and today, as we stand here, I can say parenthetically that 55 percent of our imports in this country are oil imports, energy imports, and nearly half of our trade deficit with the world today, as it has been for every year of the last several years, is due to imported fuels. We continue to have the balance-of-payments problems, and it is causing this economy to erode internally. Already, he stated back then, the Arab oil producers are accumulating huge dollar reserves and will do so at a rapidly increasing rate in the years to come, and of course, when they accumulated those rapid dollar reserves, do you think they deposited them in institutions within the Middle East, financial institutions in the Middle East? Of course not. They brought those dollars back to the United States, put them in institutions here in our country, the most stable republic in the world, and now we are paying interest on the dollars that were our dollars to begin with had we not had to buy foreign oil, and that money has

worked its way into our economy, and we are paying them interest on the dollars that were ours to begin with. That money is in the very veins of this economy. Arab oil dollars flowing to German marks are prominent in the most recent dollar crisis, he said back in the 1970's, and there is every indication that these transactions were motivated only by strict financial rationality.

He went on:

Thus it seems possible that some of the Arab oil States angered by hostile U.S. policies in the area, might try to punish us in some future crisis. The Arabs did cut off their oil during the Suez war of 1956 and briefly during the Six Day War of 1967. Recently we have heard the Saudi oil minister politely threaten to use oil as a weapon to pry the United States away from its support of Israeli expansion. Lybia's leader, Mu'ammar Qadhafi, who deposed a king, has been bitterly critical of the United States policy toward the Arabs and there have been numerous serious incidents between the United States and Lybia recently.

This was back in the 1970's, and, of course, that has continued.

The Kuwait Parliament has voted to cut off its oil in any future crisis. Palestinian or Lebanese radicals have sabotaged the United States pipeline and storage tanks in Lebanon. And four major Arab oil producers recently staged a symbolic cutoff. Even with the best good will on both sides there will be some very hard bargaining on energy matters between the United States and the Arabs in the coming years. The addition of political hostilities is not likely to improve the outcomes.

And so he goes on:

We are approaching the point—if we have not already reached it, and this was back in the early 1970's—where the argument that "the Arabs would never deny us oil because they need our dollars more than we need their oil" is less than persuasive. A total and indefinite oil cutoff is most unlikely (though not impossible), but there is a variety of intermediate options open to the Arabs—including temporary cutoffs, slow-downs, and financial mischief—that could be extremely inconvenient, to the West. It may be true that the Arabs are unable to effectively threaten American vital security interests, but I would suggest that Arab oil must now be classified in the "almost vital" or at least "very important" category. Arms purchases from the U.S. notwithstanding, these signs do not suggest that the Arab producers can be counted on to keep oil and politics—especially the Arab-Israeli crisis—separate.

And, of course, we know as time went on and economic linkages developed that the nation of Kuwait as well as the nation of Saudi Arabia came to control almost 70 percent of the oil profits flowing from the Middle East to Western nations, and that the nationalist states like Iraq, Algeria, and Libya only controlled about 30 percent, and one of the driving forces behind this war is an attempt of those nationalist states to acquire a greater share of the profits that have been flowing to the Kuwaiti and Saudi States. Now there is a definite linkage between the Palestinian issue and the energy situation, and I am glad our Secretary of

State and the Soviet Foreign Minister confirmed that as recently as yesterday.

He goes on to say:

Finally, I would agree that there is a linkage between the Palestinian issue specifically and the energy situation, notwithstanding the present feebleness of the Palestinian guerilla movement. Palestine functions as an accelerator of instability and change among the Arabs. It is a free-floating myth around which all contradictions and conflicting interests in Arab society emerge. While uniting the Arabs in spirit, it sets country against country, class against class, generation against generation. As Ambassador Charles Yost and others have remarked, it breeds extremism and terror.

And we know that now well in 1991. "Indeed, our diplomats work now in fear of their lives in most Arab nations," and he stated this back in the 1970's. He says:

My travels in the Arab world, including the gulf last year, leave me with a strong impression that Arab hostility to the United States is largely due to what is perceived as complete American support for Israel and its conquests. At the same time, as we have seen, the United States is becoming increasingly dependent on Arab oil. The mere juxtaposition of these two facts might be sufficient to convince some that linkage exists, but I think we must explore the matter further primarily because of a condition I referred to earlier: The divisions and discontinuities among the Arabs.

And he goes on that there are several more specific grounds for asserting the connection between the energy situation and the Palestinian problem. None alone is compelling, but taken together, in his judgment, they constitute a serious argument for its significance.

First, there is a large and influential Palestinian community in Arabia and the gulf—Kuwait, Saudi Arabia, Abu Dhabi, Dubai. These Palestinians perform vital services in the governments, business, and oil installations themselves. They have proselytized the Palestinian case effectively among the gulf Arabs. In the second place, the rising, politicized, Western educated younger gulf Arabs are being sensitized to the Palestine issue more effectively than were their parents. Universities in Damascus, Cairo, and Beirut, for example, have been centers of diffusion of Palestinian and Arab values and commitments; and Arab students studying overseas have also been acculturated into the Palestine problem through their own studies and contacts with other Arabs. Third, on the ideological level, the Palestinian case and Arab nationalism are inextricably linked. Gulf Arabs, despite their various commitments and priorities, feel that Palestine is part of the Arab nation and that the Palestine problem is their problem.

When this gentleman traveled in the gulf in Arabia, he states he could see first hand the extensiveness of this awareness. The strong Islamic commitments of many gulf Arabs makes them particularly concerned over the fate of Jerusalem.

□ 1630

He said:

I need not go into detail to indicate the signs that have appeared recently from the conservative monarchial regimes themselves as to their concern over American policy as regards the Arab-Israeli question. We have had the Saudi Arabian Oil Minister come and deliver his veiled threat. We have had a recent cut-off, a symbolic cut-off, of oil supplies by at least five major Arab oil producers.

This was back in the 1970's.

We have had the oil installations of the Tapline blown up in Lebanon, Tapline being an American company.

He goes on:

We have had increasing difficulties with the government of Libya. The Kuwait Parliament and the ruler of Kuwait have vowed to withhold further increases in oil if there is not some change. Now, I would regard these statements as statements to be taken seriously.

He says:

I am not claiming that if there were no Palestinian problem that the Gulf would be completely stable. But I could contest the opposite claim—one which seems to be widely accepted in Washington—to the effect that the Arab-Israeli conflict is entirely unrelated to developments in the Gulf.

He says:

I am not alone in this assessment. For example, a seminar on the Gulf conducted by the American University's field staff in Italy last summer states: "One inescapable conclusion is that, if for no other reason than meeting the oil requirements of American citizens bent on comfort and convenience, the United States cannot afford to be on bad terms with the whole Arab membership of OPEC (The Organization of Petroleum Exporting Countries); this statement holds good no matter how much the states in question may differ politically or ideologically within the Arab League."

And further that:

Therefore, an event thought more conducive to stability in the Gulf than any other single happening was a settlement of the Arab-Israeli dispute, in terms acceptable not only to the Arabs but to the international community, and Israel.

These are telling words, Mr. Speaker, telling words indeed. For as far back as 1973, before the first oil shock of 1973, here were clearheaded thinkers, telling everyone that there was trouble ahead. Why did we not listen to them then? The rest as we all know is history.

Five months after Professor Hudson's prophetic remarks, the Arabs once again were at war with Israel. The oil crisis that followed as the result of that war would send the U.S. economy into a severe recession, a recession from which we have never fully recovered. Since 1973, our balance of problems has continued to grow worse. We have been importing more oil from all over the world, and even more from the Middle East, rather during the 1980's than becoming less dependent on Middle East oil, we became more dependent on Middle East oil.

I would like to point out, as an American who comes from the heartland, it has always been a curiosity to me, and helps me understand the power

of multinational oil corporations, that under the ground in the United States we have more Btu's of energy in coal, British thermal units, which is a measurement of energy than the Middle East has oil liquid form. In fact, just in coal reserves, recoverable coal reserves alone in this country, we have 3 times what the Middle East has in Btu's in liquid oil. Yet why is it that our multinational oil companies have gone to the Middle East rather than investing in the United States of America and creating jobs here? Very important question. Very important question to ask because that has been the private government, the relationship of the oil companies to those nations that have led America to the brink of war and now into war. Those companies must be held accountable by the American people.

Now it is 1991, our troops are in the field. We are losing people every day. What have we really learned about our dependency on Middle East oil, and our energy dependency here at home and other places? Sometimes I think we have not learned hardly anything at all. Stuart Eizenstat, the former Domestic Policy Director for President Carter, wrote an article in 1990 entitled "No more oil binges?," and in this article which I am placing into the RECORD, he recounts the long sorry history. And it is, indeed, a sorry history every day that we live now of how we became so dependent on Middle East oil. I will include the article at this point:

NO MORE OIL BINGES?

(By Stuart E. Eizenstat)

We are all willing to pay the cost of sending 200,000 American military personnel to Saudi Arabia to protect U.S. and western oil supplies, and to have some of our men and women pay the ultimate price with their lives. Yet, as a nation, we have time and again shown our unwillingness to bear the sacrifices necessary to reduce our reliance on crude oil from the world's most unstable region—the Middle East.

The United States is experiencing its third oil shock in the past 17 years. Each has produced a similar economic trauma. After the first OPEC oil embargo by Arab states in 1973-74, a new word had to be added to our economic lexicon as a result of the huge run-up in oil prices—"stagflation," the simultaneous increase in inflation and decrease in growth. In 1979-80, following the fall of the Shah of Iran and the western panic over the drop in Iranian oil production, the same thing happened. As domestic policy adviser to President Jimmy Carter, I personally experienced the full economic—and political—impact of a 120 percent rise in oil prices in a one-year period—leading to double-digit inflation and interest rates, an economic downturn and the loss of the 1980 presidential election.

Now the oil shock of 1990 presents another grim reminder. The embargo of Iraq's and Kuwait's 4.3 million barrels of daily oil production (the loss to world oil supplies is now well under 1 million barrels per day as additional production has come on line to replace the Iraq-Kuwait exports) and the fear of war in the world's oil belt threatened to again

set the U.S. economically on its heels. As oil prices have doubled since July, a recession looms and inflation has jumped.

A pattern has developed. With each oil shock there is a temporary public clamor for action, a presidential plan produced in a crisis atmosphere, public apathy when the emergency recedes and only limited success in implementing the president's program. In 1973, President Richard Nixon called for Project Independence to eliminate U.S. dependence on foreign oil by 1980, but little of the program survived intact in Congress.

President Gerald Ford followed with his own version, which initially was to include a major synthetic energy program, but only parts were passed by Congress.

President Carter—following up his major energy initiative of 1977, which was billed by him as the "moral equivalent of war," and his courageous decision to decontrol crude oil prices in June, 1979—produced an energy bill in the heat of the price rise and gasoline lines of 1979. It had as its centerpiece a Synthetic Fuels Corp., to produce largely coal-based synthetic fuel and an Energy Mobilization Board, to speed up the licensing of domestic energy facilities. The Energy Mobilization Board was killed in the Senate and the Synthetic Fuels Corp. was ended by President Ronald Reagan as an intrusion in the free marketplace.

Now, in the face of our third energy crisis President George Bush has asked the Department of Energy to accelerate its work begun in July, 1989, on a National Energy Strategy, so that the president can make it a centerpiece of his 1991 State of the Union Address.

The danger is that once the Iraqi crisis recedes and world oil prices plummet to near pre-crisis levels, as will likely happen, President Bush's efforts will die aborning.

This is not to say, with all the ups and downs, frantic, ambitious energy plans proposed and half-measures passed, that our country has not made significant progress.

We are much more energy efficient than we were before the first oil shock in 1973 and can produce a unit of economic growth with about 50 percent more efficiency now.

Through the efforts of Presidents Carter and Reagan, price controls on crude oil and natural gas, which discouraged domestic production and conservation, have been ended.

A Strategic Petroleum Reserve initially set up after the first Arab oil shock, has gone from only 7 million barrels in 1977, when President Carter was in office, to some 800 million barrels today.

Oil consumption has been reduced since the first oil crisis in every sector except transportation. Electric power generators use only half the oil they did in 1973; oil consumption is off by 40 percent in the residential and commercial sector, and American industry's energy consumption was lower last year than it was in 1973.

Yet with all the improvements, President Reagan's laissez-faire attitude during the '80s set the nation back. Government support for research and development in alternative fuels and conservation was dramatically slashed. President Reagan spent more time trying to bill the Department of Energy than reducing our energy dependence.

Automobile fuel efficiency standards, which improved from a fleetwide average of 18 miles per gallon in 1978 to 27.5 miles per gallon in 1985, stagnated. The speed limit was raised in many states. Improvements in energy efficiency waned. Domestic crude oil production continued to plummet to 7.8 million barrels per day, the lowest level since 1951. Oil consumption was up last year by

over 2 million barrels per day from 1983 levels and back to pre-1973 levels, before the first oil shock.

The United States is now dependent on imported oil for almost 50 percent of its needs—a level only once before—with much of the oil coming from the volatile Middle East. We spent over \$37 billion on oil imports last year and it was a third of the total U.S. trade deficit.

Why have we had such a mixed record on energy? Why do we respond only in times of apparent crisis and then forget the lessons we have learned? Energy is the single most difficult domestic issue. Regions are pitted against each other—producing areas in the Southwest and West which want higher prices to stimulate production and consuming areas in the Middle West and East which want cheap prices; oil and gas states fighting coal states; fierce interstate battling each other to an energy policy gridlock—environmentalists against producers, consumer groups against utilities and the auto industry. We are unwilling to compromise.

We want inconsistent things—cheap prices, but greater conservation; more domestic oil, gas and coal production, but total environmental protection; less reliance on foreign oil, but risk-free domestic energy sources. And our decentralized political system permits endless roadblocks to be erected.

If President Bush's National Energy Strategy is to build a successful energy policy for the 21st Century, it must be premised on the following realities.

First we must end the premise that energy policy has to be either production or pro-conservation. We need both to reduce our dependence on foreign oil.

Production of all domestic energy sources is needed. In the short and medium term, this means incentives for recovery of hard-to-get crude oil, environmentally safe exploration of the most promising offshore sites and drilling in limited areas of Alaska's Arctic National Wildlife Range; removal of regulatory barriers to plentiful and clean natural gas; encouragement for a new generation of nuclear power plants, and the safe disposal of nuclear wastes.

For the long run, the administration should sharply increase research on and development of alternative fuels, particularly renewable sources of energy like geothermal and solar, so that ultimately American ingenuity can replace foreign oil.

On the conservation side, the most serious energy problem is in the transportation sector, where oil consumption is 20 percent higher today than in 1973. Two-thirds of the 17 million barrels of oil the United States consumes each day is used here, mostly for our cars and trucks. This calls for two politically difficult answers—higher gasoline taxes and more stringent fuel-economy standards. Congress made a modest start in the new budget package with a tax hike of 5 cents a gallon, but we still pay only about half of what more conservation-oriented nations do for gas. Significantly higher gas taxes are needed.

Senator Richard Bryan (D-Nev.) has a proposal, which deserves support, to raise fuel efficiency standards by 40 percent to 40 miles per gallon by the year 2001. Increased substitution of methanol and ethanol for gasoline as mandated by the new Clean Air Act amendments will help. If we are really interested in conservation, a broad-based tax on all energy consumption would be important. This was considered but dropped during the budget summit talks.

A second necessity is to recognize that the overblown promise of achieving complete en-

ergy independence is illusory and will only lead to public disappointment. We live in a global economy in which there is an interdependence of need for a variety of products; crude oil is no exception. We need to replace the boom and trust cycle of energy policy with a steady, dedicated, persistent policy.

Third, the Department of Energy must be given authority to license and locate major energy facilities upon a finding of national need and adequate safety margins, even if states try to block them. It is now virtually impossible to site a major energy facility in the Northeast. We cannot have a sound national energy policy when a withering variety of state and local regulations can block national energy actions.

Last, our energy policy will continue to require the type of military muscle President Bush has provided in the Persian Gulf to protect those foreign energy markets from hostile domination. Until we reach the stage well into the 21st Century when crude oil is no longer central to our economy, oil will be worth fighting for.

It did not surprise me at all that one of the early scenes on the news these last few weeks was the Aramco sited in Saudi Arabia where we see Americans who are worried about the possible chemical bombing that might occur, and most Americans do not realize that the largest settlement of United States citizens outside of the United States is at the Aramco facility in Saudi Arabia. We have colonized that part of the world. The oil interests and our alliance with the companies has been a largely hidden part of the news, and yet it is a central core of what this news is about.

Three oil shocks since 1973; three economic recessions; a balance of payments problem that keeps getting worse. Yet despite some progress at conservation, 55 percent of the oil that we use remains imported, and out of the taxpayers' pockets of this country, when we go to the gas pump and we buy that gasoline, \$37 billion of what we pay is sent to those producer nations.

If we look at the entire U.S. trade deficit, one-third of what we owe, one-third of that trade deficit, is related to oil, the accumulated deficit of this country. Another third is due to imported automobiles. So much of the trade deficit that we face as a nation is intertwined: oil and automobiles. Is it so hard for Americans to really look at the numbers and understand what has happened to this country?

I cite this history to once again remind Americans that the failure of having a clear policy, the failure to resolve the long-festered problem of protecting Israel and resolving the Palestinian issue, and the failure to become more energy independent in the last decade, has led the United States to war in the gulf today.

Mr. Speaker, this war has been a long time coming. It has been a long time coming. God bless America, and God bless the world.

SUPPORT FOR JOINT UNITED STATES-SOVIET GULF STATEMENT

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Michigan [Mr. BONIOR] is recognized for 60 minutes.

Mr. BONIOR. Mr. Speaker, I wish my friend and colleague, the gentlewoman from California [Ms. KAPTUR] would not have left because I wanted her to know how much I, and I suspect millions of others, appreciate her scholarly work and indepth analysis of our investment in the Middle East. She was eloquent yesterday as well as this evening in explaining some of the more historical and important facts that are so relevant today as we face this very difficult issue as a country.

□ 1640

Mr. Speaker, I would like to rise and speak with every ounce of energy I can for the joint statement in support of the joint statement that was issued by the United States and the Soviets on the gulf yesterday. I think it is important and maybe perhaps even instructive that I read the statement, because it is not that long, and I think it says much and even more than that. I think it provides some whisper of hope in these very dark and bleak days that we are engaged in.

JOINT UNITED STATES-SOVIET STATEMENT ON GULF

(Following is last night's joint statement by Secretary of State James A. Baker III and Soviet Foreign Minister Alexander Bessmertnykh.)

In the course of the discussions held in Washington on January 26-29, 1991, USSR Minister of Foreign Affairs Alexander Bessmertnykh and U.S. Secretary of State James Baker devoted considerable attention to the situation in the Persian Gulf.

The ministers reiterated the commitment of their countries to the U.N. Security Council resolutions adopted in connection with Iraq's aggression against Kuwait. They expressed regret that numerous efforts of the United Nations, other international organizations, individual countries, and envoys were all rebuffed by Iraq. The military actions authorized by the United Nations have been provoked by the refusal of the Iraqi leadership to comply with the clear and lawful demands of the international community for withdrawal from Kuwait.

Secretary of State Baker emphasized that the United States and its coalition partners are seeking the liberation of Kuwait, not the destruction of Iraq. He stressed that the United States has no quarrel with the people of Iraq, and poses no threat to Iraq's territorial integrity. Secretary Baker reiterated that the United States is doing its utmost to avoid casualties among the civilian population, and is not interested in expanding the conflict. Minister of Foreign Affairs Bessmertnykh took note of the American position and agreed that Iraq's withdrawal from Kuwait must remain the goal of the international community. Both sides believe that everything possible should be done to avoid further escalation of the war and expansion of its scale.

The ministers continue to believe that a cessation of hostilities would be possible if

Iraq would make an unequivocal commitment to withdraw from Kuwait. They also believe that such a commitment must be backed by immediate, concrete steps leading to full compliance with the Security Council resolutions.

The Iraqi leadership has to respect the will of the international community. By doing so, it has it within its power to stop the violence and bloodshed.

The ministers agreed that establishing enduring stability and peace in the region after the conflict, on the basis of effective security arrangements, will be a high priority of our two governments. Working to reduce the risk of war and miscalculation will be essential, particularly because a spiraling arms race in this volatile region can only generate greater violence and extremism. In addition, dealing with the causes of instability and the sources of conflict, including the Arab-Israeli conflict, will be especially important. Indeed, both ministers agreed that without a meaningful peace process—one which promotes a just peace, security, and a real reconciliation for Israel, Arab states, and Palestinians—it will not be possible to deal with the sources of conflict and instability in the region. Both ministers, therefore, agreed that in the aftermath of the crisis in the Persian Gulf, mutual U.S.-Soviet efforts to promote Arab-Israeli peace and regional stability, in consultation with other parties in the region, will be greatly facilitated and enhanced.

The two ministers are confident that the United States and the Soviet Union, as demonstrated in various other regional conflicts, can make a substantial contribution to the achievement of a comprehensive settlement in the Middle East.

Mr. Speaker, I rise as I indicated in wholehearted support of the sentiments and the words expressed in this resolution. They are significant for a variety of reasons.

No. 1, they have the potential of making sure that the over 1.2 million troops that face each other in the open desert and in the open seas in the Persian Gulf do not come in conflict with each other, which as we know could result in catastrophic casualties of immense proportions.

This dialog, this statement between the Soviets and the United States, opens the way, I believe, in a significant and a very different way to Saddam Hussein withdrawing from Kuwait. If he and his aides and ministers are serious about the claim that was put forward by Foreign Minister Aziz on numerous occasions and by others at the United Nations representing the Iraqi cause and by Palestinians who have aligned themselves with Saddam Hussein, then they will take this statement, they will carefully analyze it, and they will come to the recognition that the two superpowers, the Soviet Union and the United States, are prepared to, as they say in their statement, in a meaningful way deal with the questions of the Middle East, one, and which I quote, "Promotes a just peace, security, and a real reconciliation for Israel, Arab states, and Palestinians."

The statement goes on that it is not possible to deal with these sources of conflict and instability in the region without dealing with these root causes.

Both Ministers therefore agreed that in the aftermath of the crisis in the Persian Gulf, mutual United States-Soviet efforts to promote this Arab-Israeli peace and regional stability, in consultation with other parties in the region, will be greatly facilitated and enhanced—greatly facilitated and enhanced.

I refer to the preceding statement in the paragraph, which I think is significant, that the Ministers continue to believe that a cessation of hostilities would be possible if Iraq would make an unequivocal commitment to withdraw from Kuwait, a commitment to withdraw from Kuwait which is different, Mr. Speaker, than previous demands put upon Saddam Hussein.

Mr. Speaker, this is an important statement and it represents the views of the two most powerful Governments in the world today. It would be very important for all of my colleagues who have read it, who perhaps might be listening to this discussion this evening, to carefully analyze for themselves what it contains. I would encourage each and every one of them to join me and my other colleagues in support of this resolution.

We will in due course be circulating a letter to the rest of our colleagues in the Congress, asking them to support our Government, the Soviet Foreign Ministers, and those in the world community who seek a cessation of hostilities so that we can get on with a more profound and lasting peace for this most troubling area of the world.

So, Mr. Speaker, again I just want to reiterate my support for the work that was done to put this statement together, for the expression, for the flexibility that it embodies, and for the hope that it gives to literally tens of millions of people around the world who want to see an end to this war in a peaceful way that respects the sovereignty of Kuwait, that respects the dignity of Arab community, that protects the rights of Israel, and that recognizes in the most profound way possible that only through talk and discussion can we avoid further bloodshed of the type that we have had and the type that we regretfully will continue to have unless Saddam Hussein recognizes the justice and flexibility of the statement which was issued by the Soviet Union and the United States.

□ 1650

So, in conclusion, let me say, Mr. Speaker, I hope my colleagues would join me and others in supporting this and that we would move forward from this point so that we can bring our troops home.

The last thing that any of us wants to see is a protracted land war in the

desert which could, and I stress could, consume literally tens of thousands of American, British, French, Saudi, Kuwaiti, Iraqi, Egyptian life, and all the others who are engaged and potentially engaged and ready for combat in that region.

Mr. Speaker, I commend the Secretary of State for making this effort, and also the administration.

Mr. Speaker, I ask for the support of my colleagues.

AN ALTERNATIVE STRATEGY IN THE CONTINUATION OF THE PERSIAN GULF WAR

The SPEAKER pro tempore (Mr. CHAPMAN). Under a previous order of the House the gentleman from California [Mr. MILLER] is recognized for 15 minutes.

Mr. MILLER of California. Mr. Speaker, Members of the House, I want to congratulate our deputy whip, the gentleman from Michigan [Mr. BONIOR], for his statements here in the well on behalf of what hopefully will become a peace process with respect to the war that now rages in the Middle East and Iraq.

We hope that the statements by Secretary Baker and by the foreign minister of the Soviet Union will be nurtured and will bloom into a full-blown peace process.

But if that should not happen or if that should take longer than is necessary, I would also like to say I believe we must make all efforts now to avoid a ground war in Iraq.

As we know, the American people, most of the world, has been sitting with great anxiety waiting to see when the ground war would begin.

Some have suggested that the ground war should begin right away and we could get this all over with. I think we have heard numerous times from Secretary Cheney and Gen. Colin Powell that they would like to proceed in this matter in the manner in which they have planned it, and make sure that they can use the air war to the extent that it will allow them to provide the full protection of our soldiers and the coalition soldiers and, hopefully, for the full minimization of whatever loss of life might take place should the ground war be entered into.

But I would like to build upon that notion. That is that today in his briefing for the press our allied commander, General Schwarzkopf, the supreme commander of the forces in the Middle East at this time, engaged in the battle of Iraq, gave what I think was a rather extensive and certainly a complete and upbeat report on what has taken place in the battle of Kuwait and Iraq over the last 14 days.

He indicated that he felt that he could now say that in fact American forces had achieved supremacy of the skies, that in fact the only planes that

were now coming up from their air bases were those seeking to go into Iran to seek, apparently, safe haven.

In Iran presently some 90 planes have done that to date. Also, he reported that out of 30,000 sorties only 19 allied aircraft had been lost, a rather spectacular performance, with minimum damage to the allied forces.

He went on to explain that they had been able to essentially systematically destroy the command and control centralized control—and he suggested that Saddam Hussein has now given up the centralized command and control of his forces, that he is forced, as a result of our activities, into a much different means of passing on orders to his forces in the fields.

He suggested that the main supply route had now been cut some 90 percent, that where before on a daily basis we saw a thousand trucks moving toward Kuwait City from Iraq, that we now saw 100 trucks on a daily basis, and that the bombing of those convoys and that road and bridges, was continuing.

Mr. Speaker, spectacular footage was shown as to how we were now able to locate and destroy the hard revetments for the aircraft at the various airfields and to seek and destroy additional Scud missile launchers; really spectacular successes in the prosecution of this air war.

I would suggest that that should lead us to the conclusion, again, that we should not rush into a ground war, that we ought to be very careful about that decision.

I would suggest perhaps that General Schwarzkopf's briefing and the material he laid out to the press and to the people across the world suggests that we can wait a long time.

When we had the debate in this Congress some 3 weeks ago, we discussed and it was debated back and forth and suggested by those who did not like sanctions, time and again, the sanctions alone would not work and that is why we had to give the President that authority. I oppose that argument. I believed sanctions should be given more time.

But what we now see is that we are no longer in the position of having sanctions alone, we are no longer in the position of proving whether or not sanctions will or will not work, because sanctions have now been joined—and these are the most comprehensive sanctions in modern history—joined in by more of the rest of the world than any sanctions the United States has declared against a foreign country, and the testimony as to its success was given time and time again by Secretary Cheney to Members of Congress and to others, that we now have those sanctions joined by an unprecedented prosecution of an air war, strategic and tactical air war, against Saddam Hussein's forces in Iraq and Kuwait.

The reports that have now come out of the last 14 days of fighting, along with the declaration of air supremacy, suggests that that air war can continue to be prosecuted with minimum exposure to danger, hopefully no loss of life to the allied command and the coalition forces.

We ought to take that and understand that we can continue to inflict a huge amount of punishment, in a military sense, in terms of supplies and logistics. General Schwarzkopf informed us that he believes that a very substantial, if not all, of the ability for production of nuclear, biological, and chemical warfare had been destroyed, that those facilities would continue to be targeted even after the extent to which they have already been devastated.

So, much, much of the military goals that the President set out, that General Schwarzkopf set out, are in fact being achieved at this time.

Now the issue goes as to whether or not we have to go in and root out the Iraqi soldiers that have been in bunkers now, in many instances, exceeding 5 months. Will we have to commit ground forces, the bulk of which will be young American men and women, to that battle? Or can we continue to prosecute this war, make life very difficult for the Iraqi soldiers who are stuck in those bunkers, continue to go after their antiaircraft guns, their artillery guns, their tanks, and avoid the necessity for a ground war?

I realize, and I was one of those who said and still believe, that no war will be won simply by the use of an air war. But we also see here that we are so denigrating the command and control of the strategic capability of Saddam Hussein that it would be foolish to rush in with tens of thousands of our young men and women to prove a point.

As General Schwarzkopf pointed out, many of these people now in Saddam Hussein's army in Kuwait are only being fed once a day. There is no water for them to wash by. There apparently is a shortage of water which becomes more and more troublesome in the desert.

□ 1700

Many of the defectors are telling us that the Iraqi soldiers are begging or stealing food in Kuwait City. Things are dramatically different today than they were at the beginning of this air war 14 days ago.

Mr. Speaker, I think the point is this, that we ought to give this an opportunity to work. Secretary Baker, the Soviet Union, have put Saddam Hussein on notice that, if he leaves, if he sends a strong signal; meaning the President has modified that to say that what he meant was that in fact that he take concrete steps to leave Kuwait, and more than just an unequivocal commitment, but very substantial demonstrations of his commitment to

leave, that it is in Saddam Hussein's hands, and we need not kill these young soldiers to make that point.

Last night the first ground skirmish, or the first serious ground skirmish, of this war took place. Twelve American marines were killed in a very small skirmish compared to what we expect to see in the future, and I think it is important that we understand that, that we allow the sanctions, the air war, to continue and that we spare the tens of thousands of young men and women the holocaust that may very well take place should we engage in that ground war prematurely, or even unnecessarily, if the diplomatic openings that were suggested by Secretary Baker can in fact be followed up on and nurtured so that maybe Saddam Hussein will now understand that his best chance for the survival of his country is to get out of Kuwait, to bring those troops back to Iraq. Many of the concerns that were expressed by the world community, by our own leaders, by people in the Congress, about his nuclear, biological and chemical capacity have been destroyed, and so, if he comes back, brings his troops back, he will not have that capability.

Mr. Speaker, I think we have got to look and make a very clear delineation about that decision, and I do not suggest for a minute that the decision to commit ground troops by Secretary Cheney, or the President of the United States, or Colin Powell, they have all told us time and again that this is the most difficult, serious decision that they will have to make. I just want to make sure that that decision is made for the right reasons and that we are not just now going in because we think we have to do this to finish off Saddam Hussein. If we go into Kuwait, we will not be finishing off Saddam Hussein. We will be finishing off conceivably, possibly, terrible scenarios, tens of thousands of American and coalition soldiers and also Iraqi young men who have been put in there by the terror of Saddam Hussein.

So, Mr. Speaker, I would hope that my colleagues and that the public would read what General Schwarzkopf has told us we have been able to accomplish. I am not suggesting a ceasefire. I am not suggesting any alteration from the plan that General Schwarzkopf and his staff has laid out. What I am suggesting is we ought to understand that this is a policy that can bring about great devastation to Saddam Hussein, can bring about great denigration of the society which he wants to lead and can still for the time being spare American young men and women from the horror of a ground war in the desert of Kuwait and of Iraq. I think that these two things taken together give us the best hope for avoiding a ground war, but they must be nurtured. Diplomacy must be invoked upon. We now deal from an incredible

strength. Secretary Baker, the President of the United States, obviously are able to demonstrate what our capabilities are over the last 14 days and what they would be into the future.

So, this is not a question of deciding that we are going to pause and let Saddam Hussein redeploy, resupply. Not at all. I am just suggesting that this approach can be pursued for a considerable length of time and provide for the protection of our troops. We have seen many banners and many flags, and many people have said; all of us have said in this country, that we support the troops. The best support we can give those troops is to make sure that they are not unnecessarily committed to a ground war should it turn out that there is another way to prosecute the war that we have already undertaken. I think substantial evidence has been given to us in the last several hours that it can, and substantial evidence has been given to us in the last 24 hours about a ground war.

Mr. Speaker, I noticed General Schwarzkopf said there were 12 KIA. He had to be very fast. That is "killed in action." Twelve marines are now dead as a result of the first skirmish of the ground war, and, given all of the briefings that we have, it is fair to expect that those numbers would grow geometrically if we engage in that. So, I would hope that the goodness of the successful prosecution of the air war to date and the plan laid out by General Schwarzkopf and others, combined with the agreements reached with the Soviet Union about the future of this region and about the potential for diplomacy, for negotiations, for trying to settle some of the historic problems, that those two things would be pursued and be exhausted any time prior to making any kind of commitment to American troops and coalition troops to a ground war.

REITERATION OF SUPPORT FOR U.N. RESOLUTIONS

The SPEAKER pro tempore (Mr. CHAPMAN). Under a previous order of the House, the gentleman from Maine [Mr. ANDREWS] is recognized for 15 minutes.

Mr. ANDREWS of Maine. Mr. Speaker, I did not want the day to end without focusing my attention and the attention of this House and many Members to recognize the diplomatic developments that have occurred and were announced today by our Secretary of State and by the Soviet Foreign Minister with regard to the war in the Persian Gulf. We have engaged as a body in a great debate over the means by which we as a nation should oppose the aggression and indeed the brutality of Saddam Hussein, and throughout that debate there was very clear unanimity that this country stands firm against that aggression, that we stand together

and united in opposing that aggression and bringing together the international community to form a common cause in opposition to the actions of Saddam Hussein.

Last night in this Chamber we also saw and we also felt the great unanimity of this body, and indeed America itself, in strong support for our troops and their heroic efforts on behalf of their Nation. But today we read of developments from the diplomatic front of this crisis, and I think that is extremely important because the focus of America, and the focus of this Chamber, and the focus of towns, and cities, and neighborhoods and coffee shops across this country has been a focus of war. We have turned on the television sets day after day, night after night, to find the status of war, and we have learned about what progress might have been made, what defeats might have been suffered, how many deaths might have been suffered by either side in this conflict, but the terms of our inquiries have been war. Well, today we now have something else to talk about, and I could not let this day go by without talking about it on the floor of this great Chamber.

□ 1710

The statement that came today by the Secretary of State and the Soviet Foreign Minister was significant. First of all, it recognized that these two great countries are devoting considerable attention and energy to this conflict, and, very importantly, both sides reiterate the commitments of the Soviet Union and the United States to the United Nations Security Council resolutions adopted in connection with Iraq's aggression against Kuwait. And they spoke very clearly about their support and our support of those resolutions and our opposition to Iraq's aggression.

But they also said something else that was extremely significant in this statement. They said that both sides believe—and I am quoting now—"both sides believe that everything possible should be done to avoid further escalation of the war and expansion of its scale."

Let me repeat that. They said that everything possible should be done to avoid further escalation of the war and expansion of its scale. "The Ministers continue to believe," the statement read, "that a cessation of hostilities would be possible if Iraq would make an unequivocal commitment to withdraw from Kuwait." And they said that they also believe that such a commitment must be backed by immediate concrete steps leading to compliance with the U.N. Security Council resolutions.

There is an opportunity, there is a diplomatic initiative that has been taken today by two great nations involved in this coalition's effort to try

and bring about a resolve to this war, not on the battlefield but through diplomatic initiative. It does not back-track, it does not appease, it does not contradict anything that this coalition and the U.N. Security Council have been saying very clearly and forthrightly for the past several days and weeks, but it does say that both sides have this commitment to doing everything possible to avoid further escalation of the war.

Finally, that communicate very significantly said that these two great nations, the Soviet Union and the United States, will work very hard to establish enduring stability and peace in the region after the conflict on the basis of effective security agreements which for those nations will be a high priority.

Mr. Speaker, I am going to quote here:

Working to reduce the risks of war and miscalculations will be essential, particularly because the spiraling arms race in this volatile region can only cause greater violence and extremism.

So establishing enduring peace and stability in the region as a commitment of these two nations after the cessation of hostilities has been achieved is now on the record. We have been following the progress of the war, and today we can begin to follow what progress we can note in the effort toward diplomatic resolution of this conflict, what progress we can note in efforts toward the pursuit of peace without the use of force.

I would like to take some of my time, Mr. Speaker, before we close this day to commend the administration for entering into this joint initiative, to at least register my wholehearted support and commendation for that agreement, and I further would commend the administration in its efforts to continue its pursuit of peace, its pursuit of diplomatic initiatives, so that nations like the Soviet Union and the United States and other coalition partners can work together to propose options that might cause a cessation of these hostilities in the Persian Gulf and bring an end to this war.

SUPPORT REGISTERED FOR JOINT UNITED STATES-SOVIET PROPOSAL FOR PEACE IN THE MIDDLE EAST

The SPEAKER pro tempore (Mr. CHAPMAN). Under a previous order of the House, the gentleman from Pennsylvania [Mr. FOGLETTA] is recognized for 60 minutes.

Mr. FOGLETTA. Mr. Speaker, 3 weeks ago, we debated the question of whether to authorize the President to go to war. Many of us argued that the President was pursuing a wrong policy—that he was rushing into an unnecessary war.

Here today, this country is at war. Our brave young men and women are risking their lives in the Middle East.

Soldiers are starting to come home in body bags. And it may get worse—much worse. A ground war could be a catastrophe. We may see chemical warfare, biological warfare, or even nuclear warfare.

That cannot take place. This war must end before that takes place. This country must pursue peace. That is why we should commend the administration for its new proposal from Secretary of State James Baker and his counterpart in the Soviet Union.

Every Member of this body should read the joint statement. In summary, it says: "Both sides believe everything possible should be done to avoid further escalation of the war and an expansion in its scale."

The Ministers continue to believe that a cessation of hostilities would be possible if Iraq makes an unequivocal commitment to withdraw from Kuwait.

They also believe that such a commitment must be backed by immediate, concrete steps leading to full compliance with the Security Council resolutions.

And the joint statement goes even further by taking the long-range view of peace in the Middle East.

Let me quote,

Establishing enduring stability and peace in the region after the conflict will be a high priority. Working to reduce the risk of war and miscalculation will be essential, especially because a spiraling arms race in this volatile region can only generate greater violence and extremism.

I strongly endorse this initiative as a basis for an end to the hostilities, an end to the carnage and destruction, and the start of long-term peace initiatives.

Congress should line up behind this new initiative. A ground war would be a catastrophe. We must prevent that bloodbath. The Bush administration can do that if it continues to pursue the outline of this joint statement.

Let us let President Bush know we stand behind this proposal.

Even more importantly, let's let Saddam Hussein know that the American people stand behind this proposal and urge him to accept its conditions.

RULES OF THE COMMITTEE ON RULES FOR THE 102D CONGRESS

(Mr. MOAKLEY asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. MOAKLEY. Mr. Speaker, pursuant to the provisions of clause 2(a) of rule XI of the rules of the House, I submit for publication in the CONGRESSIONAL RECORD the rules adopted by the Committee on Rules for the 102d Congress on January 29, 1991.

RULES OF THE COMMITTEE ON RULES U.S. HOUSE OF REPRESENTATIVES—102ND CONGRESS

Rule XI, 1(a)(1) of the House of Representatives provides:

The rules of the House are the rules of its committees and subcommittees so far as applicable, except that a motion to recess from day to day is a motion of high privilege in committees and subcommittees.

Rule XI, 2(a) of the House of Representatives provides, in part:

Each standing committee of the House shall adopt written rules governing its procedure. * * *

In accordance with the foregoing, the Committee on Rules adopted the following Rules of Procedure on January 29, 1991.

RULE 1—APPLICABILITY OF HOUSE RULES

The Rules of the House of Representatives are the rules of the Committee on Rules (hereafter in these rules referred to as the "Committee") so far as applicable, together with the rules contained herein.

RULE 2—SCHEDULING AND NOTICE OF MEETINGS AND HEARINGS

Regular Meetings

(a)(1) The Committee shall regularly meet at 10:30 a.m. on Tuesday of each week when the House is in session.

(2) A Tuesday meeting of the Committee may be dispensed with if, in the judgment of the Chairman of the Committee (hereafter in these rules referred to as the "Chair"), there is no need for the meeting.

(3) Additional regular meetings and hearings of the Committee may be called by the Chair or by the filing of a written request, signed by a majority of the Members of the Committee, with the Staff Director of the Committee.

Notice for Regular Meetings

(b) The Chair shall notify each Member of the Committee of the agenda of each regular meeting or hearing of the Committee at least 48 hours before the time of the meeting or hearing and shall provide to each such Member, at least 24 hours before the time of each regular meeting or hearing—

(1) for each bill or resolution scheduled on the agenda for consideration of a rule, a copy of (A) the bill or resolution, (B) any committee reports thereon, and (C) any letter requesting a rule for the bill or resolution; and

(2) for each other bill, resolution, report, or other matter on the agenda, a copy of (A) the bill, resolution, report, or materials relating to the other matter in question, and (B) any report on the bill, resolution, report, or other matter made by any subcommittee of the Committee.

Emergency Meetings and Hearings

(c)(1) The Chair may call an emergency meeting or hearing of the Committee at any time on any measure or matter which the Chair determines to be of an emergency nature; provided, however, that the Chair has made an effort to consult the Ranking Minority Member.

(2) As soon as possible after calling an emergency meeting or hearing of the Committee, the Chair shall notify each Member of the Committee of the time and location of the meeting or hearing and shall particularly make an effort to consult the Ranking Minority Member of the Committee or, in such Member's absence, the next ranking minority party Members of the Committee.

(3) To the extent feasible, the notice provided under paragraph (2) shall include the agenda for the emergency meeting or hearing and copies of available materials which

would otherwise have been provided under subsection (b) if the emergency meeting or hearing was a regular meeting or hearing.

RULE 3—MEETING PROCEDURES

In General

(a)(1) Meetings and hearings of the Committee shall be called to order and presided over by the Chair or, in the Chair's absence, by the Ranking Majority Member of the Committee present as Acting Chair.

(2) Meetings and hearings of the Committee shall be open to the public unless closed in accordance with clause 2(g) of rule XI of the Rules of the House of Representatives.

(3) The five-minute rule shall be observed in the interrogation of each witness before the Committee until each Member of the Committee has had an opportunity to question the witness.

(4) When a recommendation is made as to the kind of rule which should be granted for consideration of a bill or resolution, a copy of the language recommended shall be furnished to each Member of the Committee at the beginning of the Committee meeting at which the rule is to be considered or as soon thereafter as the proposed language becomes available.

Voting

(b)(1) No vote may be conducted on any measure or motion pending before the Committee unless a majority of the Members of the Committee is actually present, except as otherwise specified in these rules.

(2) A rollcall vote of the Committee shall be provided on any question before the Committee upon the request of any Member of the Committee.

(3) A record of the vote of each Member of the Committee on each rollcall vote on any matter before the Committee shall be available for public inspection at the offices of the Committee.

(4) The Members of the Committee, or one of its subcommittees, present at a meeting or hearing of the Committee of the subcommittee, respectively, may, by majority vote, limit the duration of debate, testimony, or Committee or subcommittee consideration with respect to any measure or matter before the Committee or subcommittee, respectively, or provide for such debate, testimony, or consideration to end at a time certain.

Media Coverage of Committee and Subcommittee Proceedings

(c)(1) The Committee and each of its subcommittees may permit, by majority vote for each day of an open meeting or hearing of the Committee or of that subcommittee, respectively, the coverage of that meeting or hearing, in whole or in part, by television broadcast, radio broadcast, or still photography.

(2) Any media coverage under this subsection shall be subject to all the requirements and limitations set forth in clause 3 of rule XI of the Rules of the House of Representatives, and the provisions of subparagraphs (1) through (13) of paragraph (f) of such clause are hereby incorporated as part of the rules of the Committee applicable to such coverage.

Quorum

(d)(1) For the purpose of hearing testimony on requests for rules, five Members of the Committee shall constitute a quorum.

(2) For the purpose of hearing and taking testimony on measures or matters of original jurisdiction before the Committee, three Members of the Committee shall constitute a quorum.

Subpoenas and Oaths

(e)(1) Pursuant to clause 2(m) of rule XI of the Rules of the House of Representatives, a subpoena may be authorized and issued by the Committee or a subcommittee in the conduct of any investigation or series of investigations or activities, only when authorized by a majority of the Members voting, a majority being present.

(2) The Chair may authorize and issue subpoenas under such clause during any period in which the House has adjourned for a period of longer than three days.

(3) Authorized subpoenas shall be signed by the Chair or by any Member designated by the Committee, and may be served by any person designated by the Chair or such Member.

(4) The Chair, or any Member of the Committee designated by the Chair, may administer oaths to witnesses before the Committee.

General Oversight Responsibility

(f)(1) The Committee shall review and study, on a continuing basis, the application, administration, execution, and effectiveness of those laws, or parts of laws, the subject matter of which is within its jurisdiction.

(2) Upon direction of the Chair, the Committee shall meet to discuss and formulate oversight plans for each new Congress, as described in clause 2(b)(1) of Rule X of the Rules of the House of Representatives.

RULE 4—SUBCOMMITTEES

Application of House and Committee Rules

(a)(1) As provided by clause 1(a)(2) of rule XI of the Rules of the House of Representatives, subcommittees of the Committee are a part of the Committee and are subject to its authority and direction.

(2) Subcommittees of the Committee shall be subject (insofar as applicable) to the Rules of the House of Representatives and, except as provided in this rule, to the rules of the Committee.

Establishment and Responsibilities of Subcommittees

(b)(1) There shall be two subcommittees of the Committee as follows:

(A) Subcommittee on the Legislative Process, which shall have general responsibility for measures or matters related to relations between the Congress and the Executive branch.

(B) Subcommittee on Rules of the House, which shall have general responsibility for measures or matters related to relations between the two House of Congress, relations between the Congress and the Judiciary, and internal operations of the House.

In addition, each such subcommittee shall have specific responsibility for such other measures or matters as the Chair refers to it.

(2) Each subcommittee of the Committee shall review and study, on a continuing basis, the application, administration, execution, and effectiveness of those laws, or parts of laws, the subject matter of which is within its general responsibility.

Reference of Measures and Matters to Subcommittees

(c)(1) In view of the unique procedural responsibilities of the Committee—

(A) no special order providing for the consideration of any bill or resolution shall be referred to a subcommittee of the Committee, and

(B) all other measures or matters shall be subject to consideration by the full Committee except for those measures or matters referred by the Chair to one or both subcommittees of the Committee.

(2) The Chair may refer a measure or matter, which is within the general responsibility of one of the subcommittees of the Committee, jointly or exclusively to the other subcommittee of the Committee where the Chair deems it appropriate.

(3) In referring any measure or matter to a subcommittee, the Chair may specify a date by which the subcommittee shall report thereon to the Committee.

(4) The Chair or the Committee by motion may discharge a subcommittee from consideration of any measure or matter referred to a subcommittee of the Committee.

Composition of Subcommittees

(d) The size and ratio of each subcommittee shall be determined by the Committee at its organizational meeting at the beginning of each Congress, and Members shall be elected to each subcommittee, and to the positions of Chairman and Ranking Minority Member thereof, in accordance with the rules of the respective party caucuses.

Subcommittee Meetings and Hearings

(e)(1) Each subcommittee of the Committee is authorized to meet, hold hearings, receive testimony, mark up legislation, and report to the full Committee on any measure or matter referred to it.

(2) No subcommittee of the Committee may, without the Chair's approval, meet or hold a hearing at the same time as a meeting or hearing of the full Committee is being held.

(3) The Chair of each subcommittee shall schedule meetings and hearings of the subcommittee only after consultation with the Chair.

(4) A Member of the Committee who is not a Member of a particular subcommittee of the Committee may sit with the subcommittee during any of its meetings and hearings, but shall not have authority to vote, cannot be counted for a quorum, and cannot raise a point of order at the meeting or hearing.

Quorum

(f)(1) For the purpose of taking testimony on measures referred to a subcommittee, two Members of the subcommittee shall constitute a quorum.

(2) For all other purposes, a quorum shall consist of a majority of the Members of the subcommittee, except as otherwise specified in these rules.

(3) Any vacancy in the membership of a subcommittee shall not affect the power of the remaining Members to execute the functions of the subcommittee.

Records

(g) Each subcommittee of the Committee shall provide the full Committee with copies of such records and votes taken in the subcommittee and such other records with respect to the subcommittee as the Chair deems necessary for the Committee to comply with all rules and regulations of the House.

RULE 5—BUDGET AND TRAVEL

Budget

(a) The Chair, in consultation with other Members of the Committee, shall prepare for each session of Congress a budget providing amounts for staff, necessary travel, investigation, and other expenses of the Committee and its subcommittees.

Travel

(b)(1) The Chair may authorize travel for any Member and any staff member of the Committee in connection with activities or subject matters under the general jurisdiction of the Committee. Before such author-

ization is granted, there shall be submitted to the Chair in writing the following:

- (A) The purpose of the travel.
 (B) The dates during which the travel is to occur.
 (C) The names of the States or countries to be visited and the length of time to be spent in each.
 (D) The names of Members and staff of the Committee for whom the authorization is sought.

(2) Members and staff of the Committee shall make a written report to the Chair on any travel they have conducted under this subsection, including a description of their itinerary, expenses, and activities, and of pertinent information gained as a result of such travel.

(3) Members and staff of the Committee performing authorized travel on official business shall be governed by applicable laws, resolutions, and regulations of the House and of the Committee on House Administration.

RULE 6—STAFF

In General

(a)(1) Except as otherwise provided in this rule, a Staff Director of the Committee, professional and clerical staff of the Committee, and investigating staff of the Committee compensated from funds provided by any expense resolution, shall be appointed, and may be removed, by the Chair and shall work under the general supervision and direction of the Chair.

(2) Except for any staff appointed by the Ranking Minority Party Member or a subcommittee (pursuant to subsection (c)) or by any other minority party Member of the Committee (pursuant to subsection (b)), all professional and clerical staff provided to the minority party Members of the Committee under paragraphs (a)(2) and (b)(2), respectively, of clause 6 of rule XI of the Rules of the House of Representatives, shall be appointed, and may be removed, by the Ranking Minority Member of the Committee and shall work under the general supervision and direction of such Member.

Associate Staff

(b) Each Member of the Committee is authorized to designate one person, whom the Chair shall appoint to the staff of the Committee and who shall work under the general supervision and direction of the Member. The type of staff to which such a person is appointed shall be determined by the Chair, in the case of a person recommended by a majority party Member, and shall be determined by the Ranking Minority Member of the Committee, in the case of a person recommended by a minority party Member.

Subcommittee Staff

(c)(1) The Chair and Ranking Minority Member of each subcommittee of the Committee are each authorized to designate one person, whom the Chair shall appoint to the professional staff of the Committee and who shall work under the general supervision and direction of the Chair or the Ranking Minority Member, respectively, of the subcommittee.

(2) The Chair may assign investigating staff of the Committee compensated from funds provided by any expense resolution to assist in work of a subcommittee of the Committee to the extent the Chair determines it to be appropriate, and any such staff to the extent so assigned shall work under the general supervision and direction of the Chair of the subcommittee.

Compensation of Staff

(d)(1) Subject to paragraph (2), the Chair shall fix the compensation of all profes-

sional, clerical, and investigative staff of the Committee, as provided by clause 6(c) of Rule XI of the Rules of the House of Representatives.

(2) Compensation paid to associate staff appointed under subsection (b) shall not exceed 75 per centum of the maximum established in clause 6(c) of Rule XI of the Rules of the House of Representatives.

Certification of Staff

(e)(1) To the extent any staff member of the Committee or any of its subcommittees does not work under the supervision and direction of the Chair, the Member of the Committee who supervises and directs the staff member's work shall file with the Staff Director of the Committee (not later than the tenth day of each month) a certification regarding the staff member's work for that Member for the preceding calendar month.

(2) The certification required by paragraph (1) shall be in such form as the Chair may prescribe, shall identify each staff member by name, and shall state that the work engaged in by the staff member and the duties assigned to the staff member for the Member of the Committee with respect to the month in question met the requirements of clause 6 of rule XI of the Rules of the House of Representatives.

(3) Any certification of staff of the Committee, or any of its subcommittees, made by the Chair in compliance with any provision of law or regulation shall be made (A) on the basis of the certifications filed under paragraph (1) to the extent the staff is not under the Chair's supervision and direction, and (B) on his own responsibility to the extent the staff is under the Chair's supervision and direction.

RULE 7—COMMITTEE ADMINISTRATION

Reporting

(a) Whenever the Committee authorizes the favorable reporting of a bill or resolution from the Committee—

(1) the Chair or Acting Chair shall report it to the House or designate a Member of the Committee to do so, and

(2) in the case of a bill or resolution in which the Committee has original jurisdiction, the Chair shall allow, to the extent that the anticipated floor schedule permits, any Member of the Committee a reasonable amount of time to submit views for inclusion in the Committee report on the bill or resolution.

Any such report shall contain all matters required by the Rules of the House of Representatives (or by any provision of law enacted as an exercise of the rulemaking power of the House) and such other information as the Chair deems appropriate.

Records

(b)(1) There shall be a transcript made of each regular meeting and hearing of the Committee, and the transcript may be printed if the Chair decides it is appropriate or if a majority of the Members of the Committee requests such printing.

(2) The minutes of each executive meeting of the Committee shall be available to all Members of the House of Representatives in compliance with clause 2(e)(2) of rule XI of the Rules of the House of Representatives.

(3) The Committee shall keep a record of all actions of the Committee and of its subcommittees. The record shall contain all information required by clause 2(e)(1) of rule XI of the Rules of the House of Representatives and shall be available for public inspection at reasonable times in the offices of the Committee.

(4) The records of the Committee at the National Archives and Records Administration shall be made available for public use in accordance with rule XXXVI of the Rules of the House of Representatives. The Chairman shall notify the Ranking Minority Member of any decision, pursuant to clause 3(b) (3) or clause 4(b) of the rule, to withhold a record otherwise available, and the matter shall be presented to the Committee for a determination on written request of any Member of the Committee.

Calendars

(c)(1) The Committee shall maintain a Committee Calendar, which shall include all bills, resolutions, and other matters referred to or reported by the Committee and all bills, resolutions, and other matters reported by any other Committee on which a rule has been granted or formally requested, and such other matters as the Chair shall direct. The Calendar shall be published periodically, but in no case less often than once in each session of Congress.

(2) The staff of the Committee shall furnish each Member of the Committee with a list of all bills or resolutions (A) reported from the Committee but not yet considered by the House, and (B) on which a rule has been formally requested but not yet granted. The list shall be updated each week when the House is in session.

(3) For purposes of paragraphs (1) and (2), a rule is considered as formally requested when the Chairman of a committee which has reported a bill or resolution (or a Member of such committee authorized to act on the Chairman's behalf) (A) has requested, in writing to the Chair, that a hearing be scheduled on a rule for the consideration of the bill or resolution, and (B) has supplied the Committee with an adequate number of copies of the bill or resolution, as reported, together with the final printed committee report thereon.

Other Procedures

(d) The Chair may establish such other Committee procedures and take such actions as may be necessary to carry out these rules or to facilitate the effective operation of the Committee and its subcommittees.

RULE 8—AMENDMENTS TO COMMITTEE RULES

The rules of the Committee may be modified, amended or repealed, but only if written notice of the proposed change has been provided to each such Member at least 48 hours before the time of the meeting at which the vote on the change occurs.

Clause 3 of Rule XI of the Rules of the House of Representatives—Broadcasting of Committee Hearings

3. (a) It is the purpose of this clause to provide a means, in conformity with acceptable standards of dignity, propriety, and decorum, by which committee hearings, or committee meetings, which are open to the public may be covered, by television broadcast, radio broadcast, and still photography, or by any of such methods of coverage—

(1) for the education, enlightenment, and information of the general public, on the basis of accurate and impartial news coverage, regarding the operations, procedures, and practices of the House as a legislative and representative body and regarding the measures, public issues, and other matters before the House and its committees, the consideration thereof, and the action taken thereon; and

(2) for the development of the perspective and understanding of the general public with respect to the role and function of the House

under the Constitution of the United States as an organ of the Federal Government.

(b) In addition, it is the intent of this clause that radio and television tapes and television film of any coverage under this clause shall not be used, or made available for use, as partisan political campaign material to promote or oppose the candidacy of any person for elective public office.

(c) It is, further, the intent of this clause that the general conduct of each meeting (whether of a hearing or otherwise) covered, under authority of this clause, by television broadcast, radio broadcast, and still photography or by any of such methods of coverage, and the personal behavior of the committee Members and staff, other Government officials and personnel, witnesses, television, radio, and press media personnel, and the general public at the hearing or other meeting shall be in strict conformity with and observance of the acceptable standards of dignity, propriety, courtesy, and decorum traditionally observed by the House in its operations and shall not be such as to—

(1) distort the objects and purposes of the hearing or other meeting or the activities of committee Members in connection with that hearing or meeting or in connection with the general work of the committee of the House; or

(2) cast discredit or dishonor on the House, the committee, or any Member or bring the House, the committee, or any Member into disrepute.

(d) The coverage of committee hearings and meetings by television broadcast, radio broadcast, or still photography is a privilege made available by the House and shall be permitted and conducted only in strict conformity with the purposes, provisions, and requirements of this clause.

(e) Whenever any hearing or meeting conducted by any committee of the House is open to the public, that committee may permit, by majority vote of the committee, that hearing or meeting to be covered, in whole or in part, by television broadcast, radio broadcast, and still photography, or by any of such methods of coverage, but only under such written rules as the committee may adopt in accordance with the purposes, provisions, and requirements of this clause. *Provided, however,* Each committee or subcommittee Chairman shall determine, in his discretion, the number of television and still cameras permitted in a hearing or meeting room.

(f) The written rules which may be adopted by a committee under paragraph (e) of this clause shall contain provisions to the following effect:

(1) If the television or radio coverage of the hearing or meeting is to be presented to the public as live coverage, that coverage shall be conducted and presented without commercial sponsorship.

(2) No witness served with a subpoena by the committee shall be required against his or her will to be photographed at any hearing or to give evidence or testimony while the broadcasting of that hearing, by radio or television, is being conducted. At the request of any such witness who does not wish to be subjected to radio, television, or still photography coverage, all lenses shall be covered and all microphones used for coverage turned off. This subparagraph is supplementary to clause 2(k)(5) of this rule, relating to the protection of the rights of witnesses.

(3) The allocation among the television media of the positions of the number of television cameras permitted by a committee or subcommittee Chairman in a hearing or meeting room shall be in accordance with

fair and equitable procedures devised by the Executive Committee of the Radio and Television Correspondents' Galleries.

(4) Television cameras shall be placed so as not to obstruct in any way the space between any witness committee or the visibility of that witness and that Member to each other.

(5) Television cameras shall operate from fixed positions but shall not be placed in positions which obstruct unnecessarily the coverage of the hearing or meeting by the other media.

(6) Equipment necessary for coverage by the television and radio media shall not be installed in, or removed from, the hearing or meeting room while the committee is in session.

(7) Floodlights, spotlights, strobelights, and flashguns shall not be used in providing any method of coverage of the hearing or meeting, except that the television media may install additional lighting in the hearing or meeting room, without cost to the Government, in order to raise the ambient lighting level in the hearing or meeting room to the lowest level necessary to provide adequate television coverage of the hearing or meeting at the then current state of the art of television coverage.

(8) In the allocation of the number of still photographers permitted by a committee or subcommittee Chairman in a hearing or meeting room, preference shall be given to photographers from Associated Press Photos and United Press International News pictures. If requests are made by more of the media than will be permitted by a committee or subcommittee Chairman for coverage of the hearing or meeting by still photography, that coverage shall be made on the basis of a fair and equitable pool arrangement devised by the Standing Committee of Press Photographers.

(9) Photographers shall not position themselves, at any time during the course of the hearing or meeting, between the witness table and the Members of the committee.

(10) Photographers shall not place themselves in positions which obstruct unnecessarily the coverage of the hearing by the other media.

(11) Personnel providing coverage by the television and radio media shall be then currently accredited to the Radio and Television Correspondents' Galleries.

(12) Personnel providing coverage by still photography shall be then currently accredited to the Press Photographers' Gallery.

(13) Personnel providing coverage by the television and radio media and by still photography shall conduct themselves and their coverage activities in an orderly and unobtrusive manner.

[The rule permitting broadcasting of committee hearings was contained in section 116(b) of the Legislative Reorganization Act of 1970 (84 Stat. 1140) and became part of the rules on January 22, 1971 (H. Res. 5, 92nd Congress, p. 144). On July 22, 1974 (H. Res. 1107, 93rd Congress, p. 24447), the rule was amended to permit committees to adopt rules allowing coverage of committee meetings as well as hearings.]

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. ANDREWS of Maine, for 5 minutes, today.

(The following Members (at the request of Mrs. BENTLEY) to revise and extend their remarks and include extraneous material:)

Mr. BURTON of Indiana, for 60 minutes each day, on February 5, 6, and 7.

Mr. GINGRICH, for 60 minutes each day, on February 4, 5, 6, and 7.

Mr. BEREUTER, for 60 minutes, on January 31.

Mrs. BENTLEY, for 60 minutes each day, on February 19, 20, 25, and 26.

(The following Members (at the request of Ms. KAPTUR) to revise and extend their remarks and include extraneous material:)

Ms. LONG, for 5 minutes today, and 5 minutes on January 31.

Mr. ORTON, for 5 minutes, today.

Mr. ANNUNZIO, for 5 minutes, today.

Ms. KAPTUR, for 60 minutes each day, on February 5, 6, and 7.

Mr. BONIOR, for 60 minutes, today.

(The following Members (at the request of Mr. HARRIS) to revise and extend their remarks and include extraneous material:)

Mr. FOGLIETTA, for 60 minutes, today.

Mr. DELLUMS, for 60 minutes, today.

(The following Members (at the request of Mr. MILLER of California) to revise and extend their remarks and include extraneous material:)

Mr. COYNE, for 5 minutes, today.

Mr. MILLER of California, for 15 minutes, today.

EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

(The following Members (at the request of Mrs. BENTLEY) and include extraneous matter:)

Mr. HEFLEY.

Mr. SOLOMON in two instances.

Mr. DOOLITTLE.

Mr. COLEMAN of Missouri.

Mr. WYLLIE.

Mrs. BLILEY.

Mrs. BENTLEY.

(The following Members (at the request of Ms. KAPTUR) and to include extraneous matter:)

Mr. TORRICELLI.

Mr. FRANK.

Mr. SWETT.

Mr. MONTGOMERY.

Mr. LANTOS in two instances.

Mr. ROE.

Mr. MILLER of California.

Mr. LEHMAN of Florida.

Mr. HOCHBRUECKNER.

Mr. APPLEGATE.

Mr. GUARINI.

Mr. RICHARDSON.

ADJOURNMENT

Mr. FOGLIETTA. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 18 minutes p.m.), the House adjourned until to-

morrow, Thursday, January 31, 1991, at 11 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

527. A letter from the Executive Secretary, Harry S Truman Scholarship Foundation, transmitting notification that the Foundation elected not to establish an office of inspector general because of its size; to the Committee on Government Operations.

528. A letter from the Administrator, U.S. Small Business Administration, transmitting the annual report under the Federal Managers' Financial Integrity Act for fiscal year 1990, pursuant to 31 U.S.C. 3512(c)(3); to the Committee on Government Operations.

529. A letter from the Comptroller General, General Accounting Office, transmitting a report and recommendations concerning the claim of Mr. William A. Proffitt to be reimbursed full relocation expenses consistent with those benefits and entitlements provided for employees transferred in the interest of the Government, pursuant to 31 U.S.C. 3702(d); to the Committee on the Judiciary.

530. A letter from the Director, Office of Personnel Management, transmitting a report titled, "Performance Management and Recognition System—1988 and 1989," pursuant to 5 U.S.C. 5408; to the Committee on Post Office and Civil Service.

531. A letter from the Department of Defense, transmitting the report on Department of Defense Procurement From Small and Other Business Firms for the period October 1990, fiscal year 1991, pursuant to 15 U.S.C. 639(d); to the Committee on Small Business.

532. A letter from the General Counsel of the Department of Defense, transmitting a draft of proposed legislation to amend the Soldiers' and Sailors' Civil Relief Act of 1940; to the Committee on Veterans' Affairs.

533. A letter from the Secretary of Energy, transmitting a copy of a report entitled, "Air-Blown Integrated Gasification Combined Cycle Project," proposed by CRSS Capital, Inc., and TECO Power Services Corp. a subsidiary of Tampa Electric Co.; jointly, to the Committee on Appropriations, Energy and Commerce and Science, Space, and Technology.

PUBLIC BILLS AND RESOLUTIONS

Under clause 5 of rule X and clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BALLENGER (for himself, Mr. DERRICK, Mrs. PATTERSON, Mr. FRANK of Massachusetts, Mr. LANCASTER, Mr. HORTON, Mr. SPRATT, Mr. COBLE, Mr. McMILLAN of North Carolina, Mr. JONES of North Carolina, Mr. HEFNER, Mr. RITTER, Mr. RAY, Mr. HANCOCK, Mr. ROSE, Mr. NEAL of North Carolina, Mr. SPENCE, Mr. TALLON, Mrs. BYRON, Mrs. LLOYD, Mr. SOLOMON, Mr. DUNCAN, Mr. BAKER, and Mr. JENKINS):

H.R. 713. A bill to amend the Tariff Act of 1930 to require that certain revenues attributable to tariffs levied on imports of textile machinery and parts thereof be applied to

support research for the modernization of the American textile machinery industry; jointly, to the Committees on Ways and Means and Banking, Finance and Urban Affairs.

By Mr. BARNARD (for himself and Mr. ROWLAND):

H.R. 714. A bill to amend the Public Service Act to provide grants for the expansion or renovation of biomedical and behavioral research facilities, and for other purposes; to the Committee on Energy and Commerce.

By Mr. CARPER:

H.R. 715. A bill to suspend until January 1, 1994, the duty on o-benzyl-p-chlorophenol; to the Committee on Ways and Means.

H.R. 716. A bill to extend the existing temporary suspension of duty on fusilade; to the Committee on Ways and Means.

By Mr. WYLIE:

H.R. 717. A bill to award a congressional medal in recognition of Edward Vernon ("Eddie") Rickenbacker; to the Committee on Banking, Finance and Urban Affairs.

By Mr. DOOLITTLE:

H.R. 718. A bill to provide for the sale by the Secretary of Interior of the Sly Park Unit of the Central Valley Project to the El Dorado Irrigation District, Placerville, El Dorado County, CA.; to the Committee on Interior and Insular Affairs.

By Mr. DORGAN of North Dakota:

H.R. 719. A bill to amend the Internal Revenue Code of 1986 to extend treatment of certain rents under section 2032A to all qualified heirs; to the Committee on Ways and Means.

H.R. 720. A bill to amend the internal Revenue Code of 1986 to clarify the treatment of interest income and rental expense in connection with safe harbor leases involving rural electric cooperatives; to the Committee on Ways and Means.

By Mr. DYMALLY:

H.R. 721. A bill to establish a United States Commission on Southern Africa; to the Committee on Foreign Affairs.

H.R. 722. A bill to amend title 32, United States Code, to provide that the protections afforded to Federal employees under subchapter II of chapter 75 of title 5, United States Code, be extended to National Guard technicians; jointly, to the Committees on Armed Services and Post Office and Civil Service.

H.R. 723. A bill to provide that positions held by civilian technicians of the National Guard be made part of the competitive service; jointly, to the Committees on Post Office and Civil Service and Armed Services.

By Mr. ERDREICH (for himself, Mr. HARRIS, and Mr. DERRICK):

H.R. 724. A bill to amend the Solid Waste Disposal Act to grant States the authority to regulate the interstate disposal of hazardous waste and solid waste; to the Committee on Energy and Commerce.

By Mr. GAYDOS:

H.R. 725. A bill to revive and extend the authorization of appropriations for the general revenue sharing program; to the Committee on Government Operations.

H.R. 726. A bill to establish as an executive department of the Government of the United States a Department of Trade, and for other purposes; to the Committee on Government Operations.

H.R. 727. A bill to amend the Internal Revenue Code of 1986 to provide a \$600 income tax credit to individuals who are volunteer firefighters; to the Committee on Ways and Means.

H.R. 728. A bill to amend the Internal Revenue Code of 1986 to restore the deduction for

interest on educational loans; to the Committee on Ways and Means.

By Mr. GEJDENSON:

H.R. 729. A bill to amend the Export Administration Amendments Act of 1985 to assist in the export of certain U.S. defense articles and services, and for other purposes; jointly, to the Committees Foreign Affairs and Banking, Finance and Urban Affairs.

By Mr. GUARINI (for himself, Mr. RANGEL, Mr. GILMAN, Mr. SCHEUER, Mr. STARK, Mr. HUGHES, Mr. SMITH of Florida, Mrs. LOWEY of New York, Mr. ROE, Mr. ANDERSON, Mr. MORAN, Mr. SERRANO, Mr. McNULTY, Mr. HORTON, Mr. WALSH, Mr. MACTHLEY, Mr. FOGLIETTA, Mr. LIPINSKI, Mr. RAVENEL, Mrs. BOXER, Mr. WILSON, Mr. FUSTER, and Mr. DE LUGO):

H.R. 730. A bill to establish permanent Federal and State drug treatment programs for criminal offenders, and for other purposes; jointly, to the Committee on Energy and Commerce, and the Judiciary.

By Mr. GUARINI (for himself and Ms. KAPTUR):

H.R. 731. A bill to prevent and punish domestic and international terrorist acts, and for other purposes; jointly, to the Committees on the Judiciary, Foreign Affairs, Ways and Means, and Public Works and Transportation.

By Mr. HAMMERSCHMIDT:

H.R. 732. A bill to amend title II of the Social Security Act to eliminate the 5-month waiting period which is presently required in order for an individual to be eligible for benefits based on disability; to the Committee on Ways and Means.

H.R. 733. A bill to amend title II of the Social Security Act so as to remove the limitation upon the amount of outside income which an individual may earn while receiving benefits thereunder; to the Committee on Ways and Means.

By Mr. HANSEN:

H.R. 734. A bill to amend the Radiation Exposure Compensation Act to provide that no person seeking compensation under that act may be represented in connection with the initial filing of and proceedings on a claim; to the Committee on the Judiciary.

By Mr. HEFLEY (for himself, Mr. UDALL, Mr. KOLBE, Mr. SISISKY, Mr. KYL, Mr. CAMPBELL of Colorado, Mr. SCHAEFER, Mr. PICKETT, and Mr. RHODES):

H.R. 735. A bill to amend the Federal Water Pollution Control Act to provide for the use of biomonitoring and whole effluent toxicity testing in connection with publicly owned treatment works, and for other purposes; to the Committee on Public Works and Transportation.

By Mr. HOCHBRUECKNER:

H.R. 736. A bill to provide veterans' benefits to individuals who serve in the U.S. merchant marine in a combat zone during a period of war; to the Committee on Veterans' Affairs.

By Mr. HUNTER:

H.R. 737. A bill to amend the Immigration and Nationality Act with respect to the naturalization of certain aliens through service in the Armed Forces of the United States for at least 3 years; to the Committee on the Judiciary.

By Ms. LONG (for herself, Mr. BUSTAMANTE, Mr. WILLIAMS, Ms. OAKAR, Mr. TRAFICANT, Mr. JACOBS, and Mr. VISLOSKY):

H.R. 738. A bill to direct the Secretary of Defense to prescribe regulations with respect to the stationing of military personnel who

are solely responsible for dependents at locations where facilities for dependents are not reasonably available; to the Committee on Armed Services.

By Mr. MCCURDY:

H.R. 739. A bill to authorize States to regulate certain solid waste; to the Committee on Energy and Commerce.

By Mr. MARTINEZ:

H.R. 740. A bill to amend the Job Training Partnership Act to improve the delivery of services to hard-to-serve adults and to youth, and for other purposes; to the Committee on Education and Labor.

By Mr. MINETA:

H.R. 741. A bill to authorize the President to allocate supplies of crude oil, residual fuel oil, and refined petroleum products, and to limit the prices thereof, during a severe petroleum supply shortage or a threat thereof, and for other purposes; to the Committee on Energy and Commerce.

By Mr. MONTGOMERY (for himself, Mr. STUMP, Mr. ROWLAND, and Mrs. BYRON):

H.R. 742. A bill to amend title 38, United States Code, to increase from \$50,000 to \$75,000 the amount of life insurance provided to members of the Armed Forces under the Servicemen's Group Life Insurance and Veterans' Group Life Insurance Programs; to the Committee on Veterans' Affairs.

By Mr. MONTGOMERY (for himself and Mr. STUMP):

H.R. 743. A bill to amend title 38, United States Code, to include military service performed during the Persian Gulf War within the definition of "period of war" for purposes of veterans benefits under that title attributable to service during a period of war; to the Committee on Veterans' Affairs.

By Mr. MRAZEK (for himself, Mr. VALENTINE, Mr. ROYBAL, Mr. DE LUGO, Mr. TOWNS, Mr. SHAYS, Mr. MILLER, of California, Ms. PELOSI, Mr. LEVINE of California, Mr. DELLUMS, Mrs. BOXER, Mr. WILSON, Mr. JACOBS, Mr. HOCHBRUECKNER, Mr. ROE, Mr. SCHUMER, Mr. SCHEUER, Mr. RINALDO, and Mr. ANDREWS of Texas):

H.R. 744. A bill to prohibit the importation into the United States of Australian kangaroos and products made therefrom; to the Committee on Merchant Marine and Fisheries.

By Mr. MRAZEK (for himself, Mr. STALLINGS, Mr. VALENTINE, Mr. OWENS of New York, Mr. BRUCE, Mrs. BOXER, Mr. McNULTY, Mr. HOCHBRUECKNER, Mr. RANGEL, and Mr. DEFAZIO):

H.R. 745. A bill to provide relief for U.S. taxpayers by providing for the establishment of a private firm consisting of highly qualified individuals to assist the U.S. Government, on a contingent fee basis and subject to regulations prescribed by the Attorney General of the United States, the Federal Deposit Insurance Corporation, the Oversight Board, and the Resolution Trust Corporation, in recovering assets from looted savings associations to help pay for the savings and loan resolution; jointly, to the Committees on Banking, Finance and Urban Affairs, and the Judiciary.

By Mr. NAGLE:

H.R. 746. A bill to extend until January 1, 1995, the existing suspension of duty on certain sulfonamides; to the Committee on Ways and Means.

By Mr. SCHULZE (for himself, Mr. RANGEL, Mr. RUSSO, Mr. VANDER JAGT, Mr. SUNDQUIST, Mr. MOODY, Mr. GUARINI, Mr. LENT, Mr. MCDADE, Mrs.

ROUKEMA, Mr. ROE, Mr. PENNY, Mr. KOLTER, Mr. MARTIN of New York, Mr. BEREUTER, Mr. PORTER, Mr. PAXON, Mr. DORNAN of California, Mr. WALKER, Mr. FIELDS, Mr. LIGHTFOOT, Mr. JONTZ, Mr. HOUGHTON, Mr. WELDON, Mr. OXLEY, Mr. RAVENEL, and Mr. GALLO):

H.R. 747. A bill to amend the Internal Revenue Code of 1986 to restore the deduction for interest on certain educational loans; to the Committee on Ways and Means.

By Mr. RHODES (for himself, Mr. UDALL, and Mr. KYL):

H.R. 748. A bill to provide for the settlement of water rights claims of the San Carlos Apache Tribe in Arizona, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. ROWLAND:

H.R. 749. A bill to authorize the Secretary of the Interior to accept a donation of land for addition to the Ocmulgee National Monument in the State of Georgia; to the Committee on Interior and Insular Affairs.

By Mr. RUSSO:

H.R. 750. A bill to amend the Internal Revenue Code of 1986 to provide that the excise tax on handguns will be transferred to a trust fund to be used for purposes of providing compensation to victims of crime, and for other purposes; jointly, to the Committees on Ways and Means and the Judiciary.

By Mr. SAWYER (for himself, Mr. GOODLING, Mr. FORD of Michigan, Mr. KILDEE, Mr. MILLER of California, Mr. MARTINEZ, Mr. OWENS of New York, Mr. HAYES of Illinois, Mr. PERKINS, Mr. PAYNE of New Jersey, Mrs. LOWEY of New York, Mrs. UNSOELD, Mr. WASHINGTON, Mr. SERRANO, Mrs. MINK, Mr. VISLOSKEY, Mr. GUNDERSON, and Mr. KLUG):

H.R. 751. A bill to enhance the literacy and basic skills of adults, to ensure that all adults in the United States acquire the basic skills necessary to function effectively and achieve the greatest possible opportunity in their work and in their lives, and to strengthen and coordinate adult literacy programs; to the Committee on Education and Labor.

By Mr. SYNAR (for himself and Mr. PANETTA):

H.R. 752. A bill to amend chapter 11 of title 31, United States Code, to require that the annual budget submitted by the President includes a statement of revenues obtained from the sale, lease, and transfer of Government assets, and for other purposes; to the Committee on Government Operations.

By Mr. TORRICELLI:

H.R. 753. A bill to suspend temporarily the duty on certain multifilament yarns of viscose rayon until January 1, 1994; to the Committee on Ways and Means.

By Mr. TOWNS (for himself, Mr. DYMALLY, Mr. SERRANO, Mr. STOKES, Mr. HARRIS, Mr. LIPINSKI, Mr. OWENS of New York, Mr. FLAKE, Mr. PAYNE of New Jersey, Mr. MORAN, Mr. EMERSON, Mr. RANGEL, Mr. BUSTAMANTE, Mr. LEWIS of Georgia, and Ms. KAPTUR):

H.R. 754. A bill to provide an exception to the limit on the amount of deposit insurance for deposits of nonprofit tax-exempt organizations at insured depository institutions; to the Committee on Banking, Finance and Urban Affairs.

By Mr. WELDON (for himself, Mr. WOLF, Mr. BLILEY, Mrs. LLOYD, Mr. FRANK of Massachusetts, Mr. RAVENEL, Mr. WALSH, Mr. LAGO-

MARSINO, Mr. BALLENGER, Mr. BLAZ, Mr. OWENS of Utah, Mr. DEFAZIO, Mr. DELLUMS, Mr. PEASE, Mr. GALLO, Mr. SAXTON, Mr. BURTON of Indiana, Mr. PAXON, Mr. CAMPBELL of California, Mr. MINETA, Ms. OAKAR, Mr. RITTER, Mr. FUSTER, Mr. ZIMMER, Mr. HOCHBRUECKNER, Mr. CLINGER, Mr. STENHOLM, Mr. BENNETT, Mr. TOWNS, Mr. TORRES, Mr. HUGHES, Mr. BILIRAKIS, and Mr. LIPINSKI):

H.R. 755. A bill to improve the collection, analysis, and dissemination of information that will promote the recycling of municipal solid waste; to the Committee on Energy and Commerce.

By Mr. WYDEN (for himself, Mr. BROOMFIELD, Mrs. SCHROEDER, Mr. GEJDENSON, and Ms. PELOSI):

H.R. 756. A bill to provide for the certification of embryo laboratories; to the Committee on Energy and Commerce.

By Mr. YOUNG of Alaska:

H.R. 757. A bill to provide for the settlement of certain claims under the Alaska Native Claims Settlement Act, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. YOUNG of Alaska (for himself and Mr. HANSEN):

H.R. 758. A bill entitled, "Northwest Indiana Ancient National Forest Act"; to the Committee on Agriculture.

By Mr. YOUNG of Alaska (for himself Mr. ANDERSON, Mr. ARCHER, Mr. ARMEY, Mr. BAKER, Mr. BARNARD, Mr. BARTLETT, Mr. BARTON of Texas, Mr. BATEMAN, Mrs. BENTLEY, Mr. BEVILL, Mr. BLAZ, Mr. BLILEY, Mr. BOEHNER, Mr. BROOMFIELD, Mr. BURTON of Indiana, Mr. CHAPMAN, Mr. CLINGER, Mr. COMBEST, Mr. COUGHLIN, Mr. CUNNINGHAM, Mr. DANNEMEYER, Mr. DAVIS, Mr. DELAY, Mr. DICKINSON, Mr. DOOLITTLE, Mr. DORNAN of California, Mr. DUNCAN, Mr. EDWARDS of Oklahoma, Mr. EMERSON, Mr. ENGLISH, Mr. FIELDS, Mr. GALLEGLY, Mr. GEKAS, Mr. GRANDY, Mr. HALL of Texas, Mr. HANCOCK, Mr. HANSEN, Mr. HASTERT, Mr. HAYES of Louisiana, Mr. HEFLEY, Mr. HERGER, Mr. HOLLOWAY, Mr. HOUGHTON, Mr. HUBBARD, Mr. HUCKABY, Mr. HUNTER, Mr. HYDE, Mr. INHOFE, Mr. KYL, Mr. LAUGHLIN, Mr. LENT, Mr. LEWIS of California, Mr. LIGHTFOOT, Mr. LIVINGSTON, Mrs. LLOYD, Mr. LOWERY of California, Mr. MADIGAN, Mr. MARLENEE, Mr. MARTIN of New York, Mr. MAVROULES, Mr. MCCANDLESS, Mr. MCCREY, Mr. MCDADE, Mr. MCEWEN, Mr. MICHEL, Mr. MILLER of Ohio, Mr. MONTGOMERY, Mr. MOORHEAD, Mr. MURPHY, Mr. MYERS of Indiana, Mr. ORTIZ, Mr. OXLEY, Mr. PACKARD, Mr. PARKER, Mr. PAXON, Mr. QUILLEN, Mr. RHODES, Mr. ROBERTS, Mr. ROGERS, Mr. ROHRBACHER, Mr. SCHAEFER, Mr. SHAW, Mr. SKEEN, Mr. SMITH of Oregon, Mr. SMITH of Texas, Mr. SOLOMON, Mr. STENHOLM, Mr. STUMP, Mr. SUNDQUIST, Mr. TANNER, Mr. TAUZIN, Mr. THOMAS of Wyoming, Mr. THOMAS of California, Mr. TRAFICANT, Mr. VANDER JAGT, Mrs. VUCANOVICH, Mr. WALKER, Mr. YOUNG of Florida, and Mr. ZELIFF):

H.R. 759. A bill to authorize the Secretary of the Interior to lease, in an expeditious and environmentally sound manner, lands in the coastal plain study area of the Arctic National Wildlife Refuge for oil and gas exploration, development, and production; jointly,

to the Committees on Interior and Insular Affairs and Merchant Marine and Fisheries.

By Mr. BOEHLERT:

H.J. Res. 98. Joint resolution designating March 4-10, 1991, as "National School Breakfast Week"; to the Committee on Post Office and Civil Service.

By Mr. HAMMERSCHMIDT:

H.J. Res. 99. Joint resolution proposing an amendment to the Constitution of the United States limiting the number of terms for Members of the House of Representatives and the Senate; to the Committee on the Judiciary.

By Mr. MACHTLEY:

H.J. Res. 100. Joint resolution to recognize the 200th anniversary of the establishment of diplomatic relations between the United States and Portugal; to the Committee on Foreign Affairs.

By Mr. SABO:

H.J. Res. 101. Joint resolution proposing an amendment to the Constitution of the United States to repeal the 22d amendment to the Constitution to remove restrictions on the number of terms an individual may serve as President; to the Committee on the Judiciary.

By Mr. SPENCE:

H.J. Res. 102. Joint resolution to designate the period commencing September 8, 1991, and ending on September 14, 1991, as "National Historically Black Colleges Week"; to the Committee on Post Office and Civil Service.

By Mr. TALLON (for himself, Mr. ROTH, Mr. RAHALL, Mr. BILBRAY, Mr. CLEMENT, Mr. GILMAN, Mr. HAMMERSCHMIDT, Mr. CARR, Mrs. VUCANOVICH, Mr. RITTER, Mr. OBERSTAR, and Mr. BEVILL):

H.J. Res. 103. Joint resolution designating the second week in May 1991 as "National Tourism Week"; to the Committee on Post Office and Civil Service.

By Mr. MICHEL:

H. Res. 49. Resolution designating membership on certain standing committees of the House.

By Mr. GONZALEZ:

H. Res. 50. Resolution providing amounts from the contingent fund of the House for expenses of investigations and studies by the Committee on Banking, Finance and Urban Affairs in the 1st sess. of the 102d Congress; to the Committee on House Administration.

MEMORIALS

Under clause 4 of rule XXII:

10. The SPEAKER presented a memorial of the Senate of the State of Nebraska, relative to commending President Bush, Congress, and Nebraskans for their roles in the Persian Gulf crisis and expressing support for the U.S. actions involving Operation Desert Shield and Operation Desert Storm; to the Committee on Foreign Affairs.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BROWN of California:

H.R. 760. A bill to permit Willie C. Harris to present a claim against the United States in the manner provided for in chapter 171 of title 28, United States Code, and for other purposes; to the Committee on the Judiciary.

By Mr. SCHUMER:

H.R. 761. A bill to waive the foreign residency requirement for the granting of a visa

to Amanda Vasquez Walker; to the Committee on the Judiciary.

ADDITIONAL SPONSORS

Under clause 4 of rule XXII, sponsors were added to public bills and resolutions as follows:

H.R. 22: Mr. BARTLETT.
H.R. 23: Mr. BARTLETT.

H.R. 68: Mr. BATEMAN, Mr. COOPER, Mr. GALLEGLY, Mr. GEJDENSON, Mr. GUNDERSON, Mr. JOHNSTON of Florida, Mr. SWIFT, Mr. GREEN of New York, and Mr. LIGHTFOOT.

H.R. 82: Mr. McNULTY, Mr. OWENS of Utah, Mr. GUARINI, Mr. TOWNS, and Mr. SERRANO.

H.R. 83: Mr. HOLLOWAY.
H.R. 123: Mr. QUILLEN and Mr. HOLLOWAY.

H.R. 127: Mrs. BYRON, Mr. ATKINS, Mr. BATEMAN, Mr. PAXON, Mr. GRANDY, Mr. BONIOR, Mr. LAGOMARSINO, Mr. BRUCE, Mr. HAMILTON, Mr. GALLO, Mr. PACKARD, Mr. CHAPMAN, Mr. ACKERMAN, Mr. PAYNE of New Jersey, Mr. HEFNER, Mrs. MORELLA, Mr. HANSEN, Mr. HARRIS, Mr. ERDREICH, Mr. BILBRAY, Mr. McMILLEN of Maryland, Mr. DEFazio, Mr. INHOFE, Mr. OWENS of Utah, Mr. KOLBE, Mr. MURTHA, Mr. MCCOLLUM, Mr. MCHUGH, Mr. SOLOMON, Mrs. KENNELLY, Mrs. MEYERS of Kansas, and Mr. McNULTY.

H.R. 135: Mr. BUNNING, Ms. LONG, Mr. BRYANT, Mrs. LLOYD, Mr. LEWIS of California, Mr. FEIGHAN, Mr. KOLTER, Mr. LENT, Mr. DORNAN of California, Mrs. MORELLA, Mr. HATCHER, Mr. MONTGOMERY, Mr. RANGEL, Mr. McGRATH, Mr. BLILEY, Mr. FRANK of Massachusetts, Mr. JONES of Georgia, Mr. CAMPBELL of Colorado, Mr. OLIN, Mr. ROGERS, Mr. COMBEST, Mr. HALL of Texas, Ms. MOLINARI, Mr. HEFLEY, Mr. AUCOIN, Mr. BRUCE, Mr. CARR, Mr. CHAPMAN, Mr. WALKER, Mr. LIVINGSTON, Ms. KAPTUR, Mr. FORD of Michigan, Mr. RITTER, Mr. LIPINSKI, Mr. COSTELLO, Mr. EMERSON, and Mr. BURTON of Indiana.

H.R. 180: Mr. McCLOSKEY.
H.R. 232: Mr. McCLOSKEY.

H.R. 295: Mr. SHAYS, Mr. HYDE, Mr. OBERSTAR, Mr. SANDERS, Mr. GEJDENSON, Mr. HORTON, Mr. MAVROULES, Mr. FRANK of Massachusetts, Mr. NEAL of Massachusetts, Mr. RANGEL, Mr. LAFALCE, Mr. DONNELLY, and Mr. HERTEL.

H.R. 300: Mr. SERRANO.
H.R. 328: Mr. MURTHA, Mr. KLECZKA, Mr. HOCHBRUECKNER, and Mr. FALCOMAVAEGA.

H.R. 330: Mr. DELLUMS, Mr. BORSKI, Mr. FORD of Tennessee, and Mr. BACCHUS.

H.R. 346: Mr. LENT, Mr. QUILLEN, Mr. EMERSON, and Mr. INHOFE.

H.R. 413: Mr. SHAYS, Ms. PELOSI, Mr. McGRATH, Mr. TOWNS, and Mr. YATES.

H.R. 414: Mr. RITTER and Mr. FAWELL.
H.R. 415: Mr. HYDE.

H.R. 459: Mr. GORDON, Mr. RAVENEL, Mr. PERKINS, Mr. WALSH, Mr. LANCASTER, Mr. ROGERS, Mr. STENHOLM, Mr. BATEMAN, Mr. EMERSON, Mr. SERRANO, Mr. HATCHER, and Mr. ESPY.

H.R. 473: Mr. THOMAS of Georgia.
H.R. 508: Mr. BAKER, Mr. HUCKABY, Mr. HAYES of Louisiana, Mr. JEFFERSON, Mr. LIVINGSTON, Mr. McCRERY, and Mr. TAUZIN.

H.R. 516: Mr. LEVIN of Michigan, Mr. BUSTAMANTE, Mr. ABERCROMBIE, Mr. ESPY, Mrs. KENNELLY, Mr. VENTO, Mr. BONIOR, Mrs. MINK, Mr. STOKES, Mr. ROYBAL, Mr. DEFazio, Mr. CHAPMAN, Mr. LEHMAN of California, Mrs. LOWEY of New York, and Mr. TOWNS.

H.R. 524: Ms. KAPTUR, Mr. SMITH of Florida, Mr. SERRANO, Mr. SCHEUER, and Mr. BORSKI.

H.R. 525: Mr. MILLER of Washington, Mr. RANGEL, Mr. HATCHER, Mr. SANTORUM, Ms. SLAUGHTER of New York, Mr. MARTINEZ, Mr. CHAPMAN, Mr. FAZIO, Mr. SPENCE, Mr.

McNULTY, Mrs. MORELLA, Mr. ZIMMER, Mr. LANCASTER, Mr. BILBRAY, Mr. JONTZ, Mr. SERRANO, and Mr. HOCHBRUECKNER.

H.R. 534: Mr. TALLON, Mr. HUGHES, Mr. PALLONE, Mr. BONIOR, Mr. PETERSON of Minnesota, Mr. GOSS, Mr. FUSTER, Mr. HORTON, Mr. GORDON, Mr. PETRI, Mr. RAVENEL, Mr. DE LUGO, Mr. CAMP, Mr. TOWNS, Mr. MARTIN of New York, Mr. EMERSON, Mr. STUDDS, Mrs. LLOYD, Mr. DEFazio, Mr. FASCELL, Mr. LENT, Mr. ROHRBACHER, Mr. HOCHBRUECKNER, Mr. CARR, Mr. OBERSTAR, Mr. HAYES of Louisiana, Mr. YOUNG of Alaska, Mr. NOWAK, Mr. FORD of Michigan, and Mr. HERTEL.

H.R. 559: Mr. EDWARDS of Texas, Mr. ARMEY, Mr. CAMPBELL of Colorado, and Mr. LENT.

H.R. 571: Mr. LEWIS of Georgia, Ms. KAPTUR, and Mr. DE LUGO.

H.R. 572: Mr. YATES, Mr. MILLER of Washington, Mr. RANGEL, Mr. RAVENEL, and Mr. MACHTLEY.

H.R. 598: Mr. McCLOSKEY.
H.R. 602: Mr. BARNARD, Mr. BOUCHER, Mr. HOCHBRUECKNER, Mr. JEFFERSON, Ms. KAPTUR, Mr. PAXON, Mr. PAYNE of Virginia, Mr. RANGEL, Mr. RAY, and Mr. TALLON.

H.R. 658: Mrs. LLOYD, Mr. HORTON, Mr. GORDON, Mr. RANGEL, Mr. JENKINS, Mr. MONTGOMERY, Mr. LAGOMARSINO, Mr. TOWNS, Mr. DE LUGO, Mr. WOLF, Mr. MILLER of Washington, Mr. ESPY, Mr. LIPINSKI, Mr. HASTERT, and Mr. VALENTINE.

H.R. 672: Mr. SERRANO.
H.J. Res. 2: Mr. THOMAS of Wyoming.

H.J. Res. 17: Mr. HOLLOWAY.
H.J. Res. 57: Mr. LEWIS of Florida, Mr. BATEMAN, Mr. MARTINEZ, Mr. VOLKMER, Mr. COSTELLO, Mr. ZIMMER, Mr. SKEEN, Mr. WALSH, Mr. SERRANO, Mr. PALLONE, Mr. FUSTER, Mr. VENTO, Mr. QUILLEN, Mr. ROWLAND of Georgia, Mr. OWENS of Utah, and Mr. GUARINI.

H.J. Res. 87: Mr. DUNCAN, Mr. HORTON, Mr. HAMMERSCHMIDT, Mr. TALLON, Mr. BATEMAN, Mr. DE LUGO, Mr. McDERMOTT, Mr. THOMAS of Georgia, Mr. GUARINI, Mr. HYDE, Mr. COLEMAN of Texas, Mr. ACKERMAN, Mrs. JOHNSON of Connecticut, Mr. BLILEY, Mr. WOLF, Mr. PAYNE of Virginia, Mr. ERDREICH, Mr. DORNAN of California, Mr. LENT, Mr. McGRATH, Mr. FRANK of Massachusetts, Mr. BACCHUS, Mr. MACHTLEY, Mr. CARPER, Mr. BOUCHER, and Mr. RITTER.

H.J. Res. 95: Mr. HUGHES, Mr. RANGEL, Mr. SPRATT, Mr. JEFFERSON, Mr. POSHARD, Mr. LIPINSKI, Mr. BLAZ, Mr. MACHTLEY, Mr. MAVROULES, and Mr. WHITTEN.

H. Con. Res. 47: Mr. SKELTON, Mr. CLEMENT, and Mr. APPLEGATE.

H. Con. Res. 50: Mr. LEHMAN of Florida, Mr. WYDEN, Mr. COX of California, Mr. FRANK of Massachusetts, Mr. McNULTY, Mr. FOGLIETTA, Mr. BEREUTER, Mr. SHAYS, Mr. DE LUGO, Mr. KOLTER, Mr. ARMEY, and Mrs. BYRON.

H. Con. Res. 56: Mr. WALSH, Mr. SANDERS, and Mr. TORRICELLI.

H. Res. 38: Mr. ANNUNZIO, Mr. RAHALL Mrs. COLLINS of Illinois, Mr. SMITH of Florida, Mr. CLEMENT, Mr. POSHARD, Mr. SPENCE, Mrs. BENTLEY, Mr. WALSH, Mr. MACHTLEY, Mr. RANGEL, Mr. DE LUGO, Mr. ROE, Mr. RAVENEL, Mrs. BYRON, and Mr. JEFFERSON.

PETITIONS, ETC.

Under clause 1 of rule XXII,
21. The SPEAKER presented a petition of the city of Warner Robins, GA, relative to the crisis in the Persian Gulf; which was referred to the Committee on Foreign Affairs.